

Equality Report, April 2015

Introduction

Scotland's Commissioner for Children and Young People is covered by both the general and specific public sector equality duties. In April 2013, we set out an action plan with five equality outcomes. This mainstreaming report assesses progress over the last two years in mainstreaming equality, working towards those outcomes and meeting our equality duties.

The Commissioner's function is to promote and safeguard the rights of children and young people. Mainstreaming equality for children and young people is therefore at the core of our work and is reported extensively in our annual reports and on our website. Eliminating discrimination against children and young people, advancing their equality and fostering good relations is our core work. We have therefore focused this report on how we mainstream equality in relation to the protected characteristics other than age into our core work, although we refer to age in this report where specific age issues were identified.

Employee information

In January 2015, when staff information was collated, there were 14 permanent staff (including the Commissioner himself) and one temporary agency worker. Of the 14 staff, three were male and 11 female. 11 employees worked fulltime while three worked part-time. The average age of the staff was 47.

We have collected information on the protected characteristics of staff as part of our recent equal opportunities staff survey conducted by an independent consultant. That survey was intended to identify whether any of the staff had experienced less favourable treatment as a result of any of the protected characteristics. Further information on the staff

survey is included below under Equality Outcome 5. Because of the small size of the staff team, detailed information about protected characteristics cannot be published without the risk of identifying individuals.

Progress on our Equality Outcomes

Progress on each of our equality outcomes is set out below. This work contributes to all three elements of the general equality duty.

Equality Outcome 1

The Commissioner, through work on increasing awareness, understanding and implementation of the UNCRC, will take account of children and young people with protected characteristics.

The Commissioner has a specific role to monitor the implementation of the UNCRC and shares the chairing of the Scottish Children's Rights Implementation Monitoring Group, which oversees the Scottish Government's response to the UNCRC Concluding Observations.

The Commissioner's office, along with Together, lobbied the Government to identify gaps in the knowledge of children and young people's views related to UNCRC implementation. This resulted in a research report being commissioned, which highlighted gaps in that knowledge base. These gaps included knowledge about the views of children under nine, children and young people from minority ethnic communities and disabled children and young people. These groups have been identified as priority groups for upcoming work and the Commissioner's office has been lobbying the Government to provide funding for NGOs to consult with these priority groups to ensure that their views will be more visible in the NGO reports. We have also encouraged the Government to use the upcoming Children's Summits to enable these priority groups to be engaged in the monitoring of UNCRC implementation.

In our own work on reporting on the UNCRC, we are inviting notes of interest from schools and organisations who wish to participate in a range of ways, and will ensure that children and young people from these priority groups will be involved.

Raising awareness of children's rights is a key part of our work. We seek to ensure that we include children and young people with protected

characteristics and those who work with them . Some of that work takes place in schools where the range of children attending events includes many with protected characteristics. We do not consider it practical to collect data on personal characteristics at these events but to ensure that children and young people with protected characteristics have access to these events, we also target schools and organisations focused on those with protected characteristics, for example special schools. We have also worked with roshni to deliver children’s rights education in mosque schools, and are working with them to develop a book about children’s rights targeted at minority ethnic children.

We seek to highlight children’s rights issues that have a particular impact for children and young people with protected characteristics. For example, our 2014 publication, *Children’s right to play, culture and arts: A review of Article 31 in Scotland* highlights the inequality of access to recreation and play for children with disabilities.

We have postponed our planned work incorporating protected characteristics into our Children’s Rights Impact Assessment and wider impact assessment relating to children and young people pending the development of other related work. Scottish Government has commissioned a model of child rights and wellbeing impact assessment as part of the implementation of the Children and Young People (Scotland) Act. We are also involved with an advisory group for the SHRC and EHRC Scotland work on the development of an equality and human rights impact assessment.

Equality Outcome 2

The Commissioner is accessible to all children and young people in Scotland and is engaged with children’s rights concerns, including those raised by children and young people from each of the protected groups.

A key part of the Commissioner’s work is listening to the voices of children and young people and ensuring that those voices are heard by those in positions of influence, such as politicians and policymakers. This outcome is focused on increasing the number of children and young people from protected groups who are engaged with the Commissioner and ensuring that children’s rights issues raised by children and young people from protected groups are central to the Commissioner’s work. This work has

been taken forward both through the development of a network of key partners and through direct engagement.

We work with organisations working with minority ethnic communities, such as roshni and BEMIS. We have also begun to build links with organisations working with Gypsy Traveller children and young people to improve our engagement.

We have worked with Up2Us to raise awareness of the issues relating to young female offenders, and the Commissioner has met with young female offenders to hear from them what would have made a difference to them earlier in their lives.

We work with LGBT Youth Scotland on LGBT issues, and we have pushed for the Scottish Government's *Relationships, Sexual Health and Parenthood Education guidance* (2014) to reflect the concerns of transgender young people. The Commissioner spoke at the Transgender Scotland roundtable at the Scottish Parliament, and has met with members of the LGBT Youth Council and signed up to the Transgender Education awareness campaign.

In the disability field, we consulted with disabled young people about the cutbacks in their services, leading to a research report, "It always comes down to money" and a conference in September 2013. The Commissioner spoke at the Quarriers/CELCIS event *Achieving for Disabled Children through Foster care and Adoption* in October 2014 and heard about the issues relating to fostering and adoption of disabled children.

Our Golden Rules toolkit was created to support participation of children and young people. Recognising diversity is at the heart of these rules as well as recognising the different communication needs of different groups of children and young people. We are working with a special school to develop a short documentary highlighting good practice in use of the Golden Rules. We have also turned the Golden Rules into a symbols resource for children and young people with communication challenges. We are currently evaluating the impact of the Golden Rules.

