

Equality and Human Rights Commission

Involvement and the Public Sector Equality Duty

A guide for public authorities
in Scotland

Contents

1 Introduction.....	4
Context for this guide.....	4
Legal status of this guide	5
Aim of this guide	5
Who this guide is for	5
Content of this guide.....	6
2 Involvement and the public sector equality duty	7
The General Equality Duty.....	7
The Specific Duties.....	8
What the Specific Duties require on involvement	8
A note on terminology.....	8
3 ‘Involvement’ and ‘considering relevant evidence’	10
Reasonable steps.....	10
4 What is involvement?.....	11
5 Why should you involve people?	12
Equality outcomes	12
Wider decision-making: assessing impact and improving services	13
6 Who should you involve?.....	15
Equality outcomes	15
Wider decision-making: assessing impact and improving services.....	16
7 When should you involve?.....	17
8 How should you involve?	18
Equality outcomes	18
Planning for effective involvement	18
Needs of participants.....	19

Barriers to involvement	20
Use the evidence that you gather	20
Wider decision-making: assessing impact and improving services	21
Involvement methods.....	23
9 Involvement success factors.....	24
Leadership commitment	24
Integration into policy decision-making.....	24
Early involvement	24
Ongoing involvement.....	24
Joint working with partner authorities.....	25
Partnerships with other organisations and trade unions	25
Accessible involvement	25
Proportionality.....	25
Appendix 1 Involvement methods	26
Co-production	26
Review group.....	26
Focus groups.....	27
Representative groups.....	27
Existing structures	28
Online involvement	28
‘Future search’ conference	28
Conversation café.....	29
Appreciative inquiry	29
Citizen juries	29
Open space	30
Citizens’ panel or summit.....	30
User panels	30
Other sources of information	31
Contacts	32

1 | Introduction

Context for this guide

This guide is one of a series written by the Equality and Human Rights Commission (the Commission) to explain how public authorities can meet the requirements of the Equality Act 2010 (the Act), which harmonises and replaces previous equalities legislation. The Act includes a public sector equality duty which replaced the separate duties relating to race, disability and gender equality. The public sector equality duty came into force on 5 April 2011.

There are eight guides giving advice on the public sector equality duty in Scotland:

1. The Essential guide to the public sector equality duty
2. Equality outcomes and the public sector equality duty
3. Evidence and the public sector equality duty
4. Involvement and the public sector equality duty
5. Assessing impact and the public sector equality duty
6. Mainstreaming the equality duty
7. Employee information and the public sector equality duty
8. Board diversity and the public sector equality duty

The Essential Guide gives an overview of the requirements of the public sector equality duty.

The other seven documents provide additional practical advice. Further information can be found on the Commission's website: www.equalityhumanrights.com. If you require this guide in an alternative format and/or language please contact us.

If you require this guide in an alternative format and/or language please contact us to discuss your needs. Contact details are available at the end of the publication.

Legal status of this guide

This guide gives advice on how to meet the public sector equality duty. It will help public authorities to comply with their legal duties under:

- Section 149 of the Equality Act 2010 (the public sector equality duty), and
- The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 as amended.

Aim of this guide

This guide aims to help authorities subject to the public sector equality duty to implement the duty as it relates to involvement. The guide provides detailed advice to supplement the information set out in the *Essential Guide to the Public Sector Equality Duty*.

Who this guide is for

This guidance provides advice to two types of public authority: those that are subject only to the public sector equality duty and those that are also subject to the specific duties under the 2012 regulations mentioned above ('listed authorities'). The different requirements for each type of public authority are set out clearly throughout this guide.

This guide is aimed at those responsible for implementing the public sector equality duty in public authorities in Scotland. It will be of interest to staff right across public authorities, but particularly those in charge of involvement, as well as those engaged in business planning, procurement, analysis, performance management, human resources, grant making, governance and scrutiny.

The guide will also assist those who have an interest in the work of public authorities such as service users, voluntary bodies, unions and equality organisations.

Content of this guide

This guide:

- Explains the obligations of listed authorities to involve under The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 as amended (the specific duties)
- Explains the purpose of involvement and how this relates to the other requirements of the public sector equality duty
- Provides advice on the use of involvement in preparing equality outcomes, and other uses of involvement
- Advises on success factors and involvement methods.

