

# Equality Annual Review

A progress report for the year to 31 March 2010

June 2010

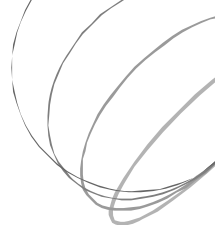


 ACCOUNTS COMMISSION



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# Foreword

Welcome to the Accounts Commission's Equality Annual Review for 2009/10.

The Accounts Commission is committed to using its position to promote equality in local authorities. This is clearly demonstrated through the recent publication of our Single Equality Scheme.

This report provides a summary of the progress we have made on that commitment through our work programme, particularly on performance audit studies and Best Value audits.

The report is an overview of the developments and progress we have made on equality and diversity during 2009/10 and highlights what we have been doing to put the words and intention of our equality schemes into practice. It should be read in conjunction with Audit Scotland's Equality Annual Review, which demonstrates its progress towards making diversity and equality integral to the staff organisation which supports the Accounts Commission.



**John Baillie**

Chair of the Accounts Commission and Audit Scotland Board

# Introduction

1. The Accounts Commission is a statutory, independent body which, through the audit process, assists local authorities in Scotland to achieve the highest standards of financial stewardship and the economic, efficient and effective use of their resources. The Commission has four main responsibilities:
  - securing the external audit, including the audit of Best Value and Community Planning
  - following up issues of concern identified through the audit, to ensure satisfactory resolutions
  - carrying out national performance studies to improve economy, efficiency and effectiveness in local government
  - issuing an annual direction to local authorities which sets out the range of performance information they are required to publish.
2. The Commission secures the audit of 32 councils and 44 joint boards (including police and fire and rescue services). Local authorities spend over £19 billion of public funds a year. Together with Audit Scotland and the Auditor General, we ensure that the Scottish Government and public sector bodies in Scotland are held to account for the proper, efficient and effective use of public funds.
3. The Accounts Commission can have between six and 12 members appointed by Scottish Ministers. The Commission does not employ any staff, but Audit Scotland supports the Commission in its work.
4. This report details the Commission's progress in achieving our equality and diversity objectives with specific reference to our single equality scheme. Previously we have had in place equality schemes and corresponding action plans for race, gender and disability. We developed our single equality scheme covering all equality strands and this now forms the basis of our work on improving equality and diversity. The Accounts Commission as a whole has overall responsibility for its single equality scheme. Since we do not employ any staff the employer's duty does not apply, and this is reflected in our single equality scheme. Responsibility for implementation of the scheme rests with Audit Scotland.
5. Our single equality scheme 2009/12, published in December 2009, contains an action plan which sets out the specific steps we planned to take to improve equality. This report summarises the main developments and improvements based on the four themes within that action plan:
  - *Building equalities into our work*
  - *Reviewing our activities*
  - *Developing our information and reporting*

6. The Accounts Commission is committed to using its position to promote equality in local authorities. Audit Scotland has its own single equality scheme, and this report should be read alongside Audit Scotland's annual report on equality. Audit Scotland, as the delivery agency and employer, is engaged in a wider range of work to promote equality through audit.

# Building equalities into our work

7. In order to support our core objectives of *holding public bodies to account and helping them to improve* Audit Scotland carries out several different strands of audit activity on our behalf, including national studies, best value audits and financial audits. We ensure that Audit Scotland builds consideration of equalities into its audit activities with a view to promoting equality and diversity across the public sector.

## Best value in local government

8. During 2009/10, we continued to develop our Best Value audit in local government (known as BV2) and published the first two BV2 pathfinder reports.
9. Equalities is a key theme of the Best Value legislation which alongside the more general community leadership, partnership working and continuous improvement requirements, places a specific obligation on councils to demonstrate that they are encouraging equal opportunities and meeting all relevant equalities legislation.

