The Highland Council

Community Safety, Public Engagement and Equalities Committee – 01 October 2014

| Agenda Item | 12 |
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| Report | CPE |
| No | 33/14 |

Update on progress with the Fairer Highland Plan

Report by Head of Policy and Reform

Summary

This report updates Members on progress with the Fairer Highland Plan 2012-2017 and reminds them of the specific duties on the Council under Regulations to report on progress by the end of April 2015.

1. Background

- 1.1 The Equality Act 2010 came into force across Great Britain in April 2011 and created a new single public sector equality duty (PSED), also known as the General Duty. The PSED is supported by specific duties introduced under Regulations in Scotland. The specific duties require public authorities, such as the Council, to report on progress with equality outcomes that are set locally and to publish relevant information to demonstrate how the duty is being met.
- 1.2 The Highland Council agreed a new equality plan in April 2012, <u>A Fairer Highland</u>, which sets out our commitment to meeting the equality duty through three overarching equality outcomes, that:
 - People are, and feel, free to live their lives without harassment and discrimination, and can take part in community life
 - People benefit from public services in a fairer way and are able to have their say about them
 - Staff feel there is an organisational culture where everyone is treated with dignity and respect
- 1.3 The Council published a full set of equality outcomes and other relevant information in March 2013. The specific duties require reports on progress by 30 April 2015. This report provides a summary of progress since March 2013 and sets out the reporting requirements for next year.

2. The Public Sector Equality Duty

- 2.1 The PSED set out in s.149 of the Act requires public bodies such as the Council, the Education Authority and the Licensing Board, in carrying out their business, to have due regard to the need to:
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.

- **Foster good relations** between people who share a protected characteristic and those who do not.
- 2.2 The PSED applies to the 'protected characteristics' of age, disability, gender reassignment, pregnancy and maternity, race, religion and belief, sex and sexual orientation. The equality duty also covers marriage and civil partnership, but only in respect of eliminating unlawful discrimination.
- 2.3 The PSED requires that public bodies consider the needs of these protected groups and to understand the impact of their policies and practices, whether in relation to employment, when designing and delivering services and in decision making.
- 2.4 To enable the better performance of the PSED, specific duties in Scotland were created by secondary legislation in the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012. These require 'listed authorities' to:
 - Publish equality outcomes by the <u>30th April 2013</u> and report progress every two years
 - Report on mainstreaming the equality duty by the <u>30th April 2013</u>, and thereafter every two years
 - Assess and review policies and practices, on-going
 - Gather and use employee information, and publish in the mainstreaming report
 - Publish gender pay gap information by the <u>30th April 2013</u> and report progress every two years
 - Publish statements on equal pay by the <u>30th April 2013</u>, and at four year intervals
 - Consider award criteria and conditions in relation to public procurement, and
 - Publish in a manner that is accessible.

3. Progress with meeting the Public Sector Equality Duties

- 3.1 The Council and the Education Authority jointly published a first set of equality outcomes and mainstreaming reports as required by the specific duties and these were agreed by the Community Safety, Public Engagement and Equalities Committee in March 2013. Separate reports on the gender pay gap and occupational segregation were presented to the Finance, Housing and Resources committee in April 2013, along with an equal pay statement. These documents are available in the links in 2.4 above.
- A summary of our progress on delivering the twenty equality outcomes published by the Council in 2013, including Education outcomes, is provided in **Appendix 1**. Over time, these outcomes aim to contribute to a fairer, more inclusive Highland. Areas identified as priority include:
 - a. Improving public attitudes and awareness
 - b. Education
 - c. Tackling discrimination, prejudice and safety
 - d. Access to employment and occupational segregation
 - e. Participation and representation
 - f. Income, health and rural inequalities