This guidance is for public authorities in Scotland. Separate guidance on the public sector equality duty is available for public authorities in England (and bodies with non-devolved functions in Scotland and Wales) and public authorities in Wales. These reflect the differences in the specific duties for England and Wales.

2 | Involvement and the public sector equality duty

The public sector equality duty is here referred to as the ‘general equality duty’ and is set out in the Equality Act. If you are listed in The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 as amended, you are also covered by specific duties, which are designed to help listed authorities meet the general equality duty. Further information on the public sector equality duty can be found in our *Essential guide to the public sector equality duty*.

The General Equality Duty

The general equality duty requires public authorities, in the exercise of their functions, to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not.

This guidance refers to these three elements as the three ‘needs’ mentioned in the general equality duty and so when we discuss the general equality duty we mean all three needs.

The public sector equality duty covers the following protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The public sector equality duty also covers marriage and civil partnerships, with regard to eliminating unlawful discrimination in employment.

The ban on age discrimination in services and public functions came into effect on 1 October 2012. As the ban does not extend to people under 18 this limits the scope of the duty to have due regard to the need to eliminate ‘unlawful discrimination’ under the first need of the duty (although it does not limit the other two needs).

The Specific Duties

The purpose of the specific duties in Scotland is to help those authorities listed in the Regulations in their performance of the general equality duty.

For a complete list of listed authorities and their reporting reporting cycles, see our publication “Public Authorities in Scotland – Who is covered by the Specific Duties?” which can be found at <http://www.equalityhumanrights.com/en/publication-download/public-authorities-scotland-who-covered-specific-duties>

What the Specific Duties require on involvement

Public authorities covered by the Specific Duties

The specific duties require each listed authority to publish a set of equality outcomes which it considers will enable the authority to better perform the general equality duty. It must publish a fresh set of equality outcomes within four years of publishing its previous set.

In preparing a set of equality outcomes, listed authorities must consider relevant evidence relating to people who share a relevant protected characteristic. This will include relevant evidence from those people who have been involved.

An authority must publish a report on the progress made to achieve its' equality outcomes every two years.

Public authorities covered only by the General Equality Duty

Although there is no specific requirement under the general equality duty to involve service users or employees, involving equality groups and communities will help you meet the general equality duty.

A note on terminology

This guidance uses the term ‘policy’ as shorthand for any activity of your organisation. Therefore ‘policy’ should be understood broadly to embrace the full range of your policies, provisions, criteria, functions, practices and activities including the delivery of services – essentially, everything you do.

This guidance uses the term ‘equality groups’ to mean ‘persons who share a relevant protected characteristic’ and where reference is made to ‘equality groups and

communities' this includes 'any person who appears to the authority to represent the interests of those persons'.

3 | ‘Involvement’ and ‘considering relevant evidence’

‘Involvement’ and ‘considering relevant evidence’ are closely related activities which inform the decisions of listed authorities in preparing and publishing a set of equality outcomes.

Considering relevant evidence, including evidence received from equality groups, informs the assessment of impact of proposed new or revised policies.

This guide addresses involvement. In practice, however, the two will often overlap, as some ways of involving people also serve as forms of evidence gathering, as in a focus group for example.

For further information, please see our guide *Evidence and the Public Sector Equality Duty*.

Listed authorities must use evidence and involvement to prepare equality outcomes. This will help them focus their efforts and use their resources most effectively. This is of particular importance in a period of constrained public spending.

Reasonable steps

Listed authorities are required to take reasonable steps to involve equality groups and communities in preparing a set of equality outcomes.

Reasonable steps will be those steps that are likely to help the authority prepare a set of equality outcomes which are based on significant equality issues, in terms of evidence of scale or severity of impact on the life chances of individuals.

Reasonable steps should be practicable and proportionate for the authority to take, bearing in mind the significance of the issues, the extent of what is already known about the issues, the resources required to take the steps and the extent of the resources available to the authority. The efforts put in need to be in proportion to both the resources of the organisation and the potential impact on people’s lives.

The resources available to equality groups and communities to support effective involvement will also need to be considered in deciding what is reasonable.

4 | What is involvement?

Involvement covers a range of ways in which public authorities interact with service users and employees, over and above what they do in providing services or within a formal employment relationship. The various methods of involving service users and employees in this way are discussed in the Appendix to this guide.

