



# **Midlothian**

Equality Plan

2021-2025



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## Introduction

Midlothian and its communities have faced an unprecedented challenge as we have grappled with how to respond to a global pandemic with far reaching consequences for thousands of people locally. The Covid-19 crisis has created a very different way of working and rapid learning for Midlothian Council at all levels. The pandemic has cemented our vision of a greener, safer, sustainable, ambitious and thriving Midlothian underpinned by a wellbeing economy that puts its citizens and local service delivery at the heart of all decisions.

Midlothian's Route Map though and out of the crisis seeks to both support recovery and to retain the best elements of the transformation which took place in response to Covid-19 and make these permanent changes to the way the council delivers its services. This strategy is therefore, our statement of intent - designed to focus investment and drive performance within a values-based organisation to best meet the needs of the individuals and communities we serve.

Midlothian Council, Education Authority & Licensing Board believes that equality is a fundamental right that everyone should have. No one should be denied opportunities because of who they are and everyone should be able to be themselves. This principle must underpin all of the work that the Council, Education Authority & Licensing Board does. To put this into practice, we need to:

- recognise that some people are not always treated fairly and can experience discrimination and inequality;
- ensure our services meet the needs of people in our communities and that communities have choice and control over the services they use where appropriate;
- challenge ourselves to tackle the inequality that exists in our communities and work together with our partners to improve outcomes for equality groups; and
- tackle prejudice and negative attitudes towards people and celebrate the diversity within our community.

Midlothian has changed significantly in recent years. The county continues to have growing population as well as large numbers of young people and a growing elderly population. The needs of existing communities continue to become increasingly diverse. At the same time, the Council's budget is under pressure and the need to reduce costs and modernise the way we deliver our services has never been more important.

The Community Empowerment (Scotland) Act 2015 requires the Council and its partners to work communities and ensure that everyone has the opportunity to participate in local decision making.

This plan sets out our commitment to tackling inequality and promoting inclusion. We believe that we need to lead the way in planning and delivering services which meet the needs of our diverse communities and respond to the changes ahead. We also must strive to be a good workplace for all our employees and to promote positive work experiences for our young workforce.

We look forward to supporting equality in all aspects of the Council, Education Authority & Licensing Board's work and employment practices and to reporting the progress we make to you over the coming years.

Our strategy for recovery, as we continue to respond and emerge from Covid-19, is based on the creation of a Wellbeing Economy, designed to achieve wellbeing, inclusion and fairness for our communities and to protect and enhance our environment.

Dr Grace Vickers, Chief Executive & Councillor Derek Milligan, Council Leader

## Section 1: Why we developed an Equality Plan

### The Importance of Tackling Poverty and Promoting Equality and Inclusion

*'An equal society protects and promotes equal, real freedom and substantive opportunity to live in the ways people value and would choose, so that everyone can flourish. An equal society recognises people's different needs, situations and goals and removes the barriers that limit what people can do and be.'* UK Equalities Review 2007

This definition of equality captures three aspects of equality:

**Opportunity** - whether everyone really has the same chance to reach their potential

**Agency** - what degree of choice and control an individual has in taking part

**Process** – whether discrimination (or the way we do things) causes or contributes to a particular inequality.

### What is the purpose of the Equality Plan?

The purpose of the Equality Plan is to clearly state the Council's commitment to equality and diversity and to demonstrate how we are meeting the requirements of the Equality Act 2010. It also frames this work in the context of the Council and Community Planning Partnership's overarching commitment to make 'Midlothian – a Great Place to Grow', and connects all work which is aimed at reducing the impact of poverty and inequality.

Together with the Council's key strategies and supporting action plans, the Equality Plan identifies key priorities for achieving improved equality outcomes in a targeted and consistent way across the Council and Community Planning Partnership. The Equality Plan contributes to all aspects of the Midlothian Community Planning Partnership's Single Midlothian Plan and to the following strategic priorities outlined in the Plan:

- Reducing the gap in learning outcomes
- Reducing the gap in health outcomes
- Reducing the gap in economic circumstances
- Reducing the impact of climate change

Midlothian Council through its work on reducing inequality and promoting equality and diversity aims to:

- Continue to lead a culture where respect, choice and understanding is fostered and diversity positively valued;
- Maintain a working environment where unlawful discrimination, harassment, victimisation or bullying is not tolerated;

- Continue to develop our understanding of the needs of different individuals and communities in a time of rapid change;
- Continue to embed the equality agenda in all our work, and contribute to the early intervention and prevention approach adopted by the Council and its Partners;
- Improve understanding of the impact of poverty and inequality on people's lives; and
- Ensure that we plan and deliver services which meet modern standards of delivery and that are inclusive of a wide range of different needs from digital services to face to face interactions

The Council as an **Education Authority** also needs to meet the requirements of the Equality Act, including the specific duties. The Council also administers the **Licensing Board** and needs to meet the requirements of the Act when undertaking its duties in this regard. The commitments of these bodies are also contained in this Plan.

Through this work, we will meet our legal obligations to remove disadvantage, advance equality of opportunity and promote good relations with various groups. The Plan also aims to develop our work on all protected characteristics. It furthers work of previous equality schemes, reports and action plans.

### **The Equality Act 2010 and Our Responsibilities**

The purpose of the Equality Act is to ensure that everyone, whether at work or in using a service has the right to be treated fairly. It protects people from discrimination on the basis of certain characteristics. These are known as protected characteristics and they vary slightly according to whether a person is at work or using a service.

