

Equality Outcomes Report 2018 - 2020



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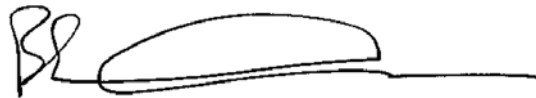
FOREWORD

Welcome to Children's Hearings Scotland's (CHS) second set of Equality Outcomes. In April 2018 we published our interim progress report on our Equality Outcomes and Mainstreaming and committed to developing and publishing a new set of Equality Outcomes to work towards between now and April 2020, at which point we will publish our next Equality Outcomes and Mainstreaming report.

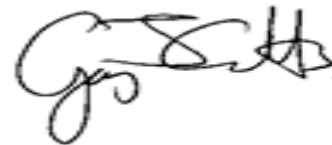
The outcomes that are presented in this report not only ensure that we are compliant with our statutory duties but are a statement of our continued commitment to fully embed equality as a key component of our business and the services that we provide to children, young people and their families. CHS is committed to supporting the Scottish Government's national outcome of Tackling Inequality.

Delivery of the Equality Outcomes will be overseen by the Senior Management Team of CHS who will report routinely to the CHS Board as it exercises scrutiny and governance over the organisation.

We look forward to reporting on our progress in our next Equality Outcomes and Mainstreaming report in April 2020.



Boyd McAdam
Chief Executive/National Convener



Gary Coulls
Chair of CHS Board

Equality Outcomes 2018-2020

OUTCOME 1

We are an organisation of choice for all, including disabled people, those with caring responsibilities and women because we help them to achieve equality of opportunity and reach their full potential either as employees or volunteers by removing any barriers in our employment or volunteering practices that might adversely affect them.

Overview

This outcome focuses on three particular groups with protected characteristics, namely, those with disabilities, those with caring responsibilities (i.e. who by *association* with a disabled person are protected under the Equality Act 2010) and women, and seeks to focus our attention to making the CHS workplace and volunteering environment as inclusive and supportive as possible for these groups of people. It is anticipated that by taking positive steps for these groups, this will enable CHS to attract a diverse range of candidates to apply to our employed and volunteering roles and then retain their skills and experience with our CHS community.

General Equality Duty Link

We believe that the following equality outcomes (1.1, 1.2 & 1.3) will assist CHS in meeting the general equality duties of eliminating unlawful discrimination and of advancing equality of opportunity for disabled people, carers and women to apply to, work for and volunteer with Children's Hearings Scotland. Furthermore, the removal of particular barriers for these protected groups in our employment and volunteer practices, along with increased awareness and understanding and robust underpinning policies, will help to individuals to maintain making a valuable contribution either in the workplace or as a volunteer.

Disability in the CHS workplace and volunteer community

Nearly 7¹ million people of working age in the UK are disabled or have a health condition. Historically there has been a significant gap between the proportion of disabled people employed compared with non-disabled people.

Encouraging applications from disabled people is good for any organisation as it can help to:

- increase the number of high quality applicants available
- create a national team and volunteer community that reflects the diverse range of children and young people that it serves and the community in which they are based
- bring additional skills to our organisation, such as the ability to use British Sign Language (BSL).

We have set ourselves measurable actions in **Outcome 1.1** to assist CHS in its aim to become an organisation that is recognised by disabled people and disability bodies as an organisation that enables disabled employees and volunteers to participate and achieve their full potential by removing, where practical, any barriers, in our employment and volunteer practices.

Carers in the workplace

Those with caring responsibilities often face significant challenges combining work with their caring commitments.

- Over 3 million² in the UK people combine paid work with caring responsibilities and 170,112 people in Scotland had given up work to care.
- The peak age for caring often coincides with the peak of an individual's career – 1 in 5 people aged 50-64 have caring responsibilities.
- 1 in 3 (30%) had seen a drop of £20,000 a year in their household income as a result of caring commitments.
- Half of working age carers live in a household where no-one is in paid work.
- Women are more likely to take on caring roles than men according to the 2011 census. Of the 6.5 million unpaid carers in the UK 58% - 3.34 million - are women.
- Caring falls particularly on women in their 40s, 50s and 60s. 1 in 4 women aged 50-64 has caring responsibilities for older or disabled loved ones³.