In order to be fully effective, involvement should be:

- Well-structured and focused
- Adequately resourced and accessible
- Influential and transparent
- Respectful of confidentiality and safety.

Under the previous equality duties, public authorities were required to consult and involve people from different equality groups. You may already have significant experience of consultation and involvement from the previous race, disability and gender duties and be able to use this experience to help you to involve people with protected characteristics under the public sector equality duty.

Unlike consultation, involvement will support public authorities to develop active engagement on an ongoing basis with people over a period of time to identify the key issues and exchange views that can help develop the most relevant equality outcomes. Involvement may also help you with wider decision-making.

5 | Why should you involve people?

The purpose of involvement is to enable equality groups and communities to contribute to the preparation of a set of equality outcomes which are likely to make the biggest difference in tackling inequality within your organisation's sphere of influence.

In preparing your equality outcomes you must take reasonable steps to involve equality groups and communities and consider relevant evidence relating to equality groups.

While decisions on equality outcomes are for your organisation to make, the information you obtain through involvement with the relevant equality groups and communities will help make sure these outcomes are appropriate.

Although you should ensure that you are able to review and revise equality outcomes once these have been published, equality outcomes are set for a four-year period. Participants in any evidence and involvement exercises will therefore need to understand the long-term nature of the exercise.

Involving people may also help you to assess the impact of your provisions, criteria and practices on equality and be useful to help you to improve services.

Authorities subject only to the general equality duty may find it helpful to involve equality groups and communities in order to have 'due regard' to the need to eliminate discrimination and harassment, advance equality of opportunity and foster good relations.

Equality outcomes

In preparing a set of equality outcomes, equality groups and communities can be well placed to help identify needs, patterns of disadvantage and poor relations between groups, and the reasons for these. They can help you to focus on the key equality issues for your organisation in terms of service delivery and employment.

Involving your service users or employees may provide you with qualitative evidence in cases where a good quantitative evidence base, such as employee data on sexual

orientation, is not yet available. Involvement may also help you to consider where positive action measures may help improve equality for people who share a particular characteristic.

Involving equality groups and communities may also help you to consider relevant evidence. For example, in deciding what equality outcomes you will publish, you may find that reported incidences of targeting a victim on the grounds of sexual orientation, race, disability and religion or belief (hate crime) are increasing. Involving people in considering this evidence may help you to consider whether this is due to an increase in the willingness of certain protected groups to report it, or to an increase in the number of instances of hate crime itself, and help shape your equality outcomes accordingly.

Involvement will be valuable when measuring progress in respect of your equality outcomes. You will be able to gain an understanding of how a policy is being implemented on the ground and whether there are any unintended consequences which are limiting its success or adversely affecting people.

Proactive consideration of equality through evidence and involvement is likely to drive improvements in the quality of policy and practice, and lead to better outcomes which are more responsive to the needs of those affected.

Wider decision-making: assessing impact and improving services

Assessing equality impact

The specific duties require authorities to involve relevant people in setting equality outcomes; however, involvement may also help you assess the impact of your policies on equality. It can help you to gather the views, experiences and ideas of those who are, or will be, affected by your decisions. It can help you to base your decisions on evidence and can be useful for finding solutions to problems and overcoming barriers faced by particular groups. Involvement can make a valuable contribution to monitoring and evaluating the success of your initiatives and finding out where improvements may be necessary.

Improving what you do

Involvement may also help public authorities make better decisions, for example when it comes to policy and service development and setting priorities for action. If public authorities can show that involvement is used to improve services, this will increase their own accountability and improve trust.

Involvement can help you to design services which are more appropriate and more likely to be effective, and to make better use of resources. You can avoid the potential costs of remedying and adapting services after their implementation and avoid complaints, which can be costly and time-consuming.

6 | Who should you involve?

Equality outcomes

You will need to take reasonable steps to involve people with all relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion and belief, sex, and sexual orientation) in preparing a set of equality outcomes.

It is not necessary to have a separate involvement initiative for each protected characteristic, but you may find that a mixture of involvement methods provides the most appropriate solution.

It is important that you are able to demonstrate that you have taken reasonable steps to involve people with all protected characteristics, so planning how to record your involvement exercises and the results they produce will be critical in enabling you to support and explain decision-making.

