



# **Shetland Integration Joint Board Equalities Mainstreaming Report and Equality Outcomes 2016 - 2017**

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## DOCUMENT DEVELOPMENT COVERSHEET\*

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\*To be attached to the document under development/review and presented to the group

Please record details of any changes made to the document on the back of this form

DATE	CHANGES MADE TO DOCUMENT

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## **1. Introduction**

### **1.1 Equality**

The Equality and Human Rights Commission's 2010 Triennial Review, 'How Fair is Britain' notes that: "In simple terms, Britain has become a fairer place. However, the evidence shows clearly that whatever progress has been made for some groups in some places, the outcomes for many people are not shifting as far or as fast as they should."

The Christie report on the future of public services in Scotland recognises that equality is a key consideration in public sector reform, and this is in line with the Scottish Government's national outcome of reducing significant inequalities. The Equality Outcomes and Mainstreaming Reports offer the Integration Joint Board (IJB) an opportunity to present a detailed overview of its work on equality, focusing on compliance, accountability and reducing significant inequalities.

The IJB is aware that there is broad support locally for advancing equality and fairness. To provide context for this the IJB has set out their overall commitment to equality by adopting The Integration Joint Board's joint Equality Statement 2013-2017 below.

### **1.2 Health and Social Care Integration**

Integration of health and social care is the Scottish Government's ambitious programme of reform to improve services for people who use health and social care services. Integration will ensure that health and social care provision across Scotland is joined-up and seamless, especially for people with long term conditions and disabilities, many of whom are older people. The Public Bodies (Joint Working) (Scotland) Act was granted royal assent on April 1, 2014. The legislation meant changes to the law which required NHS Health Boards and Local Authorities to integrate their services resulting in more joined-up, seamless health and social care provision that will improve people's lives.

On 2nd July 2014, Shetland Islands Council and the Board of NHS Shetland took the decision that the Model for integration of health and social care services in Shetland would be the Body Corporate, known as an Integration Joint Board. Under the Body Corporate model, the Health Board and Local Authority delegate the responsibility, for planning and resourcing service provision of adult health and social care services to an Integration Joint Board (IJB). The IJB has since been formally constituted, confirmed the full membership and approved their Standing Orders, Scheme of Administration, Financial Regulations, Risk Management Strategy, Participation and Engagement Strategy, an Audit Committee and Clinical and Care Governance Arrangements.

## **2. Equality Statement**

The IJB is committed to fulfilling the three key elements of the general equality duty as defined in the Equality Act 2010:-

- Eliminating discrimination, harassment and victimisation
- Advancing equality of opportunity between people who share a protected characteristic and those who do not
- Fostering good relations between people who share a protected characteristic and those who do not

The protected characteristics are –

- age
- disability (including physical impairment, learning disabilities, mental health issues and long-term conditions)
- gender reassignment,
- pregnancy and maternity
- race, this includes ethnicity, colour and national origin
- religion or belief
- sex
- sexual orientation
- marriage/civil partnership (for which only the first duty applies)

Everyone has 'protected characteristics', but it is the treatment individuals and groups receive, the level of autonomy they have, and the positive or negative outcomes for them, that are its focus. Therefore the Integration Joint Board will:

- Remove or minimise disadvantages experienced by people due to their protected characteristics
- Meet the needs of people from protected groups where these are different from the needs of other people
- Encourage people with protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

As well as being legal requirements, these steps contribute to fairer, more efficient and more effective services. Therefore the Integration Joint Board will:-

- take effective action on equality
- make the right decisions, first time around
- develop better policies and practices, based on evidence
- be transparent, accessible and accountable
- deliver improved outcomes for all.

A separate Equal Pay Statement is included at Appendix 2, as required by legislation, although the IJB do not have any employees and therefore do not have any remuneration policies as such.

