

Equality Mainstreaming and Outcomes Report 2016–2018



children's
hearings
scotland

The Children's Panel – life changing.



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FOREWORD

Welcome to Children's Hearings Scotland's (CHS) first Mainstreaming and Equalities Outcomes report. We have produced this report not only in line with our legal equality duties but also as a statement of our commitment to fully embed equality as a key component of our business and the services that we provide to children, young people and their families.

Equality has been a core value of the Children's Hearings System since its inception in 1971 where the focus has always been on the needs of the individual whatever their background and circumstances. The creation of CHS, which went live in 2013, embodied the philosophy of the system together with other values of quality, access and partnership. Our commitment to equality is enshrined in our general duty to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between people who share a [protected characteristic](#) and those who do not.

The key functions of CHS are:-

Recruit to the national Children's Panel which the National Convener establishes.

Train new and existing panel members.

Deliver suitable panel members to be available in children's hearings when required.

Support panel members under both a duty of care and to ensure consistency and quality.

The whole of the public sector is facing substantial changes in the years ahead as a result of:

- changing demographics;
- increased demand for services;
- changing customer expectation;
- reductions in local authorities' budgets;
- public sector reform; and
- changes in legislation.

In this context, our challenge with our CHS Community and our partners is to continue to deliver appropriate responsive services.

CHS is committed to supporting the Scottish Government's national outcome of Tackling Inequality. This programme of work as described in our [equality outcomes](#) act as a series of commitments to which we will be held to account.

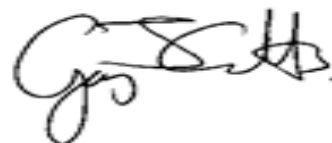
The three outcomes outlined in Part Two of this document link closely to those outlined in our [Corporate Plan for 2015-2018](#) which was developed following an [extensive consultation process](#).

Delivery of the Equality Outcomes will be overseen by the Senior Management Team of CHS who will report routinely to the CHS Board as it exercises scrutiny and governance over the organisation. CHS has a shared service partnership with the Scottish Children's Reporter Administrator. CHS (the HR/OD Officer) – will participate in SCRA's Equalities Network which discusses, develops, designs and implements programmes of work to support the Children's Hearings System.

We look forward to reporting on our progress in April 2018.

A handwritten signature in black ink, appearing to read 'BM', followed by a long horizontal line.

Boyd McAdam
Chief Executive/National Convener

A handwritten signature in black ink, appearing to read 'G. Coutts', followed by a horizontal line.

Gary Coutts
Chair of CHS Board

About Us

We were established in July 2011 by the Children's Hearings (Scotland) Act 2011 and became fully operational on 24 June 2013. The Children's Hearings (Scotland) Act 2011 aims to improve the lives, outcomes and opportunities of Scotland's most vulnerable children and young people.

In relation to CHS, the Act:

- created the role of National Convener, to establish a national Children's Panel and to ensure panel members are consistently supported.
- created CHS as a dedicated national body, to support the National Convener in the delivery of functions related to the recruitment, selection, appointment, training, retention and support of panel members
- empowered the National Convener to establish Area Support Teams, with the consent of each local authority, to be responsible for managing and supporting the national panel at local level

Under the Children's Hearings (Scotland) Act 2011, the National Convener of CHS has a number of duties. These include:

- recruitment, appointment and reappointment of panel members
- making arrangements for the training of panel members
- supporting 22 Area Support Teams
- appointment and reappointment of Area Support Team members
- providing advice to children's hearings
- publishing annually a report about the implementation of compulsory supervision orders (the feedback loop)

Our functions relate to recruitment, selection, training, retention and support of volunteers who deliver a tribunal system which is designed to address inequalities in our society by deciding on appropriate compulsory measures to improve the lives of Scotland's most vulnerable children and young people. For more information please visit: <http://www.chscotland.gov.uk/about-chs/>

We are a non-departmental public body, accountable through Scottish Ministers to the Scottish Parliament.

Vision, Mission and Values

Our **Vision** is of a Children's Hearings System where everyone works together, making sure that all children and young people are cared for and protected, and their views are heard, respected and valued.

Our **Mission** is to improve outcomes and experiences for children and young people in Scotland who may be at risk. We will do this by supporting the national Children's Panel and working with partners and using our influence to drive improvements across the Children's Hearings System.

Our **Values** support our Vision and Mission as follows:

As an organisation we are:-

Child centred – making sure everything we do is in the best interests of children and young people.

Respectful – treating children, young people, their families, partners and each other with care and consideration.

Fair – making sure that everyone is treated with dignity and according to their individual needs; that our information and services are accessible to all; that we provide a consistent level of service to all.

Creative – considering innovative and imaginative ways of approaching the issues we face in the work we do.

Challenging – not being complacent, but questioning ourselves and others to help us improve.

Open – listening, responding to and learning from feedback; acting honestly; ensuring processes are transparent; sharing information and being accountable for our actions and decisions.

Children's Hearings Scotland's role helps to protect and support some of the most vulnerable children and young people in our society. We do this by supporting the Children's Panel, working with partners and using our influence to drive improvements across the Children's Hearings System.

Legislative Context

The Equality Act 2010 became law on 1 October 2010 and replaced previous anti-discrimination laws with a single Act. It simplified the law into a single source and ensures that everyone who is protected under law from discrimination, harassment or victimisation is afforded the same level of protection.

The Equality Act introduced the concept of nine protected characteristics, namely:

- Age
- Disability
- Gender Reassignment
- Pregnancy and Maternity
- Race
- Religion and Belief
- Sex
- Sexual Orientation.
- Marriage and civil partnership but only in respect of the requirement to have due regard to the need to eliminate discrimination.

On 5 April 2011, the Equality Act 2010 introduced a new public sector equality duty (also known as the [General Equality Duty](#)) which requires public authorities, in the exercise of their functions, to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and any other conduct that is prohibited under this Act;
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

On 27 May 2012, the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 came into force.

