

# **Equality, Diversity and Inclusion Policy**

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## Contents

<b>1. Introduction and statement of intent .....</b>	<b>4</b>
<b>2. Principles.....</b>	<b>6</b>
<b>3. Roles and responsibilities.....</b>	<b>7</b>
3.1 Council .....	7
3.3 Operational Management Team .....	8
3.4 SSSC employees and agency workers.....	8
<b>4. Equality, Diversity and Inclusion Group (EDIG) and the Equality, Diversity and Inclusion Plan (EDIP).....</b>	<b>9</b>
<b>5. Equality, Diversity and Inclusion Forum .....</b>	<b>10</b>
<b>6. Behaviours at work and supporting our employees .....</b>	<b>10</b>
<b>7. Link with wider policies.....</b>	<b>11</b>
<b>Appendix: Statutory duties.....</b>	<b>12</b>

# 1. Introduction and statement of intent

This policy sets out our approach to equality, diversity and inclusion. It also details our respective roles and responsibilities. We are committed to equality, diversity and inclusion. Our work actively promotes human rights and the core principles such as dignity, fairness, equality, respect and autonomy. [Our Strategic Plan 2023-2026](#) sets out our four strategic themes: trusted, skilled, confident and valued. The plan reinforces our ongoing commitment to mainstreaming equality, diversity and inclusion across social work, social care and children and young people services and in the SSSC.

Our legal duties in relation to equality are set out in various pieces of legislation including the Equality Act 2010, the Human Rights Act 1998 and the Regulation of Care (Scotland) Act 2001. See the [appendix](#) for further information.

Our Equality, Diversity and Inclusion Policy also links to our People Strategy. Our People Strategy sets out our ambition for our people and our organisation. The strategy sets out how we collaborate to make the SSSC a great place to work. It also sets out how we make sure everyone is supported and has the skills they need to do their role.

We:

- are committed to equality, diversity and inclusion in our varied roles which include being a public body, regulator and an employer
- recognise and value the benefits a diverse workforce brings to our work
- treat everyone fairly and with respect – this includes registrants, staff, applicants and all other key stakeholders
- will go beyond minimum statutory duties when considering and promoting equality, diversity and inclusion for people with characteristics not protected by law
- are supporting initiatives to increase the diversity of our workforce and the social service workforce in Scotland.

We all have a role in changing structures, policies, practices and attitudes. For example, we are committed to an anti-racist approach. Nobody should experience discrimination at work. It is not enough to be against racism or discrimination in any form. We must challenge and address it. We want our employees to be able to highlight inappropriate behaviour and to know that their concerns will be recognised and addressed. Please contact your manager if you have ideas about how we can drive and deliver cultural and attitudinal change.

This policy will be revised every three years, or more frequently if required, and in consultation with the Partnership Forum. We review our equality outcomes every four years and publish a new mainstreaming report every other year. The reports use several sources and indicators to report on our progress including our Key Performance indicators and the findings from our registrant and staff surveys.

Our Equality, Diversity and Inclusion Policy uses the [PANEL Principles](#) to show our commitment to respect, protection and fulfilling human rights.

- **Participation** – scope is set out in section one.
- **Accountability** – roles and responsibilities are set out in section three.
- **Non-discrimination and equality** – principles are set out in section two.
- **Empowerment** – the role of our Equality, Diversity and Inclusion Group and wider work to empower our employees is set out in section four.
- **Legality** – the appendix sets out our statutory duties.

## Scope

This policy applies to all employees, secondees, agency staff and anyone else working on behalf of the SSSC. Our staff must follow this policy in addition to any requirements set by relevant regulatory or professional bodies.

Many of our stakeholders will be required to follow separate policies and procedures. In these instances, we expect people who undertake work on our behalf to follow the spirit of this policy and to respect it within their approach. This includes suppliers. For example, we must consider equality throughout our tender processes and comply with relevant legislation as set out in our Procurement Strategy.

## The social work, social care and children and young people workforce

This policy is primarily about mainstreaming equality, diversity and inclusion within the SSSC. Many requirements and expectations are specific to our employees. The policy cannot create obligations on the wider social work, social care and children and young people workforce. Our Strategic Plan 2023-2026 sets out our focus on developing a trusted, skilled, confident and valued workforce. Equality, diversity and inclusion are a key part of delivering on each of these themes and outcomes. For example, a regulated workforce that is fit to practise is a workforce that places equality, diversity, inclusion and human rights at the heart of everything it does. Equality, diversity and inclusion must be at the heart of everything we do. We take several steps to promote equality in the wider workforce by:

- embedding standards that promote equality and diversity in the Codes of Practice for Social Service Workers and Employers
- gathering data on relevant protected characteristics to gain insight and promote equality, diversity and inclusion in the work we do
- promoting social service careers to underrepresented groups
- developing and publishing official and national statistics on the social service workforce including data on age, gender, ethnicity and disability.