You may want to begin by mapping your recent and current evidence and involvement exercises, to find out where there are gaps in terms of people with protected characteristics.

If you choose to publish a set of equality outcomes which does not seek to further the needs mentioned in the equality duty in relation to one or more relevant protected characteristics, you must publish your reasons for not doing so.

You should involve the people who are affected by your functions. Staff groups, individuals and communities will often be able to help you focus on the more pressing issues and on the areas where you will be able to have most effect.

Consider less visible groups and groups you may not have involved before, who may be interested in or affected by your work. You may be able to link into existing community forums or to speak with representatives to help you reach those groups. Some groups may not want to participate because sharing their experiences could compromise their privacy. For example, some gay, lesbian, bisexual and transsexual people may not want to openly share information about themselves and their

experiences. Think about talking to representative groups about how to involve people, or consider commissioning them to undertake involvement on your behalf.

Creating opportunities for people to participate in supportive and safe environments where they feel their privacy will be protected, or via technology such as web-hosted consultations or interactive seminars, may also provide solutions. The opportunities provided by technology are also of particular value to authorities whose remit covers widely dispersed or rural populations.

There may well be different views within communities. For example, not all ethnic minority organisations have the same views on ethnicity classification and different disability organisations may hold different views on what constitutes representation. There may also be different views between different communities, on, for example, priorities for equality outcomes. Involvement of equality groups and communities and your subsequent decision-making will require careful balancing of the evidence and perspectives gathered.

Wider decision-making: assessing impact and improving services

If you are using involvement in your wider decision-making, you should involve those people who might be affected by the policy area that you are considering. This may include former, current and potential service users, staff, staff equality groups, trade unions, board members, third sector and equality organisations and the wider community.

You may want to consider relevant factors like the size of each group and the extent of the impact that a particular decision may have on each group. Be careful not to make assumptions when deciding who to involve. For example, lesbian, gay and bisexual people may wish to contribute as much to questions on education or regeneration as to questions on health or homophobic crime.

Try to identify all the employees, service users and other people and groups who may be affected by your work or may want to be involved.

Once you have identified relevant groups of people, you will need to take into account those who are most likely to be affected and the extent of the impacts that each group is likely to experience in terms of equality and good relations.

7 | When should you involve?

The specific duties require each listed authority to involve equality groups and communities in preparing a set of equality outcomes.

Effective involvement will ensure that equality groups and communities are involved in a meaningful way. This means considering how to involve at each main stage of the process where it is appropriate and proportionate to do so. For preparing a set of equality outcomes, this might mean:

- At the beginning of the decision-making process: to gather opinions, evidence and ideas
- When developing options and making your decision: to find out the perceptions, views and preferences of equality groups and communities and use this information to develop and weigh up different options and come to a final decision
- After equality outcome publication: to review performance, evaluate and act on any findings.

8 | How should you involve?

Equality outcomes

The duties do not prescribe a method for setting equality outcomes. You may identify a number of different possible approaches. You may wish to start with your existing strategic outcomes and consider the implications of trying to achieve these for different protected characteristics or you may wish to begin from your evidence and involvement exercises. (Please see our guidance *Equality Outcomes and the Public Sector Equality duty* for more information.)

The approach you decide to follow to prepare a set of equality outcomes will determine how you will involve equality groups and communities, but you must be clear that in preparing equality outcomes you are reviewing the whole range of equality evidence available to your authority and trying to agree outcomes that will drive the most important improvements in equality that are within the remit of your organisation.

Consider the information you already have. You may have gathered this through previous involvement exercises, staff and stakeholder surveys or other research findings. Provided the information remains relevant, using it may avoid duplication of work and save time for both you and your stakeholders by giving you a starting point and an understanding of where there are any gaps in your evidence.

Where you can identify gaps in your evidence, consider involving equality groups and communities in helping you to plan to fill these gaps and in deciding how best to go about this.

Planning for effective involvement

Whether you are involving people in preparing a set of equality outcomes or in assessing the impact or service improvement exercises, you should consider the following aspects of effective involvement.

Needs of participants

Consider the particular needs and preferences of different participants to enable them to participate fully in your involvement exercise. For example, the format for involving individuals with physical impairments who have experience of advocacy is likely to differ from that for involving individuals with learning difficulties who are new to public authorities' structures and processes.