The purpose of the specific duties in Scotland is to help public bodies in their performance of the general equality duty.

The Specific Duties place a statutory duty on listed authorities to:

- report progress on mainstreaming the equality duty;
- publish equality outcomes and report progress;
- assess and review policies and practices;
- gather and use employment information;
- publish gender pay gap information (applicable to organisations with 150+ employees);
- publish statements on equal pay (applicable to organisations with 150+ employees);
- consider award criteria and conditions in relation to public procurement; and
- publish in a manner that is accessible.

The majority of authorities have been reporting since 2013. Children's Hearings Scotland (CHS) became a listed authority in 2015 further to the introduction of the Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2015.

This is accordingly our first Equality Mainstreaming and Equality Outcomes report produced by Children's Hearings Scotland.

Scope of Report

The report is divided into two sections: - Part One is a report on our Equality Mainstreaming and Part Two is a report on our Equality Outcomes.

We are a young organisation. Our [Equality Mainstreaming](#) report sets out our plans to embed or 'mainstream' equality across CHS in order to meet both the general and specific duties as outlined earlier. The report sets out a summary of our workforce data and monitoring information on employment activities as well as looking at how delivery of our functions impacts on those with protected characteristics.

The Equality Outcomes report sets out the equality outcomes which we will work towards achieving. We will update on progress against these outcomes our next report in 2018.

Facts and Figures (as of 30 June 2016)

- CHS Budget: £3.7m in (2015/16)
- Number of children's hearings held in 2015/16: 34896
- Number of panel members (approx.): 2,970
- Number of Area Support Teams (ASTs): 22
- Number of AST members: 377
- Number of employees: 20
- Number of Board members: 6 (includes one vacancy)

Consultations and Benchmarking

CHS consulted its CHS National Team members, the CHS Training Unit and our panel/AST members in the creation of the outcomes noted in Part Two of this report. We also received feedback from the National Team and the CHS Training Unit. We also engaged and benchmarked against a number of NDPBs of a similar size to ourselves.

Part One

Equality Mainstreaming

Introduction

Publishing a mainstreaming report is one of the specific duties that is required from all Scottish listed authorities are under The Equality Act (2010) (Specific Duties) (Scotland) Regulations 2012.

Children's Hearings Scotland's Mainstreaming report sets out how equalities are being mainstreamed into the functions and activities of our organization. It demonstrates the ways in which we plan to meet the general and specific duties as set out in the Equality Act 2010 as well as outline the progress we have made in the mainstreaming of the Public Sector Equality Duty both as an employer and a service provider.

Senior level commitment

Commitment at the highest level of the organisation is essential to ensuring that equality is fully integrated and embedded into our work as an employer and a service provider. We have full commitment from our Senior Management Team (SMT) and our Board. The SMT have recently appointed a newly created role of HR/OD Officer. Going forward, CHS will have their own in-house 'equalities champion' whereas before, all HR services were provided on a shared service basis from the Scottish Children's Reporter Administration (SCRA) who oversaw the equalities agenda for CHS.

Awareness raising and training

We make a commitment in our Business Plans to continue to improve the way we engage and support our national team employees, including our active consultation with our employees on operational and strategic initiatives as well as our investment in employees training and development.

In November 2015, all employees participated in a mandatory one day 'Valuing Diversity' training event with feedback being very positive. Looking ahead, the HR/OD Officer will be working closely with the Learning and Equality Officer at SCRA on the development of an e-learning module that potentially can be rolled out to new employees as part of their induction and tailored as a refresher for existing employees who have already participated in the aforementioned diversity training last year. Further training will be targeted at those with specific equality roles, responsibilities and duties, including the completion of Equality Impact Assessments.

With regards to our Volunteer Community it is also imperative that they are fully aware of and undertake their functions with equality in mind. Our CHS Training Unit (West Lothian College) incorporate Equality and Diversity learning and assessment into essential training for our panel members before they are appointed. All new panel members complete a qualification awarded by the Scottish Qualifications Authority (SQA) – the Professional Development Award (PDA) Children’s Hearings in Scotland – Panel Members. Equality and Diversity are key components in this Award.

The training delivered by our CHS Training Unit focuses on the 2010 Equality Act. In particular the qualification focuses on the acquisition of skills and knowledge that demonstrate awareness of the equality and diversity needs of children and young people and how to address them. This includes attention to diversity in family structures, cultural awareness, and additional support needs in education.

Our Area Support Teams receive training in the recruitment and selection of new panel members. This includes input on key principles of equality and diversity and an emphasis on understanding the importance of diversity when assessing and supporting candidates.

Equality Impact Assessments

The purpose of the specific duties in Scotland is to help those authorities listed in the Regulations in their performance of the general equality duty.

The specific duties require CHS to:

- fulfil the general equality duty and assess the impact of applying a proposed new or revised policy or practice against the needs of the general equality duty;
- consider relevant evidence relating to persons who share a protected characteristic (including any evidence received from those persons) when making the assessment;
- in developing a policy or practice, take account of the results of any assessment in respect of that policy or practice;
- publish, within a reasonable period, the results of any assessment where it decides to apply the policy or practice in question;
- make arrangements to review and where necessary revise any policy or practice that it applies in the exercise of its functions.

Equality Impact Assessments (EIA) will be integrated into the project life cycle at the earliest opportunity and a programme of assessing new and reviewing previous CHS policies and procedures will be outlined with completed EIAs published on our website.

Equality Network Forums

The newly appointed HR/OD Officer has joined the Equality Network at SCRA, who provide shared service support to CHS. This group was originally established in 2012 to ensure that SCRA meets and exceeds its statutory duties as a public sector body under the Equality Act 2010. This is achieved through the Network providing informed advice to SCRA and CHS in relation to the impact of existing and future policies and practices on diversity and the promotion of equality and fairness in service delivery and employment.

