

# ***Highland Licensing Board***

**The Equality Act 2010**

**Equality Strategy**

For further information, comments, or to request information on the scheme in alternative formats or language, please contact:

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# Foreword

## ***Board Convener***

I am pleased to present to you the Highland Licensing Board's first Equality Scheme (April 2013 – April 2017).

The Board aims to provide excellent services for all. This strategy and the accompanying Action Plan sets out the Board's commitment to all those defined under the Equality Act 2010 in relation to age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. These are "protected characteristics" in terms of the new Act.

This strategy commits the Board to taking action that will improve and promote equality in Highland. It takes account of what people have told us directly through involvement and consultation activities, and information we gathered from voluntary and other organisations with whom we work in partnership.

We have a strong commitment to equality for all and recognise that equality is a continuing journey. For this reason, this Strategy will be updated and reviewed on a regular basis to make sure that equality of opportunity is always an important consideration in everything we do.

We will be pleased to receive any comments on this Strategy or on our progress in implementing it.

Signed:

**Maxine Smith**

**Convener of Highland Licensing Board**

# 1 Introduction

- 1.1 This Strategy sets out the commitment of the Highland Licensing Board (“The Board”) to meeting our responsibilities under the Public Sector Equality Duties. The Strategy explains the actions we have already taken and will take in this regard. Although the Board has a separate legal status from the Highland Council (“the Council”), it is resourced entirely by the Council. The close connections between the Board and the Council affords the Board the opportunity to benefit directly from the actions already taken or proposed by the Council to ensure that it fulfils all the equality obligations. This is reflected in the Strategy set out on the following pages.
- 1.2 This strategy sets out the Licensing Board’s equality outcomes and our approach to mainstreaming equality.
- 1.3 This Strategy was approved by the Board on 2 April 2013 and replaces the previous Combined Equality Scheme.
- 1.4 If you wish to submit any comments on this document at any time, please address them to:

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**The Clerk to the Licensing Board**  
**Tigh na Sgìre**  
**Park Lane**  
**Portree**  
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**IV51 9DF**

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## **2 About the Licensing Board**

### **Constitution**

The Board is constituted in terms of the Licensing (Scotland) Act 2005. The Board is entrusted with the administration of liquor licensing and with certain other statutory duties.

The Board is comprised of ten elected members of the Council, appointed at the first Council Meeting after each ordinary Council election. A Licensing Board must consist of at least 5 members.

Board meetings are held in public but deliberations can be made in private. All decisions taken by the Board must be made in public.

All revenue received by the Board from licence application fees must be transferred to the Council. The Council is charged with the responsibility for providing accommodation for the meetings of the Board and all necessary expenses in respect of the proceedings of the Board.

### **Statutory Governance**

Our duties in respect of equality are set out in the Equality Act 2010. The Equality Act 2010 places a duty on the Board to give due regard in its work to the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity
- Foster good relations

In May 2012 the Scottish Government published specific duties to assist listed public authorities such as the Board to meet the general duty:

- report on mainstreaming the equality duty
- publish equality outcomes and report progress
- assess and review policies and practices
- gather and use employee information
- publish gender pay gap information (where 150 or more staff)
- publish statements on equal pay (where 150 or more staff)
- consider award criteria and conditions in relation to public procurement

Apart from this, we have objectives laid down in statute specifically related to our work around which we must organise all our licensing functions:

### **Licensing Statutory Provisions**

- The Licensing (Scotland) Act 2005
- The Gambling Act 2005

## **The Licensing Objectives**

The regimes under the Licensing (Scotland) Act 2005 and the Gambling Act 2005 set out broad aims which the Board must and will support in all its functions, which are:

### The Licensing (Scotland) Act 2005

- Preventing crime and disorder
- Securing public safety
- Preventing public nuisance
- Protecting and improving public health
- Protecting children from harm

### The Gambling Act 2005

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

## **Our Staff**

The Board is supported by a Clerk, one Depute Clerk, support staff and three licensing standards officers. All staff carrying out the Board's responsibilities are recruited and employed by the Council.

The Board is supported by the Council's Equal Opportunities Officer and the Community Safety, Public Engagement and Equalities Committee.

### **3 Our Functions and Policies**

The Board is responsible for various functions under the Licensing (Scotland) Act 2005, including the grant of:

- Premises Licences
- Personal Licences
- Occasional Licences
- Provisional Licences
- Temporary Licences
- Extensions to Licensed Hours
- Transfers of Premises Licences, and
- Variations to Premises Licences

The Board also has responsibility for conducting reviews of premises licence where grounds of review (breach of licence conditions or any other ground relevant to a licensing objective) are thought to exist. The Act confers powers on the Board to impose sanctions where, following a review hearing, it is satisfied that the ground is established.

The Board may also impose sanctions in respect of personal licences where the licence holder has been convicted of a relevant or foreign offence or where, either in the course of reviewing a premises licence or following receipt of a report from the Chief Constable, the Board finds that a personal licence holder has acted in a manner inconsistent with the licensing objectives.

Authority to exercise functions in respect of the grant of certain licences has, in some circumstances, been delegated to the Clerk to the Board or to the Convener or Vice Convener or, in the absence of the Convener and Vice Convener, to individual members of the Board. The Board's Scheme of Delegation setting out the circumstances in which functions are delegated is appended to this Policy Statement.

