



EQUALITY DUTY MAINSTREAMING REPORT

APRIL 2021

1.0 Introduction

- 1.1 The public sector equality duty, as defined within the Equality Act 2010 and referred to as the general equality duty, came into force in April 2011.
- 1.2 The general equality duty requires the Scottish Criminal Cases Review Commission (“the Commission”) as a public body, in the exercise of its functions, to have due regard to the need to:
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010.
 - Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.
- 1.3 The equality duty covers the protected characteristics of:
 - Age
 - Disability
 - Sex
 - Gender Reassignment
 - Pregnancy & Maternity
 - Race
 - Religion or Belief
 - Sexual Orientation

The duty also covers marriage and civil relationships, with regard to eliminating unlawful discrimination in employment.

1.4 The specific duties require the Commission as a public body to publish a report on the progress it has made in integrating the general equality duty within the exercise of its function, so as to better perform that duty. The report was initially published on 30 April 2013, and subsequently at intervals of not more than two years.

2.0 Equality Review

2.1 The Commission has undertaken this review in line with the requirements of the general equality duty and to demonstrate the Commission's commitment to ensuring that its working practices and procedures are open and inclusive.

2.2 During 2020-21 the Commission has specifically undertaken the following to further enhance its commitment to the equality duty and overall enhancement of internal practices and procedures:

- Within the period the Commission produced a new draft "easy read" application form, designed specifically to assist applicants who may have learning difficulties or literacy issues. The draft application form is currently being reviewed by SOLD (Supporting Offenders with Learning Difficulties) and once feedback has been obtained the form will be finalised.
- The Commission has continued to participate in the compilation of the Public Sector Employment Statistics, providing information on the number of male/female and temporary/permanent staff it employs. These statistics have been updated and submitted to Scottish Government on a quarterly basis.
- The Commission fully participated in the Scottish Government's Youth Employment Statistics Collection, whereby details of any employees aged 16-24 were shared. Within the review period two members of staff were within this age bracket and, in line with the Commission's Youth Employment Strategy, the appointments were made by means of a Youth Apprenticeship Scheme.
- All Commission staff continued to include a specific equalities personal objective within their forward job plans and personal development plans for the period 2020-21 and training in respect of applicants with learning difficulties was undertaken in March 2021.
- The Commission gathered and updated data in respect of all employees by way of its equal opportunities monitoring form. Data captured covered gender, age, disability, ethnicity, sexual orientation and religious belief. Given the staff complement of the Commission there is no requirement to publish an analysis of this information and therefore this data is retained internally.
- The Commission continued to gather equalities data in respect of all applicants to ensure that ongoing equalities and diversity procedures were effective and any issues in respect of accessibility to the Commission's services could be identified and addressed.
- The Commission produced its first report under the Gender Representation on Public Boards (Scotland) Act 2018.

- The Commission reviewed its Case Handling Procedures and agreed updates in respect of how equalities data received at the application stage would be dealt with. Proposed changes to the automated case management system to reflect these changes was agreed and will be taken forward in 2021-22.
- During 2020-21 the Commission completed research on the impact of prison talks and information folders on applications from prisoners.

2.3 The Commission currently employs a total of 11 staff with a gender split of 64 % male and 36 % female.

2.4 A full update on progress against specific equality outcomes is set out at appendix A.

3.0 Future Plans

3.1 In line with the Commission’s ongoing commitment to the equality duty and the overall enhancement of its operating practices and procedures, the Commission has identified the following plans for 2021-22 and beyond which will further mainstream the equality and diversity agenda. A number of planned activities for 2020-21 were impacted upon by the Coronavirus Pandemic and where this was the case, have been pushed back into 2021-22.

- The Commission will seek to finalise and implement its new “easy read” application forms, taking on board feedback from SOLD.
- The Commission continue to put in place is enhanced case management system and update the case review process in line with the case handling procedures. Specific enhancements, including updates from the new application form, will be incorporated into the new system, along with additional modules to handle subject access requests and freedom of information requests.
- Enhancements to practices, policies and procedures, identified as part of the impact assessment process will continue to be implemented.
- Subject to ongoing Coronavirus restrictions, the Commission will seek to establish more regular focus group input on matters involving key stakeholders. This will include the use of SOLD focus group where applicable.
- The Commission will continue to work directly with the National Induction Centre at HMP Shotts with regard to its ongoing programme of prison talks to staff and prisoners with the aim of enhancing understanding of the Commission’s role and the application process. This process has been significantly impacted by the Coronavirus pandemic.
- The Commission will continue to take forward internal research throughout the course of 2021-22.
- The Commission will continue to work with Scottish Government and the Public Appointments team in respect of Board succession planning in order to ensure that

the Public Sector Equality Duty is met and that appropriate work is taken forward to promote gender balance and diversity.