#### **The protected characteristics are:**

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership (the law provides protection in the area of employment and vocational training only)
- Pregnancy and maternity
- Race
- Religion and Belief
- Sexual Orientation
- Sex (formerly known as gender)

In addition to the 9 protected characteristics set out in the Equality Act, we also have a duty to take account of people's socio-economic status under the Fairer Scotland Duty.

## What is Discrimination?

Discrimination comes in different forms. It can be:

- **Direct** when someone's gender, ethnicity, faith, sexual orientation, age, disability or being transgender is used as an explicit reason for treating them differently. This is the kind of discrimination that people often recognise easily.

An example might be where a community learning and development worker refuses to work with someone because they are gay.

- **Indirect** when there are rules, services or ways of doing things that have the effect of discriminating against certain groups

For example, the venue you choose for a local event or training might not be accessible to everyone with a disability.

This kind of discrimination is more subtle and can be harder to spot. It often results from simply not understanding or thinking about the needs of certain groups.

- Treating a disabled person unfavourably because of something connected with their disability when this cannot be justified (known as **discrimination arising from disability**).
- Failing to make **reasonable adjustments** for disabled people e.g. making a hearing loop available at meetings where you know people will be using hearing aids.
- **Discrimination by association** occurs when someone is discriminated against because of their association with someone protected by the Equality Act.

An example might be a Bed and Breakfast refusing a block booking for your group because one of the couples is gay. This would be direct discrimination against the gay couple. It would also be discrimination against you by association.

- **Discrimination by perception** allows someone to claim discrimination even if they do not have the protected characteristic, An example would be an atheist bullied at a football match for being catholic can claim discrimination even though he is not catholic.
- It is important to remember that some people experience discrimination on several grounds – this is sometimes called **multiple discrimination**.

The law also protects against:

- **Harassment** is when an individual is subjected to unwanted conduct which has the intent or effect of violating someone's dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment.

An example of this would be when a person has made inappropriate sexual comments about a colleague's clothing.

- **Victimisation** is where an individual has sought to enforce their rights, or helped another to do so, and as a result is treated less favourably than others who have not complained.

An example of this would be when a person is excluded from a social work/ work event because they have complained about the conduct of a colleague.

### **What responsibilities does Midlothian Council have under the Act?**

As a local authority, Midlothian Council is required to implement the Public Sector Equality Duty in addition to the provisions relating to employment, education and training. This is comprised of two elements, the general duty and the specific duty.

**The general duty** was developed for public bodies recognising the significant impact that the delivery of public services has on people's lives. The general duty is designed to ensure that, if followed, services are designed to meet the diverse needs of the community and also builds inclusive services. The three general duties are to:

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

The **specific duty** is designed to help authorities to put the general duty into practice. It includes a requirement for the authority to:

- Report on mainstreaming the equality duty
- Publish equality outcomes and report progress
- Assess and review policies and practices
- Gather and use employee information
- Publish gender pay gap information
- Publish statements on equal pay
- Consider award criteria and conditions in relation to public procurement

- Publish in a manner that is accessible

There are new legislative requirements and policy changes since the Equality Act 2010, including The Fairer Scotland Duty, introduced in 2018, Child Poverty (Scotland) Act (2017) and others directly related to human rights, including the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill which was introduced to the Scottish Parliament on 1 September 2020. These, where appropriate have been built into the planning and implementation of actions to deliver the equalities outcomes and will continue to inform delivery moving forward.

### **Equality Evidence Review**

The Midlothian Council Area Profile for the [National Records of Scotland](#) notes that the population for Midlothian was 92,460 on 30 June 2019 and that in 2019 there were more females (51.9%) than males (48.1%). The profile also identified that 19.4% of the population were under 15 years old and 18.8% were over 65 years old.

- Midlothian Council employees: Of the total Council workforce in 2019/20, 72.18% are female, and 27.82% are male.
- There continues to be unacceptably high instance of Violence against Women in Midlothian. In 2019-20, 1,197 incidents of domestic abuse were recorded by the police with more than a third criminal incidents. This is highly under-reported as many women do not seek help or go to third sector organisation such as Women's Aid or Rape Crisis. The impact of domestic and sexual abuse (as well as other forms of violence against women such as stalking, harassment, sexual exploitation) can be devastating and long-lasting on women, children and young people. Women are mainly the victims - in four of every five incidents of domestic abuse and women and children in most sexual crimes. However, men can also be affected as victims and domestic and sexual abuse can be present in same sex situations.
- In 2019/20 the police recorded 92 incidents of hate crime. Victims of racist hate crime are often repeat victims as they work in public facing jobs in the retail and catering industries. Disability and other forms of Hate Crime remains underreported across Midlothian
- The ability to 'be you' and feel respected in the community has a big impact on an individual's mental health and wellbeing and also their sense of community. Midlothian social attitudes show that prejudice and negative attitudes towards equality groups remain a problem in our communities.
- We need to recognise that different people have different needs when accessing and using our services. All services need to take account of equality in designing, developing and implementing their services.

- Life expectancy varies between the most affluent and the most deprived areas of the county. This highlights that although we are living longer healthier lives, some groups in the community are not benefiting equally from improvements in health.

### **Building on existing work**

The Council has been working to meet the requirements of previous equalities legislation for a number of years and has developed good practice and skills arising from this work. The Council also works within a complex legislative requirements and provides a range of services for vulnerable people as required. For more information about previous equality work and examples of good practice, please read our 'Mainstreaming Equality Reports'. These are available on our website.