### **3. The Legal Context**

The public sector equality duty, referred to as the 'general equality duty,' is set out in the Equality Act 2010. Under the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, public authorities are also covered by specific duties, which are designed to help public authorities meet the general equality duty. The Scottish Government added Integration Joint Boards to Schedule 19 of the Equality Act 2010 and to The Equality Act 2010 (Specific Duties) Regulations 2012, in April 2015 and so all IJBs are subject to the duties both the general and specific equality duties detailed below.

#### **3.1 The Equality Act 2010 and the General Equality Duty**

The Act brings together the areas of race, disability, sex, sexual orientation, religion and belief, age and gender reassignment in one legislative entity.

At the same time the Act clarifies the approach that should be taken on issues around ensuring fair treatment with regards to marriage/civil partnership and pregnancy and maternity. The IJB in the exercise of their functions must;-

- Eliminate discrimination, harassment and victimisation
- 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, by tackling prejudice and promoting understanding

(Only the first duty applies in the case of marriage/civil partnership.)  
These are the three fundamental elements of the general duty.

### **3.2 The Specific Equality Duties**

The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 came into force on May 2012. These specific duties are designed to help public sector organisations meet the general duty effectively.

The key legal duties are that The IJB must;-

- 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

### **4. Building on Existing Work**



The IJB is committed to promoting equalities and have committed to embedding equalities in their service delivery.

Locally a number of public sector organisations are already subject to the duties and a single set of outcomes and mainstreaming report for Shetland was produced in 2013, updated in 2015. A number of the agreed outcomes include work in the remit of the Integration Joint Board. It has been agreed to include the IJB in this work going forward, whilst recognizing the importance of demonstrating how the IJB specifically is working towards meeting the outcomes.

## **5. Why Mainstreaming Equality is Important**

Mainstreaming equality simply means integrating equality into the day-to-day working of The Integration Joint Board. This means taking equality into account in the way The IJB go about their business when planning and providing services.

Mainstreaming equality has a number of benefits including:

- Equality becomes part of the structures, behaviours and culture of service providers, to the benefit of service users.
- Service providers know and can demonstrate how, in carrying out their business, they are promoting equality
- Mainstreaming equality contributes to continuous improvement, better performance and better value

The IJB is committed to integrating equality into our business, using tools such as equality impact assessment, and by ensuring that equality features explicitly and proportionately in business planning, committee or other decision-making, and reports and other policy development and review mechanisms.

Equality Outcomes are aimed at producing concrete improvements in people's lives that contribute to a fairer, more inclusive and more prosperous Shetland. These are key areas of work, but the IJB is also continuing on a broad front to mainstream equalities.

## **6. Supporting and Mainstreaming Equality**

### **6.1 Raising and Maintaining Awareness**

It is important that members of the IJB are aware of the general equality duty so that it is considered in their work where relevant. The IJB will therefore make sure that they supply appropriate information, using a combination of methods to build and maintain awareness of equality issues both internally and within local communities:

- Briefings for Board Members
- Briefings for the Executive Management Teams
- Items in organisation-wide briefings and communications
- Response to information requests from employees, Board members, elected members and officers.
- Information to key contacts as required, for example when a key legal decision around equalities has been made.
- Items and updates on the staff and public websites
- Support alongside other agencies for cultural events such as Black History Month, LGBT History Month, and Women's Day.
- Direct contact with local groups

### **6.2 Accessibility of documents and information**

All IJB documents can be translated on request or made available in different formats such as Braille and Audio.

### **6.3 Assessing Impact**

The IJB uses an Equality Impact Assessment (EIA) process to ensure that any policies, practices and procedures or funding decisions that could affect people from protected groups undergo an EIA before decisions are taken.

All new or revised strategies and policies are screened for relevance to the three arms of the general equality duty. If relevant impact assessment will be carried out and published. Existing policies will be screened when they are reviewed, or if a change in the law or case law

suggests this. The IJB publish Impact Assessments on their public website.

