

# **Equality Annual Report 2010**

for

**Shetland Islands Council  
Schools Service  
Shetland College  
Shetland Licensing Board  
ZetTrans**

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# 1. Introduction

This is a joint report for Shetland Islands Council (SIC), SIC Schools Service, Shetland College, Shetland Licensing Board and ZetTrans. This report was produced to encompass and report on two strands of equality: race and disability. Since the joint Gender equality Scheme was only published in June of this year, any progress in gender equality will be reported on in subsequent years. This report provides an update on the outstanding actions set out in 2009 Equality Annual Report regarding race and disability, and sets out an action plan for 2011.

The 2009 Equality Annual Report can be found here:

<http://www.shetland.gov.uk/equalopportunities/documents/EqualityAnnualReport2009.pdf>

The 2008-2011 Race Equality Scheme can be found here:

<http://www.shetland.gov.uk/equalopportunities/documents/ShetlandsRaceEqualitySchemeFinal.pdf>

The 2009-2012 Disability Equality Scheme can be found here:

<http://www.shetland.gov.uk/equalopportunities/documents/DES2009-12.pdf>

## **2. Context**

### **2.1 National Context**

#### **2.1.1 The Race Equality Duty**

The Race Relations Act 1976 defines direct and indirect discrimination, and victimization. It outlaws racial discrimination in employment, training, education, housing, public appointments, and the provision of goods, facilities and services. The Race Relations (Amendment) Act 2000 came into force on 2<sup>nd</sup> April 2001 and since then the Race Relations Act (the Act) has covered all the functions of public authorities (with just a few exceptions).

The Race Relations (Amendment) Act 2000 placed a general duty on a wide range of public authorities to promote equality: every single member of staff in the public services now has a responsibility to promote good race relations. The Council's duties under the Act are to:

- Eliminate unlawful racial discrimination;
- Promote equality of opportunity; and
- Promote good relations between people of different racial groups.

#### **2.1.2 The Disability Equality Duty**

From December 2006, the Disability Discrimination Act 1995, as amended by the Disability Discrimination Act 2005, placed a duty on all public bodies to actively promote disability equality, and is similar to the duty to promote race equality under the Race Relations (Amendment) Act.

The Act sets out what is known as the 'General Duty'. This means public bodies must have due regard to the need to eliminate unlawful discrimination and promote equal opportunities for disabled people. They are also required to consider the elimination of harassment of disabled people, promote positive attitudes and encourage the participation of disabled people in public life.

#### **2.1.3 The Equality Act 2010**

The UK Government's Equality Act 2010 received Royal Assent in April 2010, and commencement of the main provisions of the Equality Act 2010 is expected in stages, starting from October 2010. The Act will not be fully implemented until April 2011. In the meantime the above duties still apply, however, once implemented, the overarching aim of the Act is to restate, simplify and, where appropriate, harmonise the various different pieces of equality legislation that is currently still in place. The current legislation it

replaces includes: the Equal Pay Act 1970, the Sex Discrimination Act 1975, the Race Relations Act 1976 and the Disability Discrimination Act 1995.

The Equality Act aims to harmonise the discrimination law, and strengthen the law to support progress on equality. The strands of antidiscrimination have been harmonised into one Act, and extended to produce what is known as 'protected characteristics'. These are: gender, disability, race, religion and belief, sexual orientation, age, gender reassignment, and pregnancy and maternity.

The Equality Act 2010 states that a public authority must have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act.
- 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.

Until April 2011, the requirements of the The Race Relations Act 1976, The Disability Discrimination Act 1995 and The Sex Discrimination (Public Authorities) (Statutory Duties) (Scotland) Order 2007 still apply and each places a statutory duty on local authorities to report against their equality schemes annually.

## **2.2 Local Context**

### **2.2.1 Shetland's Single Outcome Agreement**

Through the Single Outcome Agreement, all Community Planning Partners have committed to embedding equalities in their service delivery. All statutory partners<sup>1</sup> are involved in the production of the joint equality schemes, to set out how they will achieve their equalities obligations during the year.

### **2.2.2 Shetland's Community Statement**

Shetland's community statement contains the following objectives:

- We'll seek to create fulfilling, well paid jobs for all, whatever their talent
- Foster confident, thriving communities across Shetland
- Promote justice and equality, here and overseas
- Expand knowledge, extend opportunities and improve access

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<sup>1</sup> The Shetland Islands Council, Shetland College, ZetTrans, the Licensing Board and the Schools Service.