- 3.3 In terms of the wider equalities work undertaken by the Council and the Education Authority, detailed information be presented in an updated Mainstreaming Report in early 2015. This will include a number of case studies as examples of activities that advance equality and will include information on how we build equality into the work of the Council, for example:
 - Through assessing the impact of our policies and practices, and the Council's decision making processes, on equality groups.
 - Gathering and using equality evidence including employment information.
 - Staff training and development related to equality and diversity.
 - Inclusive approaches to engagement and consultation
- 3.4 Evidence for equality work is based on a range of local and national data sources such as the Census and Scottish Household Survey. In preparation for the Council's Equality Plan a <u>Highland Equality Profile</u> was developed in 2012. This profile is currently being updated to take account of the Census 2011 results, some key demographic information includes:
 - 51% of the population is female and 49% is male, compared to 52% and 48% respectively for Scotland
 - Highland has an older population than Scotland; 32% of Highland's population is under 30 compared with 36% across Scotland
 - 46.1% of people in Highland are married or in a civil partnership (0.12% in civil partnerships). 24% are single compared to 28% of Scotland's population.
 - The vast majority of people living in Scotland and Highland are White. In Highland, a larger percentage describes themselves as White: Other British (15% in Highland versus 8% in Scotland). Highland has a higher than average Polish population (1.48% compared to 1.16%)
 - The minority ethnic population of Highland is 1.4%, up from 0.8%, compared to 4% for Scotland overall.
 - According to the Scottish Household Survey, 21% of people in Highland have a long-standing limited illness (LTLI), health problem or disability compared to 18% in Scotland. LTLI increases with age, with 59% of men and 66% of women over the age of 75 having a LTLI compared to 8% of men and 7% of women under 30
 - The most common response to the question of faith in the 2011 Census was 'No religion' in Highland and Scotland. The second most popular faith was Church of Scotland, and the percentage is higher in Highland (36.9%) than in Scotland (32.4%)

In addition, we continue to take an equality analysis to both the Council's Public Performance Survey and the Employee Survey.

3.5 Engagement with local equality groups also provides us with a source of valuable feedback on the experiences of groups and individuals covered by the protected characteristics. Involvement with equality groups has included focus group consultations, presentations from groups to members and staff and on-going contact with a range of groups.

- 3.6 A cross-service equalities working group meets quarterly to provide updates on developments with equalities work across the Council. Progress on equalities work is reported to each meeting of the Council's Community Safety, Public Engagement & Equalities Committee. Elected members continue to engage with equality groups on a regular basis; in 2013/14 they met with representatives from sensory impairment groups, LGBT forum, mental health advocacy group, women's groups, and attended a seminar on Gypsy/Traveller issues.
- 3.7 The Council makes a commitment to equality throughout the themes of its programme "Working together for the Highlands", reflecting our three overarching equality outcomes, so that: people are, and feel, free to live their lives without harassment and discrimination, and can take part in community life; people benefit from public services in a fairer way and are able to have their say about them; and staff feel there is an organisational culture where everyone is treated with dignity and respect. Along with our community partners we have also commit to tackling significant inequalities through the Single Outcome Agreement.
- 3.8 This report describes the progress to date against our equality outcomes for the period 2013-2017, which builds on earlier work by the Council and its partners. We continue to recognise the importance of working with our partners and local communities to promote and advance equality, to manage the impact of current budget challenges on all equality groups and to strengthen relations between and within communities.

4. Implications

- 4.1 Resource there are no resource implications arising from this report.
- 4.2 Legal Implications this report contributes to the Council's work to meet the legal requirements of the Public Sector Equality Duty.
- 4.3 Equalities Implications this report highlights the Council's positive commitment towards meeting the needs to the Public Sector Equality Duty and taking account of the characteristics protected in the Equality Act.
- 4.4 Climate Change/Carbon Clever there are no known climate change implications arising from this report.
- 4.5 Risk Implications equality of opportunity is considered as part of the Council's approach to risk management as an issue affecting all services. Failure to demonstrate that the Council meets the requirements of the Public Sector Equality Duty could result in legal action and reputational risk for the Council.
- 4.6 Gaelic there are no known Gaelic implications arising from this report.
- 4.7 Rural implications there are no specific rural implications arising from this report.

5. Recommendation:

Members are asked to comment on and note the progress to date against the Council's first set of equality outcomes (2013 – 2017) as set out in Appendix 1. The detailed progress reports to be published for March 2015 will be considered first at the meeting of this Committee on 25 March 2015.