The CHS HR/OD Officer has also joined the NDPB Equality Network, a complementary and collaborative network for those NDPB organisations in Scotland involved in delivering on the equality and diversity agenda, and specifically the requirements of public sector equality duties. This group has up to 55 active members from the Scottish NDPB community and meets at least 3 times each year. More regular interaction between members sharing information and advice or seeking information on relevant equality and diversity topics can happen on a daily basis via the Knowledge Hub online forum.

Procurement

When we procure services for our organisation we make use equality related award criteria and contract performance conditions where they are relevant to and are proportionate to, the subject matter of a contract. (These specific duties apply to 'above threshold' contracts covered by the Public Contracts (Scotland) Regulation 2012). Procurements requiring the consideration of equality clearly state our expectations for organisations tendering to provide services on our behalf.

Under the terms of procured services our training contract service provider must comply with the Equality Act 2010 in relation to both employment and the provision of services. In particular they must ensure that the recruitment and support of any employees delivering the contract is carried out in full compliance with equality legislation and practice, In addition, when delivering the PDA and other core and mandatory learning the provider is required to ensure that there are no unnecessary barriers to volunteers in their learning or assessment. For this reason the individual needs of learners must be taken into account when planning learning experiences, selecting assessment methods or considering alternative evidence towards achievement of the required outcomes.

Workforce composition

We are committed to ensuring employees or job applicants are treated with dignity and respect and will not be discriminated against on the grounds of any of the protected characteristics.

The specific duties require us to take steps to gather information on the composition of our employees and information on the recruitment, development and retention of people as employees of CHS with respect to, in each year, the number and relevant protected characteristics of such people. We have gathered data on recruitment, training and development, promotions, and performance and leavers since 2013 enabling us to examine the make-up of our workforce.

Each of these sections includes workforce data in relation to all the protected characteristics, with the exception of gender reassignment. At present, we are considering how to complete our workforce profile for all protected characteristics.

As of 30 June, we have a workforce of 20 people. Given the low number of staff, much of the employee information in respect of other protected characteristics is assessed as non-disclosive to avoid the risk of individuals being identified and so our current challenge is how to meaningfully report and monitor trends in our workforce without identifying any individuals.

The available information cannot be reliably used for a meaningful analysis or comparison with general population in Scotland.

A detailed breakdown of our workforce's composition against the protected characteristics is found in [Appendix 2](#).

Observations on our Employee Statistics

General

The employee equality statistics highlight a continuing trend of 'not declaring' in many of the protected characteristic categories. An initial action would be to ascertain from employees why they do not wish to declare before making too many assumptions but it is plausible to suggest that in an organisation with as small an employee group as Children's Hearings Scotland, that some may be reluctant to declare for fear of being identified. There may also be concern as to how the monitoring information is used or a lack of awareness of the employer's legal duty to protect employees in equality groups from discriminatory conduct. Selling the benefits of declaring should become a key focus in future equality and diversity training for employees at CHS.

Age

We are national organisation with a small team of 20 employees in the National Team supporting a Volunteer community of almost 3000 people. We have seen a small year on year increase in our employee headcount since 2013, with the majority of employees each year falling within the 30-50 years band. There is a relatively similar number of employees in both the <30 years and > 50 years band.

Disability

As reported to us by our employees, CHS currently has no employees who disclose having a disability. We will however include an Equal Opportunity Monitoring form in the next annual employee survey. We are considering rewording the question about disability to see if more any employees may identify the social model for disability or the medical model.

The zero disclosure on disability at CHS may also be due a reluctance to disclose for fear of being treated differently or unfairly in the workplace. Revised training for employees will look to highlight the benefits of disclosing disability in the workplace and protections that are then automatically given.

Ethnicity

55% of employees have chosen not to declare their ethnicity, with 45% declaring as White (British, Scottish, Other).

Gender

60% of employees declare themselves as Female, which is a 5% increase on the year before.

Pregnancy and Maternity

During 2015 only one member of employees was on maternity leave and the same applied to 2014. The employees member returned to her substantive post upon her return to work with CHS. In September 2016, three employees went on maternity leave. It has been identified that a user-friendly 'handbook' on what to expect while on maternity leave would be beneficial for both the employee and their line manager. All three employees have given express permission to be contacted during the maternity leave on any strategic planning initiatives that other colleagues are being consulted upon. This can be done through the Keeping in Touch days.

Religion

A significantly high proportion of employees (75%) did not disclose.

Sexual Orientation

Again, a high percentage of employees (70%) did not declare any sexual orientation.

We have taken a stepped approach to gathering sexual orientation data:

- Boyd McAdam, Chief Executive/National Convener signed the No Bystanders Pledge in November 2014 and employees have been trained since May 2015 on “Valuing Diversity”.
- We have consulted with our volunteers on our Equality Outcomes which cover all protected characteristic issues following consultation with employees and our Training Unit (West Lothian College).
- Externally, we now use Stonewall’s ['What's It Got To Do With You?'](#) booklet on our website and have revised both our equal opportunities forms for volunteers and employees to meet best practice ([Scottish Government](#)’s, NDPB Equality Network and LGBT Youth’s).

We will continue to promote to employees the benefits of monitoring sexual orientation in the workplace i.e. that enables CHS as the employer to find out how many lesbian, gay and bisexual people work for them and how their experiences and opportunities at work compare to those of their colleagues. As an employer we will take appropriate action to identify and address any issues by targeting resources.

Flexible working practices

Currently 25% of our workforce (5 employees) have flexible working arrangements, all of whom are female. These include part-time and compressed hour working arrangements that have been made to accommodate family commitments or have been made as reasonable adjustments due to on-going health conditions.

Part Two

Equality Outcomes Report

Introduction

What is an equality outcome?

The EHRC (Equality and Human Rights Commission) states that an equality outcome is a result which an authority aims to achieve in order to further one or more of the three needs of the general equality duty, to eliminate discrimination, advance equality of opportunity and foster good relations.

