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| **Report to:** | The Board |
| **Meeting Date:** | 15 March 2021 |
| **Report Title** | Equality Outcomes Plan |
| **Report Category** | For Decision |
| **Issue status:** | Business as usual |

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| **Written by:** | Anne Dickson, Director of Strategic Development  Louise Baggott, Corporate Policy Officer (Equalities) |
| **Director responsible:** | Anne Dickson |
| **Presented by:** | Anne Dickson |
| **Contact details:** | dicksonan@slab.org.uk |

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| **Delivery of Strategic Objectives** | |
| Select the Strategic Objective(s) relevant to the issues | 1. We deliver a high quality user focussed service  2. We embed ways of working across the organisation that enhance the quality, consistency and transparency of our decisions and delivery  3. We engage with users and delivery partners across the legal aid and justice system to inform good design of our system and services |

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| **Link to Board or Committee Remit** |
| Setting the strategic direction of the organisation with regards approval of corporate strategies or delivery plans concerning statutory duties outwith the Legal Aid (Scotland) Act.  In this case our duties under:   * the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (and subsequent updates in 2015 and 2016) which provides the framework to support SLAB to meet the public sector equality duty under the Equality Act 2010. |

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| **Publication of the Paper** |
| We have considered this paper for its suitability to be published. We recommend to the Board that the paper should be published. The Equality Outcome Plan 2021 – 2023 will be published on our website. |

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| **Executive Summary** |
| The attached Equality Outcomes Plan 2021-2023 and this cover paper set out our equality priorities up to 31st March 2023. We have identified three equality outcomes based on a review of equality evidence. This includes our own evidence gathered through internal and external stakeholder research and survey work, evidence relating to the justice sector in Scotland, and evidence relevant to SLAB as a public service provider and employer in Scotland.  Our equality outcomes align with our recently published strategic objectives and are as follows:   1. **People with disabilities and people who speak languages other than English can access our services and funding of appropriate communication support with ease** 2. **SLAB gathers and uses equality data to inform our policies and improve our services.** 3. **SLAB employees maintain good mental and physical health during the covid-19 pandemic and recovery phase**   The Equality outcomes plan includes a summary of three actions we will take in response to the Scottish Parliament’s Equalities and Human Rights Committee inquiry into race equality, employment and skills. |

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| **Previous Consideration** | |
| **Meeting** | **Detail** |
| Board Meeting  12th October 2020 | Members considered SLAB’s Equality Outcomes Progress and Mainstreaming Report, and corporate equality issues. The report was **noted**. |
| Board Meeting  7th May 2019 | Members considered a paper updating on SLAB’s equality outcome progress, mainstreaming activity and corporate equality issues.  Recent equality issues and associated corporate risks were also included; review of our reasonableness test, our application of the taxation standards in paying accounts, and engagement with the EHRC.  Board members noted the update and agreed with:   * plans to engage with equality groups to inform our April 2020-2023 equality outcomes and, * the prioritisation of resource to support mainstreaming work and reduction in work to deliver equality outcomes from April 2020 onwards. |
| Board Meeting  10th September 2018 | Members considered a paper reporting on corporate work on equality and diversity.  The paper outlined progress with mainstreaming equality and equality outcomes. Current issues included the gathering of equalities related information about applicants from solicitors. A paper would soon be submitted to the Legal Services Policy Committee on disability and decision making.  After discussion, it was **agreed:**   * to **note** the issues being considered in relation to SLAB’s public sector equality duties, and * to **approve** the progress report for publication. |

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| **Report** |

1. The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (and subsequent amendments in 2015 and 2016) provides the framework for our corporate work on equality. In broad terms this covers work to mainstream equality into day to day decision making, the delivery of our equality outcomes, work to gather and use our workforce equality data, and equal pay information.
2. The regulatory framework requires public authorities to report on progress on mainstreaming the equality duty and progress made to achieve equality outcomes ‘at intervals of no more than two years, beginning with the date on which it last published a report’, and to publish equality outcomes ‘at intervals of not more than four years, beginning with the date on which it last published a set of equality outcomes’.
3. We were due to publish new equality outcomes together with our progress report in mainstreaming equality in April 2020. Work on drafting this report was delayed due to the current global pandemic. Planned publication of other key corporate documents were also delayed, including the Corporate Plan with which we align our equality work.
4. We have decoupled our equality reporting into two separate publications to help manage the impact of the pandemic and still meet our regulatory reporting timeline.
   1. A final progress report on our 2017 – 2020 equality outcomes alongside an update on the other elements of the specific duties (listed in paragraph 1) which the Board approved on 12th October and was published on 31st October, and,
   2. A revised equality outcomes plan for 2021 – 2023 that must be published by 31st March 2021 and which is the subject of this paper.
5. In December, we published our Corporate Plan 2021 – 2023. This continues our theme of organisational improvements but is also designed to look to the future and position us as a strategic organisation. Our revised strategic objectives will be delivered by a range of activities that are mirrored in the attached report to deliver our equality outcomes. Our equality outcomes will therefore directly support the delivery of our strategic objectives.
6. As previously reported to the Board, we are making a significant investment in our mainstreaming work which would be balanced by a reduced investment in activity to deliver our equality outcomes. This has been achieved by reflecting where our mainstreaming work (e.g. GALA policy review) will also help to deliver the relevant outcomes.