## Our customers and suppliers

We expect our customers to treat our employees with courtesy and respect. Our Expected Behaviour Procedure sets out our expectations and approach. Our Procurement Strategy sets out our commitment to equality, diversity and inclusion throughout our tender processes. This includes advancing equality of opportunity and making sure goods are delivered in a non-discriminatory way.

## Protected Characteristics

The Equality Act 2010 identifies the following protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage or civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation.

The Equality Act 2010 makes it illegal to discriminate against, harass or victimise another person because they have any of the protected characteristics. The Act also provides protection against discrimination where someone is perceived to have one of the protected characteristics or is associated with someone who has a protected characteristic. Employers can undertake positive action to improve equality in the workplace and we will do this where it is appropriate to do so. For example, we will include statements in our job adverts to encourage applications from under-represented groups.

The Equality Act 2010 also established the Public Sector Equality Duty (PSED). The appendix contains further information on our statutory duties. Our approach to meeting the equality duty also sits alongside the Scottish Government's [Fair Work Framework](#), which sets out the belief that fair work is work that offers effective voice, opportunity, security, fulfilment and respect.

## 2. Principles

We will deliver services which promote equality, diversity and inclusion. We aim for our workforce to be representative of our society and stakeholders, and for each employee to feel respected and able to give their best. We contribute to the same objectives for the wider social service workforce. For example, equality, diversity and inclusion is a key theme in the Scottish Vocational Qualifications and the National Occupational Standards.

Some of the ways we apply these principles follow.

- We use tools such as Equality Impact Assessments (EQIA) to promote equality in our work. An EQIA helps us to make sure that our approach is fair and to remove barriers to participation. An EQIA helps us to identify and remove any negative impacts. It also helps us to demonstrate positive impacts. An EQIA should be developed for relevant policies and projects unless there is a clear reason for not doing so. An EQIA must be reviewed regularly to ensure our approach meets the needs of everyone.
- We will focus on being inclusive and involving key stakeholders throughout our work in line with our [Involving People engagement strategy and framework 2023-2026](#).
- We publish our mainstreaming report, equality outcomes and EQIAs.
- We use a holistic approach which encourages everyone to think about equality, diversity and inclusion alongside other key priorities, such as putting care experienced children, young people and adults at the heart of what we do and enabling children's rights.
- We have fair, open and inclusive recruitment and promotion practices.
- We provide regular equality, diversity and inclusion training for our employees, which includes training on equality legislation, fairness for all and unconscious bias.
- We will use the equalities data we hold to assess impacts, to raise awareness of the diversity of sector and to improve our services.

## 3. Roles and responsibilities

### 3.1 Council

The Council is accountable for:

- approving this policy
- endorsing our work in the Corporate Parenting and Children's Rights reports before publication
- approving the Equality Outcomes and the mainstreaming report, a key statutory requirement as part of the Public Sector Equality Duty
- making sure that the application of the policy does not breach any statutory requirement placed upon the SSSC
- making sure that the Chief Executive and EMT have in place appropriate and up to date policies and procedures for the effective management of employees and our wider public statutory duty
- supporting our public duty
- making sure we apply policies and procedures fairly and keeping to the law.

## 3.2 Executive Management Team

The Executive Management Team (EMT) is responsible for:

- being Equality and Diversity champions and ensuring Directorates undertake the requirements set out in this policy
- considering our policies, processes and procedures and agreeing modifications as appropriate.

## 3.3 Operational Management Team

The Operational Management Team (OMT) oversee the day to day operational management of the SSSC. Those on OMT are members of the Equality, Diversity and Inclusion Group and are responsible for:

- ensuring their teams undertake the requirements set out in this policy
- setting and overseeing the external equality delivery plan
- signing off EQIAs.

## 3.4 SSSC employees and agency workers

All employees:

- must be aware of and comply with this policy and our statutory obligations
- are expected to participate in training which supports the implementation of this policy
- should consider how we can promote and model equality within our role and where relevant in social work, social care and children and young people services
- should consider and develop EQIAs as relevant
- are actively encouraged to share their experiences, perspectives and ideas on how we can make the SSSC a more equal, inclusive and diverse place to work
- should think about how we can use our influence and role to promote and support equality, diversity and inclusion in the SSSC or wider social work, social care and children and young people workforce.

We actively encourage our employees to share examples of how they are prioritising equality, diversity and inclusion in their role. These examples will be of interest to colleagues across the SSSC. Our experiences can help all of us to improve the way we deliver services. We have several ways to share our approach. For example, employees can:

- discuss with their line manager or head of department
- share their experiences at our Equality, Diversity and Inclusion Forum or at the SSSC's wider Community of Practice groups
- highlight on Teams such as the Stakeholder Engagement group.



Our EQIA process helps us to identify barriers and solutions. The evidence from EQIAs and our employees contribute to our mainstreaming, corporate parenting and children's rights reports.

Agency workers have many of the same rights and obligations as employees. This includes access to training, participating in the Equality Forum and an expectation that they promote and model equality within their role.