By focusing on outcomes rather than objectives, this specific duty aims to achieve practical improvements for those who experience discrimination and disadvantage. In practice therefore, it is helpful to think of equality outcomes as results intended to achieve specific and identifiable improvements in people's life chances.

CHS' equality outcomes

CHS is required to publish a set of equality outcomes, as detailed in the following section of this report, that enables the organisation to meet the general equality duties for all protected characteristic groups. The outcomes must also be published in an accessible manner which is why this report is published on our public website with alternative formats of the report provided upon request.

As this is our first Equality Outcomes report, we are keen to ensure that the outcomes we have developed are practical and proportionate to the size of our organisation, reflective of our functions and services as well as being achievable within the timeframes we've set.

Our equality outcomes have been thoughtfully constructed and have the following key elements:-

- **Transparency** over whom we consulted for our evidence, how each activity (output) will contribute to an outcome, who it affects, who is accountable for each output and the timescale for this output.
- **Proportionality** over what we can achieve.
- **Relevance** to children, young people, families, employees and volunteers.
- **Measurability** (outputs are specific and we have detailed how we will measure them)
- **Clarity** over how the equality outcomes will further the needs of the general duty.

We have set out three over-arching equality outcomes that we will work towards achieving within the timeframes we have set for ourselves. Contained within each equality outcomes are secondary outcomes that will help us to meet the over-arching outcome. The first outcome focuses on employee disclosure of protected characteristics information and employee well-being, the second outcome focuses on the recruitment of an appropriately representative volunteer community and the third outcome focused on volunteer training.

Evidence base:

- Feedback from CHS National Team consultations commencing 6th August 2015.
- CHS People Surveys 2014 and 2015
- Current HR systems data as reported in the CHS Employee Statistics report.

Overview:

In order to assess that we are a diverse employer we need to have a better idea of the make-up of our workforce in terms of protected characteristics. With the high level of non-disclosure against many of the protected characteristics, it means that we have limited meaningful data to analyse for trends and patterns for these protected groups.

CHS is working hard to increase employee engagement and inclusion within the organisation. Following the last employee survey and consultation with employees, CHS has implemented weekly team gatherings, monthly operational and senior management meetings – all to discuss key issues. We are currently working in partnership with employees to improve policies and procedures, and consult with regards to the development of our Business Plan and strategic initiatives such as our 2016 Strategic Planning Exercise.

In order to fully support our employees we need to ensure that the relevant policies, procedures and practices are up to date and have been fully and effectively implemented to the employee group; namely our Equal Opportunities policy and procedures, Dignity at Work policy and procedures, Absence Management procedures and our Employee Assistance Programme. Where we have cases of long term or frequent sickness absence we want to be able to identify the causes quickly and monitor cases closely so as to reduce or eliminate any workplace triggers that might attribute to the reason for being absent while at the same time offering appropriate levels of support.

General Equality Duty Link

Outcome 1 is specifically focused on advancing the equality of opportunity for those who have relevant protected characteristics. We can do this through gathering employee data on protected characteristics, analysing of the data for any detrimental trends for groups with protected characteristics and supporting these groups employees. It also focuses on how we make sure all our employees are engaged in all we do, feel valued for their role and contribution and that their health and wellbeing are paramount.

This equality outcome is also focused on CHS eliminating unlawful discrimination, harassment and victimisation and any other conduct that is prohibited under this Act as well as fostering good relations between people who share a protected characteristic and those who do not through better awareness and training of its employees.

Outcome II	Increased employee declaration in responding to the range of protected characteristics in CHS equality monitoring form, specifically focusing on disability and sexual orientation.
Action(s)	<ul style="list-style-type: none"> • Increase protected characteristic information held about employees through the following actions:- <ul style="list-style-type: none"> ○ Equal Opportunities monitoring form is included in the annual employee survey. ○ Employees are briefed prior to survey on the importance and benefits of responding appropriately to protected characteristic questions based on advice and guidance on equality groups, such as LGBT Scotland and Inclusion Scotland. ○ Review the Valuing Diversity training module for employees to ensure that it reflects current employment best practice and includes an increased emphasis on the importance of disclosure. ○ All existing employees undertake refresher Valuing Diversity training. ○ New employees undertake Valuing Diversity training as part of their induction programme.
Timescale	Ongoing from January 2017 (employee survey) to April 2018
Success Measures	<ul style="list-style-type: none"> • Greater employee awareness and understanding of the benefits of declaring increased protected characteristic information for the employee group measured through diversity training responses. • Increased protected characteristic disclosure rates in the 2016 People Survey • New employees to CHS complete the Valuing Diversity module within four weeks of starting, with individual training records updated on the organisation’s HR system.
Protected Characteristics	Disability, Sexual Orientation
Responsibility	HR/OD Officer

Outcome 1.2	<i>CHS is recognised as an employer of choice by disabled people and disability organisations due to its commitment to equality of opportunity and accessibility for disabled people.</i>
Action(s)	<ul style="list-style-type: none"> • CHS engages with Inclusion Scotland and other national disability organisations to seek advice and guidance on how to be an inclusive and accessible employer • Ensure that all our communications and publications can be presented on request in accessible formats to our employees and service users. • As part of our inclusive recruitment processes, we make necessary reasonable adjustments for disabled applicants applying for roles at CHS and for candidates attending interview/assessment events. • Support employees who are or who become disabled to continue to work effectively in the workplace by making reasonable adjustments and also by supporting them in progressing claims to Access to Work for assistive technology, transport or equipment as appropriate.
Timescale	March 2018
Success Measures	<ul style="list-style-type: none"> • CHS becomes a Positive About Disabled People employer and achieves the Double Tick Award.
Protected Characteristics	Disability
Responsibility	SMT and HR/OD Officer