We have also identified younger children as being a group who are less likely to be involved in consultation. We decided to target 3-11 year olds as part of our consultation on sport and produced an illustrated work book to help children participate. 1800 of these were requested, and we

collated the responses and turned them into an animated film report, which fed into the Youth Sports Strategy.

Equality Outcome 3

The Commissioner provides a service, which all children and young people can directly access for relevant and expert information, support and signposting relating to children's rights issues.

We are working to improve our communications so that we reach as wide a range of children and young people as possible. This includes working with children and young people from a range of communities involved in developing a new visual identity. We are working to make sure that we are accessible so that children and young people can communicate with us in whatever way they are comfortable.

All our publications for children and young people are published in a way that meets the Read Me, Hear Me, See Me, Sign Me principles. They are produced in an easy read format, in a form that can be read by screen reader software, in BSL film signed and subtitled and as an infographic.

The UNCRC is being translated into Gaelic, Urdu, Arabic, Polish, BSL and Scots.

We are developing an accessibility policy, while taking active steps to improve the accessibility of our communications. Our website is now level one compliant in the W3C standards. We have rewritten all codes on the website so that it is screen reader compliant. We have also looked at each page on the website to try to reduce the average reading age, address user feedback and identify and seek to improve webpages with low usage. We have produced a Writing for the Web Guide for staff explaining html structure and making sure that pages are compliant with assistive technologies. We are also developing specific resources for young people that address protected characteristics, such as our webpage on *Equality matters: the rights of transgender young people*.

Equality Outcome 4

The Commissioner's research and enquiry output better informs the work of the office in regard to particular barriers to the realisation of

the UNCRC rights for children and young people with protected characteristics.

By working to improve our communications and accessibility for adults as well as children and young people, we also aim to broaden access to our enquiry service. We are developing our enquiries case form to be able to collect better information on protected characteristics, and have consulted with other organisations providing similar services. We are revising our complaints procedure to take into account equality issues, such as problems with accessibility. We provide a Freephone number for children and young people and are in the process of extending that to a free mobile number and text number. There is now an e-mail link for enquiries on the website and we can be reached through facebook and twitter. Our website has a signed version on the front page and we are also members of Happy to Translate.

We are developing our research to ensure that the experience of children and young people with protected characteristics informs our campaigns. We worked with LGBT Youth Scotland as part of our Flushed with Success campaign to ensure that the views of transgender young people informed the campaign. We also conducted a survey for parents and carers of disabled children to obtain information on the specific needs and concerns of disabled children regarding the standard of their school toilets.

Our research on administration of medicines, *'No barriers to medication at school: the Administration of Medicines and Health Care Procedures in Schools: The views of parents and carers* identified the need for updated government guidance, and led to the government committing to issuing new guidance.

Research conducted on our behalf by roshni, *Communication with ME Children and Young People* has had a direct impact on the images and text we use in publications.

We were also a partner in the Scottish Universities Insight Institute Seminar Series on Children's Rights, Social Justice and Social Identities in Scotland:

Intersections in Research, Policy and Practice (2013-2014). This series promoted an information exchange about research on childhood inequalities.

Equality Outcome 5

The Commissioner's office is an excellent employer of staff, including those with protected characteristics, and maintains a culture of equality and respect for diversity through continuous improvement, positive leadership and staff development.

As we review organisational policies, we have begun conducting equality impact assessments. A recent review of the policies relating to hours and leave included a consideration of staff caring responsibilities. As part of our recruitment policy, we operate the Guaranteed Interview Scheme for applicants with disabilities. Whole staff team training on equalities has begun with training on dyslexia.

As part of work on continuous improvement, we have discussed equalities good practice with other Commissioners' offices through the Commissioners' Operational Group. We have reviewed our standard contract for services and compared it to those of other organisations to ensure that it reflects appropriate equality considerations. We are confident that it would allow us to terminate contracts if there were equality concerns about suppliers.

We have established a process for reviewing our Equality Action Plan as part of our business planning process, and four review meetings have taken place.

In April 2015, an equal opportunities staff survey was conducted by an independent consultant. While the survey did not identify any areas where staff identified less favourable treatment as a result of any of the protected characteristics in the Equality Act, the survey did highlight concerns about work-life balance.

While all respondents reported that they had made use of work life balance arrangements such as flexible working, special leave, compressed hours or home working, only half of those who answered the question felt they were generally able to balance their work and home life.

In terms of training and development, only one staff member reported being refused attendance at a training course, while two thirds of respondents believed that they had received sufficient training and development opportunities to support them in their current role.

However, several staff highlighted the limited opportunities for promotion and development in such a small organisation.

More than two thirds of respondents regarded the office as having a culture that promotes equality. Slightly fewer than half believed the culture promoted a working environment where staff felt valued and supported, while only 30% felt there was a culture of openness. 60% of the respondents would recommend the Commissioner as an employer and all respondents thought staff understood the importance of equality in the workplace.

The responses about the culture of the organisation and about work life balance are of concern and will be a priority area for action in consultation with staff. The results of this survey establish a baseline and we will work to improve the culture and provide a better work life balance for staff. We will test the success of these measures by repeating the survey in a year's time.

Improving Our Equality Outcomes

In line with the EHRC work on improving equality outcomes, we are proposing to focus our activities on areas where we can maximise our impact. Our action plan 2013-17 listed 36 actions. While most have been completed or are on target, they have contributed to the significant workload for staff in the office. A few have become less relevant due to other events.

We propose therefore to streamline and prioritise the actions over the next three months with a focus on areas where we can measure our impact. We will publish this revised set of actions within three months to allow time for their impact to be measured before the publication of the next mainstreaming report in April 2017.