

REPORT

Improving Equality Outcomes Project Report

March 2015



Introduction

In 2013 the Equality & Human Rights Commission in Scotland published 3 reports, *Measuring Up?*¹ on the performance of Scottish Public Bodies against the requirement of The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012.² These reports identified areas of strength and weakness in the overall approach of Public Bodies. This short report sets out the action that the Commission took and reports on progress to date.

Through the *Measuring Up?* series of reports, the Commission found that many Public Bodies failed to measure up to the detail of the specific duty requirements. For example, only 1 in 3 published robust equality outcomes that were clear and measurable. The Commission took the view that poor quality³ outcomes would make it difficult for Public Bodies to report effectively on their progress in April 2015 and would be unlikely to achieve positive change for people with protected characteristics.

As a result of the *Measuring Up* series, and in keeping with the duty on the Scottish Ministers to publish proposals to enable better performance of the equality duties, the Scottish Government identified 4 key areas where improvements needed to be made -

- equality outcomes,
- employment monitoring,
- equal pay and occupational segregation, and
- improving equality data.

This work is being taken forward as part of the Scottish National Equality Improvement Project (SNEIP)⁴. The Commission is working in partnership with the Scottish Government on improvement, and takes the lead on equality outcomes.

Our approach to Improving Equality Outcomes

Using the findings from *Measuring Up?* The Commission identified 46 Public Bodies whose outcomes we believed would benefit most from improvement support.

The Commission offered each of these 46 Public Bodies a package of direct support and advice to assist them in evaluating their approach to

¹ [Measuring Up? reports](#)

² [Equality Act 2010 \(Specific Duties\) \(Scotland\) Regulations 2012](#)

³ As defined in [Appendix 3](#) of *Measuring Up?* 3

⁴ [Priorities for focussing support 2013-17](#)

outcome setting and identify areas for improvement. This direct support and advice took the form of 1-2-1 facilitation, with the Commission allocating a member of staff to each authority, as well as the provision of a self-assessment tool⁵. The Commission staff provided initial feedback on the outcomes already set, interim advice on their revision, and final feedback on progress. This work was conducted between June and December 2014.

Overall Project Results

46 Public Bodies participated in the project. 36 bodies successfully revised their outcomes and 2 agreed to carry out further work after additional areas for improvement were highlighted to them.

The Commission quality assured 38 sets of revised outcomes. 10 organisations are continuing to revise their outcomes outwith the project timeframes.

The majority of bodies who are continuing work on their outcomes outwith the planned timeframes for the project have cited organisational restructure, practitioner absence and a desire to consult again and involve service users as the main reasons for failing to complete on time.

The Commission continued support for these bodies, as well as the 2 bodies for whom further work was recommended, to ensure the outcomes were refined within a timeframe that also affords them opportunity to assess progress against the revised outcomes ahead of reporting in April 2015. This support continued in the form of 1-2-1 advice from Commission staff and completed in mid February.

Our findings

The Commission identified a number of common issues amongst the equality outcomes, 3 of which generally required substantive work from the Public Bodies to remedy. These were:

- i) *Authorities published outputs or activities rather than outcomes*

An outcome is a change achieved as the result of planned work, whereas an output commonly refers to the work itself.

Where this was an issue, the 'outcomes' tended to focus on what the organisation would do, rather than on a result that would evidence positive change for people with protected characteristics.

⁵ [Outcomes Self Assessment Tool](#)

Example:

A Public Body published an outcome that stated
“Identify relevant policies and functions to equality.”

After some discussion about what the purpose of this work was the body refined the outcome to read

“Persons with protected characteristics are able to engage equally in the exercise of the Board’s licensing functions.”

ii) Outcome published was not specific – it did not set out what the problem or issue was

In these cases, it was unclear what issue the outcome sought to address, or it was unclear how the protected characteristics listed against the outcome were relevant.

Examples:

“(the Public Body) community reflects the diversity of backgrounds in the areas where we operate.” (No protected characteristics mentioned).