Outcome 1.3	<i>LHS as an employer, promotes employee well-being with helpful employee initiatives and support</i>
Action(s)	<ul style="list-style-type: none"> • Include questions regarding employee wellbeing in the annual employee People Survey and analyse trends or concerns in health and/or wellbeing. • Provide advice and guidance on promoting employee wellbeing in the workplace. • Consult with employees to address any working practices or conditions that may impact negatively on an individual's wellbeing. • Run employee awareness sessions on Health, Wellbeing and Dignity at Work.
Timescale	By December 2017
Success Measures	<ul style="list-style-type: none"> • Majority of employees give positive feedback in evaluation forms from these awareness raising sessions. • Follow up evidence in the annual staff survey demonstrates an improved understanding/ awareness of and reduction in stress concerns that are noted in the survey next time. • Reduction in long and short term absences caused by work-related stress or anxiety.
Protected Characteristics	Disability, Gender,
Responsibility	SMT/ HR/OD Officer

<i>Outcome 1.4</i>	<i>Equality Impact Assessments (EIAs) are carried out in a timely manner in relation to new policies and services and existing policies at the point of review/renewal.</i>
Action(s)	<ul style="list-style-type: none"> • Develop clear and consistent Equality Impact Assessment rules and processes • Create an Equality Impact Assessment template • Provide appropriate training for staff in order to ensure that all staff are aware when and how Equality Impact Assessments should be conducted • Create a central register of all the organisation's policies and procedures, to record key information such as noting date of policy implementation and date of review and the date of Equality Impact Assessment. • All EIAs are accessibly published in order to meet the specific duties under the Equality Act 2010.
Timescale	Ongoing to June 2018
Success Measures	<ul style="list-style-type: none"> • All EIAs along with a central policy register are accessibly published in order to meet the specific duties under the Equality Act 2010.
Protected Characteristics	Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Religion and Belief, Race, Sex, Sexual Orientation
Responsibility	Senior Management Team

OUTCOME 2: We have a volunteer community which is appropriately drawn from the Scottish population

Evidence base:

Panel and AST Member Recruitment & Selection Equality Questionnaires

Scottish Government's Evidence finder <http://www.gov.scot/Topics/People/Equality/Equalities/DataGrid>

Overview:

The minimum age for panel membership is set at 18. However the average age of applicants for panel membership over the last four years was 45.¹ : an average of 10% of applicants were under 30.²

The wider CHS Community demographics will not readily correspond to the communities they are drawn from as a volunteers' engagement varies according to capacity, ability (e.g. where relevant, to secure time off from employment to sit on hearings/ undertake training), availability and other commitments, amongst other factors).

CHS had not asked about sexual orientation in recruitment and selection until July 2015. We are explaining to applicants why we are asking for the information and what gathering of the information will lead to.

We will continue to actively seek this information to allow us to identify underrepresented groups within the CHS Community, and to help inform how we might address this underrepresentation.

General Equality Duty Link

As a national body, we need to ensure we advance equality by overcoming any perceived barriers people have that may prevent them from engaging with us, so that we can deliver the best services possible to the vulnerable children and young people we serve across Scotland.

¹ 47 (2013), 43 (2014), 45 (2015) and 45 (2016)

² 8% (2013), 12% (2014), 10% (2015) and 11% (2016)

<i>Outcome 2.1</i>	<i>Improved gathering of Equalities Monitoring data to inform volunteer recruitment and retention policy.</i>
Action(s)	<ul style="list-style-type: none"> • Equalities Monitoring data is gathered appropriately and sensitively, and data is stored securely and anonymously. • Equalities Monitoring data is analyzed and reported on according to Equalities guidelines around thresholds for reporting. • Equalities Monitoring data is gathered in a format appropriate for comparison to general population data available through the Scottish Census and other sources. • Equalities Monitoring data is gathered where appropriate (e.g. at application stage for volunteers, during the CHS Community Survey etc.).
Timescale	Ongoing. Equalities Monitoring data gathering occurs during annual recruitment campaign (August - September), at reappointment (each volunteer is appointed on a three yearly basis) and during annual Community Survey.
Success Measures	<ul style="list-style-type: none"> • Protected characteristic information is appropriately gathered and analysed to help build the case for positive action.
Protected Characteristics	Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Religion and Belief, Race, Sex, Sexual Orientation
Responsibility	Recruitment Project Lead (for Recruitment) Reappointment Project Lead (for Reappointment) Strategic Planning & Performance Officer (for CHS Community Survey)

Outcome 2.2	There is an adequate balance of serving male and female panel members to ensure the ability of Area Support Teams (ASTs) to meet Part 1 Section 6(3)(a) of the Children's Hearings (Scotland) Act 2011 when creating rotas for children's hearings.
Action(s)	<ul style="list-style-type: none"> • Produce guidance for ASTs to ensure appropriate decision making is made regarding gender based shortlisting in order to meet the Genuine Occupational requirement for both genders to be present at hearings under Part 1 Section 6 (3)(a) of the Children's Hearings (Scotland) Act 2011. • Provide an appropriate brief to marketing and media buying partners to allow for relevant targeting of gender groups identified as being underrepresented within the existing panel community.
Timescale	September – April 2017
Success Measures	<ul style="list-style-type: none"> • There is an appropriate gender pool of volunteer panel members to draw upon for covering Hearings in line with statutory obligations.
Protected Characteristics	Gender
Responsibility	Recruitment Project Lead

OUTCOME 3: Our volunteer community are fully trained and developed to confidently and fairly address the needs of children, young people and their families.

