

Scotland Business Plan 2011/12

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Introduction

I am very pleased to present the Commission's Scotland Business Plan for 2011/12. Last year, we delivered a wide range of activity that has made a difference to equality and human rights in Scotland – whether by advising individuals on their rights and taking up key cases, or by providing guidance and evidence to improve policies and practices more widely. You can see a summary of our achievements on our website - www.equalityhumanrights.com/scotland/the-commission-in-scotland - and we plan to build on these successes in the year ahead.

This year will be a transitional one for the Commission. We will be creating a new strategic plan for 2012-15, developing a new vision for 2015 and working to ensure that, as an organisation, we are as effective as possible in delivering our new agenda in the context of reducing resources.

At the same time, we will deliver a programme of work to challenge inequality, build opportunity and support a society underpinned by fairness, respect and dignity.

This will include a focus on driving effective implementation of the Equality Act across Scotland by publishing and promoting a Code of Practice and non statutory guidance on the Public Sector Equality Duty. We will also build the confidence of practitioners by engaging in briefing events and conferences for advice and support networks.

In the autumn we will launch and promote the findings of our two Inquiries; one looking at disability related hate crime, the other covering human trafficking in Scotland. Both Inquiries have found disturbing evidence of people being treated in ways that Scotland should not tolerate. The report from each Inquiry will make a range of recommendations on the changes required to be made to policies and practices to address these abuses. We will work with key agencies and organisations with the aim of facilitating the implementation of these recommendations across Scotland to bring about real change.

At a time of economic austerity, when fairness matters most, we must make sure that it is not considered least. To do this we will challenge decision-makers to demonstrate that fairness is at the heart of public spending decisions. We will follow up the guidance we have already issued on financial decision-making with an examination of the process by which mitigating actions were identified by Public Authorities that have made budget cuts that impact adversely on 'protected' groups. We will also look at whether these actions have been effectively implemented.

Last year we published our first Triennial Review ‘How Fair is Britain?’ This showed the progress which has been made in building a fairer society, but also highlighted some of the major challenges which remain. We will continue to promote the Review to policy makers, parliamentarians and practitioners to encourage the use of the Review evidence to influence and inform policy making.

This document gives further detail on the activities mentioned above, as well as on other work planned for the year. I hope you’ll find it a useful resource.

Much of our work is undertaken in partnership with others, and none of it will be successful without the support, work and guidance we receive from colleagues and friends across Scotland. We look forward to receiving your input to the consultation on our new Strategic Plan, and to continuing to work with you all to deliver real change in Scotland.

K.Lyle

Scotland Commissioner

Exercise our statutory powers and regulatory responsibilities

Codes and guidance

In 2011/12

- We will draft and publish a Code of Practice on the Public Sector Equality Duty in Scotland, and publish a Code of Practice for Schools in Scotland to ensure that courts, advisors and public bodies have clear guidance on their duties, and the public have clear expectations of responsibilities.
- We will draft, launch and promote non-statutory guidance on the Public Sector Equality duty in Scotland, ensuring public authorities have a clear interpretation of specific duties and requirements to help them prepare to meet their duties for April 2012.
- We will continue to build confidence with advice and support networks across Scotland, by holding 11 conferences and 8 solicitor events ensuring that up to 500 representatives, lawyers, advisors and organisations are better equipped to advise on the Equality Act. We will also work to ensure that lawyers are aware of our legal strategies and are encouraged to recognise strategic equality and human rights cases which the Commission may support.

Strategic Litigation

In 2011/12

- We will continue to support legal cases and to use our powers of intervention to clarify and strengthen legal and judicial interpretation of equality and human rights legislation.

Section 16 Disability Related Harassment Inquiry

In 2011/12

- We will launch and promote the findings of the Inquiry into disability-related hate crime, ensuring that the recommendations are discussed with target public authorities, benchmarks for improvement are established and tracked and the

recommendations of the Inquiry are embedded into policy across Scotland's public authorities.

Section 16 Human Trafficking Inquiry

In 2011/12

- We will launch and promote the findings from our Inquiry into Human Trafficking in Scotland and will work to ensure that the Scottish and UK Governments adopt and implement the recommendations from the Inquiry, leading to improved treatment of trafficked women.