¹ <https://www.gov.uk/government/publications/employing-disabled-people-and-people-with-health-conditions/>

² <http://www.carerpositive.org/>

- Women are more likely to have given up work or reduced working hours to care, particularly in their 40s-60s. Women aged 45-54 are more than twice as likely than men to have given up work to care and over four times more likely to have reduced working hours due to caring responsibilities⁴

In terms of what workplace support can make a positive difference, in a survey⁵ of carers conducted by Carer Positive found that the top two priorities were improved and consistent manager awareness of caring issues (37%) and more flexible/special leave arrangements (again 37%).

Similar to the previous outcome relating to disability, we have set ourselves measurable actions in **Outcome 1.2** to assist CHS in its aim to become a recognised as an employer of choice by individuals with caring⁶ responsibilities due to its positive and open recruitment approach and its flexible working and attendance management policies and practices.

Women in the CHS workplace

CHS published its first [Gender Pay Gap Report](#) and Equal Pay Statement in April 2018. It reported a gender pay gap of 23% using the mean calculation method and a -17% gap using the median calculation method (details of how to interpret both sets of figures are found in the report) however it was concluded that CHS could not identified any patterns or trends that signaled equal pay concerns.

That said, in order to continue to deliver equal pay and equality of opportunity to our employees and job applicants, CHS committed to assessing its relevant employment policies and procedures to identify different effects of practices on women and men, and take action where appropriate to ensure that women continue to be attracted to the CHS workplace and receive the same fair treatment, and opportunities for personal and career development as male colleagues. CHS also committed to producing an Equal Pay policy by April 2019.

This commitment to putting in place robust employment practices and procedures in place to address current or future gender pay gap or equal pay is captured in our actions in Outcome 1.3.

³ Census 2011

⁴ Yougove polling 2013

⁵ Carer positive survey of 1,041, March 2015

⁶ A carer is someone who provides unpaid care by looking after an ill, frail or disabled family member, friend or partner.

Source: <http://www.carerpositive.org/>

Outcome II	CHS is recognised by disabled people and disability organisations as an organization that promotes equality of opportunity for disabled people, by enabling disabled employees and volunteers to participate and achieve their full potential with the removal of any barriers, where practical in our employment and volunteer practices.
Action(s)	<ul style="list-style-type: none"> • We will engage with national disability organisations to seek advice and guidance on how to be an inclusive and accessible employer. • We will ensure that all our communications and publications can be presented on request in accessible formats to our employees and service users. • As part of our inclusive recruitment processes, we will make reasonable adjustments for disabled applicants, applying for roles at CHS and for candidates attending interview/assessment events, where these can be made and be of benefit to the applicant concerned. • We will support employees who are or who become disabled to continue to work effectively in the workplace by making reasonable adjustments, where possible within the constraints of a small employer organisation. Where appropriate we will also support them in progressing claims to Access to Work for assistive technology, transport or equipment as appropriate. • CHS will reviews its current Absence Management policy and procedures to ensure that they do not unfairly discriminate or substantially disadvantage disabled employees. • We will develop a robust and fair process for managing employees who live with long term/chronic health conditions.
Timescale	December 2019
Success Measures	<ul style="list-style-type: none"> • CHS will become an accredited Disability Confident employer and maintains this accreditation. • Year on year percentage increase in the number of people who define themselves as having a disability who apply to join our CHS community either as employees or volunteers. • CHS will keep a record of evidence of reasonable adjustments that have been put in place to support employees and volunteers to achieve their full potential, including collecting direct feedback from individuals concerned.

Protected Characteristics	Disability
Responsibility	HR/OD Lead
Outcome 1.2	<i>LHS is a recognised as an employer of choice by individuals with caring⁷ responsibilities due to its positive and open recruitment approach and its flexible working and attendance management policies and practices.</i>
Action(s)	<ul style="list-style-type: none"> • We will engage with national carers' organisations such as Carers UK and Carer Positive to seek advice and guidance on how to be an inclusive and supportive employer. • We will review our recruitment and selection policy to ensure that our flexible and open approach is clearly reflected here. • We will review our recruitment and selection processes and practices (including our application forms and advertising methods) to ensure that our flexible and open approach is clearly reflected thus enabling us to attract a wider pool of suitable applicants. • We will review our absence management policy and procedures to ensure that it reflects the particular needs and requirements that employees with caring responsibilities may need. • We will review our flexible working policy and procedures to ensure that it reflects the particular needs and requirements that employees with caring responsibilities may need. • We will support and promote national annual campaigns, such as the National Carers Week
Timescale	April 2020

⁷ A carer is someone who provides unpaid care by looking after an ill, frail or disabled family member, friend or partner.