Evidence base:

- CHS Community Survey 2014 (1163 responses were received at 45% response rate).
- CHS Community Survey 2015 (1012 responses were received at 36% response rate)

Children and Young People/Adults:

- <http://www.chscotland.gov.uk/media/68051/Views-and-Experiences-of-the-Childrens-Hearings-System-v1-0.pdf>,
- <http://www.chscotland.gov.uk/media/68057/What-children-young-people-and-carers-think-about-children's-hearings-report-for-young-people-v1-0.pdf>
- biennial national surveys of children and families - http://www.scra.gov.uk/cms_resources/Children%20and%20Families%20Survey%202012-13%20results.pdf
- Hearing Scotland's Children conducted by Who Cares? for the SCRA published in 2011 - http://www.scra.gov.uk/cms_resources/Who%20Cares%20Report.pdf
- Understood and Making a Difference, conducted by the SCRA in partnership with the Aberlour Childcare Trust, published in 2011,
- <http://www.chscotland.gov.uk/media/68051/Views-and-Experiences-of-the-Childrens-Hearings-System-v1-0.pdf>
- SCRA Children and Families survey
- <http://www.scra.gov.uk/2016/06/children-and-families/>
- Competency Framework for Panel Members
- <https://childrenshearings.sharepoint.com/practice-and-policies/Policies%20%20Procedures/Competence%20framework%20for%20panel%20members.pdf#search=panel%20member%20competency%20framework>
- National Standards for the Children's Panel
- [https://childrenshearings.sharepoint.com/practice-and-policies/Policies%20%20Procedures/National%20Standards%20for%20the%20Children's%20Panel%20\(colour\).pdf#search=chs%20national%20standards](https://childrenshearings.sharepoint.com/practice-and-policies/Policies%20%20Procedures/National%20Standards%20for%20the%20Children's%20Panel%20(colour).pdf#search=chs%20national%20standards)

Overview:

Over the past few years, CHS has been working on bringing greater consistency in panel practice and decision making and providing appropriate supports to enable the best decisions to be made. CHS national volunteer training is delivered through our Training Unit (West Lothian College) with support from our National team.

We also have evidence that there are particular challenges for some groups of children and families in engaging with and understanding the Children's Hearings process. For example, the Scottish Parliament's Education Committee has raised concerns about parents with learning difficulties engaging appropriately in the process.

CHS will work in partnership with other organisations to improve experiences and will ensure that those requiring support (e.g. parents with learning difficulties) are supported by panel members as much as possible to engage.

General Equality Duty Link

This equality outcome is focused on CHS eliminating unlawful discrimination, harassment and victimisation and any other conduct that is prohibited under this Act through better awareness and training. We plan to advance equality of opportunity between people who share a relevant protected characteristic and those who do not share it through the materials we provide. Our recruitment, selection and training procedures must ensure that our volunteer community feels appropriately equipped to respond to children, young people, families and partners who have a wide range of protected characteristics. This should lead to more informed and appropriate decisions being made about a child/young person.

<p>Outcome 3.1</p>	<p>(TRAINING & PANEL MEMBER PRACTICE) - Children, and young people report fair hearing experiences and/or report that they were treated fairly and with dignity and respect, regardless of geographical area the child or young person comes from.</p> <p>(i.e. this Outcome is about there being a consistently fair approach by panel members across Scotland as volunteers who are trained in how to conduct hearings appropriately/without bias, discrimination etc)</p>
<p>Action(s)</p>	<ul style="list-style-type: none"> • The CHS volunteer training plan (key core and mandatory training for volunteers) includes training on effective communication with children and young people. • The CHS volunteer training plan (key core and mandatory training for volunteers) includes training on equality and diversity. • The *Community Survey asks comprehensive questions regarding equality and diversity to gauge panel members' understanding and implementation of non-discriminatory practice. • Actively promote the completion of the Community Survey to volunteers. • Children's hearings across all <u>22 ASTs</u> in Scotland are observed by panel practice advisors in order to assess how consistently panel members apply knowledge and learning from their training to their practice in hearings. Observations of panel member practice are based on the eight National Standards of the Children's Panel and the seven competencies as detailed in the Competence framework for panel members, namely: - 1. Law and procedures, 2. Equal treatment, 3. Communication and children's views and participation, 4. Conduct of hearing, 5. Management of information, 6. Decision making, 7. Protecting rights.
<p>Timescale</p>	<p>Ongoing 2016 - 2018</p>
<p>Success Measures</p>	<ul style="list-style-type: none"> • In the Community Survey, to the specific statement, <i>"CHS is 'Fair' – making sure that everyone is treated with dignity and according to their individual needs."</i> 98% of responses are positive from the 2017 survey. • Based on evidence from panel practice advisers, no discriminatory conduct has been displayed towards a child, young person or their family on the basis of them belonging to a protected characteristic group which ties in with the panel member competency of 'Equal Treatment'.
<p>Protected Characteristics</p>	<p>Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Religion and Belief, Race, Sex, Sexual Orientation</p>

Responsibility	Strategic Planning and Performance Officer – Community surveys, National Training Officer and Communications and Engagement Officer – Volunteer training on engagement with children and young people.
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*Panel Members are observed during children’s hearings in accordance with the [Monitoring of Panel Practice and Panel Practice Observation policy](#)

Outcome 3.2	<i>Improved processes for reporting, evaluating and monitoring of complaints and concerns from volunteer community and the public with regards to protected characteristics.</i>
Action(s)	<ul style="list-style-type: none"> • Using the Complaints Handling Procedure and Community Concerns Procedure to capture complaints raised by members of the public and concerns raised by volunteers, monitor the protected characteristics of those who are raising the complaints and concerns by including an equality monitoring form in each procedure. • Interrogate and monitor all complaints and concerns raised through this formal process on a quarterly to establish if there are any protected characteristic issues to be addressed or trends that may indicate than any one protected group is being treated less favourably than others. • Train our Area Support Team members to appropriately deal with Complaints and Community Concerns and identify any issues relating to protected characteristics, that they can then flag to the Information Governance Officer for more detailed investigation.
Timescale	<ul style="list-style-type: none"> • Quarterly
Success Measures	The number of concerns or complaints that involve issues concerning protected characteristics are addressed and resolved on an ongoing basis.
Protected Characteristics	Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Religion and Belief, Race, Sex, Sexual Orientation.
Responsibility	Information Governance Officer

Appendices

Appendix I - Employee Statistics

Notes: on the Employee Data in this report

Employees statistics only include employees of CHS, they do not include contractors, shared service employees, secondees working at CHS but retaining employment contracts with existing employer or agency workers.