Shetland's community statement, known as 'The Shetland Resolution' can be found here:

<http://www.shetland.gov.uk/communityplanning/TheShetlandResolution.asp>

Shetland Community Planning Partnership, as part of their obligations under the Local Government Act (2003), is committed to promoting equalities, and through the Single Outcome Agreement approach, all Community Planning Partners have committed to embedding equalities in their service delivery.

## **3. Information Gathering and Consultation**

### **3.1 Shetland Islands Council**

Under the Equality Act 2010, one of the key elements of the specific duties placed on public authorities is to ensure equality of outcomes are based on evidence and involvement of equality groups and communities. Keeping that in mind, the Shetland Islands Council will be consulting with Shetland's communities and its employees on the following strands of equality in the during 2011:

- Race
- Gender
- Disability
- Sexual orientation
- Religion and belief
- Age
- Gender reassignment
- Pregnancy and maternity

This questionnaire will form a gauge as to where the equality gaps are in the Council and in the services that it provides. The Policy Unit is currently in the planning stages of the consultation. Outcomes of the consultation will be fed into the Shetland's Equality Framework 2011, which will consolidate the three existing equality schemes into one single document, and include the new strands of equality listed above.

### **3.2 SIC Schools Service**

The Schools Service consults young people with disabilities through regular review meetings to discuss their needs and aspirations. Response to the review process has resulted in adaptations to the curriculum, to equipment and to changes in deployment of staff.

Youth Services now sits within the Schools Service and a thorough consultation with young people took place at the Youth Voice Conference on the 3<sup>rd</sup> September 2010 where advice was sought on a range of issues affecting young people.

### **3.3 Shetland College**

As a partner of the University of Highlands and Islands (UHI), the college is now able to access national data regarding Shetland through the UHI Map, Scottish Neighbourhood Scheme.

In January 2010, the college had a HMIE Equality and Diversity Aspect Visit. During that visit there were very positive statements made about the college prospectus and the college website in relation to equalities. Responses from students were that they felt supported. There were no instances of bullying and learners felt safe. All experienced positive integration, which reflects the college ethos.

### **3.4 ZetTrans**

As a partner of the Shetland Islands Council, ZetTrans will have access to the findings of the consultation compiled by the Policy Unit and Human Resources, detailed in section 3.1 above.

### **3.5 Shetland Licensing Board**

As a Partner with Shetland Islands Council, the Licensing Board has access to the general data compiled by the Council. In 2008, the Licensing Board carried out its own consultation of applicants to the Board to gather information on those accessing their services. This exercise will be repeated in 2013 to identify any changes.

## **4. Highlights from 2010**

### **4.1 Shetland Islands Council**

A professional translation/interpreter service known as Language Line is now in use within the Shetland Islands Council (SIC). Using a telephone-based professional interpreter, Language Line allows staff within the SIC and their clients to communicate confidentially, in over 170 languages, 24 hours a day. Accessibility to SIC services for those who do not speak English has vastly been improved.

Previously the SIC has relied on its volunteer translation list, where users occasionally expressed difficulties in getting hold of a translator at a convenient time, and issues were raised regarding confidentiality. Language Line, which has displaced this voluntary translation list, has overcome these difficulties. This service has removed language as a barrier, ensuring accurate and effective communication between the Shetland Islands Council and its clients.

### **4.2 SIC Schools Service**

The Youth Voice conference and Community Planning Partnership Summit Report involved young people in considering a range of areas, including equality matters, which need to be addressed to ensure young people can thrive in Shetland.

There were 2 recorded incidents of racial bullying in Shetland schools this year.

### **4.3 Shetland College**

In January 2010, the college had a HMIE Equality and Diversity Aspect Visit. A number of strengths were highlighted during the visit. It was felt that there was a tremendous cultural diversity within the college, and overall, the college is very strong with regard to equalities. College staff have fully bought into the inclusion agenda of the college, and the College Equalities Committee has a strong remit.

As part of the college's Staff Development Programme in August 2010, Shetland College teaching staff participated in the Equality and Diversity in Learning and Teaching Materials workshop run by Scotlands Colleges. Teaching staff were made aware of the equality issues and their responsibilities to promote equality, and the culture of inclusion within the learning environment.