- The Commission will commence work on the development of its new Corporate Plan, covering the period 2022-25, and ensure that appropriate coverage to the equality agenda is included within its 3-year focus.



EQUALITY OUTCOMES – 30 APRIL 2021 UPDATE

As part of the Commission’s commitment to the Equality Duty and in accordance with the duties placed upon it, the following equality outcomes have been developed. Progress on the achievement of these outcomes will be reported by 30 April 2021.

The development of the Commission’s equality outcomes has also been undertaken in line with its general commitment to the Scottish Government’s National Performance Framework, and in particular, its contributions to national outcome 7:

We have tackled the significant inequalities in Scottish Society.

Equality Outcome 1:	The Commission’s service is equally accessible to all persons convicted of a crime in Scotland.
Purpose:	To enhance systems, procedures and overall accessibility.
Protected Characteristic:	All characteristics
General Duty:	Eliminate unlawful discrimination, harassment and victimisation, and advance equality of opportunity.
Outcome:	<p>The Commission will undertake further research during the year in respect of the level of representation of its applicants and identify ways in which it can assist those who are unrepresented</p> <p>Update – the Commission completed further research on the impact of prison talks and information folders on applications from prisoners during 2020-21 and identified additional areas of focus group input for the future.</p> <p>The Commission will produce and roll out its new “easy read” information leaflet in Scottish prisons and monitor the impact on accessibility to the Commission’s services before identifying any additional easy read forms/leaflets to be developed.</p> <p>Update – the Commission rolled out the new easy read information leaflet in 2017-18 and this has been subject to further revision. The</p>

impact of this work was considered as part of the last research report. In addition, lessons learned from this work will be incorporated within the finalised “easy read” application form.

The Commission will continue to develop and deliver its schedule of standard and tailored information talks to Scottish Prisons.

Update – the Coronavirus pandemic and a significant impact on the Commission’s ability to undertake its programme of prison visits over the past year. Subject to the easing of restrictions, this programme will recommence as soon as possible. This has also impacted on the provision of updated library information for prisons primarily because of limited staff resource within the Commission’s office during this period. Again, this will be rectified during 2021-22.

Equality Outcome 2: There are no barriers in the Commission’s recruitment, training and development opportunities.

Purpose: Enhance openness, accessibility and governance over recruitment and development.

Protected Characteristic: All

General Duty: Eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity, and foster good relations.

Outcome: The Commission will continue to utilise data collection and equal opportunities monitoring techniques along with staff surveys to ascertain the success of these policies.

Update – the Commission continues to collect equalities data from staff on an annual basis. The size of the organisation does however limit the amount of meaningful findings and positive action that can be subsequently taken forward. The Commission also undertook an Organisational Culture Review in 2019-20, which was taken forward independently by its internal auditors. Recommendations from this were incorporated into business plan objectives.

The Commission will continue to provide its staff and Members with ongoing training and development in respect of equalities matters on at least an annual basis.

Update – the Commission requires all staff to undertake training and development in respect of equalities matters on at least an annual basis. All staff undertook training in March 2021 in respect of applicants with learning difficulties. This was provided by SOLD.

Equality Outcome 3:	More young people are in work and training.
Purpose:	To extend opportunity of employment and development regardless of age.
Protected Characteristic:	Age
General Duty:	Advance equality of opportunity and foster good relations.
Outcome:	In line with the Commission’s Youth Employment Strategy the Commission will continue to promote opportunities for young people, specifically Youth Apprenticeship Schemes and investigate training opportunities within the Commission.
	Update – no recruitment has been taken forward during the period.
	In its wider context, the Commission will continue to set out to influence the approach undertaken by key stakeholders and contractors in the area of youth employment and development.
	Update – the Commission has had limited opportunity to take this forward with stakeholders and contractors. The Coronavirus pandemic has further limited these interactions. However, planned activity has been incorporated into the 2021-22 Business Plan Objectives.

Equality Outcome 4:	Commission staff are more aware of equality and diversity.
Purpose:	To provide staff with the ability to undertake their roles in a fully inclusive and non-discriminatory manner.
Protected Characteristic:	All
General Duty:	Eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity, and foster good relations.
Outcome:	The Commission has in place ongoing staff training and development plans which now specifically require all staff, as part of their personal objectives, to undertake ongoing relevant equalities training each year.
	Update – the Commission requires all staff to undertake training and development in respect of equalities matters on at least an annual basis. As noted above, the was last undertaken in respect of applicants with learning difficulties in March 2021.
	The Commission will continue with this requirement and ensure that all equalities training and development is targeted based on the services provided, the outcomes of Commission research into diversity and the general training needs of individual staff. The outcome will be that staff are more aware of the equality and diversity of the

Commission's applicants and their specific needs.

Update – the Commission continues to identify training needs and development as part of the staff appraisal and performance policy.