The Board also has responsibility for issuing premises licences under the Gambling Act 2005.

#### **Policies/Guidance**

We have the following policies and guidance in place which are available on the Board's website

- Policy Statement in terms of the Licensing (Scotland) Act 2005
- Statement of Licensing Principles in terms of the Gambling Act 2005
- Procedures for Hearings
- Guidance on objecting or making representations to an application for a premises licence under the Licensing (Scotland) Act 2005

## **Mainstreaming Equality: Building equality into our work**

Mainstreaming is an approach to delivering equality within an organisation. It is primarily a long-term strategy aimed at ensuring that equal opportunity principles and practices are integrated into every aspect of an institution from the outset. The focus should not only be internal (mainstreaming equality principles into procedures and systems) but also external (mainstreaming equality principles into policies and customer service delivery).

Our first Mainstreaming Report is attached at Appendix 4

We will ensure that equality is integrated into our work through:

### **Leadership and commitment**

The Board's commitment is stated by the Convener of Highland Licensing Board in the Foreword to this strategy.

The Board is closely linked to the Highland Council which has expressed its political leadership to supporting a more equal society which is demonstrated in the Council's Programme, [Working Together for the Highlands](#) which has a theme of equalities woven across seven themes and specific commitments identified.

Reports on progress with mainstreaming equality and working towards equality outcomes will be made to the Board before the end of April 2015 and every two years thereafter.

The Board is represented on the Council's Officer's Working group which supports corporate and service-led equalities work which includes representatives from each of the Council services and has responsibility for sharing information, championing equalities, and monitoring progress in each service. The Council's Assistant Chief Executive is Chair of this group.

### **Equality Impact Assessments**

The way in which we develop policies and conduct our activities should reflect our commitment to diversity and equality. We recognise that we must ensure our policies and procedures do not discriminate, and that we consider equality fully when we develop new policies and activities or consider changes to any of this.

We will use the Highland Council toolkit and guidance when carrying out equality impact assessments on the Board's policies, practices and decision making, and ensure that staff who carry out assessments undertake training.

Any new policies or guidelines that are proposed, or indeed any new functions that arise, will be impact assessed, as will any proposed changes or re-design of existing functions and policies/guidance.

All reports then presented to the Board proposing new policies or guidelines setting out new functions or proposing changes that have relevance to any equality strand will include details of how the policy meets the Public Sector Equality Duty.

This will enable the Board to consider these matters in reaching decisions.

### **Awareness Raising**

Training is also integral to mainstreaming equalities. Members and staff all need to have an awareness of equalities issues as well as an understanding of their responsibilities under legislation and in terms of this strategy.

As the Board is comprised of elected members of the Council, they are subject to an ongoing training programme which, whilst not specific to the Board's business, includes equalities issues.

Staff are subject to the Council's training regime and requirements as employees of the Council and all staff will attend the Council's core equality and diversity training.

## 4 Gathering Evidence and Consultation

The Board will take account of evidence gathered from a range of sources, including consultations, surveys and complaints. A summary profile of demographic, views of community groups and attitudes to equality and diversity gathered by Highland Council is attached as **Appendix 3**.

At the heart of the equality duties is the requirement to consult and involve people to assess our progress on achieving our duties. We recognise that to improve equalities and eradicate discrimination stakeholders have to be involved not only in identifying potential discrimination but also in developing solutions and reviewing the progress and impact of those solutions. To maximise the benefits from involvement and to make sure that people have the opportunity to contribute fully, we ensure that external stakeholders are involved in assessing our policies and activities.

### Licensing Forum

The Highland Licensing Forum (“the Forum”) is the medium through which the Board can engage with representatives of the community and ensure community views are taken into account in the development of Board policies and guidelines.

The Licensing (Scotland) Act 2005 lays down statutory groups that must be represented within the Forum, these being:

- Holders of premises licences and personal licences
- The Chief Constable for the area
- Persons having functions related to health, education or social work
- Young persons
- Persons resident within the Forum’s area
- Licensing Standards Officer

The Act also prescribes minimum and maximum numbers for the Forum.

At present there are fifteen members with one vacancy.

Our aim is to become a public body that is much more closely in touch with its stakeholders. We must understand the nature of the people we serve if we are to respond adequately to their needs and priorities. As elected members we are accountable to the public and must demonstrate that we are credible to, and meet the needs of, all our stakeholders and not just some of them.

We understand that equality of opportunity cannot be achieved merely by treating everyone in the same way. Therefore, the success of our policies and functions in the future will depend on our ability to work with representatives of diverse groups more widely. The Forum is the main vehicle for this involvement and the makeup of the Forum is therefore of primary importance. The Council is responsible for the appointment of and support for the Forum and the Board will assist in any way it can in that process.

The Board will consult with the Forum on all new policies, guidelines or functions, or changes to these and on all impact assessments.

The Board has consulted with the Forum on the development of this Strategy. The draft strategy and the Board's draft Equality Outcomes were considered at a meeting of the Forum on 12<sup>th</sup> March 2013.

### **Equality and Diversity Partnership Group**

There is a strong history of partnership working in the Highlands. The Highland Community Planning Partnership Equality and Diversity Group works to promote equality and diversity in Highland by developing joint activities, engaging with local groups with an interest in equalities, and by gathering data and sharing information. Where appropriate, the Board will liaise with Partners, for example we can have a role in promoting the reporting of hate incidents through licensed premises .