Designation: Head of Policy and Reform

Date: 24/09/2014

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Background Papers:

• Appendix 1: Progress with equality outcomes

- <u>Technical Guidance on the Public Sector Equality Duty Scotland</u>
 http://www.equalityhumanrights.com/uploaded_files/EqualityAct/psed_technic_al_guidance_scotland.doc
- Mainstreaming the equality duty
 http://www.equalityhumanrights.com/uploaded_files/Scotland/PSED_in_Scotland/mainstreaming_the_equality_duty.doc

| Ov | erarching outcome: | People are, and feel, free to live their lives without harassment and discrimination, and can take part in community life |
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| | Outcome | |
| 1 | People feel involved and are able to participate in public life and influence decision making | Ouring 2013-14 we have: Organisations representing equalities groups have been invited to participate in the Council's Communities Panel – one of the first issues for engagement will be the second round of budget consultation. The budget consultation will also include a series of 10 focus groups to include representation from groups that may not use traditional forms of engagements (surveys, wider public events). This includes groups representing people with learning disabilities, affected by mental health problems, the local Deaf Forum, visually impaired, and older people. The Council continues to engage and supports the work of the Highland Youth Convenor. The elections team delivered a workplan to engage young people in democracy, carried out a review of polling stations and ensured the accessibility of polling stations and the voting process Ensured that the Customer Services Review proposals include methods to understand the impacts of proposed service changes on particular groups in the community. Current evidence shows this is important for older people and people with disabilities in particular. We continue to improve our approach to accessible information through the availability of communication support (including interpretation and translation). |
| 2 | Highland continues to be viewed as a welcoming place to live and there is positive support for an equal society | We have supported an LGBT Youth Scotland conference in Highland Local schools have carried out anti-stigma activities with Show Racism the Red Card and HUG (Action for Mental Health). Responses to our annual attitudes and performance survey indicate tolerance levels for equality and diversity may be increasing. In 2014: • 76.8% of respondents felt Highland should do everything it can to get rid of all types of prejudice, continuing an upward trend (73.6% recorded in 2013, 70.4% in 2012; 66.9% in 2011). • 52.2% of people prefer to live in an area with lots of different kinds of people, up from 46.8% in 2011. |

| | | 86% of Citizen's Panel respondents (also 86% in 2013 and 2012; 85.3% in 2011) believe their communities are accepting of people coming to live in the area from outside the Highlands. (Public Performance Survey 2014). |
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| 3 | a) Long term impact of Violence Against Women (VAW) on women and children is reduced • Women affected by VAW receive services which meet their needs • Children and Young People affected by VAW receive services which meet their needs b) Violence Against Women is Reduced • Perpetrators are tackled about their behaviour • Reduced acceptance of VAW • There are healthier gender relationships | The key objectives of the Highland VAW partnership workplan for 2013-16 were to: improve safety for those affected by VAW; improve services for those affected by VAW; take steps to prevent further VAW; and deal effectively with perpetrators of VAW. Actions include: • Multi-agency Risk Assessment conferences (MARAC) • Improvements to statutory agency responses to sexual violence • Plans to establish VAW bystander intervention programmes in schools and university campuses across Highland over the next year. • Investigating the feasibility of establishing a (Cedar Children Experiencing Domestic Abuse Recovery) programme (available in other parts of Scotland) to support children and young people experiencing domestic abuse, and of introducing a voluntary referral scheme for perpetrators. In Education, actions include: • Roll out of a prevention education pack within primary and secondary schools from Autumn 2014 • Delivery of prevention education in early years settings An Education 'Pathway' nursery through to secondary 6 has been developed and is currently being consulted on. It links closely to the Sexual Health, Relationships and Parenting 'Pathway' which includes significant focus on positive relationships and issues relating to consent. Guidance has been developed for staff who are supporting young people, post investigation, where an allegation of sexual violence has been made but no action deemed appropriate. |
| 4 | a) The population of Highland have an increased understanding of hate | The local hate incident and crime partnership, Hate Free Highland works with partners from the public and voluntary sector to raise awareness of and encouraging the reporting of hate crimes and incidents. |
| | incidents and of their impact on individuals and communities. | The public can make reports directly to the police, online or via local community groups also act as third party reporting organisations. Police Scotland make an annual report with input from partners to the Council's CPE committee. During 2013/14 we reported on the level and type of hate incidents and crimes |