## **6.4 Partnership Working**

The Statement of Ambition agreed by the Scottish Government and the Convention of Scottish Local Authorities (COSLA) in March 2012 makes it clear that Community Planning is expected to bring better local integration of public services in order to deliver better outcomes.

Public sector partners, who are involved in partnership working, are responsible for meeting the public sector equality duty. This means that initiatives or joint work carried out by the IJB must meet the general and specific equality duties.

Local outcomes within Shetland's Single Outcome Agreement seek to promote equality of opportunity across the whole population of Shetland and contribute to the indicators that have been developed to monitor progress.

Shetland also has a strong history of public and third (voluntary) sector partnership working. Whilst the equality outcomes set out in this document are specific to local public sector bodies, they have been developed with input from third sector partners. We also anticipate ongoing third sector input to the delivery of the equality outcomes and related outputs over the coming years – particularly ongoing partnership around Reshaping Care for Older People. A number of the outputs supporting the delivery of outcomes will need a whole community approach e.g. local campaign to tackle homophobia.

## **7. Equality Outcomes 2016 – 2017**

The Equality Outcomes the IJB has identified form part of the ongoing work of Shetland's Community Planning Partners (CPP) and have been taken from the existing CPP Equality Outcomes Implementation Plan. Whilst the six outcomes identified do not cover all protected Characteristics, the wider CPP Equality Outcomes Implementation Plan does cover all. Specifically gender and pregnancy & maternity are covered under the employment outcomes; whilst the IJB does not directly employ any staff, the work of the IJB and its members will have an influence on staff in both the NHS and local authority. The Equality Outcomes are not the only things the IJB will be doing to support equality and fairness, but show priority areas for improvement in the next 12 months. An overview of the outcomes, related outputs and associated evidence is detailed in the Appendix 1.

### **7.1 Shetland Community Plan and Single Outcome Agreement**

The core values in the current Community Plan and Single Outcome Agreement (SOA) are:

#### **Accountability**

We will regularly monitor performance and be accountable to the Shetland community by publicising the results.

#### **Fairness**

We will work together to close the opportunity gap between disadvantaged individuals or communities and the rest of Shetland, and will focus resources on the areas where exclusion is greatest.

#### **Openness**

We will work openly with each other and achieve progress through consensus.

#### **Partnership**

We will work together and with the Shetland community in a smarter way to find new solutions and will encourage communities to recognise their important role in community planning work.

The community plan and single outcome agreement also outlines the five priority areas that the partnership has developed through a scenario planning exercise.

Communities that are:

Wealthier & Fairer  
Learning & Supportive  
Healthy & Caring  
Safe  
Vibrant & Sustainable

It also outlines the fourteen outcomes, i.e. results, which the partnership wishes to achieve in terms of quality of life and life opportunities for individuals, families and communities within Shetland.

The Equality Outcomes support these themes. Following Scottish Government and COSLA guidance the Equality Outcomes will inform future SOAs.

The IJB Equality Outcomes for 2016-2017 support these priorities.

## **7.2 Measuring Progress**

The IJB will publish a joint review of progress of our Equality Outcomes and mainstreaming equality in April 2017.

## Appendix 1 – IJB Equality Outcomes 2016-17

#	Situation/ Problem	Evidence	Activities / Outputs	Equality Outcome	Who's Involved	How will we Measure Success?	General Equality Duty
2	Negative and/or perceived negative attitudes locally towards LGBT people	SIC Equalities Community Survey 2010  Stonewall's Living Together 2012  College Operational Plan	Deliver a Train the Trainer course on LGBT awareness for community planning partners.  Deliver 2 sessions of Stonewall's Celebrating Difference training for people working with young people.  Run a local Tackling Homophobia campaign.  Run community events during LGBT History Month.  Support the setting up of a LGBT community group.  Develop a webpage on the college website to publicise sources of information & support.  Develop and deliver action plan as part of Stonewall's Good Practice Programme  Ensure that NHS antenatal classes are fully inclusive of different families, including same-sex couples.  Deliver LGBT awareness training to staff.	LGBT people feel part of their community.  Discrimination and harassment against LGBT people will be eliminated.	Shetland Islands Council  Schools Service  NHS Shetland  Shetland College  ZetTrans  Voluntary Action Shetland  Integration Joint Board	Hate crime statistics  Community Group Survey (1 in early 2015, another in early 2017).	Foster good relations between people who share a protected characteristic and those who do not  LGBT / Young People