### **Employment**

All staff are employed by the Highland Council and subject to the commitment to put into effect fair employment and recruitment practices. The Council's working culture aims to promote dignity and respect the contributions of all. Employees are expected to behave in a manner that reflects our commitment to fair treatment and respect.

This covers:

- the way we recruit, train, pay and develop our employees.
- addressing equal pay to include pay arrangements
- measures to make sure there are fair promotion and development opportunities,
- policies addressing flexible working, harassment and grievances, maternity, paternity and adoption.
- ensuring reasonable adjustments are made for disabled candidates and employees.

Steps to gather and use employee data are included in the Highland Council's reporting on Mainstreaming and Outcomes.

## 5 Developing outcomes and actions

The measures proposed by the Board and the Equality Outcomes that it has set are as detailed in the Action Plan listed in **Appendix 1** to this Strategy. These link closely with outcomes developed by the Council and other partners and demonstrate how the Board can contribute to shared equality outcomes. The Board will review its Equality Outcomes every 4 years and report on progress to meet the outcomes by the end of April 2015 and every two years thereafter.

### **Service Delivery**

The Board encourages feedback at any time both generally and specifically in response to consultations during the application process and when disseminating information. The Licensing Section of the Council's website indicates the Board's willingness to receive feedback.

### Performance Indicators

The following Equality Indicators have been developed:

1. Number of applications and outcomes by equality strands
2. Number of complaints and outcome by equality strands; and
3. Number of Complaints upheld by the Equality and Human Rights Commission

Information on each indicator will be reported to the Board annually.

### Equalities Monitoring Form

An Equalities Monitoring Form has been developed with the assistance of the Council's Equal Opportunities Officer. To support performance indicator No 1., this is distributed with all application forms. Information is collated and will be analysed and reported to the Board annually.

To support performance indicator No.2, an annual audits of complaints will be undertaken in January each year and an Equalities Monitoring Form is issued to those involved in the process. Information is collated and will be analysed and reported to the Board annually.

### Equalities Incident Monitoring Forms

These are available for use by staff as necessary, including the Licensing Standards Officers, who are the initial contact with regard to complaints. These will be collated and reported to the Board annually.

## **6 Publication and reporting**

### **Strategy**

The Board will make publicly available its Strategy. This will be accessible on the Council's website at:

<http://www.highland.gov.uk/businessinformation/licensing/liquorlicensing/>

It will also be available in printed and alternative formats, on demand by contacting the Clerk to the Board or making a request to any of the licensing offices.

The Strategy will be circulated to all members and officers of the Board and to the Licensing Forum.

### **Monitoring and reporting progress**

Monitoring is a way of ensuring that the Strategy is being implemented and working. It will highlight whether any particular action has been effective and what other action is required. The Clerk, at the direction of the Board, will be responsible for implementing the Action Plan contained within this Strategy and providing a Report to the Board every two years on progress towards meeting the Equality Outcomes.

In line with the Scottish Specific Equality Duties, the Board will report on progress with meeting its Equality Outcomes and on Mainstreaming equality at least every two years.

These reports will be available on the Council's website at:

<http://www.highland.gov.uk/businessinformation/licensing/liquorlicensing/>

and will contain details of:

- Progress against the Equality Outcomes and associated actions
- Performance Indicators
- Equalities Concerns

### **Impact Assessments**

Impact Assessments (including consultation information) will be available on the Council's website at:

<http://www.highland.gov.uk/businessinformation/licensing/liquorlicensing/>

## 7 Contact Details

### Highland Licensing Board - Clerk's Offices

#### Clerk to the Licensing Board :

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Caithness  
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Council Offices  
Drummuie  
GOLSPIE  
Sutherland  
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Tel: (01408) 635205

#### Licensing Standards Officer (LSO)

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Licensing information can be found on the Council's website at –

<http://www.highland.gov.uk/businessinformation/licensing/liquorlicensing/>



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|                        |   | <ul style="list-style-type: none"> <li>- Provides guidance on the production of information in other formats, including other languages, easy read and large fonts;</li> <li>- Promotes the benefits of improving access to premises and Accessibility Statements</li> <li>- Lists the availability of interpretation services</li> </ul>  |        |   |
| <b>2.</b><br><b>**</b> | <p>a) Long term impact of Violence Against Women (VAW) on women and children is reduced</p> <ul style="list-style-type: none"> <li>• Women affected by VAW receive services which meet their needs</li> </ul> <p>b) Violence Against Women is Reduced</p> <ul style="list-style-type: none"> <li>• Perpetrators are tackled about their behaviour</li> <li>• Reduced acceptance of VAW *</li> </ul> | Provide information to Licensees and new applicants relating to gender equality, particularly for adult entertainment licences   | Gender | Clerk by end of June 2013               |
| <b>3.</b><br><b>*</b>  | People feel involved and are able to participate in public life and influence decision making.*   | <ul style="list-style-type: none"> <li>• Ensure that information on the work of and involvement with the Board and influence the Council to ensure information about the Forum can be made available in other formats, including other languages, easy read and large fonts.</li> <li>• Work with the Council to fill the vacancies on the Local Licensing Forum</li> <li>• Continue to include young people in the Forum (statutory requirement)</li> </ul> | All    | Licensing Staff by the end of June 2013 |