| | b) People feel more confident in reporting hate incidents that they have experienced or witnessed. c) People who report hate incidents feel satisfied with the response received from public agencies d) Individuals within protected groups feel safe and secure within their local community. | (including in schools) and domestic violence incidents. While the number of hate incidents being reported to Police had risen slightly, the actual number of crimes and offences involved had decreased. Racist incidents account for most reports; reports of other hate incidents (homophobic, disability, transphobic, faith-based) remain low. There is evidence of an increase in awareness of hate crimes (2014 Public Performance Survey) which shall be reported to CPE in December 2014. There has been a review of policy and monitoring of bullying and prejudice based incidents in schools. |
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| 5 | Pupils and school staff have a greater understanding of prejudice based bullying and its impact. and, | A revised bullying policy 'Positive Relationships and Bullying Prevention Policy, Guidance and Toolkit' is currently out for consultation. The document is aiming to move the focus from reaction to prevention and is focused on building positive environments and challenging prejudice. The new Policy will be launched in November 2014 to coincide with National Bullying Week. Alongside the report the Care and Learning Service will sign up to the Stonewall Education Champions Programme and report on Highland research into homophobic bullying. |
| 6 | Pupils and school staff feel more confident in reporting prejudice based bullying incidents that they have experienced or witnessed | MORE than 150 Highland pupils receive training at Tain Royal Academy on how to prevent bullying in their schools and communities. This is the first training day for anti-bullying ambassadors to be held in Scotland and was oversubscribed due to the number of students and staff interested in taking part. It brings together young people from primary and secondary schools, of all ages and abilities, to explore and understand the issue of bullying. |
| Ov | erarching outcome: | People benefit from public services in a fairer way and are able to have their say about them |
| 7 | We will improve customer satisfaction rates, in particular from disabled people. | The Council has launched a new website which has been designed to make it easier for customers to find information and book or pay for services. New design compatibility now allows customers to access the site more effectively from mobile devices and accessibility features are enhanced. |

Procedures are in place to include Plain English assessment as part of the process of producing key public documents. Staff develop Plain English skills through internal courses such as Effective Business Writing. Key corporate documents are now being screened by the Plain English Campaign. Trained staff in the Public Relations Team also proof read documents checking Plain English standards are being met.

We have worked with DisabledGo and the Inverness Access Panel to introduce an access guide for the Inverness area.

We have introduced new communication support arrangements for Deaf people to access Council services.

(Public Performance Survey 2014): Of the respondents who had made a personal visit to the Council, 71% said facilities for people with a disability were "good" (74% in 2013; 68% in 2012; 61% in 2011; 65% in 2010) while 5% said the facilities were "poor" (4% in 2013; 7% in 2012; 3% in 2011; 6% in 2010). For respondents with a disability though the figures were notably different in that 60% classified these facilities as "good" (compared with 73% of those who do not have a disability) and 12% said they are "poor" (compared with 3% of those who do not have a disability).

We increased the percentage of our buildings with public areas suitable for and accessible to people with a disability to 95.5% in 2012/13. This compares to 94.3% the year before.

Widen participation in the labour market across all client groups and across all Highland geographies:

a) To enable those who are

- a) To enable those who are currently removed from the labour market, to move towards and into sustained work.
- b) Improve equality of

The Council is a lead partner on the Highland Works Programme and supports a range of employability programmes. For example, Bridge to Employment has been run successfully for pupils in S4-S6 in a small number of schools within travelling distance of Inverness, largely on an extra-curricular basis, over the last four and a half years

http://www.highland.gov.uk/meetings/meeting/979/adult_and_childrens_services_committee/attachment/15704 (item 10)

Activity Agreements: is a plan of learning and activity which an advisor will help a young person put together, so when they are ready they can move on from this to further education, training or employment. It can include volunteering, short courses, supported learning and practical experiences.