Treaty Monitoring

In 2011/12

- We will continue to monitor Scotland's compliance with United Nations Conventions against discrimination. In particular we will:
 - contribute to the Commission's parallel report on the UN Convention on the Elimination of all forms of Racial Discrimination
 - continue our work with the Scottish Human Rights Commission to promote, protect and monitor the implementation of the UN Convention for the Rights of Persons with Disabilities in Scotland. As one of the four appointed National Human Rights Institutions, we will also continue to work with the Northern Ireland Human Rights and Equality Commissions to monitor the implementation of the Convention throughout the UK
 - provide a Scotland perspective to the Commission's work arising from the Bill of Rights Commission set up by the Westminster Government

Evidence based regulation

In 2011/12

- We will continue to expand our evidence base and to use this evidence when considering the need to use our statutory enforcement powers as a modern regulator, ensuring our decision making is proportionate, consistent and transparent.

Mitigating disproportionate impact of public spending cuts

In 2011/12

- We will help to ensure fairness in economic austerity through ensuring decision makers understand their obligations.
- We will evaluate the extent to which mitigating action has been identified and actioned in respect of budgetary cuts made by a sample of Scottish public authorities by commissioning research which will identify examples of good and bad practice.

Public Sector Equality Duty

In 2011/12

- We will complete and follow up our Section 31 Assessment of Scottish Government Equality Impact practice. We will hold one event with Scottish Government and three workshops with policy makers ensuring that Scottish Government redrafted equality impact assessment guidance incorporates the findings, and that key policy makers in public authorities integrate these findings into equality impact assessment so that better policy leads to better lives.
- We will complete our action research project with five councils. By providing hands-on, practical and specialist support, we will identify, develop and pilot solutions and tools, including our Equality Measurement Framework, designed to address the key challenges councils face in developing and using the equality evidence base in their outcomes approach.
- We will review the implementation of the new Public Sector Equality Duty in selected public authorities in Scotland and raise the profile of the new requirements delivering better compliance with the Duty.
- We will work in partnership with other regulators and inspectorates in Scotland to drive improvements in equality outcomes and stimulate public bodies to improve their equality performance which will provide greater public confidence about the effective and efficient use of public funds.

Scottish Social Attitudes Survey

In 2011/12

- We will work with the Scottish Government to analyse, publish and launch the Scottish Social Attitudes Survey, using the survey to promote good relations messages. We will also highlight the link between the survey and the Good Relations Duty, raising awareness of the duty and linking it with learning from the Commission's grants programme.

Building our intelligence function; completing and maintaining measurement frameworks

In 2011/12

- We will work with colleagues from England and Wales to create and pilot methods that will help us make better use of internal data to inform Commission decision-making.
- We will promote the Triennial Review to policy makers, parliamentary stakeholders and equality practitioners to assist in the use of the Review evidence to inform decisions in policy making.
- We will complete and maintain the measurement frameworks in a Scottish context so that the Equality Measurement Framework is used by the new Scottish Government as a resource for improving equality outcomes, and take steps to address imbalances in the Human Rights Framework and the Children's Measurement Framework for Scotland.
- We will work with relevant partners taking steps to improve equality data in Scotland to help public bodies prepare robust equality outcomes, and ensure the Commission is able to maintain its measurement frameworks and meet our statutory duty to monitor progress towards achieving a fairer society.

Independent Living

In 2011/12

- We will continue to work with the Independent Living steering group in collaboration with the Scottish Government, COSLA and disabled people's organisations to promote innovative practice in reshaping the policies, promotion and delivery of services which enable disabled people to live independent lives.

Employment

In 2011/12

- We will follow up our work on the use of the Myjobscotland recruitment portal, ensuring it is used appropriately with each local authority assessing its impact on equality.
- We will complete our Section 20 Investigation into the practices of Glasgow City Council in relation to equal pay for Pupil Support Assistants.

Reform Programme

In 2011/12

- We will create a Commission in Scotland best fitted to impact positively upon equality and human rights by implementing a new operational model and consulting across Scotland on our new Strategic Plan for 2012-2015.

Contacts

Scotland

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Calls may be monitored for training and quality purposes.

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www.equalityhumanrights.com

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