**Equality Outcomes Plan 2021 - 2023**

1. The attached Equality Outcomes Plan 2021-2023 for publication by 31st March 2021 has been drafted with the general public in mind. It provides a more detailed overview of the evidence we have considered in revising our equality outcomes and the activities and measures of success that will deliver them. Our normal three year equality outcomes cycle has been reduced to two years to ensure that we revise them in line with our next corporate planning cycle.
2. The evidence we have used to revise our equality outcomes includes national and justice-related published reports (listed in the appendix of the attached report), research and survey work we have undertaken with internal and external stakeholders, and the experiences of our operational teams.
3. External engagement with members of the public[[1]](#footnote-2), representative equality organisations and justice partners provided us with valuable support for a continued focus on accessible services and highlighted areas for further reflection as we developed our outcomes.
4. Our internal engagement has been with managers who were asked to comment on our previous outcomes and their continued relevance going forward. We used their feedback to draft our revised equality outcomes before engaging again in February 2021 to seek their views on those drafts and the planned activity to support them. The feedback was very positive with general agreement that we are focusing on the right things and that the framing of the outcomes is clear.
5. Equality outcome 1: People with disabilities and people who speak languages other than English can access our services and funding of appropriate communication support with ease. This outcome carries over the theme of accessible services from our last set of outcomes and the next stage of work to develop new policies around customer service.
6. Equality outcome 2: SLAB gathers and uses equality data to inform our policies and improve our services. This continues to be an important focus of us and our positioning as a more strategic organisation. Central to this work is the development of an applicant module that allows solicitors to easily input equality characteristics as part of an application for legal aid and the implementation of a new case management system for our own direct services. Both should lead to an improved evidence base on which to inform policies and services.
7. Equality outcome 3: SLAB employees maintain good mental and physical health during the covid-19 pandemic and recovery phase. This is a short term outcome that focuses our attention on our most vulnerable employees and the impact of the global pandemic. Our managers in Corporate Services and Accounts are leading on this work through the Designing a New Working Environment project. It is therefore important that we build capacity across this Directorate in terms of equality issues and the impact of covid-19.
8. In November 2020 the Scottish Parliament’s Equalities and Human Rights Committee published a report on its Race Equality, Employment and Skills inquiry. This Committee has asked each public authority to commit to take a minimum of three new actions to address their organisations specific issues. The timing of the inquiry and our work to develop our equality outcomes did not align however we have committed to three actions and we will consider further actions and outcomes in April 2023.

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|  | **Governance Links** *[any relevant information linked to key heads of corporate governance.]* |
| 1 | Finance and Resources  We are in the process of recruiting a further policy officer dedicated to equalities work to support the delivery of our outcomes and wider mainstreaming activity. This cost is included in current budgets. |

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| 2 | Risk  The work on equalities reported here is a control related to Risk 13: “Non compliance with the range of statutory obligations as per public body and employer”. |
| 3 | Legal and Compliance  The governing legal framework are the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (and subsequent updates) and The Gender Representation on Public Boards (Scotland) Act 2018 |
| 4 | Performance  Progress against our equality outcomes is monitored by the Executive Team via business plan updates.  We have aligned our equalities work with our Corporate Plan activity. Progress of our delivery of the Corporate Plan as planned in our annual Business Plan will be reported quarterly to the Board. That will include key equalities workstreams.  Monthly Equalities Project Group meetings chaired by Director of Strategic Development |
| 5 | Equalities Impact  The equality outcomes have been developed on the basis of available equality evidence. Individual workstreams are progressing equality impact assessments as appropriate. |
| 6 | Privacy Impact and Data Protection  N/A |
| 7 | Communications and Engagement  External research with members of the public and survey sent to justice partners and representative equality organisations.  Internal engagement with SLAB’s Managers on two occasions (1) as part of our engagement on corporate priorities and (2) a survey about our draft equality outcomes.  The Equality Outcomes Plan 2021 – 2023 will be communicated via our website (external) and on SLAB’s Intranet (internal) |

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| **Conclusion and next steps** |
| Members are asked to approve the attached plan for publication. |

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| **Appendices/Further Reading** |
| 1. Equality outcomes plan 2021-2023 |

1. The research report “[Public Involvement in Setting SLAB's Equality Outcomes](https://www.slab.org.uk/?download=file&file=17624)” was published on our website in February 2020. [↑](#footnote-ref-2)