

# Scotland Business Plan 2010/11

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## Introduction

I am delighted to present the Commission's Scotland Business Plan, my first as Scotland Commissioner. The plan sets out an ambitious programme of work and underpins our commitment to promote and protect equality, build opportunity, tackle injustice and support a society built on fairness, respect and dignity. It is not possible for this plan to provide an exhaustive account of all our activity but I hope it will give you a real flavour of what the Scotland team will be delivering over the year.

Over the last year we have, together with key partners, worked towards equality and human rights for all. We have hosted a series of topical debates on key areas such as End of Life Issues and prostitution, taken legal action against the British National Party, launched a formal Inquiry into Human Trafficking in Scotland, clarified the extent of equality and human rights law, and advanced the national debate on issues such as flexible working and the gender pay gap. We have also successfully funded a number of strategic legal cases in the areas of age discrimination and equal pay.

This year the Commission in Scotland will be focussing on three key areas:

- Ensuring the new Equality Act makes a difference.
- Ensuring clear steps are in place to reduce violence and harassment against protected groups and enhance people's sense of safety and security.
- Building better public understanding and more informed debate about equality, good relations and human rights.

The Equality Act will be a major focus of our work over the coming year. We will help individuals, employers and public bodies understand their new rights and responsibilities. We will produce codes and guidance and raise awareness of individual rights and organisational obligations.

The public sector equality duties will play a central part in our Equality Act work and we will publish two key reports, Better Policy for Better Lives and Counting the Cost which will each look at how the public sector duties are discharged and the effects these have on the ground. As part of the Counting the Cost project, for example, we are examining the extent to which particular local authorities in Scotland have taken

into account the race equality duty when making financial decisions which affect the black and minority ethnic community.

Our work on ensuring people feel a sense of safety and security will see a focus on our Human Trafficking and Disability Harassment Inquiries.

We have a range of activity designed to push equality, good relations and human rights up the agenda and help build a consensus on what a fairer Scotland would look like. We will continue to influence legislation, monitor UN Treaties and conventions, provoke informed discussion through think pieces and debates, and bring people together to improve understanding across different groups .

The publication of the Commission's first Triennial Review and the completion of our Significant Inequalities in Scotland work provide landmark moments in terms of building understanding about equality and human rights across Britain and will help inform public debate.

This programme is ambitious, challenging and also exciting and we are under no illusions about the scale of the task ahead at a time of considerable change. We won't be able to deliver on our own and we look forward to continuing, together with our friends and colleagues, to work towards a Scotland built on fairness, dignity and respect.

Kaliani Lyle, Scotland Commissioner

## **Our strategic priorities**

Through our strategic priorities we aim to:

1. secure and implement an effective legislative and regulatory framework for equality and human rights
2. create a fairer Britain, with equal life chances and access to services for all
3. build a society based on good relations and foster a vibrant equality and human rights culture
4. promote understanding and awareness of rights and duties, and deliver timely and accurate advice and guidance to individuals and employers, and
5. build an authoritative, responsive organisation.

## **Strategic priority 1: Secure and implement an effective legislative and regulatory framework**

### **In 2010/11:**

- We will develop codes and guidance and promote the new Equality Act ensuring stakeholders are aware of the new legislation and its implications.
- We will support strategic cases which will test and clarify the law, as well as pursuing enforcement action using the Commission's range of powers.
- We will continue to fulfil the Commission's responsibilities as an accredited National Human Rights Institution by monitoring government's performance in respect of its UN Treaty obligations, We will also engage with the UN's treaty monitoring system and work with the Scottish Human Rights Commission to ensure the position in Scotland is properly reflected. In the coming year there will be a particular focus on the UN Convention on the Rights of People with Disabilities where joint work is being developed with the Scottish Human Rights Commission as well as the Northern Ireland equality and human rights Commissions.
- We will seek to influence devolved policy and legislation. We will continue to bring an equality and human rights perspective to devolved legislation on areas such as criminal justice, housing and constitutional reform.

The UK Government have intimated an intention to set up a Committee to consider the position of the Human Rights Act and a possible Bill of Rights. We will work to ensure that the human rights of citizens remain protected and that the substantial issues raised for a devolved Scotland are fully understood and considered

- Disability Harassment Inquiry. We will use our enforcement powers to examine what councils, police, health boards and other public authorities have been doing to address disability-related harassment as required by the Disability Discrimination and Human Rights Acts.

## **Strategic priority 2: Create a fairer Britain with equal life chances and access to services for all**

### **In 2010/11:**

- We will continue to promote, monitor, report and enforce the implementation of the three existing public sector equality duties on disability, gender and race. We will also provide information and guidance for bodies who will require to implement the new public sector duty in 2011.

### **Better Policy for Better Lives**

- We will complete the findings of our examination into how the Scottish Government is including equality issues in three key policy areas: housing, health and drugs policy development.
- The assessment – agreed under Section 31 of the Equality Act 2006 and which gives the Commission power to assess the extent to which a public authority has complied with one or any of its public sector duties – is being carried out with the full cooperation of the Scottish Government. It will look at the likely effect of its policies and practices in equality for different groups of people and the Commission will publish and promote the findings later in the year.