#	Situation/ Problem	Evidence	Activities / Outputs	Equality Outcome	Who's Involved	How will we Measure Success?	General Equality Duty
5	Information provided by community partners is not accessible for everyone	SIC Equalities Community Survey 2010  College Operational Plan	<p>Raise awareness of inclusive communication through the community planning partnership.</p> <p>Develop a sign language interpretation system for service users.</p> <p>Investigate the use of portable hearing loops through the SIC.</p> <p>Link inclusive communication principles to the SIC Corporate Standards.</p> <p>Develop a webpage on the college website to publicise sources of information &amp; support.</p> <p>Implement and monitor the impact of college learner feedback mechanisms such as 'Talkbox', learner forums, college class reps</p>	Community planning partners share information in a way that everybody can understand	<p>Shetland Islands Council</p> <p>ZetTrans</p> <p>Shetland Licensing Board</p> <p>Shetland College</p> <p>NHS Shetland</p> <p>Integration Joint Board</p>	<p>Language line usage statistics</p> <p>Successful uptake of NHS BSL interpreting pilot.</p> <p>Requests for alternative formats.</p> <p>Direct feedback from service users.</p>	<p>Advance equality of opportunity between people who share a relevant protected characteristic and those who do not</p> <p>Disability</p>

#	Situation/ Problem	Evidence	Activities / Outputs	Equality Outcome	Who's Involved	How will we Measure Success?	General Equality Duty
6	Integration of migrant workers and their families into their local community	University of Stavanger Masters Thesis	Sports project.  Investigate sponsorship for a welcome pack.  Cultural project.	Migrant workers and their families feel more Integration into their local community	Shetland Islands Council  Integration Joint Board	Uptake of offers through welcome pack.	Foster good relations between people who share a protected characteristic and those who do not  Race



#	Situation/ Problem	Evidence	Activities / Outputs	Equality Outcome	Who's Involved	How will we Measure Success?	General Equality Duty
13	<p>Higher rates of certain morbidities in ethnic groups</p> <p>Smoking cessation &amp; weight management services – very small numbers of clients from ethnic minorities</p> <p>Lack of uptake of Keep Well health check offer</p>	<p>International &amp; national research evidence</p> <p>Service Data</p>	<p>Revisit Ethnic Minorities Health Needs Assessment</p> <p>Analysis of characteristics of those who don't take up services to identify if there are any groups with protected characteristics</p> <p>Adaptation of services in conjunction with those groups who don't take up services to meet their needs and make access easier</p> <p>Work with GP practices, in particular, to make services more accessible to more disadvantaged people</p>	<p>Services meet the needs of ethnic minorities</p>	<p>NHS Shetland</p> <p>Integration Joint Board</p>	<p>Service Data</p>	<p>Advance equality of opportunity between people who share a relevant protected characteristic and those who do not</p> <p>Race</p>

#	Situation/ Problem	Evidence	Activities / Outputs	Equality Outcome	Who's Involved	How will we Measure Success?	General Equality Duty
15	Progressing Spiritual Care within the NHS	Appointment / retention of Healthcare Chaplain  CEL (2008) 49 – Spiritual Care	Appointment of a Healthcare Chaplain for NHS Shetland.  Continue the work of the Spiritual Care Committee and Reference Group, maintaining strong links with local faith groups.  Continue to meet the known needs of patients through use of volunteer chaplain.  Develop the skills of NHS Shetland healthcare providers to ensure confidence and capability in delivering spiritual care to patients.  Support the spiritual care needs of our workforce through training, listening and individual support.	The spiritual care needs of our workforce and patient population are understood and met.	NHS Shetland  Integration Joint Board	Appointment of post holder and monitoring of requests for support.	Advance equality of opportunity between people who share a relevant protected characteristic and those who do not  Religion & Belief