| | access to the labour market | Each agreement is individually tailored to the person |
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| | for all client groups, | http://www.highland.gov.uk/info/878/schools/19/school_leavers/2 |
| | including disabled people. | The Development and Infrastructure Comics is suggested and establish as a constitution of |
| | Ensure that young people can enter the labour market with aspiration, skills and experience: c) Ensure that our young people and looked after children progress to further/higher education, training or employment. d) Partners address significant inequalities in Highland through a coherent and individualised approach to post school transition for young people experiencing significant barriers to employment. | The Development and Infrastructure Service is currently undertaking an equality impact assessment of youth employment programme, which has also been informed by the recent Wood report. Developing Scotland's Young Workforce , and will inform future tendering processes. |
| 9 | Improvements to the life chances and experiences of Gypsy/Travellers living in Highland | Fieldwork to update knowledge of resident satisfaction with the quality of Council sites has been taking place during the summer of 2014 as part of a wider piece of independent commissioned research to provide a Highland Gypsy/Traveller Accommodation Needs Assessment. This assessment will form part of the Housing Need and Demand Assessment required under Scottish Planning Policy to identify priorities and outcomes for Highland's next Local Housing Strategy for this customer group. The interim findings from this research also provide information on population and quality of life. |
| 10 | Disabled people, older/younger people and women experience have | We will report on this in March 2015. |

| | improved access to public transport (through the provision of more accessible information on transport and better information about accessible services). | |
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| 11 | Increase the number of young people leaving school moving into positive and sustained destinations | Family Firm: The concept of councils and partner agencies as 'Family Firms', seeks to respond to the needs of looked after children and young people as they move towards the end of their schooling and beyond, in much the same way as a parent owning their own business might for their own children. In particular it seeks to ensure that the considerable resources of the council and its partners provide a positive learning environment for the transition to employment. A consultation with young people has been conducted, resulting in the development of a Family Firm Pathway. A report on the progress of the Family Firm can be found at http://www.highland.gov.uk/meetings/meeting/3176/education_children_and_adult_services_committe_edagenda_item_15 . |
| 12 | Reduce gender segregation in positive and sustained destinations for young people leaving school | Work is being undertaken to identify the best way to measure this as data is held by a range of organisations. |
| 13 | Fulfil the potential achievements of pupils with ASN. These activities will be incorporated into FHC4 | A review of Additional Support Needs in Highland has been undertaken over the past year. This review began with a period of consultation between April and August 2013, with a large number of children, parents, organisations and individual professionals being asked to contribute their views and experiences. The full report of the ASN Review can be found at http://www.highland.gov.uk/learninghere/supportforlearners/ The EAL Highland team have distributed EU Day of Languages information to all Head Teachers across Highland since 2012 and several schools have held events; delivered staff training; provided advice to school staff on handling racist bullying behaviours and influenced the improvement of enrolment procedures. |

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| | | The Primary Mental Health Worker service is an early intervention service and for the most part children and young people are seen very soon after a request for service has been made. A significant number of referrals, 59%, are seen within 6 weeks of the request for service being made, with 21% seen in under 14 days. Since April 2012 a total of 551children and young people have received intervention for the first time from the PMHW service. Of these, 96% have waited less than the 26 Week NHS waiting time (HEAT) target and 92% have been seen within 18 weeks. No child or young person has waited beyond the 26 week HEAT target in the last 12 months. A full report can be found at: <a 13"="" 3304="" adult="" agenda="" and="" children="" committee="" education="" href="http://www.highland.gov.uk/meetings/meeting/3304/education_children_and_adult_services_committe_e_adult_adult_services_committe_adult_</th></tr><tr><td>14</td><td>Reduce attainment gaps between boys and girls</td><td>A report was submitted to the Education, Children and Adults Service on educational attainment on the 28<sup>th</sup> of August: http://www.highland.gov.uk/meetings/meeting/3304/education children and adult services committee Agenda item 13 . The difference between female and male attaining 3+ passes at Level 6 increased from 7% in 2013 to 9.9% in 2014 (Girls 35.7%, boys 25.8%), and from 3.1% in 2013 to 3.5% at 5+ Level 6 passes (Girls 15.4%, boys 11.9%). The difference between S6 females and males passing Higher English has gone from 5.4% in 2013 to 4.3% but in Higher Maths males performed better than females with a 1.2% difference in their favour. In 2013 this gap was 2.5%. |
| 15 | Staff and pupils have a greater awareness of how they can support equality through delivery of curriculum for excellence and wider school approaches following the principles of the Highland | For Highland's Children 4 contains an Improvement Plan for children's services, built upon self-evaluation and consultation. Its implementation structure has 13 Improvement Groups. All of these groups tackle inequalities: Mental Health; Additional Support Needs; Looked after Children; Transitions; Youth Justice; Early Years; Schools; Play; Supporting Parents; Practice Model; Public Health and Wellbeing; and Child Protection. http://www.highland.gov.uk/meetings/meeting/3304/education_children_and_adult_services_committee Agenda item 7. The Education Improvement Plan makes the commitment that all schools will have had training in equalities legislation and have an active equalities policy in place by 2016/17. A new Promoting Equality |