## **Section 2: How we developed the outcomes**

### **Developing the Outcomes**

The equalities outcomes were developed with partners with the aim of establishing a shared set of principles and outcome themes and a consistent, coherent approach to bringing tangible improvements to the lives and experiences of people in Edinburgh and the Lothians.

Partners used the Equality and Human Rights Commission's (EHRC), 'Is Scotland Fairer 2018', as the basis for developing the framework. EHRC's review spanned all areas of life: education, work, living standards, health, justice and security and participation in society. These topics provided the starting point for our framework, with the themes and outcomes shaped, refined and prioritised through discussion with stakeholders, public consultation and engagement, and taking account of EHRC's guidance to support prioritisation. The online consultation was open from 3 November to 22 December 2020 and welcomed feedback from people with a variety of life and personal experiences.

The outcomes have been developed during the Covid-19 pandemic and shaped by the challenges, experiences and learning that the crisis has brought. Covid has magnified the disadvantages faced by some groups of people, reflected in the wide variation in infection rate, health outcomes, economic and social effects of the virus. Equalities groups at higher risk of disadvantage include older people, through digital exclusion and loneliness; females, through domestic abuse and being more likely to have taken on domestic and caring responsibilities; with Black, Asian and Minority Ethnic (BAME) women also facing technology, language and literacy barriers.

Midlothian's strategy for recovery, as we continue to respond and emerge from this crisis, is based on the creation of a Wellbeing Economy, designed to achieve wellbeing, inclusion and fairness for our communities and to protect and enhance our environment. The Vision for Midlothian is a Great Place to Grow and the main priorities for the Community Planning Partnership are:

- Reducing inequalities in learning outcomes
- Reducing inequalities in health outcomes
- Reducing inequalities in economic circumstances
- Achieve net carbon neutral Midlothian by 2030

The Equalities Plan sets out the key areas of focus, strategies and actions that the Council will take over the next four years to meet its duties under the Equality Act.

Delivery of the plan and supporting strategies and actions plan ensures mainstreaming equalities into the day to day work of the Council, making equalities a

component of all of its activities. In doing so, we recognise that the intersection of different protected characteristics contributes to people's unique experiences, for example, of intersectional discrimination. To meet the needs of our citizens we will respect all aspects of these identities and provide a person-centred approach wherever possible.

The equality actions are structured around six themes, shown below. For each of these, a priority outcome has been agreed through the consultation and engagement process. The four-year framework will be used in a way that is iterative, responsive to priorities as they emerge through continued engagement with partners and communities. The priorities set will be subject to review for year two and beyond.

## **Midlothian Council Equality Outcomes 2021-2025**

### **Theme 1: Accessibility**

The global Covid-19 pandemic has highlighted the issue of digital exclusion (groups of people who are not able to easily use or access computers or the internet) and the need to increase many people's digital skills. There is a clear overlap between groups who are digitally excluded and the most vulnerable members of our communities.

Providing services online is often seen as the main way to provide services, and while this is the preferred choice for many, there are many people for whom it is not suitable. This can make accessing public services feel like an unwelcoming experience for some people including people suffering from homelessness, asylum seekers, Gypsy/Traveller communities, older and younger people, BAME people and people with disabilities (i.e. physical, sensory and cognitive).

#### **Accessibility Outcome**

- Services will be more accessible for all with improved digital inclusion and communication and an inclusive physical environment

### **Theme 2: Housing**

The Scottish Government's Housing to 2040 consultation says that it is important that everyone has access to a home that is warm, affordable, accessible and that fits their needs. Disabled people, people with mental health conditions and people from ethnic minority groups are more likely to live in poverty which affects their ability to access housing which meets their needs.

Homelessness continues to be an issue which can seriously affect a person's health, wellbeing, confidence and life chances.

### **Housing Outcome**

- Increased supply and access to affordable housing via the Strategic Housing Investment Plan, and improved options to support independent living for those with complex needs via Housing First initiative. A reduction in homelessness as a result of a housing-led approach to provide settled housing options as quickly as possible. Approaches to prevent and address isolation are strengthened across communities.

### **Theme 3: Safer Communities and Gender Based Violence**

Community safety is about feeling safe, whether at home, in the street or at work. It relates to quality of life and being able to pursue and obtain the fullest benefits from your domestic, social and economic lives without fear or hindrance from crime and disorder.

Gender based violence (GBV) is a major public health, equality and human rights issue. It covers a spectrum of violence and abuse, committed primarily but not exclusively against women by men. This includes, but it is not limited to domestic abuse, rape and sexual assault. The physical, emotional and psychological consequences of GBV can be profound and damaging.

#### **Safer Communities and Gender Based Outcome**

- Midlothian neighbourhoods are safe and welcoming and communities embrace equalities and mutual respect and reject all forms of discrimination.

### **Theme 4: Workplaces**

Some groups with protected characteristics face direct and indirect discrimination which has a negative impact on their experience in the workplace and raises barriers to promotion and progression. There is significant under-representation for some groups across the organisation as a whole but particularly in senior roles and positions, and overrepresentation at low pay grades, with subsequent impact on income levels and opportunity.

People facing discrimination who do not feel comfortable or valued in their workplace may leave, or not be promoted, with subsequent loss to the organisation of their skills and expertise, and the likelihood that entrenched patterns of employment and career progression will continue unchanged. People with a wide range of experiences and perspectives are good for the organisation and the services it delivers.

#### **Workplace Outcome**

- Midlothian Council is a positive and inclusive workplace for all employees.