The Student Induction Programme for the 2010-2011 intake, that took place in August 2010, included an interactive equalities workshop. The aim of the workshop was to raise equality awareness amongst the new intake of students, as well as providing information for students if they required help with any inequality issues.

#### **4.4 ZetTrans**

ZetTrans has a coterminous boundary with Shetlands Islands Council, serving the same population, although confined solely to transport matters. Members of ZetTrans are also members of other community planning partners and officials of ZetTrans are also SIC staff. Accordingly it is expected that there is a high level of awareness of equality issues.

To assess the understanding of, and compliance with, Equality requirements ZetTrans has carried out an Equality Impact Assessment (EIA). The EIA found only one area that needs to be addressed. Currently, ZetTrans does not provide travel information in any language other than English. This is likely to have a disadvantage for people whose first language is not English. As a result, in 2011, ZetTrans will review how it publishes public timetables, information booklets and web based information with a view to be fully compliant with equality legislation and best practice.

#### **4.5 Shetland Licensing Board**

The Licensing Board carried out two Equality Impact Assessments in 2010. The first assessment related to the procedures used by the Board in its operation of the new licensing regime under the Licensing (Scotland) Act 2005. The second assessment related to the Statement of Licensing Policy, November 2010-13. Neither assessment identified any negative impacts. This work completed the outstanding assessments for the Board and now all their current policies and procedures have been considered.

One member of staff undertook further training on understanding persons affected by a specific disability with a view to improving the services provided by the Licensing Board.

## 5. Progress Against Equality Schemes

Action	Outcome	Timescale	Responsible	Progress (at October 2010)
<b>Race</b>				
Produce Flag Cards and translation poster for use by all key front line staff in the Council, NHS and Shetland College	Alleviate any undue stress felt by any different racial group because they cannot communicate where they are from to get a translator.  Make our services more accessible.	December 2008	Policy Unit	A translation service is now in place for the Shetland Islands Council. Guidelines have been distributed to all who are currently using this service. This includes a translation poster to allow clients to communicate where they are from.
Investigate funding for a professional translation service	Services can provide a translator as soon as service users arrive	February 2010	Policy Unit	A professional telephone interpretation service, known as Language Line is now in use within the Shetland Islands Council.
Promotion and awareness raising of our in house translation service across all partner agencies	To ensure that our services are as inclusive as they can be and that they represent properly the people they are meant to.	Ongoing	Policy Unit Housing Schools Social Work	A professional translation service is now available throughout all departments within the SIC. Within the Schools Service, posters are displayed in reception areas.

<p>Community Partnership Migrant Workers Pack, which is to be distributed to,</p> <ul style="list-style-type: none"> <li>• Airport</li> <li>• Northlink</li> <li>• Tourist centre</li> <li>• On website</li> <li>• Key council hotspots</li> <li>• ESOL</li> <li>• Key private companies</li> </ul>	<p>To ensure that any new resident to Shetland is aware of their rights and responsibilities, which may alleviate any confusion. To ensure that people are aware of the range of services that we offer and how they can access these.</p>	<p>February 2010</p>	<p>Policy Unit Shetland College NHS Shetland</p>	<p>Currently n progress. Due for completion before the end of 2010.</p>
<p>Ensure that all translation/interpretation volunteers are given appropriate briefing, information, support and contact details</p>	<p>Higher number of Volunteers staying with a service. More comfortable and satisfied which in turn leads to more people being able to access our services.</p>	<p>Ongoing</p>	<p>Policy Unit</p>	<p>A professional translation service is now available throughout all departments within the SIC, which now displaces the voluntary translation service.</p>
<p>Ensure that the Council and partner agencies work together to have more meaningful engagement with minority groups</p>	<p>To encourage participation by people from different racial groups in public life.</p>	<p>Ongoing</p>	<p>Policy Unit Shetland college ZetTrans Schools Shetland Licensing Board</p>	<p>Working with partners to carry out a consultation in 2010 based around the protected characteristics of the Equality Act 2010. Involvement of equality groups and communities. Through the Schools Service, there is increased staffing available for</p>