|                                |  |  |            |                                |
|--------------------------------|--|--|------------|--------------------------------|
| <p><b>4.</b><br/><b>**</b></p> | <p>The population of Highland have an increased understanding of hate incidents and of their impact on individuals and communities, and</p> <p>People feel more confident in reporting hate incidents that they have experienced or witnessed.</p> | <p>Work with the police and other partners to promote awareness of hate incidents and crimes in relation to licensed premises.</p> <p>The Board will take opportunities to encourage the reporting of hate incidents and crimes, and raise awareness of the impact on those affected, for example taking part in Police and partner campaigns.</p> | <p>All</p> | <p>Licensing Staff ongoing</p> |
|--------------------------------|--|--|------------|--------------------------------|

\* Highland Council outcome

\*\* Partnership outcome

Evidence and measures related to these will be identified in the Highland Council outcomes.

## APPENDIX 2

### Licensed Premises Statistics

As at 2 April 2013 there are the following licences currently in force in Highland Licensing Board Area:

| <b>PREMISES LICENCES (LIQUOR)</b>                           |                             |
|---|-----------------------------|
| On Sales  | Unable to provide breakdown |
| Off Sales   | 319                         |
| On & Off Sales  | 833                         |
| Registered Clubs  | 66                          |
| <b>TOTAL</b>  | <b>1218</b>                 |
| <b>PERSONAL LICENCES (LIQUOR)</b>                           |                             |
| Granted to date   | 3127                        |
| <b>APPLICATIONS FOR EXTENDED HOURS ON PREMISES LICENCES</b> |                             |
| Granted to date   | 638                         |
| <b>APPLICATIONS FOR OCCASIONAL LICENCES</b>                 |                             |
| Granted to date   | 2903                        |
| <b>PREMISES LICENCES (GAMING)</b>                           |                             |
| Betting   | 25                          |
| Bingo   | 1                           |
| Adult Gaming Centre   | 0                           |
| Family Entertainment Centre                                 | 5                           |
| Notice of Automatic Entitlement                             | 192                         |
| Gaming Machine Permits                                      | 3                           |
| Club Gaming Permits   | 1                           |
| Club Gaming Machine Permits                                 | 9                           |
| Lotteries Registrations                                     | 307                         |
| <b>TOTAL</b>  | <b>543</b>                  |

## APPENDIX 3

### Highland Equality Profile: Summary

#### Using evidence to develop outcomes and actions

#### Geàrr-thuairisgeul Co-ionannachd na Gàidhealtachd: Geàrr-chunntas

#### A' cleachdadh fianais gus builean agus gnìomhan a leasachadh 2011-2012

This is a summary of information and evidence gathered by the Highland Council in preparation for its Equality Plan a Fairer Highland. The full report can be found on the Council website at the link below.

#### Introduction

##### Ro-ràdh

Highland is becoming increasingly diverse in its people, in its communities and in its culture. In order to identify issues of disadvantage and measure progress on equality and diversity issues we need to identify sources of relevant data. We have gathered together a range of demographic and statistical information to supplement the evidence we gather from communities. The full document can be accessed at the following [link](#).

To complement the statistical evidence, during 2011-12 a range of activities have increased our understanding of attitudes to discrimination, and the experiences of a number of equality stakeholder groups. These have informed the actions that accompany A Fairer Highland. These include:

- [Presentations to Member's Working Group](#)
- [Public Performance Survey 2011](#)
- [Employee Survey 2010](#)

#### Statistical Evidence

##### Fianais Staitistigeil

Despite some significant progress and extended legal protection, there are groups of people who continue to experience discrimination and disadvantage. Many people will experience more than one form of disadvantage and discrimination and there are complex inter-relations with poverty and health inequalities. The summary contained within this document describes some major issues of disadvantage affecting various groups of in Highland.

It is widely recognised that there are a number of equality data gaps in Scotland and in particular at local level. The release of new 2011 Census data during 2012/13 will improve some of our data gathering. Further work at a national level by the EHRC and Improvement Service on Improving Local Equality Data and the use of the Equality Measurement Framework should also be useful.

## **Members Equalities Working Group**

### **Buidheann-obrach Co-ionannachd nam Ball**

The Members' Equalities Working Group was established in February 2011 in response to recommendations in the Best Value 2 audit. Its role is to scrutinise performance of agreed actions, to meet equality requirements and consider areas for improvements. In addition to reports from officers the group hears from representatives of equality groups who share their experiences and provide evidence to help identify how the Council can make services more accessible and sensitive as well as the need to tackle discriminatory attitudes.

By March 2012 the group had considered:

- April: Mental Health inequality and stigma (as one element of Disability)
- May: Sexual Orientation and Gender Reassignment
- September: Religion and Belief,
- Dec: Race, ethnicity and in-migration
- Jan: The Council as an employer

Members have welcomed the contributions from representatives of local groups and have benefited from an increased understanding of issues ranging from specific barriers to accessing services or employment to the impact of negative attitudes and exclusion on individuals. The discussions also brought out examples of good practices and engagement with local groups. In recognition of the scope of the agenda, Members agreed to increase the number of meetings during 2011-12 from four to seven. Some of the proposals arising from the working group for the Council's action plan included:

- recommending that the Council sign up to the "see me" pledge and encourage its partners to sign alongside us.
- consider comparison between Highland Council's performance in promoting equal opportunities and that of other local authorities to ascertain whether any lessons can be learned to improve the Council's performance in this area.
- Resulting from the attitudes survey, consider how to raise awareness of the impact of prejudice on particular groups and, where appropriate, support, in particular those people with the legally protected characteristics of religion/faith, sexual orientation, transgender and race.