## **Theme 5: Education**

The health and wellbeing of children and young people thrives when education is inclusive, children and young people's rights are respected and we anticipate children's needs. Inclusive education fosters a positive climate for learning. It builds on the strengths that children and parents bring and provides equitable opportunities, resources and support, removing barriers to success for children with protected characteristics. The foundation of inclusive education is a coherent, inclusive curriculum and learning and teaching that meets learners' needs and provides appropriate challenge.

The life chances of children and young people with protected characteristics are positively affected when:

- every child benefits from an education which will enable them to realise their potential
- we are welcoming and respectful to all - every child belongs
- we respect children's rights, promote equality, prevent discrimination and challenge prejudice

### **Education Outcomes**

- All of Midlothian's children and young people are successful learners and the educational attainment gap is reduced.
- Midlothian schools are safe places where acts of discrimination, victimisation, and harassment are effectively addressed to avoid re-occurrence.

## **Theme 6: Licensing**

### **Licensing Outcomes**

- Midlothian Licensing Board works with license holders, partners and other Council services to support positive behaviour on and around license premises, and to support community safety priorities.
- Midlothian Licensing Board will work to ensure that its Board members more accurately reflect the community it serves.

## **Section 3: Delivering Equality in Midlothian**

### **How can we advance Equality of Opportunity?**

As a service provider Midlothian Council plays a significant role in people's lives. We need to ensure that our services are accessible to all those who need them and demonstrate that we have considered the diverse needs of the community when developing them. We can do this by:

- removing or minimising disadvantages suffered by people who share a relevant protected characteristic that arise from them having that characteristic;
- taking steps to meet the needs of people who share a relevant protected characteristic that are different from the needs of those who do not share it; and
- encouraging individuals or groups who share a relevant protected characteristic to participate in public life or in any other activity in which their participation is disproportionately low

Outcomes are the consequences of the actions that we undertake, things that make a difference to the lives of people. Reflecting a set of themes explored as part of a wider consultation exercise, Midlothian's Equality Plan and outcomes detailed in Appendix 1 supports the ongoing drive to mainstream equality across all areas of the Council.

### **Midlothian Council as an Employer**

The Council's vision is that 'Midlothian is a Great Place to Grow'. Delivering quality services needed by the residents of Midlothian is fundamental to the Council and its People Strategy. The five key values identified within the strategy are:

- Celebrate
- Respect
- Excellence
- Support
- Together

Key areas of work include:

- Implementing Equal Pay
- Equality in recruitment and selection
- Conditions of service
- Prevention of harassment
- Employee development

Fundamental to achieving this goal is equality of employment opportunities and the Council strives to ensure that equal opportunities underpin all aspects of employment and employment policies.

### **Equal Pay**

Midlothian Council is committed to the principle of equal pay for all our employees. This is outlined in the Council's Equal Pay Statement. The Council implemented the national Single Status Agreement at a local level, and this saw the introduction of a new pay and grade structure for all affected Local Government Employees.

### **Living wage**

Midlothian Council introduced the Scottish Government's 'Living Wage' structure. The introduction of the living wage particularly benefited women who are more highly represented in lower paid and part time jobs.

The Council supports a range of work that supports the equalities agenda including:

- A comprehensive Employee Assistance programme
- Use of the Two Ticks symbol
- Participation in the Stonewall Diversity Champions Programme
- Taking the See Me campaign pledge
- Healthy Working Lives
- Equally Safe at Work (Bronze Award)

### **Our Employment Outcome:**

Our long term outcome is that 'Midlothian Council is a positive and inclusive workplace for all employees'

Key measures of success include:

- New recruits will join an increasingly diverse workforce across all levels of the organisation, which accurately reflects the population we serve and commits to providing opportunities for all new and existing staff from groups currently underrepresented such as promoting and facilitating staff forums for people in protected characteristic groups.
- Success in achieving inclusive working culture will also be measured by rates of retention/leaving, recruitment, promotion etc.

## **Midlothian Council: Education Authority**

Midlothian Council as an Education Authority is founded on inclusive values, and seeks to provide a wide range of high quality services to all, while giving priority to the most vulnerable and disadvantaged individuals and groups in our communities.

The Education Authority continues to strive to make a positive difference to the lives of children, young people and their families. The Council/Education Authority recognises the individuality and diverse needs of all children, young people and their families.

### **Curriculum for Excellence**

The Curriculum for Excellence is a way of looking at the curriculum that builds on best existing practices in Scottish education. It is a continuing process to encourage more learning through experiences to best ensure that children and young people are prepared for the complex world they will be living in when they leave school. Children and young people are at the centre of learning provision. Our aspiration is that they should all develop the four capacities to become:

- successful learners
- confident individuals
- responsible citizens
- effective contributors

To achieve these we follow key principles to underpin the development of policies and procedures for meeting the needs of all pupils:

- all children and young people residing in Midlothian will have access to educational and social opportunities of the highest quality
- the individuality and diverse needs of all children and young people will be recognised and met where possible
- positive partnerships with parents, children and young people will be established to enable the sharing of common aims, views and aspirations
- collaborative working with other agencies and networking of services will be a requirement

Our long term outcome is that 'All of Midlothian's young people are successful learners, confident individuals, effective contributors and responsible citizens'.

Key measures of success will include:

- Children and young people have improved health and wellbeing (including mental health) because they receive an education directed towards realising their potential, with appropriate support and reasonable adjustments when required, in progressive and inclusive learning environments.