| | Practice Model and SHANNARI | and Diversity Policy/Toolkit has been developed and can be found at this <u>link</u> . Work associated with the introduction of the Policy/toolkit includes the development and introduction of a Highland GLOW Equality, Diversity and Children's Rights site to ensure that teaching staff have access to a wide range of approved and up to date information on legislation and groups with 'protected characteristics'. http://www.highland.gov.uk/meetings/meeting/3304/education children and adult services committee Agenda item 20. |
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| 16 | We will meet the needs of children and Families who have experienced interrupted learning. This includes Gypsy/Traveller and Roma Children, young carers and Children with ASN | The revised Young Carer's Strategy has been launched and its implementation will be overseen by the FHC4 Young Carers Improvement Group. A progress report can be found at http://www.highland.gov.uk/meetings/meeting/3304/education-children-and-adult-services-committe-e-Agenda-item-4 . The Highland Practice Model continues to effectively develop positive relationships and increased engagement. During 2013/14 there was an increased number of children on a school roll in any one week compared to previous years. Overall, contact was made with 58 families and 139 children during the year. 120 (86%) children were on a mainstream school roll in 26 schools in Highland. Of these children 14 (12%) were in nursery provision, 96 (80%) were in primary and 9 (8%) in secondary. Of the 19 children who were not on a mainstream school roll, 4 (21%) were provided with alternative provision when in the area. Another 6 (32%) had support during the school year and 9 (47%) children either did not engage, or were only in the area for a short period of time and support arrangements were not able to be made. Families report a positive response to the support available and the achievements of their children. There is a positive trend of parents informing schools when they are moving out of the area and when accessing their next school. This helps the continuity of learning and supports improved record keeping and records transfer. http://www.highland.gov.uk/meetings/meeting/976/adult-and-childrens-services-committee/attachment/15453 (Item 10) |

| 17 | Equality Outcome 17 – 'Increased attainment for children and young people from deprived areas'. | Work is ongoing to identify the best way to access data relating to this. National developments related to Insights are awaited. |
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| Ove | erarching outcome: | Staff feel there is an organisational culture where everyone is treated with dignity and respect |
| 18 | Increase the proportion of staff who feel they are treated fairly, both in terms of employment and development opportunities, and more generally, feelings of fair treatment in the workplace, (as measured through the Employee Survey). | As outlined in our Equal Pay Statement the Highland Council is committed identifying and eliminating any unfair, unjust or unlawful practices that impact on pay. The recent Equal Pay Audit, prepared in in partnership with the trade unions, has identified an action plans that supports improvement in this area. • Sustain and review the Women into Management programme. The annual Statutory Performance Indicators relating to the percentage of females in the top 2% and 5% of Council earners gives a comparison of the 2013/14 data and shows an increase of 1.9% in the number of women in the top 2% of earners and of 0.7% on the number of women in the top 5%. 2013 2014 Women in the top 2% 33.9% 35.8% |
| 19 | Reduce the gender pay gap where actions appropriate to an employer can be identified. | Women in the top 5% 46.0% 46.7% http://www.highland.gov.uk/meetings/meeting/3303/resources_committee (item 18) • Create and support an on-line learning resource for female employees interested in preparing for supervisory and management roles. |
| 20 | Eliminate barriers to recruitment and development that contribute to pay inequalities | Identify female role models in male dominated job groups and publicise their achievements in corporate communications (e.g. the Big Picture and ED matters). Advertise appropriate vacancies as "suitable for flexible working hours up to 35 per week" where service delivery allows. Review Job Descriptions and Person Specifications to ensure that they contain no gender bias. Review core flexi hours to better support flexible working opportunities. Where vacancies arise in job types where one gender is under represented, state this in the advert and encourage applications from the under-represented gender. |

| Take action to increase the number of female apprentices. Advise Services to review workplace facilities to ensure that both genders are adequately caterofor. Publication of strategy for working with dyslexia. |
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