				support for bilingual workers.
<b>Disability</b>				
Investigate how to provide a BSL translation service locally	Service users who use BSL would be able to access services more easily	May 2010	Policy Unit	Professional BSL translation service sourced. Currently going through technical aspects of its implementation.
Explore issues raised in consultation with disability groups	Service users will be able to access services more easily	2009/10	Policy Unit Shetland College Schools Service ZetTrans	In 2009, Disability Shetland undertook a number of consultations with local disability groups. Issues raised will be fed into the Equality Framework for 2011. These will inform equality outcomes regarding disability. Through the Schools Service, young people are regularly consulted through termly reviews.
Awareness Raising day – Cross agency	Increased knowledge of Equality and Diversity Framework and the services which we provide	Spring 2009	Policy Unit Shetland College Schools Service	All Shetland College students that attended the Student Induction Programme, for the 2010-2011 intake, participated in an interactive equalities workshop, raising equality

				awareness.
Decrease numbers of unknowns and undisclosed on monitoring forms	Increased knowledge of workforce	2009/10	Human Resources	We hold disability data on 88.5% of the workforce, up from 86.4% last year.
To work with the Policy Unit to increase the number of disabled peoples working for the authority. Increased retention of disabled employees	Equality of Access	2009/10	Policy Unit Human Resources	In 2009, 6.21% of the SIC workforce were known to have a disability. In 2010, 7.80% of the SIC workforce were known to have a disability.
<b>General</b>				
Prepare for move to single equality scheme.	All equality strands integrated	2009/10	Policy Unit Schools Service Shetland College Shetland Licensing Board ZetTrans	Equality Framework underway for the Shetland Community, and the Council and partner agencies. Once complete gaps in research will become apparent.
All council Service Plans to have an EQIA	Monitor business practices and ensure change is effective. Promoting equal opportunity and eliminating discrimination.	2009/10	Policy Unit	43% of plans have an EQIA
Review Council equality and diversity training to monitor impact	Necessary changes to training are made	2010	Policy Unit Human Resources	Not complete – training will be reviewed to comply with the Equality Act 2010 before April 2011.
Set up an Equalities Forum	Widening access, joint	2009/10	CPP	Working with partners to

<p>for all Community Planning Partners</p>	<p>working, promoting equal opportunities</p>		<p>HIEF</p>	<p>carry out 2010 community consultation based around the protected characteristics of the Equality Act 2010. Baseline and up-to-date information will inform the Shetland's Equality Framework 2011, ensuring that outcomes are based on evidence and involvement of equality groups and communities.</p>
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## 6. Outstanding Actions

The following table provides details of outstanding actions. All future actions will be fed into Shetland's Equality Framework 2011-14.

Action	Outcome	Timescale	Responsible
<b>Race</b>			
Carry out consultation with Shetland's community and SIC staff to gather up-to-date information on race equality	Up-to-date information on race equality.	December 2010	Policy Unit Human Resources
<b>Disability</b>			
Carry out consultation with Shetland's community and SIC staff to gather up-to-date information on disability equality	Up-to-date information on disability equality.	December 2010	Policy Unit Human Resources
Ensure issues raised in the disability consultation inform outcomes of the new Equality Framework	Disability equality outcomes are based on evidence.	April 2011	Policy Unit
Professional BSL translation service in place.	Service users who use BSL would be able to access services more easily	2010/11	Policy Unit
Decrease numbers of unknowns and undisclosed on monitoring forms	Increased knowledge of workforce	2010/11	Human Resources

<b>General</b>			
Carry out 2010 community consultation based around the protected characteristics of the Equality Act 2010.	<p>Involvement of equality groups and Shetland's communities.</p> <p>Up-to-date information on the protected characteristics of the Equality Act 2010.</p>	December 2010	Policy Unit Human Resources
Equality Impact Assessment of all policy and practice.	Equality considerations inform policy making. Promoting equal opportunity and eliminating discrimination.	Ongoing	Policy Unit Schools Service Shetland College Shetland Licensing Board ZetTrans
Completion of Shetland Equality Framework 2011.	<p>The existing schemes are brought together into one framework, and extended to include all protected characteristics of the Equality Act 2010.</p> <p>Equality outcomes are based on evidence and informed by the involvement of equality groups and communities.</p>	April 2011	Policy Unit Schools Service Shetland College Shetland Licensing Board ZetTrans