- Children and young people's rights are respected, they enjoy an inclusive curriculum and they are confident that bullying and prejudice incidents are dealt with effectively and fairly.

### **Integrated Impact Assessment (IIA)**

The Midlothian Council Education Authority will use an Integrated Impact Assessment Tool that has been developed in partnership with neighbouring authorities. All reports presented to the Council committees proposing new policies or guidelines setting out new functions, or proposing any other changes with implications for equality strands will include details of the results of the impact assessment.

### **Publication**

Information about all Education functions, including a copy of this Plan, Annual Reports and results of impact assessments will be published on the Council website and Edubuzz.

### **Midlothian Council: Licensing Board**

The Midlothian Licensing Board is constituted in terms of the Licensing (Scotland) Act 2005 and the Gambling Act 2005. The regimes under these Acts set out broad aims which the Board must and will support in all its functions. The pursuit of these aims is a principal feature of this Board's statement of policy. A copy of the Board's Statement of Licensing Policy can be viewed [https://www.midlothian.gov.uk/info/200269/licences\\_and\\_permits/404/licensing\\_board](https://www.midlothian.gov.uk/info/200269/licences_and_permits/404/licensing_board)

The Licensing (Scotland) Act 2005:

- Preventing crime and disorder;
- Securing public safety;
- Preventing public nuisance;
- Protecting and improving public health ; and
- Protecting children from harm

The Gambling Act 2005:

- Preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable young persons from being harmed or exploited by gambling

## **Our Outcomes**

In all the Licensing Boards' work we will contribute to the following outcomes:

- Midlothian Licensing Board works with license holders, partners and other Council services to support positive behaviour on and around license premises, and to support community safety priorities.
- Midlothian Licensing Board will work to ensure that its Board members more accurately reflect the community it serves.

## **Gathering Information**

The Licensing Board works with a range of partners to ensure that they have the appropriate information they need to make the right decisions about applications presented. Key partners include police, health and fire services, anti-social behaviour team, community councils, child protection teams and any other relevant stakeholders. Where relevant this can include information about equalities issues and experiences of equality groups in the community.

## **Integrated Impact Assessment**

The Midlothian Licensing Board will use the Integrated Impact Assessment Tool that has been developed in partnership with neighbouring authorities. All reports presented to the Board proposing new policies or guidelines setting out new functions, or proposing any other changes with implications for equality strands will include details of the results of the impact assessment.

## **Publication**

Information about all Licensing functions, including a copy of this Plan, Annual Reports and results of impact assessments will be published on this page [https://www.midlothian.gov.uk/info/200269/licences\\_and\\_permits/404/licensing\\_board](https://www.midlothian.gov.uk/info/200269/licences_and_permits/404/licensing_board)

## **Monitoring Progress**

The Equality Plan has been developed to provide a framework which integrates the wider Council planning and performance activities and provides a clear link to key strategies and plans. Each of the themes and outcomes set out in Appendix 1 include a brief summary of the success measures and supporting actions, to be used to monitor progress with the implementation the Equality Plan. These will continue to be developed and refined along with the Council's wider performance framework.

## **Mainstreaming Equality**

Whilst the Equality Plan integrates with the wider Council planning and performance activities in terms of key strategies and plans, 'Mainstreaming equality' also means taking equality into account in the way Midlothian Council undertakes its day to day

functions. In practice this means that we think about equality as a core part of everything that we do from our employment practices to the services we plan and provide.

Mainstreaming equality has a number of benefits including:

- Embedding equality into the culture of the Council and influencing our attitudes and behaviours;
- Allowing the Council to demonstrate how we are meeting our legal obligations to promote equality; and
- Allowing us to continually improve our performance and the services we plan and provide.

**Key ways we can help to ensure we consider equality as part of everything we plan and do:**

1. Ensuring high level commitment to Equality through all levels of the Council structures and planning procedures.
2. Understanding the impact of our work
3. Gathering information about the experiences of equality groups
4. Building organisational capacity
5. Ensuring that those who provide services on our part consider equality
6. Working in partnership with others.

Detailed information about how the Council has mainstreamed equality can be found in the Mainstreaming Equality Reports that can be accessed at [www.midlothian.gov.uk](http://www.midlothian.gov.uk) and the following provides further information for points 1 to 6 noted above:

**1. Ensuring high level commitment to Equality through all levels of the Council structures and planning procedures.**

- **Service Planning and Performance**

The service planning structure at Midlothian Council includes the Single Midlothian Plan, the local outcomes improvement plan for Midlothian and Service Plans. Each of these plans make a contribution to achieving the Council's desired outcomes. A strong commitment to equal opportunities is made at each level of the Planning process. Guidance developed for each stage of the planning process includes guidance on how to include equality.

Single Midlothian Plan (the local outcome improvement plan for Midlothian)



Business Plans (including Service Plans, Unit Plans and Teams Plans)

## 2. Understanding the Impact of our work

- **Integrated Impact Assessment (IIA)**

Midlothian Council in partnership with East Lothian Council and NHS Lothian has developed an 'Integrated Impact Assessment Tool' to allow us to examine the impact of our decisions on the community. The tool brings together key social, environmental and economic priorities to highlight whether the decisions we make or the plans we put in place will have a positive, neutral or negative impact in the community. The process also helps the Council to be more transparent and accountable for the decisions we make.

Midlothian Council requires all reports to the Council committees to include the findings of the Integrated Impact Assessment where proportionate and relevant.