#	Situation/ Problem	Evidence	Activities / Outputs	Equality Outcome	Who's Involved	How will we Measure Success?	General Equality Duty
16	Ageing Population	National Statistics	Continue to progress activities contained within to CHCP Reshaping Care for Older People planned work, including telehealthcare, carers, community capacity building, extra care housing, locality management, access to services, data sharing, reablement, respite and out of hours care.	Our health and social care services are reflective of the needs of an aging population.	NHS Shetland  Shetland Islands Council  ZetTrans  Integration Joint Board	Measures agreed through Reshaping Care for Older People local action plan	Advance equality of opportunity between people who share a relevant protected characteristic and those who do not  Age

NB: Numbering is non-sequential to reflect numbering of these outcomes in the wider Shetland Community Planning Partnership's Equality Outcomes 2013 – 2017.

## **Appendix 2 – Equal Pay Statement**

### **1. Introduction**

On average, women in Scotland receive 11% less per hour than they work full-time than men working full-time. Women working part-time earn 32% less per hour than men working full-time<sup>1</sup>. The pay gap signifies the differences that still exist in men's and women's working lives.

Although the gender pay gap is lower in the public sector than in the private sector, occupational segregation, education and training practices and workplace culture are likely to be contributing to a pay gap in Scotland.

### **2. The Legal Context**

In line with the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, Integration Joint Boards are required to publish a statement on equal pay and occupational segregation in relation to gender. The equal pay statement must contain the IJB's policy on equal pay, as well as information on occupational segregation (the concentration of groups in particular grades and in particular occupations).

### **3. Equal Pay Statement**

The IJB is committed to the principles of equality of opportunity in employment and believes that staff should receive equal pay for the same or broadly similar work, or work rated as equivalent and for work of equal value, regardless of their age, disability, ethnicity or race, gender reassignment, marital or civil partnership status, pregnancy, political beliefs, religion or belief, sex or sexual orientation.

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<sup>1</sup> Close the Gap – Public Sector Equality Duty Guidance for Employers via [http://www.closesthegap.org.uk/component/option,com\\_docman/Itemid,64/gid,23/task,cat\\_vie w/](http://www.closesthegap.org.uk/component/option,com_docman/Itemid,64/gid,23/task,cat_vie w/)

The IJB understands that the right to equal pay between women and men is a legal right under both domestic and European Law. In addition, the Equality Act 2010 (Specific Duties)(Scotland) Regulations require The IJB to publish a statement on equal pay between men and women by 30 April 2016, and to include the protected characteristics of race and disability in the second and subsequent statements from 2017 onwards. It is good practice and reflects the values of the IJB that pay is awarded fairly and equitably.

The IJB recognises that in order to achieve equal pay for employees doing the same or broadly similar work, work rated as equivalent, or work of equal value, it should support partner organisations to operate pay systems which are transparent, based on objective criteria and free from unlawful bias.

**In line with the General Duty of the Equality Act 2010, our objectives are to:**

- Eliminate unfair, unjust or unlawful practices and other discrimination that impact on pay equality
- Promote equality of opportunity and the principles of equal pay throughout the workforce.
- Promote good relations between people sharing different protected characteristics in the implementation of equal pay

**We will:**

- Review this statement as appropriate within legislative timescales
- Provide training and guidance for managers and for those involved in making decisions about pay and benefits and grading decisions;
- Ensure that partner organisations examine their existing and future pay practices for employees;
- Undertake regular monitoring of the impact of our practices in line with the requirements of the Equality Act 2010.