The evidence and lessons learnt from the above have contributed to the actions included in the Council's equality action plan.

## **Public Performance Survey 2011**

### **Suirbhidh air Dèanadas Poblach 2011**

Public attitudes and satisfaction with Council services are surveyed by written questionnaire every year using the Council's Citizens' Panel. In 2011:

- Survey responses were analysed by age, gender and disability to see if views varied according to certain characteristics. There were generally high levels of satisfaction with a range of Council Services and the Council is viewed positively. There were however some notable differences in relation to age (in what services are seen as important), gender (men are more likely to complain and to be less satisfied with the outcome of their complaint) and disability (disabled people appear to be less satisfied across a range of services). Further details are available in a [report to Council](#) and the full survey report is available [here](#).
- Recognising that the survey methodology had limitations for people with disabilities and without English as a first language, focus groups were commissioned to explore how key equality groups felt about Council services and to gauge their views on attitudes to equal opportunities and discrimination. The focus groups identified suggestions for action and improvement particularly in relation to service reviews and changes, styles of communication and languages, information about council services, service delivery, and improving public attitudes and awareness. The full focus group report is available [here](#).
- In addition, new questions aligned to the Scottish Social Attitudes Survey "Attitudes to Discrimination and Positive Action" were included in the annual survey to the Panel to offer comparative insights. The full report on attitudes to equality in Highland is available [here](#).

Nine questions from the Scottish Social Attitudes Survey: Attitudes to Discrimination and Positive Action (SSAS)<sup>j</sup> were adapted for use in the written survey of the Citizens' Panel and were also used in the focus groups. The results were compared with responses to corresponding questions in the SSAS to give valuable insights to attitudes in Highland and Scotland.

In general, the pattern of responses to equivalent questions between the two surveys (Scotland and Highland) is similar, although there are some notable differences. In general, responses in Highland tended to be slightly less positive about diversity.

- A significant minority of adults in Highland (33%) felt there was sometimes good reason to be prejudiced, the figure for Scotland was 28%.
- A majority of adults in Highland (53%) would prefer to live in an area where most people were similar to them (47% would prefer to live in an area with lots of different kinds of people).
- In Highland older people, men and those resident for 10 years + more likely to express discriminatory views.

- Discriminatory attitudes were more likely to be made about Black and Asian people, Muslims, lesbian and gay people, cross dressing people and gypsy travellers.
- Those knowing people with certain characteristics, women and younger people less likely to express discriminatory views.

Views in Highland were more positive about inward migration than for Scotland as a whole. More adults in Highland disagreed than agreed that people from ethnic minorities and Eastern Europe take jobs away from local people. For Scotland more people agreed than disagreed that Eastern Europeans take jobs away (37% holding this view compared to 30% in the Highlands). Further details of responses are outlined below.

### **Employee Survey: Equal opportunities**

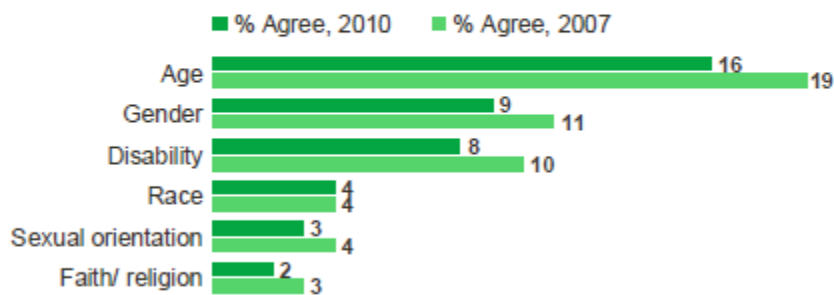
#### **Suirbhidh Luchd-obrach: Co-ionannachd Chothroim**

A survey of Highland Council employees is undertaken every three years. This is an independent survey conducted by Ipsos MORI to identify the issues that are important to staff. In 2010 the survey enquired about perceived and actual experience of disadvantage on account of age, gender, disability, sexual orientation, race or ethnicity, and faith or religion. Figure 2.11 presents the results concerning perceived discrimination.

### **Figure 2.11: Perceptions of discrimination**

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*Q8. Thinking about the Council as an employer, how strongly do you agree or disagree that people face barriers to employment or development opportunities on the basis of the characteristics below?*



Base: All respondents (4,416)

Source: Ipsos MORI

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Base: All respondents (4,416)

Further details of staff perceptions and experience of disadvantage are contained within the summary below.

## Equality Profile Summary

### Geàrr-thuairisgeul Co-ionannachd

A summary of the evidence supporting A Fairer Highland is outlined below and organised by protected characteristic.