## 4. Equality, Diversity and Inclusion Group (EDIG) and the Equality, Diversity and Inclusion Plan (EDIP)

Our Equality, Diversity and Inclusion Group (EDIG) meets quarterly. A member of the Executive Management Team (EMT) chairs the group. The group's members are Operational Management Team members, and their meetings follow the relevant OMT meeting. The Policy and Equality Manager also attends this meeting. The Group may invite more members as required.

The Equality, Diversity and Inclusion Delivery Plan (EDIP) is our operational document that sets out our high-level priorities and is based around the actions in our statutory reports such as the Mainstreaming and Outcomes report and Care Experience Plan. The EDIP focuses on a small number of actions that will have the most impact. It does not capture every activity that we are undertaking to mainstream equality, diversity and inclusion within the SSSC.

- The **external part** of our EDIP sets out how we contribute to mainstreaming equality, diversity and inclusion in the social work, social care and children and young people services. The EDIG identifies and monitors the actions in the external part of our EDIP.
- The **internal part** of our EDIP sets out how we are making the SSSC a more inclusive and welcoming employer. The People Strategy Board identifies and monitors the actions in the internal part of the EDIP.

## 5. Equality, Diversity and Inclusion Forum

Our Equality, Diversity and Inclusion Forum (or Community of Practice) is a space for our employees to think about equality, diversity and inclusion, to share examples of barriers or good practice and to identify ways of promoting equality, diversity and inclusion within the SSSC. We will occasionally ask the Forum for feedback on our activities, reports or consultation responses. Anyone can attend the Forum and we encourage staff to do so. Please make sure you have approval from your line manager if relevant. Please contact the Policy and Equality team for further information about the Equality Forum.

## 6. Behaviours at work and supporting our employees

We expect high standards from our employees and for them to act in a way that aligns with our values. Our Code of Conduct sets out how we expect and require our employees to behave. We take seriously any instances of anyone failing to follow this policy. For example, this could include bullying, harassment or any behaviour which is generally inconsistent with the policy. Where we have concerns we will act in line with our Dignity at Work and Disciplinary Procedure.

Employees can make a claim to an employment tribunal within three months of alleged discrimination.

The Equality Act 2010 identifies four types of discrimination: direct discrimination, indirect discrimination, harassment and victimisation. Every case is unique and we consider each case on its merits.

We know that discrimination is complex and can be linked to several factors such as cultural sensitivities. In some instances discrimination can be unintentional and may include unconscious bias or microaggressions. The Oxford Learner's Dictionary defines microaggressions as 'an act or remark that discriminates against one or more members of a minority group, either deliberately or by mistake.' We must all recognise that we can, unknowingly, commit microaggressions. On an ongoing basis we will reflect and refine our practice to avoid committing these.

Where we see a colleague exhibit a microaggression we all have a responsibility to identify that to them. When someone identifies that we have committed a microaggression we will listen and reflect on their view rather than instantly respond. This is particularly important when we do not know the life experience of the individual raising the concern. Our employee learning hub has resources on avoiding unintentional discrimination.

We provide regular training and support for our employees.

- All employees receive, and must do, regular training on key topics such as duties under the Equality Act and promoting fairness for all.
- We strongly encourage recruiters to undertake training around unconscious bias (UB) if they have not already done so. Some staff will undertake training on UB as part of their wider role. We would encourage everyone to explore UB and to consider the implications for your role. Our Learning Hub has resources on UB.
- The level of equality, diversity and inclusion training that employees receive is linked to their role. For example, employees in the Regulation Directorate will receive more regular and specific training or development. This will include learning from cases.
- All employees can access resources from the SSSC Learning Hub.

## 7. Link with wider policies

Employees must consider this policy alongside relevant policies and procedures. This includes the [Code of Conduct](#), [Dignity at Work Policy](#), [Disciplinary Policy](#), [Expected Behaviour Procedure](#), [Grievance Policy](#), [Procurement Strategy](#) and [Whistleblowing Policy](#). All policies are available from the [intranet document library](#).

# Appendix: Statutory duties

## The Equality Act 2010 and the Public Sector Equality Duty

As a public body, the Scottish Social Services Council (SSSC) complies with the Equality Act 2010 and the General Duty. Our legal duties in relation to equality are set out in various pieces of legislation and regulations including the:

- Regulation of Care (Scotland) Act 2001
- Equality Act 2010
- Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, as amended
- Gender Representation on Public Boards (Scotland) Act 2018.

The Regulation of Care (Scotland) Act 2001 requires the SSSC to act in a manner which encourages equal opportunities. Our responsibilities on equality issues were expanded by the Equality Act 2010 including the public sector equality duty detailed in section 149 of the Act.

## The Public Sector Equality Duty (PSED)

The PSED was created by the Equality Act 2010. It requires public bodies to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

## Specific duties

The specific equality duties came in force in 2012. They require us to undertake a range of functions such as produce a report on how we are mainstreaming the equality duty. We are also required to publish gender gap information and statements on equal pay.



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