Integrated Impact Assessments are published on the Council's website

- **Equalities Monitoring**

Equalities 'Monitoring', means gathering and analysing information on the personal characteristics of our service users. Gathering information about our service users helps us to understand the profile of our community, who is and who isn't using our services and what people think of them.

Equalities monitoring allows us to establish:

- The nature or extent of inequality
- The areas where action is most needed to encounter inequality
- Whether or not measures aimed at reducing inequality are succeeding

Further consideration needs to be given to establish an appropriate approach to gathering and analysing information on the personal characteristics of service users across a wider range of services. This information, when available, will be supported by clear guidance on how to monitor equalities effectively in service areas.

- **Reporting on equalities performance**

The Council has developed a series of performance indicators which relate to equalities. These comprise both statutory performance indicators and indicators gathered through the Single Midlothian Plan, the local outcomes improvement plan for Midlothian.

Key Performance Indicators (including the Statutory Performance Indicators) are published on the Council's performance website and can be accessed here.

The Key Performance Indicators are reported to the Performance Review and Scrutiny Committee by the Elected Members. Performance reports are also analysed by the Council Management Team. Indicators relating to equalities are reported in relation to several outcomes.

### **3. Gathering Information about the experiences of equality groups**

Midlothian Council recognises that gathering evidence about the needs and experiences of those with protected characteristics is an important way for us to plan and deliver services that meet the needs of the community. Further, having this information also helps us to assess the impact of proposed and revised policies.

We seek to:

- Identify what issues people in local communities are facing which might be stopping them from accessing our services or making it harder for them to access our services
- Learn more about the diverse experiences of people in the community
- Build trust and improve communication with harder to reach communities
- Understand which issues are within the remit of the Council to address, together with our partners where relevant.

The Council does this in a number of ways including community engagement, research and working in partnership with other specialist organisations.

- **Community Engagement**

The Council routinely engages with a range of local equality groups to gather information about their experiences. Examples include:

- Midlothian Peoples Equality Group (MPEG)
- Citizens Panel
- Midlothian Young Peoples Advice Service (MYPAS)
- Midlothian LGBT Youth Group

The Council also has a dedicated Community Engagement Officer, and active Community Councils that are encouraged to be inclusive in the ways that they work.

#### **4. Building Organisational Capacity**

- **Equality Training**

Equality and diversity training is a key way forward for all employees to understand more about the meaning and importance of equality and diversity, and the impact of prejudice and discrimination. Staff have attended or completed online equality and diversity awareness training, and this training forms part of the staff induction process. Awareness training has also been rolled out to Elected Members and the Council's Management Team.

The Council has also been developing an Equality Training Plan. The aims of this Equality Training Plan are to:

- ensure that Midlothian Council is able to meet its general and specific duties under equalities and human rights legislation;
- provide employees with opportunities for learning and awareness of their role and responsibilities under Equality and Human Rights legislation; and
- develop a skilled, motivated and culturally capable workforce that can bring about changes that will improve services and tackle inequalities

Key aspects of the training plan include:

- Training and development for Elected Members;
- Bespoke training opportunities , including inter-agency training;
- E-Learning;
- Equality Guides and Online Resources;
- Individual Support and Guidance; and
- Integrated Impact Assessment

#### **5. Ensure that those who provide services on our behalf also consider equality**

Midlothian Council strives to ensure that all duties under the Equality Act will be integral to the procurement process. The Council's current Corporate Procurement Strategy contains clauses to ensure the equality of opportunity in relation to service provision and employment. The Council also actively supports the use of Article 19 (regulation 7) and is actively working to ensure that at least some Council contracts are with supported businesses.

## **6. Work in partnership with others- The Midlothian Community Planning Partnership**

The Midlothian Community Planning Partnership's Single Midlothian Plan, which is the local outcomes improvement plan for Midlothian has equality underpinning all its outcomes and actions.

For more information on the Single Midlothian Plan and previous plans, please visit [here](#).

### **Fostering Good Relations**

The requirement of the Equality Act is to foster good relations between those who have a protected characteristic and those who do not. There are two significant components to this work:

- tackling prejudice
- promoting understanding

Midlothian has strong and active communities with high levels of satisfaction about the places people live reported through local resident's surveys. However, despite a positive picture we are aware that there are pockets within our communities where tensions exist. Midlothian's population is changing and across the country we have seen a growth in support for far right political parties, increasing concerns about immigration, incidents of hate crime and global terrorist incidents. This highlights the importance of working towards community cohesion and it challenges us to build consideration about how our work can help to foster good relations in all aspects of our work.

We have included 'promotes good relations' as a core policy theme within our new Integrated Impact Assessment process to help us ensure we maximise our awareness of this area of work.

## Section 4: Midlothian Equality in Action

You can find out more information about equalities work in Midlothian by visiting our engagement page [here](#).