The data is taken from HR self-service data recorded by employees on Midland i-Trent and is valid as at 30 June 2016. Numbers less than 5 are not disclosed to protect individual confidentiality and are marked as a *. Information not provided denotes that a member of employees has not supplied information, / prefer not to say denotes that a member of employees has chosen to not provide information.

Employee monitoring information is not disaggregated by full/part-time, profession and grade due to the small numbers of employees employed by CHS.

CHS took the opportunity to restructure its team and management structures in 2015. The [new structure](#) took account of previous feedback from employees and volunteers and is the reason for the increase in employees headcount.

We have explained to employees during the course of 2015 and 2016, the benefit of better self – reporting for all protected characteristics and are currently working with the NDPB Equality Network to look at best practice in standard questions for recruitment and HR/payroll systems.

1.1 Age

Age Band:	Age Band: < 30	Age Band: 30 to 39	Age Band: 40 to 50	Age Band: >50	Total
Total employees June 2016	<5	7	7	<5	20
Total employees June 2015	<5	10	<5	<5	20
% of total employees June 2014	<5	7	<5	<5	17
% of total employees	<5	7	<5	<5	16

^ Anonymised for confidentiality

1.2 Disability

No member of employees has declared a disability in the last 3 years.

1.3 Ethnicity

Band:	White (British, Scottish, Other)	Other	Not declared
Total employees June 2016	9	0	11
Total employees June 2015	9	0	11
Total employees June 2014	8	0	9
Total employees June 2013	5	<5	<10 ^

^ Anonymised for confidentiality

1.4 Gender

Band:	Female	Male
Total employees June 2016	12	8
Total employees June 2015	11	9
Total employees June 2014	12	5
Total employees June 2013	13	<5

1.5 Marital status/Pregnancy

During 2015 only one employee was on maternity leave and the same applied to 2014. The employee concerned returned to work with CHS. In 2016 three employees are due to go off on maternity leave during the month of September.

1.6 Religion

	Agnostic	Hinduism	Christian	Not Declared
June 2016	<5	0	<5	15
June 2015	<5^	0	<5^	<18^
June 2014	<5^	0	<5^	<15^
June 2013	<5^	<5^	<5^	<15^

^ Anonymised for confidentiality

1.7 Sexual Orientation

	LGBT	Heterosexual	Not declared
June 2016	<5	5	14
June 2015	0	6	14
June 2014	0	5	12
June 2013	0	<5	<5^

^ Anonymised for confidentiality

2.1 Employee development/Performance management

Employees receive supervision with their line manager every 4-6 weeks and an annual appraisal. Personal development is linked into performance management/appraisal system and in the period June 2014 to June 2015, employees received on average 2 days development on areas ranging from Digital Futures to Valuing Diversity.

2.2 Promotions

<5 internal employees were promoted in the period June 2013-2016.

3. Employee Recruitment

3.1 Age

	Age Band:	Age Band: 16 to 24	Age Band: 25 to 34	Age Band: 35 to 44	Age Band: 45 to 54	Age Band: 55 to 64	Age Band: 65+	Not disclosed	% increase in reporting
2016	% of total applicants	2%	22%	26%	33%	9%	0%	8%	xxx
	% of total shortlisted	0%	29.7%	33.3%	22.2%	3.7%	0%	11.1%	Xxx12
	% of total appointed	0%	50%	16.7%	33.3%	0%	0%	0%	xxx
2015	% of total applicants	4.1%	20.5%	16.4%	38.4%	9.6%	0%	11%	5%
	% of total shortlisted	0%	46.7%	6.7%	26.7%	6.7%	0%	13.2%	(1.9%)
	% of total appointed	0%	80%	0%	20%	0%	0%	0%	22.3%
2014	% of total applicants	28%	20%	11.4%	16.6%	8.0%	0%	16%	0.9%
	% of total shortlisted	13.2%	34.0%	15.1%	17.0%	9.4%	0%	11.3%	13.7%
	% of total appointed	22.2%	22.2%	11.2%	22.2%	0%	0%	22.3%	11.1%
	% of total applicants	15.1%	26.4%	17.0%	17.9%	8.5%	0%	15.1%	n/a

2013	% of total shortlisted	20%	20%	15%	15%	5%	0%	25%	n/a
	% of total appointed	0%	33.3%	33.3%	0%	0%	0%	33.4%	n/a

3.2 Disability

		% disabled	Not disabled	% Undisclosed if disabled or not	% increase in status reporting
2016	% of total applicants	1%	98%	<5%	xxx
	% of total shortlisted	0%	100%	0%	xxx
	% of total appointed	0%	100%	0%	xxx
2015	% of total applicants	<5%	97.3%	<5%	(>6%)
	% of total shortlisted	0%	100%	0%	10.9%
	% of total appointed	0%	100%	0%	22.2%
2014	% of total applicants	<5%	87.4%	10-12%^	(10-12%)
	% of total shortlisted	5.7%	86.8%	7.5%	(7.5%)
	% of total appointed	0%	77.8%	22.2%	(22.2%)
2013	% of total applicants	<5%	95-99%^	0%	n/a