It is important to make reasonable adjustments so that everyone can participate fully. Remember the best way to understand access requirements and needs is to ask. You can ask potential participants, experts within your own organisation or voluntary and community organisations for their views on likely access issues and how to overcome them.

Think about access issues early on so that you choose the most appropriate venue and location and can build in any additional resource requirements, such as outreach work, appropriate facilities, equipment and translators.

Think about how groups will become aware of your involvement activities. This includes how and where information about the activity is presented. You may need to consider outreach work to make contact with groups that you may not be able to reach through conventional communication methods. It is also important to think about how you will continue to involve groups throughout the decision-making cycle, in order to make the activity meaningful and help to instil trust.

It is helpful to set out the role of the participants at the outset so that expectations are clear. Being clear on the purpose of the involvement, how the process will work, and where future involvement may be needed, can also help promote understanding and transparency.

It is worth considering how you will manage conflicting views on the subject, especially if people are likely to have strong and diverse opinions on issues of relevance.

Take account of any previous history and patterns of community involvement; for example, positive or negative experiences that may impact on your work, or controversial issues that may be raised, such as service changes or cuts.

It is helpful to recognise that prospective participants will have different levels of knowledge and understanding of your governance and decision-making processes and may not be familiar with formal meetings or decision-making. You should ensure that participants have sufficient clear information to participate meaningfully.

If resources allow, consider running training events to build the capacity of voluntary and community organisations to support participants in involvement. It may be

possible for groups of public authorities to work in partnership with voluntary organisations in this area. For example, training on writing documents for submission or running meetings and events would assist voluntary and community organisations and also allow them to share their learning with their members.

Barriers to involvement

Some groups may not think their views will be taken seriously or are not confident in participating. You may want to think of communication strategies which will make it clear that you want their participation, while also managing expectations.

There are groups of people whose views are rarely captured because they find it difficult to participate, they are less visible, they belong to more than one protected group or they tend to be excluded. Relying solely on representative or community groups can also mean that the perspectives of 'seldom heard' groups are not always adequately captured. Some groups also face barriers due to their location, like people in rural settings or areas of high deprivation as well as those living in residential settings, such as people in care homes and some looked-after children.

Some examples of groups who commonly experience barriers to participation include people with mental ill health, people with learning difficulties, Gypsies/Travellers, people who are undergoing, are considering or have undergone gender reassignment, older and young people, pregnant and breastfeeding women, asylum seekers, refugees, people with caring responsibilities and people on low incomes or benefits.

Barriers to involvement need not be insurmountable. You can encourage a broad range of people to participate if you are committed and you invest time and effort in planning.

Use the evidence that you gather

Involvement and the evidence you gain from it are tools to help you make better decisions relevant to the communities you serve. Therefore, it is important both that the evidence gathered is considered, and also that participants know that their contribution has been recognised.

Findings from involvement will need to be carefully balanced against other evidence. Where decisions are taken that appear not to be in accordance with views

expressed, or appear in conflict with these views, it is helpful to explain why, to increase accountability.

Publishing information on involvement will increase accountability and help demonstrate your progress in equality work, and it will be helpful for you to consider how views expressed can be recorded and communicated to participants.

It is good practice to communicate to the organisations and individuals you involved (being mindful of any privacy concerns) how their contribution has informed your work. For example, you could provide them with a summary of the key points explaining how these have been incorporated, or why it has not been possible to do so. If the involvement is via a regular review group, you may want to publish the results via your usual methods – for example, minutes of the meeting. If publishing information, you should consider accessible formats.

People will have taken the time and effort to help you with your work. Consider how you will ensure that their involvement will make a difference and how you can show that their suggestions have been taken into account. Individuals and voluntary organisations have limited resources and many calls on their time and expertise. You may want to consider paying for their travel or providing training or administrative support to help them to help you.

Consider whether payment for participation would be appropriate. If you make payments, remember that this can have implications on tax, benefit, and national insurance matters for participants.

Wider decision-making: assessing impact and improving services

Subject matter and participation

Consider the subject matter of the involvement and how to encourage participation. People will be more likely to participate if they can see the relevance of the policy and its direct impact on their lives. It may be better to focus involvement activity on specific decisions, with a direct impact on service users, than on more general policy discussions.