Source: <http://www.carerpositive.org/>

Success Measures	<ul style="list-style-type: none"> • CHS becomes an accredited Carer Positive employer and maintains this accreditation. • Year on year percentage increase in the number of people with caring responsibilities who apply to join our team.
Protected Characteristics	Gender, Age, Disability
Responsibility	HR/OD Lead

Outcome 1.3	<i>CHS has robust practices and procedures in place that address current or future gender pay gap or equal pay.</i>
Action(s)	<ul style="list-style-type: none"> • We will develop an Equal Pay Policy • We will provide opportunities for female CHS employees to take part in targeted initiatives and networking events for women such as Women in Leadership programmes • We will review our Flexible Working Policy to ensure that it remains fit-for-purpose and legislatively compliant for female as well as all employees. • We will review our Maternity and Parental Leave policies to ensure that they remain fit-for-purpose and legislatively compliant for female employees. • We will attend relevant learning events run by Close the Gap, HMRC related to gender inequality, including gender pay gap and equal pay.
Timescale	<p>Equal Pay Policy – April 2019</p> <p>Other actions, by April 2020</p>
Success Measures	<ul style="list-style-type: none"> • CHS has reduced its mean Gender Pay percentage when the next report is due in April 2020. • Newly revised policies are implemented and all staff are made aware of any new implications • Staff survey results evidence a positive result regarding opportunities for female employees to progress within CHS.

Protected Characteristics	Gender
Responsibility	HR/OD Lead

OUTCOME 2

As a Corporate Parent, we will work with dedicated third sector organisations and educational establishments to provide work experience opportunities for young people and young people from disadvantaged backgrounds.

Overview:

2018 is designated as Scotland's first Year of Young People and in support of this national theme, among many other activities, events and initiatives, it is appropriate that we have a specific outcome dedicated to young people. CHS can directly benefit from active engagement of young people through for example, the provision of work placement and internship opportunities, while the young people that we engage with in this way can champion the work that we do among their peers. They can also promote our annual recruitment campaign to their peer group, selling the many benefits young people can gain by becoming an active panel member with CHS.

Outcome 2.1 therefore aims to focus our attention on actively engaging with third sector organisations and educational establishments in order to establish good partnership working that is of particular benefit to young people.

General Equality Duty Link

CHS wishes to establish strong and long-lasting relationships with relevant third sector and educational organisations with the aim of creating purposeful and focused work experience opportunities for young people and people from disadvantaged backgrounds. Whether this experience is gained through internships, placements from university or other avenues, we would expect such arrangements would be mutually beneficial in that the individual gains valuable work experience to add to the CV and CHS benefits from tapping into their current knowledge for the particular project work that they are engaged with during their placement. It also provides the opportunity for CHS to potentially promote volunteering on the children's panel to the young person and their peers, given that this is a targeted demographic in annual recruitment campaigns. Therefore, this outcome helps CHS to meet the general duty of fostering good relations between persons who share a relevant protected characteristic and persons who do not.

Outcome 2.1	Establishing networks and links with dedicated third sector organisations and educational establishments, we provide opportunities for young people to gain sound experience of working in a national public sector organisation.
Action(s)	<ul style="list-style-type: none"> • In conjunction with the Robertson Trust (http://www.therobertsontrust.org.uk/about-us) select suitable candidate(s) to take up our summer internship opportunities within the National team, and ensure continued mentoring and support is given throughout the internship period. • Positively engage with other third level educational establishments so that they consider CHS as an employer of choice that can provide relevant work placements for their students, studying for specific qualifications.
Timescale	July 2018 - April 2020 (ongoing)
Success Measures	<ul style="list-style-type: none"> • Provision of the minimum of <u>one</u> internship opportunity each summer for Robertson Trust scholars to apply to. • Provision of the minimum of <u>one</u> work placement opportunity each year for college/university students that will support them to gain the necessary qualifications.
Protected Characteristics	Age
Responsibility	Senior Management Team/ HR/OD Lead

OUTCOME 3

Our staff are knowledgeable on equality and diversity related practices and feel confident that they can apply their learning and knowledge to their work, for example, competently conducting equality impact assessments (where appropriate), advising and supporting our volunteer community with any equality or diversity related matters, advising our partners, stakeholders and service providers on any equality and diversity considerations.