Was refined to

“(the Public Body area) is a place where people have access to quality affordable housing by delivering affordable homes for rent and sale.”
(covering all protected characteristics).

iii) Published outcomes were not measurable

These outcomes lacked robust criteria which could be used to measure progress towards realising the outcome. Frequently, they lacked baselines, improvement aims or timeframes to measure against. Another common shortcoming was that too few measurements were identified, or omitted entirely.

Example:

"(Outcome) - Knowing where to get help from the Public Body A."

(Proposed measurement) - "more accessible information is more widely provided & translation and interpreting systems are improved. "

In this case, the Commission facilitator highlighted that providing information and improving services will not indicate that those people with protected characteristics know where to get help. Examples of appropriate measurement criteria could be percentage increases in people with relevant protected characteristics accessing services or survey results indicating attitudinal shift in confidence for people with protected characteristics accessing services.

After revision, the outcome was republished as

"Public Body A will ensure its services are accessible to individuals and community groups, and those who share relevant protected characteristics".

As well as outlining the actions and outputs that underpin the outcome, the measurement criteria included –

- percentage increase in accessible items borrowed from libraries;
- percentage increase in use of people's network PC's;
- Increase in learners accessing basic IT through CLD including ESOL IT.

In addition to the above areas, Commission staff identified further issues with published outcomes. These included:

- Public Bodies which had published only one outcome (requirement is for a 'set');
- outcomes that had no clear connection to the purposes of the general equality duty;
- outcomes published relate to something that they were already required to do elsewhere in regulation (eg. access for people with disabilities or reporting on the gender pay gap): and,
- a lack of clarity about how the evidence and outcomes were connected.

Improvement in action

In April 2013, Public Authority B published a set of 4 equality outcomes covering: the gender pay gap, gender imbalances in the overall composition of students, increasing and using data monitoring, and monitoring staff and service user perceptions of the organization.

Public Authority B received key feedback from the Commission that:

- The outcomes published were not actually outcomes – all were activities with no defining purpose.
- There was no mention of the three needs of general duty in what they had published.
- Some of their outcomes relate to either existing regulatory requirements, or issues that should be considered ‘business as usual’ activities for a listed public authority.

Nonetheless, they were in a good position to redraft their current proposals and to develop these into outcomes. Public Authority B successfully addressed each issue raised in the feedback from the Commission. Their revised outcomes represented a confident expression of the results they hoped to achieve. The new outcomes expanded the scope of their work, covering themes relating to improving teaching and learning outcomes, extending access to learning across all protected characteristics, improving the student experience, improving career development opportunities, better engagement with local communities and in growing a more engaged staff and student community. The outcomes were supported by a concise narrative which framed the inequalities addressed and gave example outputs, specific measures and long term contextual indicators for each. Because of this, a confident link was also made to the needs of the general duty, and to their overarching strategic business plan.

Conclusion

The Commission supports the Government’s intention that the setting of specific and measurable equality outcomes is an essential tool in addressing the inequalities which still exist in Scottish society. Without addressing the issues relating to equality outcomes highlighted in Measuring Up?, it is doubtful whether the public authorities who

participated in this project would have been able to measure progress against their outcomes in April 2015.

Of particular concern to the Commission is that a significant minority of bodies invited onto the project appeared to have ceased work on equality outcomes - often for long, extended periods of time. Typically, this was true of bodies which had experienced organizational restructure or absence of the employee(s) with the equalities remit.

Together with this report, the Commission has published a more in depth analysis of this project which will report on its impact.

In 2015/16, the Commission will continue with its core monitoring work, analysing performance across mainstreaming reports, the publication and use of employee information, progress in achieving equality outcomes, and gender pay gap information. The Commission has already published a briefing to support public authorities PSED reporting in April 2015⁶, as well as the aforementioned self-assessment tool. With further resources and tools being made available by the Scottish Government as part of the Scottish National Equality Improvement Project, we hope that all public authorities will be able to measure their own contribution towards a Fairer Scotland.

⁶ [Reporting requirements of the Scottish Public Sector Equality Duty](#)