Seeking views on a specific proposal to, for example, concentrate the building of new houses in a particular location may be more productive than a general discussion about housing and regeneration. There may also be a place for more wide-ranging discussions, as long as you and the participants are clear about what you wish to achieve from the exercise and you do not lose focus on obtaining relevant evidence on equality and good relations.

Proportionate involvement

Some policies will be relevant to most or all protected groups, such as changes to local healthcare. Other policies may be more relevant to one 'need' of the general equality duty than to others, or to the requirements of some protected groups but not to others – for example, changes to translation services.

Methods and degree of involvement will need to be commensurate with the size and resources of your authority, and to the significance of the policy and its impact on equality. As a starting point you may want to consider the relevance of the policy or decision at hand and how pertinent it is to the general equality duty. It is often helpful to consider how you would be able to explain how you came to this decision.

Remember that there are ways to involve people that do not require significant resources. For example, a College might use its scheduled Open Days to involve prospective students on a particular issue. A local authority might run an online questionnaire on its website, together with some focus groups with local residents.

Consider what you want to achieve

You should be clear about what you want to achieve from your involvement and to share this with the people you involve. If, for example, you have no real scope to change some aspect of a particular service, due to the boundaries of your own organisational remit, it is important to make that clear from the outset.

Knowing your own timeframes and cost limitations at an early stage will help inform the scale and type of involvement you will conduct.

Working in partnership

Public authorities increasingly work in partnership with other agencies to plan and deliver services, for instance in a Community Planning Partnership or Integration Joint Board.

Consider working strategically in partnership with other public authorities to carry out any involvement activity. This can save resources for the authorities concerned, and may help individuals or voluntary sector groups who may otherwise be asked to participate in many involvement exercises at the same time. Shared involvement may also help ensure that a 'joined-up' approach is taken by authorities to equality issues.

The capacity of equality groups and communities will also be an important consideration for public authorities and you may wish to consider investing in building capacity, for example by collaborating with partner organisations to support user forums.

Your own organisation

Consider the decision-making processes you will need to follow within your organisation to ensure that the results of your involvement are actively considered. For example, you may have policies on public participation that you will need to comply with. It is also helpful to think about how the results of the involvement can be built into the existing decision-making processes of your organisation. This might include planning to deliver reports or presentations to internal boards so they have time to consider the information before decisions are made.

Think about how much internal support you have from colleagues for involving equality groups and communities in your organisational decision-making. Do you need to foster greater buy-in from any part of your organisation to be able to deliver a successful result?

Involvement methods

Choose the right method

You should review the lessons learned from involvement work from time to time to establish what has worked well and what could be improved. Involvement is most effective when it is well planned. You may be able to draw on methods and techniques that you or others in the organisation or in other organisations have already used to consult and involve, or on lessons learned in published research. Lessons learned from previous exercises of what has worked well or not so well will be important.

There are a number of common involvement methods that public authorities regularly use. You may already use a range of different methods that work well for you, but if you find that you struggle to reach some protected groups or you want to think about new ways of doing things, consider some of the techniques in the Appendix: 'Involvement methods'. This list is not intended to be exhaustive, and a public authority may decide that using different involvement methods in different circumstances is the most appropriate approach.

9 | Involvement success factors

Leadership commitment

Involvement should be built on genuine commitment from participants and senior managers, Chief Executives, Chairs and Board members, to the values and principles of involvement. Leadership plays an important role in ensuring involvement is a success by committing the necessary time, effort and financial resources to carry it out effectively. This may include providing support and training for participants and staff so that everyone can participate effectively.

Integration into policy decision-making

You may be able to integrate involvement so that it becomes part of your evidenced-based decision-making across your whole organisation. This will help to demonstrate to people the purpose and value of involvement.

Early involvement

Involvement is most successful when people are involved at an early stage, prior to key decisions being made. It works best when you involve people in designing your involvement methods as this can help to build in their needs and preferences.

Ongoing involvement

Aim to carry out involvement exercises at appropriate stages. As well as informing decisions on preparing equality outcomes, involving equality groups and communities can help you monitor and understand the effectiveness of your work in making progress towards achieving these outcomes and whether there are any unintended consequences.

Joint working with partner authorities

Working in partnership with other public authorities to carry out any involvement activity can save resources for the authorities concerned, and may help to ensure a 'joined-up' approach.