	% of total shortlisted	<5%	95%	0%	n/a
	% of total appointed	0%	100%	0%	n/a

^ Anonymised for confidentiality

3.3 Ethnicity

		Scottish White	English White	White Irish	White Other	Any mixed ethnicity	Asian Indian	Asian Pakistani	Asian Other	Black African	Chinese Asian	Not Disclosed	% increase in reporting
2016	% of total applicants	77%	13%	<5%	<5%	<5%	0%	0%	0%	0%	0%	<5%	xxx
	% of total shortlisted	74%	11.1%	7.4%	0%	<5%	0%	0%	0%	0%	0%	6.7%	xxx
	% of total appointed	80%	0%	<5%	0%	0%	0%	0%	0%	0%	0%	20%	xxx
2015	% of total applicants	79.5%	12.7%	<5%	<5%	0%	0%	0%	0%	0%	0%	<5%	5-10%^
	% of total shortlisted	73.3%	13.3%	6.7%	0%	0%	0%	0%	0%	0%	0%	6.7%	<5%
	% of total appointed	80.0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	20.0%	2.3%
2014	% of total applicants	64.0%	9.1%	<5%	8%	<5%	<5%	<5%	<5%	<5%	0%	10.9%	(5-10%)
	% of total shortlisted	69.8%	7.5%	<5%	9.4%	0%	<5%	0%	0%	0%	0%	<10%	(5-10%)
	% of total appointed	44.4%	22.2%	0%	11.1%	0%	0%	0%	0%	0%	0%	22.3%	(22.3%)
2013	% of total applicants	66.0%	8.5%	<5%	11.3%	0%	<5%	<5%	<5%	<5%	<5%	<5%	n/a
	% of total shortlisted	55%	5%	0%	25%	0%	5%	0%	0%	5%	0%	5%	n/a
	% of total appointed	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

^ Anonymised for confidentiality

3.4 Gender

		Female (including male to female trans women)	Male (including female to male trans men)	Unknown/not declared	% increase in reporting
2016	% of total applicants	66%	33%	1%	xxx
	% of total shortlisted	70.4%	29.6%	0%	xxx
	% of total appointed	66.7%	33.3%	0%	xxx
2015	% of total applicants	63.0%	35.6%	1.4%	3.8%
	% of total shortlisted	60%	40%	0%	3.7%
	% of total appointed	40%	60%	0%	0%
2014	% of total applicants	61.1%	33.7%	5.2%	(3.4%)
	% of total shortlisted	62.3%	34.0%	3.7%	(3.7%)
	% of total appointed	66.7%	33.3%	0%	0%
2013	% of total applicants	64.2%	34.0%	1.8%	n/a
	% of total shortlisted	65%	35%	0%	n/a
	% of total appointed	66.7%	33.3%	0%	n/a

3.5 Marital Status

		Married	Single	Other	Not disclosed	% increase in reporting
2016	% of total applicants	61%	26%	13%	6%	xxx
	% of total shortlisted	40.8%	33.3%	22.2%	3.7%	xxx
	% of total appointed	50%	33.3%	10%	16.7%	xxx
2015	% of total applicants	56.2%	28.8%	13.7%	1.3%	9.5%
	% of total shortlisted	40%	40%	20%	0%	7.6%
	% of total appointed	40%	40%	10%	10%	1.2%
2014	% of total applicants	30.3%	42.3%	16.6%	10.8%	(10.8%)
	% of total shortlisted	41.5%	24.5%	26.4%	7.6%	(7.6%)
	% of total appointed	33.3%	22.2%	33.3%	11.2%	55.5%
2013	% of total applicants	38.7%	35.8%	25.5%	0%	n/a
	% of total shortlisted	45%	45%	10%	0%	n/a
	% of total appointed	0%	0%	33.3%	66.7%	n/a

3.6 Religion

		Buddhist	Christian (RC, CofS, other)	Hindu	Muslim	None	Other	Not disclosed	% increase in reporting
2016	% of total applicants	0%	44%	0%	1%	41%	2%	12%	xxx
	% of total shortlisted	0%	48.2%	0%	3.7%	40.7%	0%	7.4%	xxx
	% of total appointed	0%	33.3%	0%	0%	66.7%	0%	0%	xxx
2015	% of total applicants	0%	43.8%	0%	0%	43.8%	2.7%	9.7%	5-8^%
	% of total shortlisted	0%	40%	0%	0%	46.7%	0%	13.3%	3.8%
	% of total appointed	0%	40%	0%	0%	60%	0%	0%	22.3%
2014	% of total applicants	0%	42.3%	0%	<5%	33.7%	6.9%	12-17%^	(<5%)
	% of total shortlisted	0%	43.4%	0%	0%	39.6%	7.5%	9.5%	(9.5%)
	% of total appointed	0%	33.3%	0%	0%	44.4%	0%	22.3%	10%
2013	% of total applicants	0%	44.3%	<5%	<5%	44.3%	0%	7-12%	n/a
	% of total shortlisted	5%	55%	5%	0%	30%	5%	0%	n/a
	% of total appointed	0%	66.7%	0%	0%	0%	0%	33.3%	n/a

^ Anonymised for confidentiality

3.7 Sexual Orientation

Sexual orientation figures have not been captured to date.

Appendix 2 - Jargon Buster

Volunteers: CHS operates due to the work of our committed and hardworking volunteers. These are both those who are tribunal members attending panels across Scotland and those in our area support teams supporting the tribunal members. None are paid a salary although they may be reimbursed for reasonable expenses incurred in attending hearings e.g. parking costs.

Area Support Teams (ASTs): The ASTs are a team of volunteers who support and manage panel members in their local area supported by a Clerk who is a local authority employee.

CHS Community: The CHS Community encompasses panel members, AST members, board members and national team employees.

Panel Members

Panel members are volunteers from local communities across Scotland who are recruited and trained to make decisions to help the lives of vulnerable children and young people attending children's hearings. Panel members commit to making themselves available at least once a month to prepare for and sit on a three hour hearing session.

Children's Hearings System: The Children's Hearing System is the care and justice system for Scotland's children and young people.

Children's hearing: A hearing consists of three lay tribunal members called panel members, who are trained volunteers from

the local community. The hearing listens to the child or young person's circumstances and views and takes these into account as well as those of the family and all the information that has been provided by, for example, social workers. The hearing then makes a decision about what support and help is needed and whether a compulsory supervision order is required.

Protected characteristics: Age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex (male or female); and sexual orientation.

Equality groups: persons who share a relevant protected characteristic.

Equality Impact Assessments (EIAs): a set of processes for assessing the impact of applying a proposed new or revised policy or practice against the needs of the general equality duty with consideration to relevant evidence relating to persons who share a protected characteristic.



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