### Contact us

You can get in touch with us by:

- **Email:** [equalities@midlothian.gov.uk](mailto:equalities@midlothian.gov.uk)
- **Phone:** 0131 271 3658
- **Write to:** Lesley N Crozier  
Equality, Diversity & Human Rights Officer  
Midlothian Council  
1<sup>st</sup> Floor, Midlothian House  
Buccleuch Street  
DALKEITH  
EH22 1DN

## Section 5: Midlothian Council Equality Outcomes Plan

Outcome	Protected Characteristics Affected	Measure of success	Actions to progress outcome/Associated Strategies and Plans	Timescale for actions
<b>Theme 1: ACCESSIBILITY</b>				
General Duty progressed: Eliminate discrimination, Advance equality				
Services will be more accessible for all with improved digital inclusion and communication and an inclusive physical environment	AGE - Older People and Children and Young people RACE – people whose first language is not English DISABILITY Those who share protected characteristics who are disproportionately experiencing poverty (e.g. BAME and Disabled people)	<p><b>Channel Shift</b> –greater flexibility and new ways to access services.</p> <p><b>Web Accessibility</b> – ensuring our web sites comply with the Public Sector Bodies (Websites and Mobile Applications) Accessibilities Regulations (No. 2) 2018.</p> <p><b>Digital Access and Skills</b> - programme of activities to address the digital divide and ensure the benefits of the internet and digital technologies are available to all.</p> <p><b>Digital Learning</b> - improve access to digital technology for all learners though the provision of additional devices and connectivity to pupils to support home and blended learning.</p> <p><b>Libraries</b> - the volume of digital transactions will be tracked within libraries, and special arrangements will be put in place to measure digital uptake within vulnerable client groups.</p> <p>Further measures of success will be captured through customer satisfaction surveys within libraries.</p>	<p>Channel shift is embedded as a core theme within the Customer Service and Digital Services strategies and delivery programme, and progress will we reported through annual updates over 2021 to 2025</p> <p>Library Service - Provide and sign-post a wide range of digital support tools within libraries including providing access to computers, the Internet, digital content, and digital literacy programs.</p> <p>Digital Learning Strategy - Monitor the delivery of new devices e.g. iPads, chrome books, to assist educators, learners and parents to take advantage of digital technology opportunities.</p> <p>Accessibility Statement and supporting actions including, provision of adapted communication methods for specific access requirements (BSL interpreters or Text Relay services for deaf customers Language translation services for customers for whom English is not their first or preferred language - Browse Aloud).</p> <p>Adult Health and Social Care Service Plan includes a actions and performance indicators supporting a range of priorities, including the use of Digital resources to improve the experience for clients. In addition the</p>	As identified in key strategies and plans noted.

			<p>Midlothian Health and Social Care Partnership Strategic Plan 2019-2022, identifies a key outcome - People who use health and social care services have positive experiences of those services, and have their dignity respected.</p> <p>Joint Physical Disability Planning Group Action Plan</p>	
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## Theme 2: HOUSING

General Duty progressed: Eliminate discrimination, Advance equality and Foster good relations

<p>Increased supply and access to affordable housing via the Strategic Housing Investment Plan, and improved options to support independent living for those with complex needs via Housing First initiative. A reduction in homelessness as a result of a housing-led approach to provide settled housing options as quickly as possible. Approaches to prevent and address isolation are strengthened</p>	<p><i>DISABILITY – particularly those with physical disability or mental health issues.</i></p>	<p>People have access to a home that is warm, affordable, accessible and that meets their needs</p>	<p>Monitored via delivery of:</p> <ul style="list-style-type: none"> <li>• Local Housing Strategy (LHS) 2021-2026</li> <li>• Strategic Housing Investment Plan 2021/22 – 2025/26</li> <li>• Rapid Rehousing Transition Plan 2020/21 – 2023/24</li> <li>• Housing First</li> </ul> <p>Key outcomes in the LHS Action Plan include:</p> <ul style="list-style-type: none"> <li>• Access to housing and the supply of new housing has increased across all tenures in Midlothian.</li> <li>• Improve Place Making in Midlothian.</li> <li>• Homeless households and those threatened with homelessness are able to access support and advice services and all unintentionally homeless households will be able to access settled accommodation.</li> <li>• The needs of households with particular needs will be addressed and all households will have equal access to housing and housing services.</li> <li>• Housing in all tenures will be more energy efficient and fewer households will live in, or be at risk of, fuel poverty.</li> <li>• The condition of housing across all tenures is improved.</li> <li>• Integration of Housing, Health and Social Care in Midlothian is improved.</li> </ul>	<p>As identified in key strategies and plans noted.</p>
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across communities.			Community Justice Service - Pathways established to support transition at point of leaving prisons and hospitals into accommodation.	
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**Theme 3: SAFER COMMUNITIES AND GENDER BASED VIOLENCE**

General Duty progressed: Foster Good relations

Midlothian neighbourhoods are safe and welcoming and communities embrace equalities and mutual respect and reject all forms of discrimination.	All protected characteristics (with a focus on gender based violence)	Woman, girls and LGBTQ+ communities feel safer as a result of the implementation of programmes and policies to prevent and protect our citizens against domestic abuse and gender-based violence, strengthened by the direct response during and following the COVID-19 pandemic.	<p>Midlothian People’s Equality Group will continue to promote equality and challenge prejudice, build relationships across Midlothian’s communities of interest where people feel valued and trusted and provide a platform for people to learn, educate and communicate about local equality issues of concern and interest.</p> <p>Staff Equalities Group will continue to inform and collaborate on equalities actions and working collectively towards improving policies and practice and implementing change.</p> <p>Adult Health and Social Care Service Plan includes a range of actions and performance indicators which support a range of priorities and includes a priority specific to the Justice Service.</p> <p>Public Protection Unit and VAWG action and improvement plans.</p>	As identified in key strategies and plans noted.
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**Theme 4: WORKPLACES**

General Duty progressed: Eliminate discrimination, Advance equality, Foster good relations