#### Age

##### Aois

- Children and young people aged 0-24 years represent 27% of the population, or 60,389 people
- Over 50s represent 41% of the population (90,905 people), of which 41678 are over 65 (around 18.8% of the total population)

Population projections for Highland between 2008 – 2033 show:

- An increase in the birth rate is expected to result in a small increase in the numbers of children and young people in the 0-15 and 16-29 age groups
- A 60% increase (13,200 people) is projected for the 65 to 74 age group
- There is likely to be a 120% increase (22,000 people) in the number of people aged over 75. One feature of this age group will be a disproportionate increase in the number of men as their life expectancy is increasing slightly relative to that of women
- People aged under 65 years are twice as likely to contact the Council using the internet compared to those aged over 65 years; while people aged over 65 years and people with disabilities are more likely to make contact by visiting an office or Service Point

When responding to the Council's performance survey:

- Older people were more likely to place libraries, street cleaning, pavement maintenance, public conveniences in their top 5 most important services
- Older people, men and those resident for 10 years + more likely to express discriminatory views when asked about attitudes to discrimination.

Highland Council staff reported:

- Analysis of the Highland Council's Equal Opportunities monitoring information shows that 11.4% of Council employees are under 30. 40.7% are over 50 and within this group, 8.9% are over 60

- From the employee survey, few staff perceived barriers impeding employment or development opportunities to exist, the factor most likely to be considered an issue is age; 16% of staff felt age is a barrier to employment or development opportunities within the Council. Older staff are more likely to hold this view; 21% of staff aged 60 and over, compared to 16% of employees aged 29 or under
- 7% of staff reported they have suffered disadvantage on account of their age
- As in 2007, male staff and those in the youngest and oldest age groups are particularly likely to feel they have been discriminated against because of their age; 17% of those aged up to 29 years old and 13% of those aged 60 years or over feel they have been discriminated against, compared with 3% of those aged between 30 and 49 years old
- Compared to other Services, a greater proportion of staff in Housing & Property believe they have been discriminated against on the basis of their age, but this is likely to be due to the greater proportion of the service's staff in the youngest and oldest age bands
- Teachers are particularly likely to feel they have been discriminated against on the basis of their age (10%, compared with 7% of The Highland Council employees overall)

## **Race**

### **Cinneadh**

- According to the 2001 Census the minority ethnic population in Highland is 0.8% of the total population compared to 2% nationally
- Recent population growth in Highland is due in part to in-migration. Between 2001 and 2011 almost 16,000 migrants registered for National Insurance Numbers with 65% coming from the Accession States of Europe (the majority from Poland)
- In Scotland in 2011, 35% of working age people from Ethnic Minority groups were economically inactive compared with 20% for all people. The small sample size in APS makes the equivalent figures for Highland unreliable. In Highland Council, less than 1% of the workforce is from a minority ethnic background
- The Highland Council area has one of the highest populations of Gypsies/Travellers across Scotland
- In 2010, 2.1% of the school population were from a minority ethnic group; this includes children and young people from the Gypsy/Traveller community. This

has increased gradually from 1.4%, in 2004. This is reflected in figures that show in 2011-12, 941 young people spoke at least one of 50 languages other than English or Gaelic in their home. This is an increase of 133% from 404 bilingual pupils in 2005-06

- There is no evidence that people from minority ethnic groups live in particularly deprived areas and only 126 people from minority ethnic backgrounds live in our 17 deprived datazones: 1.01% of the total population compared with 0.8% in Highland overall. The three deprived datazones with the highest percentage of people from minority ethnic groups are Inverness Central and Longman (3.0%), Alness Kirkside (2.2%) and Inverness Hilton West (2.0%)
- In Highland during 2010/11 there were 101 hate incidents reported to the police, of which 88% were racist incidents

When responding to the Council's performance survey:

- Respondents were asked about feelings if a close relative or friend married or formed a long-term relationship with someone from a list of different groups. Percentages of people in each survey indicating they would be unhappy with such a relationship were (by group):
  - Black or Asian: In Highland, 13%, in Scotland 9%
  - Muslim: In Highland 30%, in Scotland 22%
  - Gypsy/Traveller: In Highland 41%, in Scotland 37%
- The Highland public tended to be more positive about diversity from the questions on immigration. The respective surveys asked respondents if Scotland or Highland would begin to lose their identity if more people from certain groups came to live in the area. The groups mentioned were Muslim people, Black or Asian people or Eastern European. Agreeing with this statement suggests anxiety about the potential cultural impact of immigration. In each case, this was less marked in Highland. However, in both Highland and Scotland, more people agreed (46% and 49% respectively) that there would be a loss of identity if more Muslims came into the area compared to the other two groups
- Respondents to the Highland survey appear to be less likely than those responding to the Scottish survey to feel that people from Ethnic Minorities or from people from Eastern Europe take jobs away from other people in either area.
  - People from ethnic minorities take jobs away: Strongly agree/agree - 24% Highland, 31% Scotland
  - People from Eastern Europe take jobs away: Strongly agree/agree -30% Highland, 37% Scotland
- While overall a minority of people hold views that could be described as discriminatory, the attitudinal surveys highlight that certain groups (especially Black and Asian people, Muslims, lesbian and gay people, cross dressing people and gypsy travellers) appear to be more likely to be the subject of more

widespread discriminatory attitudes and this appears to be more marked in Highland than for Scotland as a whole

Focus group participants discussing the Council's Performance Survey reported:

- Language and communication barriers were cited as an issue when accessing services;
- Communication problems were associated with levels of literacy in English and some participants found Council leaflets and application forms complex to understand

Highland Council staff reported in the employee survey:

- Around one in twenty white staff view race or ethnicity as a barrier to advancement, the figure rises to around one in five among minority ethnic employees;
- 1% feel they have suffered disadvantage on account of race or ethnicity

## **Disability**

### **Ciorram**

- The 2001 Census reported that 18% of the population had a long term or limiting illness, lower than the 20% Scottish average. There is strong evidence of the age-related link to disability;
- In 2010, estimates show 65.3% of working age people in Highland with a disability were in employment, compared with a national rate of 52.6%;
- Of the Highland population living with a limiting long term illness, 24% are found in the most deprived areas compared to 13% in those considered least deprived;
- In Highland, 7,330 people (5.2% of the population) claimed incapacity benefit or severe disablement allowance in May 2011;
- Between 2003 and 2008, the number of people with learning disabilities in Highland increased by 43%. NHS Highland and Highland Council know of about 2000 adults in the Highlands with Learning Disabilities;
- In Highland there are 1240 people registered as blind or partially sighted. 29% are under 65 and 61% female;
- It is estimated that there are around 2,390 adults with a profound or severe hearing loss and around 29,570 adults with a mild to moderate hearing loss;
- Between 2002/03 and 2007/08 the proportion of individuals in relative poverty (before housing costs) was higher in disabled than in non-disabled households;
- In 2007/08 24% of individuals in Scotland in disabled households were in poverty. For non-disabled households the figure was 14%;
- 25% of disabled people have experienced some form of harassment or abuse.

Individuals with disabilities reported their experience of Council services both through responses to the Performance Survey and focus groups:

- According to responses to the Citizens' Panel survey, people with disabilities were more likely to make contact with the Council by visiting an office or Service Point. The focus groups participants were less likely to use the internet as a means of contacting the Council, preferring face-to-face or telephone contact, or the use of intermediaries;
- Focus group participants generally found Council staff to be friendly and helpful. In the survey responses disabled people did find staff to be helpful too, although at a lower level than for those not disabled (a net satisfaction score of 66% good compared to 77%);
- In the Citizens' Panel, disabled people generally expressed lower levels of satisfaction with contact made with the Council. This resonates closely with many of the areas for improvement identified by the focus groups participants.

For example:

- Disabled people were 6 times more likely to be dissatisfied with how their complaint is handled. Focus group participants were not always sure about the Council's complaints process and were put off by form filling and finding out who to complain to;
- The survey showed disabled people as less likely to view the Council as being aware of people's needs or listening to local people than people who did not identify as disabled. Focus group participants highlighted a lack of awareness and understanding of issues that affect them. Some groups noted feelings of "invisibility", and a feeling of being "bottom of the pile".

Respondents identified areas for improvement:

- Use of SMS (a regular request from Deaf community) and the use of BSL on the web site;
- More staff to have undertaken the Deaf Awareness Course run by the Deaf Communication Project (DCP) ;
- Consider the needs of individuals with sight impairments in the run up to elections e.g. to develop general and specific information on how to fill in forms prior to polling day;
- The impact upon people with sight impairment on changes to service provision e.g. street lighting trials, frequency of line painting.

When asked about views on diversity the public reported that:

- 67% agreed that business premises should be forced to make access easier for disabled people, even if this leads to higher prices" while in Scotland 76% of respondents agreed with his statement;

- When respondents were asked if they personally knew anyone from a range of diverse groups?" in most cases respondents in Highland were more likely to answer "no". The one exception to this was that respondents in Highland were slightly more likely to know someone with a learning disability or difficulty.

Highland Council staff reported:

- Analysis of the Highland Council's Equal Opportunities monitoring information shows that just over 1% of staff identify as having a disability;
- The employee survey found that 2% feel they have suffered disadvantage on account of their disability;
- The employee survey found that around one in ten staff considered disability to be a barrier to employment or development opportunities. Staff with a disability are considerably more likely to view disability as a barrier (28% of staff with a disability), compared with 7% of those with no disability.

## **Faith**

### **Creideamh**

- The 2001 Census included a question on religion for the first time – in Highland 67% identified with the Christian faith; 27% had no faith; of the minority faiths, Muslims had the highest population at 0.18%;
- 2006 people (0.96% of the population) belong to non-Christian faiths.

Highland Council staff reported in the employee survey:

- 1% feel they have suffered disadvantage on account of their faith or religion.

## **Gender**

### **Gnè**

- Like the rest of Scotland, the gender balance of the Highlands has been reasonably stable with women making up around 51% of the population and men 49%, as opposed to 52% and 48% respectively in the rest of Scotland;
- Women in Highland are paid less than men, women's full-time weekly earnings being 12% less than men;
- Women are underrepresented in relatively well paid occupations (such as managers and senior officials) and over-represented in relatively low paid

occupations (such as work in personal service occupations including hairdressing, care assistants, nursery nurses);

- Domestic Abuse is perpetrated by a partner or ex-partner and may include physical, mental and/or sexual violence. Nationally, prevalence figures suggest between one in three and one in five women experiences some form of domestic abuse in the course of their lifetime. Women are far more likely to be victims than men, with incidents involving a female victim and a male perpetrator representing 82% of reported incidents in 2009-10.