Partnerships with other organisations and trade unions

Drawing on the skills and networks of voluntary and community organisations can help you plan and carry out your involvement. They often have positive relationships with the groups that they serve, so working with them could lead to higher participation and better outcomes.

Accessible involvement

You will need to think about making reasonable adjustments to venues, information formats and travel arrangements. Accessible involvement might consider the need for, for example, women-only groups for some community groups or the needs of people with childcare responsibilities. It is best practice to time events so that as many people as possible can attend. Giving good notice of events makes it more likely that more people will be able to come. Aim to make a concerted effort to involve seldom-heard groups as these groups may not participate in conventional involvement methods.

A key component of success is to identify and overcome barriers to involvement and to provide practical support to enable effective participation.

Proportionality

The extent to which you use involvement exercises to help you in assessing impact or improving services should be proportionate to the size and resources of your organisation as well as to the significance of the equality issues under consideration, in terms of evidence of scale or impact on individuals, and to the extent of what is known already about the issues. Remember that small numbers of people may be severely affected by an issue.

Appendix 1 | Involvement methods

Depending on the purpose of involvement activity being undertaken and the range of people involved, a public authority may decide that using different involvement methods in different circumstances is the most appropriate approach.

Co-production

Co-production is a way of partnership working which acknowledges that the contribution of people who may be affected by something (for example a service, policy or facility) can be as valuable as the contribution of the people who will deliver it, to the process of development and design.

Co-production means the people responsible for developing or delivering something work in equal partnership, and share their power, with the people who will eventually use it or be affected by it.

It can lead to better outcomes because the process of design and development is directly informed by people who may be affected, and open to more creative ideas because problems can be addressed from different perspectives.

Review group

This is a formal group of representatives with expertise in key areas, for example on the needs of disabled people or the experiences of different groups. A review group can provide expertise on an ongoing basis and at different stages throughout a decision-making process. This will allow it to input information and highlight risks, opportunities and options for action. Group members are often recruited via a formal recruitment process and participation is often paid.

Setting up a review group will be most suited to medium to large organisations that have the capacity to devote the necessary time and resources to establishing and managing a group.

Focus groups

This is a small group of people, usually between six and 12 in number, brought together with a moderator to discuss a specific topic in depth. The aim is to generate a discussion on a topic and collect information on the preferences and beliefs of the participants. Using discussion rather than formal questions and answers allows for more extensive probing of different views.

Focus groups can also be held throughout your decision-making process. For example, you can set up a focus group to identify key themes and priorities at the start of the process, then reconvene the group at set stages to consider options for action and evaluate implementation. You can use focus groups to involve specific groups which may not respond to other, more general involvement methods. For example, you might establish a focus group made up of older people from a particular ethnic minority community.

Representative groups

This is a body of people who represent the interests of a particular group. These groups vary in form and size from small, locally based and informally structured self-advocacy or support groups to large regional and national organisations with formal structures and dedicated staff. Working with representative groups will help you to obtain both evidence and the views of individual members of the group. Representative groups can also advise you on how to involve people in your community.

These groups can also help you carry out any involvement activity. For example, you could arrange for representative groups to hold meetings or focus groups. They could be commissioned to collect information and write reports on relevant issues to help you in your decision-making. Any involvement of this type should be seen as a professional partnership and payment may be appropriate.

Existing structures

Some common existing structures include school councils, service user forums, staff networks, trade unions and local area networks. Existing structures can be useful where time is short, and to help avoid stakeholder overload, but it is important to check that membership is relevant to the matter being reviewed, i.e. that there is adequate participation by affected people.

Online involvement

There are a range of online methods, such as online forums, social networks and facilitated live discussions. Online involvement can be useful because it is easy and relatively inexpensive to include a wide range of participants. It is also a good way to involve those who may prefer a greater degree of privacy. You can invite particular groups or individuals to participate.

Consider how to make people aware of your online involvement. It may be best used as one of several involvement methods on a particular policy, rather than in isolation, because not everyone has access to technology or the capacity to use it effectively.

'Future search' conference

This is an event where stakeholders come together to consider a decision or policy in the context of their priorities and aspirations for the future. To use this method effectively, you should aim to involve people who are interested in or affected by your work, as well as people who have influence in your community.