Overview:

Equality legislation is evolving and it is important that we are all aware on any developments that may impact us as individuals and also employees who train, recruit and support our volunteer community. To maintain an adequate level of knowledge of current equality legislation and themes it is important that equality and diversity training and awareness raising is continuous element of every staff member's development and that it is mainstreamed into our reporting processes.

General Equality Duty Link

This outcome focuses on increasing levels of awareness and understanding on equality, inclusion and diversity at all levels in the organisation and is key in helping CHS mainstream equality considerations and best practice into its everyday operations. Comprehensive and regular 'bite-sized' training sessions on equality matters and impact assessments for our staff group will encourage everyone to take personal responsibility for their own behaviour and conduct but also helps to increase the profile of equality and diversity to a strategic level, through the implementation of robust equality impact assessments that require senior management sign-off. This outcome will help CHS therefore to meet all three of the general duties by helping to eliminate discrimination through the removal of any barriers in recruitment and/or workplace practices, advance equality of opportunity for protected groups within the workplace and foster good relations between staff and between staff and key stakeholders, partners etc.

Outcome 3.1	CHS employees have a sound awareness on equality and diversity matters and feel confident in supporting others.
Action(s)	<ul style="list-style-type: none"> • We will ensure that all CHS employees receive general equality and diversity training on covering all 9 protected characteristics and unconscious bias. • As part of an on-going programme of equality training, all staff will receive ‘bite-sized’ training focussing on individual protected characteristics and the specific equality duties. • We will ensure that new employees (and any agency workers) receive this training as part of their induction programme. • We will ensure that the Recruitment and Selection policy is reviewed to ensure that its procedures and processes are fully compliant and reflective of any legislative changes or Scottish Government initiatives. • Any employees who will be expected to participate on recruitment panels will undergo bespoke Equality in Recruitment training. • We will explore the creation of e-learning Equality Training modules for our staff.
Timescale	April 2020
Success Measures	<ul style="list-style-type: none"> • All staff have received general equality and diversity training • All staff have received bite-sized training on equality and diversity • All new starts receive equality and diversity training within 2 months of commencing employment • We receive higher than our threshold 60% positive scoring in the Staff Survey to the question that assesses staff perception of own levels of knowledge and confidence in regards to equality and diversity matters.
Protected Characteristics	Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Religion and Belief, Race, Sex, Sexual Orientation.
Responsibility	Senior Management Team/ all policy writers/information asset owners

Outcome 3.2	Staff are competent in carrying out Equality Impact Assessments (EqIAs) on any new or revised strategies that they are responsible for developing.
Action(s)	<ul style="list-style-type: none"> • Develop clear and consistent Equality Impact Assessment rules and processes • Create an Equality Impact Assessment template • Provide appropriate training for staff in order to ensure that all staff are aware when and how Equality Impact Assessments should be conducted • Create a central register of all the organisation's policies and procedures, to record key information such as noting the date of policy implementation and date of review and the date of Equality Impact Assessment • All EIAs are accessibly published in order to meet the specific duties under the Equality Act 2010 • Keep an accurate central log of who has received the training • Keep an accurate central log of all strategies and policies that have been EqIA'd and publish results in an accessible manner.
Timescale	December 2018
Success Measures	<ul style="list-style-type: none"> • All EIAs along with a central policy register are accessibly published in order to meet the specific duties under the Equality Act 2010.
Protected Characteristics	Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Religion and Belief, Race, Sex, Sexual Orientation.
Responsibility	Senior Management Team/ HR/OD Lead

OUTCOME 4

Our volunteer community are fully trained and supported in equality and diversity matters and this enables them to confidently and fairly address the needs of children, young people and their families.

Overview:

This outcome enforces the need for a consistent and fair approach by panel members across Scotland in conducting hearings appropriately and without bias or discrimination. Over the past few years, CHS has been working on bringing greater consistency in panel practice and decision making and providing appropriate supports to enable the best decisions to be made. CHS national volunteer training is delivered through our Training Unit with support from our National team.

We also have evidence that there are particular challenges for some groups of children and families in engaging with and understanding the Children's Hearings process. For example, the Scottish Parliament's Education Committee has raised concerns about parents with learning difficulties engaging appropriately in the process.

CHS will work in partnership with other organisations to improve experiences and will ensure that those requiring support (e.g. parents with learning difficulties) are supported by panel members as much as possible to engage.