Midlothian Council is a positive and inclusive workplace	Race	New recruits will join an increasingly diverse workforce across all levels of the organisation, which accurately reflects the population we serve and	<p>Short term performance indicators: -</p> <ul style="list-style-type: none"> <li>Improvements in equalities data gathered</li> </ul>	As identified in key strategies
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for all employees.	Sexual Orientation Sex Disability Religion or Belief Age Gender reassignment Pregnancy and maternity Marriage and civil partnership	commits to providing opportunities for all new and existing staff from groups currently underrepresented such as promoting and facilitating staff forums for people in protected characteristic groups.  Success in achieving inclusive working culture might also be measured by rates of retention/leaving, recruitment, promotion etc.  A reduction in our pay gap percentages.	<ul style="list-style-type: none"> <li>• Numbers of new recruits from identified groups</li> <li>• Feedback from staff, including focused questions in all staff surveys e.g. I Matters</li> </ul> <p>Longer term performance indicators: -</p> <ul style="list-style-type: none"> <li>• Assess numbers of people in different pay grades, roles and changes over time and implement strategies to address any identified concerns.</li> <li>• Widen pay gap reporting from gender to include other protected characteristics.</li> </ul> <p>The Council has a range of policies and procedures which support a positive and inclusive workplace including: -</p> <ul style="list-style-type: none"> <li>• Creation of a draft Wellbeing Strategy currently at consultation stage.</li> <li>• Supporters of the 'Happy to talk flexible working' pledge. Flexible work arrangements centred around trust that promote a healthy work-life-balance.</li> <li>• Through the Healthy Working Lives Gold Award, promotion of organisational, local and national wellbeing campaigns and initiatives.</li> <li>• Promotion of and educating colleagues about occupational health services, Employee Assistance Programme and other supports available to staff.</li> <li>• Provision of a variety of employee benefit schemes to improve the physical, financial and mental wellbeing of our workforce.</li> <li>• Planned review of recruitment and selection processes and practices by using the Scottish Government's Minority Ethnic Recruitment Toolkit</li> <li>• Continued membership of Stonewall Diversity</li> </ul>	and plans noted.
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			<p>Champions and plans to submit applications to Stonewall Workplace Equality Index</p> <ul style="list-style-type: none"> <li>• Roll out refresher mandatory Equality and Diversity training for all employees</li> <li>• Creation of a staff equalities group.</li> <li>• Plans to create a Diversity and Inclusion Strategy during 2021/22</li> <li>• Continuing to review people policies to ensure they fully support an inclusive workplace.</li> </ul>	
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## Theme 5: EDUCATION

General Duty progressed: Eliminate discrimination, Advance equality and Foster good relations

<p>1. All of Midlothian's children and young people are successful learners and the educational attainment gap is reduced.</p> <p>2. Midlothian schools are safe places where acts of discrimination, victimisation, and harassment are effectively addressed to avoid re-occurrence.</p>	<p>Disability, gender (sex), race, religion, sexual orientation, gender re-assignment</p>	<p>Children and young people have improved health and wellbeing (including mental health) because they receive an education directed towards realising their potential, with appropriate support and reasonable adjustments when required, in progressive and inclusive learning environments.</p> <p>Children and young people's rights are respected, they enjoy an inclusive curriculum and they are confident that bullying and prejudice incidents are dealt with effectively and fairly.</p>	<p>The Education Service improvement plan aligns with the key priorities in the National Improvement Framework for Scottish Education and Delivering Excellence and Equity in Scottish Education. There is also a statutory duty to report on steps taken to close the attainment gap between the most and least disadvantaged children and improve children and young people's wellbeing.</p> <p>The 2021-22 service plan includes actions being taken forward as part of the Inclusion and Equity; ASN reviews and becoming a nurturing authority, all are already underway. The review includes updating and reviewing key policies to ensure they comply with legislation, including UNCRC and statutory duties. This includes the review of Included, Engaged and Involved which is where guidance on dealing with bullying etc sits. Actions being taken forward include:</p> <ul style="list-style-type: none"> <li>• A nurturing authority- 3 year plan in place to embed nurture within our schools and services</li> <li>• Policy development and review- involve all key stakeholders in the review of policies to ensure they are compliant with statutory duties, including new duties associated with UNCRC (</li> </ul>	<p>As identified in key strategies and plans noted.</p>
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			<p>Included, Engaged and Involved/ Accessibility Policy and Strategy etc)</p> <ul style="list-style-type: none"> <li>• Digital Learning Strategy – equity of access to technology to enhance learning</li> <li>• Learning Estate Strategy – equity of learning experiences and designing inclusive spaces</li> <li>• Review of the health and wellbeing curriculum delivered in schools</li> </ul>	
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## Theme 6: LICENSING

General Duty progressed: Advance equality and Foster good relations

<p>1. Midlothian Licensing Board works with license holders, partners and other Council services to support positive behaviour on and around license premises, and to support community safety priorities.</p> <p>2. Midlothian Licensing Board will work to ensure that its Board members more accurately reflect the community it serves.</p>	<p>Disability, gender (sex), race</p>		<p>The Board will continue to work in partnership with agencies including Police Scotland and the local Licensing Forum, who each have a separate statutory role to play under the Licensing (Scotland) Act 2005, with equal regard to the interests of persons with protected characteristics.</p> <p>The Board will promote accessibility to all licensed premises in Midlothian for people with disabilities through its application of the relevant provisions of the Licensing (Scotland) Act 2005 and its statement of licensing policy.</p> <p>Disability Access and Facilities Statements (DAFS) are required to be submitted along with all applications for premises licences.</p> <p>Midlothian Licensing Board Policy 2018 - 2023 signposts licence holders to their duties under the Equality Act 2010.</p>	<p>As identified in key strategies and plans noted.</p>
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