Stakeholders participate in a moderated discussion of their priorities, views, goals and aspirations as they relate to the relevant policy. A key aim is for participants to develop a shared vision for the future through discussion and deliberation. This approach is useful if you want to collect and use information on the perspectives and priorities of your main stakeholders. It helps participants understand the agendas of others. This can help the group start to identify shared interests and to develop common goals.

Conversation café

This technique recognises that some people prefer participating in a less formal way. In a conversation café, a mediator runs the event and participants are encouraged to divide into smaller groups for informal discussions on a range of topics. Participants can drop in or out of groups as it suits them. They normally take place in familiar venues where participants feel comfortable, such as libraries, bookshops or cafés.

Appreciative inquiry

This method uses questions designed to encourage people to talk about their own experiences while focusing on a particular issue. The idea is to help participants find solutions to issues using their experiences of 'what works'. It can be empowering, as it aims to give people the confidence to think broadly and imaginatively. Appreciative inquiry can help build relationships and improve understanding. It can also be useful in encouraging motivation, particularly if participants feel resistant to change or believe that they are being criticised.

Citizen juries

A citizens' jury is a way of structuring an event that is modelled on the idea of a criminal jury. Around 10 to 20 people are selected to participate and they are presented with information by expert 'witnesses'. This could be information on a policy or a range of options for action. This process can take a few days, depending on the resources available and the complexity of the issues. The jury then considers the information and makes recommendations on key points.

For example, the jury might recommend priorities for an action plan or call for further background work on particular areas. Citizens' juries may require significant resources, such as external experts and specialists to attend and present information. They are best used by organisations with sufficient time and financial resources to 'test' awareness and different options for action on contentious and high-impact decisions.

Open space

Open space is a method for convening people on a specific question or task and giving them responsibility for the agenda. A facilitator identifies the issue that brings people together and offers a simple process for participants to start the discussions. It works best when the work is complicated, the ideas are diverse and the participants are keen to find a solution. It usually takes place over half a day to two days.

Citizens' panel or summit

This is a large-scale meeting where participants spend time working in small groups and a facilitator collates participants' ideas and votes. The information from different groups can be distilled into themes, which all participants can comment or vote on. It is useful as it combines small-scale discussions with large group decision-making. This approach is resource-intensive and will be most suited to larger organisations considering decisions on issues that have a wide and deep impact on their communities. It can be used to consider policy options and help set priorities for action.

User panels

These are regular meetings of service users to consider and discuss the quality of a service or other related topics, for example possible improvements to current practice. Such panels can help you identify the concerns and priorities of service users and can lead to the early identification of problems or ideas for improvements. They are a way of getting the views of users on their experiences and expectations of services. You can also use them to test the reaction of users to changes and proposals and to find and generate ideas for improvements. User panels are particularly effective in the monitoring and evaluation of work.

Other sources of information

National Standards for Community Engagement

The National Standards for Community Engagement set out best practice guidance for engagement between communities and public agencies in Scotland:

www.scdc.org.uk/what/national-standards/

Scottish Government Community Engagement Guidance

Guides describing what community engagement is, how it works and the impact that it can have.

<http://www.gov.scot/Topics/People/engage/HowToGuide>

Contacts

This publication and related equality and human rights resources are available from the Commission's website: www.equalityhumanrights.com

For advice, information or guidance on equality, discrimination or human rights issues, please contact the Equality Advisory and Support Service, a free and independent service.

Website www.equalityadvisoryservice.com

Telephone 0808 800 0082

Textphone 0808 800 0084

Hours 09:00 to 20:00 (Monday to Friday)
10:00 to 14:00 (Saturday)

Post FREEPOST Equality Advisory Support Service FPN4431

Questions and comments regarding this publication may be addressed to: scotland@equalityhumanrights.com. The Commission welcomes your feedback.

Alternative formats

This guide is available as a PDF file and as a Microsoft Word file from www.equalityhumanrights.com. For information on accessing a Commission publication in an alternative format, please contact: scotland@equalityhumanrights.com

© 2016 Equality and Human Rights Commission
First published 2012. Last updated October 2016.
ISBN 978-1-84206-565-5

You can download this publication from

www.equalityhumanrights.com

© 2016 Equality and Human Rights Commission
Published: July 2016