General Equality Duty Link

This outcome has been created around the need for a consistently fair approach by panel members across Scotland as volunteers, trained in how to conduct hearings appropriately/ without bias or discrimination. Communication and engagement skills with children and young people are a key development focus at the pre-service stage for our panel member training and quality assurance processes are in place to help CHS measure panel member behaviour and conduct during the hearing. This outcome will help CHS to meet all three of the general duties by helping to eliminate discrimination through the removal of any discriminatory or inappropriate behaviour during the hearings process and help to foster good relations and understanding between our volunteer members and individuals from equality groups who are involved in the hearings process.

Outcome 4.1	Children and young people from all 22 areas in Scotland consistently report that they felt that they were the most important person at the hearing and that they were treated fairly and with dignity and respect.
Action(s)	<ul style="list-style-type: none"> • CHS Learning Academy volunteer training includes training on effective communication with children and young people which all panel members will have completed at pre-service stage. • CHS' pre-service Management of Hearing training for volunteer panel members includes training on equality and diversity. • Children's hearings across all <u>22 ASTs</u> in Scotland are regularly⁸ observed by panel practice advisors in order to assess how consistently panel members apply knowledge and learning from their training to their practice in hearings. Observations of panel member practice are based on the eight National Standards of the Children's Panel and the seven competencies as detailed in the <u>Competence framework for panel members</u>, namely: - 1. Law and procedures, 2. Equal treatment, 3. Communication and children's views and participation, 4. Conduct of hearing, 5. Management of information, 6. Decision making, 7. Protecting rights. Any trends arising from PPA observations will be fed back into panel member training.
Timescale	Ongoing 2018 - 2020
Success Measures	<ul style="list-style-type: none"> • Feedback from the specific <i>Participation in Hearings</i> and <i>Equalities</i> sections of the Children and Families survey (conducted by the Scottish Children's Reporter Administration) should a year on year increase in positive responses from those surveyed. • Based on evidence from panel practice advisers and our Complaints and Concerns tracker, no discriminatory conduct has been displayed towards a child, young person or their family on the basis of them belonging to a protected

⁸ Panel Members are observed during children's hearings in accordance with the [Monitoring of Panel Practice and Panel Practice Observation policy](#)

	<p>characteristic group which ties in with the panel member competency of ‘Equal Treatment’ .</p> <ul style="list-style-type: none"> • In the Community Survey, to the specific statement, <i>“CHS is ‘Fair’ – making sure that everyone is treated with dignity and according to their individual needs.”</i> 98% of responses are positive from the 2017 survey so this percentage will be matched or increased in the 2019 Community Survey.
Protected Characteristics	All - Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Religion and Belief, Race, Sex, Sexual Orientation.
Responsibility	<p>Quality and Performance Lead – Community survey.</p> <p>National Training Lead – Volunteer training on engagement with children and young people.</p>

*Panel Members are observed during children’s hearings in accordance with the [Monitoring of Panel Practice and Panel Practice Observation policy](#)

Appendix 1 – Jargon Buster

Volunteers: CHS operates due to the work of our committed and hardworking volunteers. These are both those who are tribunal members attending panels across Scotland and those in our area support teams supporting the tribunal members. None are paid a salary although they may be reimbursed for reasonable expenses incurred in attending hearings e.g. parking costs.

Area Support Teams (ASTs): The ASTs are a team of volunteers who support and manage panel members in their local area supported by a Clerk who is a local authority employee.

CHS Community: The CHS Community encompasses panel members, AST members, board members and national team employees.

Panel Members

Panel members are volunteers from local communities across Scotland who are recruited and trained to make decisions to help the lives of vulnerable children and young people attending children's hearings. Panel members commit to making themselves available at least once a month to prepare for and sit on a three hour hearing session.

Children's Hearings System: The Children's Hearing System is the care and justice system for Scotland's children and young people.

Children's hearing: A hearing consists of three lay tribunal members called panel members, who are trained volunteers from

the local community. The hearing listens to the child or young person's circumstances and views and takes these into account as well as those of the family and all the information that has been provided by, for example, social workers. The hearing then makes a decision about what support and help is needed and whether a compulsory supervision order is required.

Protected characteristics: Age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex (male or female); and sexual orientation.

Equality groups: persons who share a relevant protected characteristic.

Equality Impact Assessments (EqIAs): a set of processes for assessing the impact of applying a proposed new or revised policy or practice against the needs of the general equality duty with consideration to relevant evidence relating to persons who share a protected characteristic.



Children's Hearings Scotland

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