### **Counting the Cost**

- The Commission will publish and promote our report which looks at the impact of budget decisions made in the context of the Concordat between central and local government, examining specific services for women, ethnic minorities and disabled people and the application of the public sector duties.

### **Independent Living in Scotland**

- We will continue to support the Independent Living in Scotland project which aims to strengthen the independent living movement in Scotland and to support the involvement of disabled people in shaping the Scottish Government's approach.
- The Commission will publish a cost-benefit analysis into the implementation of independent living policies in Scotland and will support disabled people to represent their views in the implementation of the Independent Living in Scotland work plan with the Scottish Government, the independent living movement and Convention of Scottish Local Authorities.

## **Criminal justice**

- We will publish the first international study of how criminal justice agencies can rehabilitate people convicted of hate crimes. The study, which looks at practice in the UK, North America, Europe and Australasia, was prompted by concerns that there are no national and very few local programmes aimed at helping people who have been convicted of hate crimes to address their prejudices and change their behaviours.

## **Accelerating improvements in the workplace.**

- The Commission will continue to work together with business to embed equality and diversity and promote good practice in the private sector. As well as working with small to medium size businesses and ensuring that public sector employers are aware of changes initiated by the Equality Act, the Commission in Scotland will be working with 'key sector' industries to promote equality in the work place.

## **Narrow the pay gaps**

- We will continue to work with the Close the Gap partnership - which includes the Commission, Scottish Government, Scottish Enterprise and the Scottish Trade Union Congress – to promote awareness of and compliance with equal pay legislation. We will to provide guidance to the public and finance sectors as well as to Scottish small and medium enterprises to ensure employers understand the equal pay provisions in the Equality Act.
- The Commission will continue with its investigation into Glasgow City Council pay practices for classroom assistants.

### **Strategic priority 3: Build a society without prejudice, promoting good relations and fostering a vibrant equality and human rights culture**

**In 2010/11:**

#### **Promoting good relations and respect for human rights**

- We will continue work on our Human Trafficking Inquiry by beginning a series of evidence gathering activities. We will Commission research to better understand the lived experiences of victims of trafficking, investigate the policy and practices of agencies in Scotland and identify what, if any, impact these policies and practices had on victims of trafficking. We will launch a call for evidence, hold a series of roundtables across Scotland and commission a review of literature to examine international good practice.
- We will continue to work with the Scottish Government to develop and pilot questions on discriminatory attitudes for the 2010 Scottish Social Attitudes Survey, due for publication in December.
- The Commission will launch a report into the provision of accommodation by local authorities for Scottish Gypsy Travellers along with our assessment of what needs to change to resolve some of the current and seemingly intractable tensions. We will also scope the effective use of the Commission's enforcement powers in ensuring that Scottish Gypsy Travellers no longer face some of the most stark discrimination and prejudice of any community.
- We continue to work with our LGBT partners to win hearts and minds on lesbian, gay, bisexual and transgender issues, tackling discrimination in public policy, homophobia in our schools, ensuring the new hate crime laws are implemented effectively through Scotland's criminal justice system and to continue the dialogue between faith groups and the LGBT community through our chairing of roundtables.

## **Strategic priority 4: Promote understanding and awareness of rights and duties**

**In 2010/11:**

### **Driving excellence in the provision of frontline services. Delivering quality information, advice and guidance on rights.**

- We will continue to build on our transfer of expertise work with a particular focus on the Equality Act. We will deliver conferences with the Scottish Discrimination Law Association, with the Scottish Trade Unions Congress and with Scottish Employment Rights Network, as well as running a series of events across Scotland.
- We will continue to deliver and monitor a legal grant funding programme which funds other organisations to provide advice and representation across all equality strands in Scotland.
- We are developing quality standards for legal casework in the area of equality, together with equalities monitoring standards. We will use these in our own grants work and will promote and support their use amongst advice organisations across Scotland.
- We will continue to provide a high level of advice and support through our Scottish helpline.

## **Strategic priority 5: Build an authoritative and responsive organisation**

### **Building an authoritative, evidence-based organisation**

We will build an authoritative evidence base on equality, human rights and good relations in Scotland to support effective policy making and inform public debates. We will:

- produce and promote our first Triennial Review of society's progress on equality and human rights, establishing the picture in Scotland where possible
- work with Scottish Government to develop a national equality statistics and evidence plan identifying the priority data gaps to fill and timescales for delivery
- launch our research investigating the significant inequalities in Scotland in order to model a use of our Measurement Framework and influence the Scottish Government's National Outcome 7 (tackling the most significant inequalities)
- publish a think piece on national identity in order to inform the Scottish Government's National Outcome 13 (taking pride in a strong, fair and inclusive national identity), and
- produce key fact and statistics sheets to inform public debate and ensure the accuracy of our statements.

We will ensure long-term sustainable change in how policy-makers, statistics providers and researchers understand and use evidence through our Measurement Framework. We will:

- continue to engage with equality groups, academics and data providers to ensure our Measurement Framework captures the most important equality, human rights and good relations issues affecting people in Scotland, and
- implement the Measurement Framework with Scottish local authorities and regulators. Working in partnership with Scottish Government, Convention of Scottish Local Authorities and the Improvement Service, we will pilot the use of the Measurement Framework with a selection of local authorities to improve the evidence base on equality at a local level.

# Contacts

## Scotland

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