## Consultation

10. In developing our approach to the BV2 audit we worked with the Equalities and Human Rights Commission (EHRC) and other interested parties to develop a consistent and coherent approach to auditing equalities, consistent with the more integrated approach to the treatment of equalities issues underpinning current government policy.
11. We consulted on our proposals for BV2 during April and May 2009 and published our response to the consultation in August 2009. As part of that consultation we asked for feedback on our proposed audit framework for equalities. The consultation received 51 responses, 29 of those were from councils. We held three meetings in Perth, Motherwell and Edinburgh to discuss our proposals. The meetings were well attended, mostly by council leaders and chief executives. In July and August, we also held meetings with COSLA, SOLACE, Consumer Focus and the Scottish Government to discuss their responses.
12. Responses to the consultation were generally positive. A number of comments suggested that equalities, like sustainability, should be integrated across the whole audit of an organisation. The Commission agreed with this and our BV2 audit framework for equalities has been refined so that it can be integrated across the six elements of the BV2 corporate assessment framework (vision and strategic direction, partnership working and community leadership, community engagement, governance and accountability, use of resources, performance management). In developing our

approach to auditing equalities we are continuing to work with the EHRC to ensure a coordinated approach and that our respective roles are clear to councils and other interests.

## **Working with other scrutiny bodies**

13. We have made good progress in 2009/10 in the drive to develop a simplified and coherent system of scrutiny for local government. By the end of the financial year we had completed the initial design and development phase and we began to implement a new programme of more streamlined scrutiny.
14. The new arrangements mark a fundamental shift from scrutiny based on standard inspections undertaken on a cyclical basis, to a more risk-based and proportionate approach. Self-evaluation will be at the heart of the approach, backed up at each local authority by a shared risk assessment (SRA) carried out by all the scrutiny partners. The shared risk assessment process consolidates findings from other audit and inspection processes which have been designed to take account of equalities issues. The template for undertaking the shared risk assessment includes a specific assessment on each council's approach to equalities.
15. The assessment of the equalities impact of the shared risk assessment process has identified that there is scope to refine the guidance for the shared risk assessment process to ensure further prompts on equalities issues are included. This will be done in autumn of 2010 when Audit Scotland is scheduled to revise the guidance in the light of experience from the first stage of development.

## **National studies**

16. In order to realise the opportunity to promote equality in externally focused work, we ensure that Audit Scotland make consideration of equality and diversity mandatory in developing project and study briefs. For example, Audit Scotland on our behalf, looks at how people access public services or how public bodies engage with under-represented groups in society. The following reports provide an illustration of some of this work and the impact this can have. All these reports can be found on our website at [www.audit-scotland.gov.uk](http://www.audit-scotland.gov.uk). Publications are also available in computer format, as PDF and RTF documents, from our website.

## **The impact of the race equality duty on council services update (February 2010)**

17. Audit Scotland recently updated us on the continuing impact of the Accounts Commission's performance audit study '*The impact of the race equality duty on council services*', which was originally published in November 2008.

18. The 2008 national study report had found that while councils had developed policies on race equality and many had taken a range of initiatives, the race equality duty had not had a significant impact on the delivery of services or on people from minority ethnic communities. It concluded that councils needed to build a better understanding of the needs of their minority ethnic communities; mainstream their approach to race equality; and give more priority to race equality in delivering services.
19. The report made 13 recommendations: eight to help councils improve their performance; and five to a range of national bodies with a role to play in equalities, including the Scottish Government and the Equality and Human Rights Commission.
20. The initial interest in the report was strong across the media and in terms of downloads from our website, with over 30 articles in print media and the report was mentioned during Parliamentary business, for example in Parliamentary Questions and during an evidence session at the Equal Opportunities Committee. The report was also well received in councils and there was a good response from national bodies, including the Equality and Human Rights Commission and COSLA.
21. Between the publication date in 2008 and 31 January 2010 the report and podcast were downloaded from our website 2,170 and 1,108 times respectively. In January 2010, the Parliament's Equal Opportunities Committee took evidence in a roundtable discussion on the economic impact of migration and trafficking and Audit Scotland provided evidence drawn from the study report and its findings.
22. Towards the end of 2009 local auditors followed-up on progress in relation to the eight recommendations aimed at councils in our report. Overall, good progress has been made against these five recommendations:

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| <ul style="list-style-type: none"><li>▪ Councils should identify clear objectives and actions to improve the impact and outcomes of service delivery on minority ethnic communities.</li><li>▪ Councils should equip councillors to undertake their responsibility for race equality by providing them with regular training on the race equality duty and regular progress reports, including information about performance, outcomes and the monitoring of impacts by services.</li><li>▪ Councils should deliver improved learning and development programmes for staff at all levels, to provide them with the information, skills, knowledge and understanding they require, and monitor the impact of this.</li><li>▪ Councils should improve consultation and engagement with minority ethnic communities, to ensure a deeper understanding of their service needs and priorities.</li><li>▪ Councils should work with partner agencies, including other councils and through community planning partnerships, to: share information, expertise and resources; provide training and guidance for councillors and staff; disseminate good practice.</li></ul> |
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23. Less progress has been made against the three remaining recommendations:

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| <ul style="list-style-type: none"><li>▪ Councils should adopt a more effective programme of race equality impact assessments that covers all service areas in a consistent manner, and ensure that results are properly implemented.</li><li>▪ Councils should regularly publish information on minority ethnic communities, the inequalities they encounter and their needs – and use this information to improve services.</li><li>▪ Councils should make use of the guidance and good practice on Best Value to ensure that race equality schemes are integrated effectively in mainstream policy, management and service delivery processes.</li></ul> |
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24. As part of the BV2 pathfinder audits, auditors are applying audit tools based on the experience of the race equality study and work by relevant national bodies. Progress on equalities generally will feature as part of the BV2 individual council reports.

### Overview of mental health services (May 2009)

25. This study was a high level overview of mental health services across Scotland. Audit Scotland looked at mental health services provided by the NHS, councils, prisons, the police and the voluntary sector across Scotland. This included examination of the accessibility and availability of services and how much is spent on them.

26. Mental health problems are a greater problem for people who are socially excluded compared to the rest of society, and their access to services can be more difficult. Therefore, during fieldwork Audit Scotland consulted with many different organisations within the public and voluntary sectors that provide services for people with mental health problems to pick up particular issues for different groups of people. From interviews and focus groups Audit Scotland found that there were particular issues accessing mental health services for people from minority ethnic groups, those with sensory impairment, homeless people, prisoners and people with drug or alcohol problems. They also found that there are long waiting times for services for children and adolescents, and older people find it difficult to access services in some areas. There was little evidence of local equality monitoring within mental health services and better information is needed about socially excluded people to help plan and deliver mental health services. Audit Scotland made a number of recommendations based on these findings.

27. As well as carrying out detailed fieldwork with public bodies and voluntary organisations, we held focus groups with people who have used mental health services and their carers. We employed a consultant to carry out this work with knowledge of mental health services and experience in consulting with vulnerable groups. We recruited focus group members through a number of voluntary organisations and service user groups. The six organisations we approached (Voices of Experience, Highland Users Group, Saheliya, Men In Mind, Scottish Transgender Alliance and National Schizophrenia Fellowship carers group) were chosen so we would get as wide a representation as possible across: age, gender, geographical area, deprived and affluent areas, ethnic groups, sexual orientation and mental health conditions. This work helped support some of the findings and

recommendations within our main report and we published a separate document summarising the findings from the focus groups.

## **Equality Bill consultation**

28. We responded to the Scottish Government's consultation on the proposed specific duties in Scotland to support the UK government's Single Equality Bill in January 2010. Our response was prepared to questions which focused on scrutiny and improvement and reflected the conclusion that there should be a role for bodies with a scrutiny and improvement function in monitoring and improving the extent to which Scottish public authorities advance and promote equality, foster good relations between different communities and groups, and take steps to prevent unlawful discrimination. We also highlighted that such a role must be considered within the wider context of existing roles and responsibilities.

# Reviewing our activities

29. We monitor the impact of our activities and seek to ensure these represent good practice. Our objectives in doing this are to ensure we promote equality and diversity and embed consideration of equality and diversity into our decision-making.

## Developing our single equality scheme

30. Our new single equality scheme was published in December 2009. The scheme draws together and updates previous statements and policies. It makes our current position on diversity and equality clear, sets out what we intend to do both internally and in the way we carry out our work, and explains how we will monitor our progress.

## Website achieves top-rating again

31. Audit Scotland's website, incorporating the Accounts Commission's website, has achieved 'Accessible Plus' accreditation for a second year running. This prestigious accolade from the Shaw Trust recognises that websites not only comply with web accessibility guidelines, but go further by improving usability for disabled users.
32. A key element of the testing was undertaken by an experienced team of web auditors all of whom are disabled and users of adaptive technology. This ensures that the website performs well for people using a wide range of assistive technologies that automated testing alone could not achieve.
33. The main improvements to the website included increasing colour contrast between the text and background for people who cannot perceive colour; expanding acronyms and abbreviations when they first occur on the page and ensuring search queries previously input were deleted when a user re-entered the page.