When responding to the Council's performance survey:

- A higher proportion of men (16%) than women (11%) contacted the Council to make a complaint, with men four times more likely than women to be dissatisfied with how their complaint was handled;
- Men are less likely to feel that the Council represents their views than women (a 7% difference);
- In Highland, 17% of respondents felt attempts to promote equal opportunities for women had "not gone far enough", but in Scotland 38% of respondents felt this.

Highland Council staff reported:

- Analysis of the Highland Council's Equal Opportunities monitoring information shows that 73% of the Council's workforce is female and 27% is male. 49% of the Council's employees are employed on a full-time basis while 51% work on a part-time basis;
- Widespread occupational segregation in Scotland is reflected in the Council's workforce, with over-representation in clerical and administrative roles, teaching and caring roles;
- Highland Council is in the third quartile of Councils for women managers as top 2% of earners;
- 75% of elected Council Members are men;
- Highland Council staff reported in the employee survey that around one in ten view gender as a barrier to employment or development opportunities, female staff are slightly more likely than male staff to perceive gender as a barrier (10% of females, compared with 7% of males);
- 4% feel they have suffered disadvantage on account of their gender;
- Male staff are more likely than female staff to feel they have been discriminated against on the basis of their age. However, views between the sexes have become slightly more balanced; in 2007, 11% of males and 7% of females felt

they had been discriminated against on the basis of their age. The corresponding figures in 2010 are 9% and 7% respectively;

- Reports of actual experience of discrimination are reasonably in-line across services, grades, and areas. However Management & Professional staff are particularly likely to feel they have been discriminated against on the basis their gender (7%, compared with 4% of The Highland Council employees overall).

## **Sexual Orientation**

### **Taobh Gnèitheasach**

- Stonewall Scotland estimates that there are 300,000 gay people in Scotland, 6% of the population;
- A 2009 Stonewall study of Scottish LGBT migration patterns in 2009 suggests that LGBT people leave rural areas for the city. 87% said it was difficult to be out in a rural area.

Respondents to the Council's Performance Survey on questions of Discrimination and Attitudes reported that:

- 20% thought the attempts made to give equal opportunities to gay men and lesbians had "gone too far" or "gone much too far". In Highland, 35% thought this;
- In Highland, 53% agreed that "Gay or lesbian couples should have the right to marry one another if they want" and 25% disagreed with the statement. In Scotland, 61% agreed with the same statement, and 19% disagreed;
- Respondents reported that were asked about feelings if a close relative or friend married or formed a long-term relationship with someone from a list of different groups. Percentages of people in each survey indicating they would be unhappy with such a relationship were (by group):
  - Same sex relationship: In Highland 34%, in Scotland 30%.
  - Transgender: In both Highland and Scotland 55%

Highland Council Staff reported in the employee survey:

- Less than one per cent felt they have been disadvantaged on account of their sexual orientation.

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ii [Scottish Social Attitudes Survey 2010: Attitudes to discrimination and positive action](#)

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## **APPENDIX 4**

HLB Mainstreaming Report March 2013

Mainstreaming simply means integrating equality into the day-to-day work of the Licensing Board - taking equality into account in everything we do to ensure it becomes part of our structures, behaviours and culture.

The three elements of the general duty must be considered in exercising Board business. This can be demonstrated, for example, through the use of equality impact assessments, and where relevant in the Board's decision-making and other policy developments.

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## Commitment, Leadership and Governance

Development of new strategy: incorporating the Public Sector Equality Duty of the Equality Act 2010 and the Scottish Specific Equality Duties. Describes the Board's approach to mainstream equality and presents its first set of equality outcomes.

There will be regular reports on progress towards meeting the Outcomes and Mainstreaming equality to the Licensing Board.

The Board is represented on the Highland Council's cross-service equalities working group.

The Board will meet its duty to publish a report on Mainstreaming and its set of equality outcomes by 30th April and will report on progress at least every two years.

## Building equality into our work

- There is a duty on public bodies to assess the impact of policies, practices and decision making against the three elements of the Public Sector Equality Duty. The Board will use the Highland Council guidance and toolkit to record and monitor policies and will ensure that relevant staff are trained in carrying out assessments
- Gathering evidence and consultation; Where the Board carries out public consultation we will ensure that we use the principles in the Standards of National Engagement. We will consider different methods to consult and ensure that an inclusive approach is taken. Where appropriate, we shall use the database of local equality and diversity contacts held by Highland Council to engage with equality groups on relevant issues.
- Staff training and awareness: staff and elected Members have access to Highland Council training opportunities. Equality and diversity training is a core competency and is included in both inductions and PDPs. Staff also have access to related training, including customer care, disability awareness, using interpreters.
- There are regular briefing in the Council Newspaper, The Big Picture, on equalities and reports to Committees.
- Where the Board delivers services and implements practices, we will aim to ensure that we meet the needs of individuals, for example we will use interpretation services (Including BSL) to meet the needs to those who do not have English as a first language; we will ensure that any public meetings are held in accessible venues.

## Employment

Staff are employed by the Highland Council and covered by their policies. This includes fair recruitment, selection, promotion and development opportunities, a range of flexible working options, and policies covering harassment, equal opportunities, paternity and maternity.

Requirements to publish employee data are incorporated in the Highland Council reports, along with the Council's pay gap information and equal pay statement.