## Assessing impact

34. Audit Scotland carries out impact assessments on our behalf. Equality impact assessments provide an opportunity for us to consider the different impact our activities may have on different equality groups. Audit Scotland is committed to undertaking impact assessments which incorporate all the equality strands and have put in place mechanisms to ensure that any issues particular to one strand of equalities are properly addressed in any impact assessment process. The Scottish Government's impact assessment tool has been adapted to meet support our needs and the unique nature of our role and work in Scotland.

35. During 2009/10 Audit Scotland's Diversity and Equality Steering Group identified activities to be prioritised for equality impact assessment. At the end of March 2010, Audit Scotland has published three equality impact assessments. These are for the Forward Study Programme for National Studies in 2010/11; the review of the project management framework for performance studies; and our single equality schemes.
36. Equality impact assessments to be published during 2010/11 include the development of Best Value 2 audits in local government and a review of the development of shared risk assessments for local government with inspectorates and regulators.

## **Involvement with Capability Scotland**

37. As part of our former Disability Equality Scheme 2006/09, Audit Scotland identified that there was a limited opportunity to involve people with disabilities internally within Audit Scotland and therefore they developed a longer term process of engagement with a wider range of stakeholders. As a result Audit Scotland has worked with Capability Scotland's Training and Consultancy Team to support them in running involvement events with disabled people. A series of involvement events with Capability Scotland were held during 2009/10 building on its knowledge of Audit Scotland and the Accounts Commission's work. These involvement events covered the development of BV2 and the development of our single equality scheme. The outputs from those events have informed and improved policies and activities.

# Developing our information and reporting

38. We are committed to developing regular reporting and monitoring arrangements to assess progress on actions within our Single Equality Scheme.

## Diversity & Equality Steering Group

39. The Diversity and Equality Steering Group was established 18 months ago to help embed diversity and equality within Audit Scotland and to ensure a coordinated corporate response on equality issues. The Steering Group reports its activity and progress on its workplan and priorities directly to Audit Scotland's Senior Management Team, which in turn reports directly to the Audit Scotland Board, the Auditor General for Scotland and the Accounts Commission.
40. The Group steers Audit Scotland's strategy on all diversity and equality related matters, including ensuring effective design and delivery of the Accounts Commission's and Audit Scotland's single equality schemes and actions plans. The Steering Group has a strategic role but its membership, rooted within different teams based across Audit Scotland, is able to ensure that action and the process of culture changes takes place at a local level.
41. Members of the Steering Group have attended conferences and courses to develop their expertise. Representatives from the Group attended the *Making Equality Work Conference*; the *Holyrood Disability Equality Conference* and a conference on the *New Equality Bill: The implications for the public sector and public procurement in Scotland*.
42. As part of our single equality scheme we agreed that Audit Scotland's Diversity and Equality Steering Group would monitor progress on the actions within our scheme, and report progress to us. The summary results for the period 31 March 2010 feature in this our first combined annual report on equality. This will continue to be the main vehicle for external reporting of our progress on our single equality scheme detailed action plan.

## Members of the Accounts Commission

43. Accounts Commission members are appointed by Ministers, with support from the Office of the Commissioner for Public Appointments (OCPAS). Members of the Commission are appointed on a single set of terms and conditions, and there is a single set of arrangements for induction, re-

appointment, allocation to Accounts Commission committees, and engagement with best value reports and public reporting studies.

44. OCPAS is responsible for monitoring appointments to ensure that they are made on merit after fair and open competition. OCPAS also reports on diversity on the appointments to all public bodies, including the Accounts Commission. Further information is available at the OCPAS website.<sup>1</sup>
45. As Audit Scotland is the body that delivers work on our behalf, and to support our work, we maintain an overview of Audit Scotland's approach to diversity and equality to ensure that its work on our behalf promotes equality.

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<sup>1</sup> Office of the Commissioner for Public Appointments in Scotland - [www.publicappointments.org](http://www.publicappointments.org)