

# Mainstreaming equalities

April 2013

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# Introduction

## Our role

1. The Accounts Commission is an independent body which secures the audit of Scotland's 32 councils as well as a number of joint boards and committees. We investigate whether these bodies are achieving the best possible value for money from their resources and adhering to the highest standards of governance and financial stewardship. Audit Scotland supports us in our role.
2. The Commission was established in 1975, operates independently of local authorities and of the Scottish Government, and meets and reports in public. It has a maximum of 12 members who are appointed by Scottish ministers following a public appointments process.

## Who we are

3. Our members are appointed by ministers, with support from the Public Appointments Commissioner for Scotland. Members are appointed on a single set of terms and conditions, and there is a single set of arrangements for induction, re-appointment, allocation to Commission committees, and engagement with Best Value audit, performance audit and other reports. Our current gender profile is ten male members (83 per cent) and two female members (17 per cent). Further information about our current membership can be found at [www.audit-scotland.gov.uk/about/ac/](http://www.audit-scotland.gov.uk/about/ac/)
4. The Public Appointments Commissioner is responsible for monitoring appointments to make sure they are made on merit after fair and open competition. It also reports on diversity on appointments to all public bodies, including the Accounts Commission. Further information is available at the Office of the Public Appointments Commissioner for Scotland's website, [www.publicappointments.org](http://www.publicappointments.org)

## Our equality outcomes

5. We are committed to using our position to promote equality in local authorities. During 2012/13, Audit Scotland supported us in developing our equality outcomes. This is a requirement under the Equality Act 2010. The Commission has overall responsibility for the outcomes although Audit Scotland is largely responsible for taking action to achieve them. To help explain how we aim to meet these outcomes and enable us to measure our progress, we have developed measures to underpin these outcomes. We provide a summary of our equality outcomes below which also sets out how we plan to measure our progress in achieving these ([Exhibit 1](#)). Audit Scotland will use the performance measures linked to our equality outcomes to monitor progress and report back to us on an annual basis. We will publish a progress report by April 2015. More information is available in our equality outcomes report.<sup>1</sup>

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<sup>1</sup> *Equality outcomes*, Accounts Commission, April 2013.

## Exhibit 1. Equality outcomes

We have two equality outcomes. These cover all the protected characteristics.

1. We will recognise the diversity of the Scottish population and raise the profile of equalities by embedding this in all aspects of audit work undertaken on our behalf on how public money is being used

Audit Scotland will support us in achieving this by:

- consulting with stakeholders on how to reflect equality and diversity in our work
- analysing data to help understand who uses local government services and use this to inform audit work
- reflecting equality and diversity issues in audit work programmes in a way that is consistent with our audit duties
- publishing information and reports in formats that are accessible to all
- reporting audit findings in a style that reflects the audience
- reporting on diversity and equality issues where appropriate
- supporting other public bodies in their scrutiny of diversity and equality

2. Our work will be supported by policies and practices that are fair, transparent, meet people's needs and support a culture of diversity

Audit Scotland will support us in achieving this by:

- ensuring key policies are subject to a rigorous equality impact assessment

*Source: Accounts Commission*

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## This report

6. The general equality duty in the act requires public bodies to 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 characteristic and persons who do not share it.<sup>2</sup>

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<sup>2</sup> The protected characteristics noted in the Equality Act are: age; disability; gender reassignment; race; religion or belief; gender; sexual orientation; marriage and civil partnership; and pregnancy and maternity.

7. This report sets out our progress in ensuring the general equality duty is integral to what we do.<sup>3</sup> We are attempting to address this duty in a number of ways and we highlight these in the rest of this report. The report comments on how we are:
- addressing equalities in the audit work that Audit Scotland and the private firms carry out on our behalf and, where it is appropriate, using our position to promote equalities across the Scottish public sector
  - embedding equalities in policies and practices related to our role to ensure we are not discriminating against any particular groups.

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<sup>3</sup> One of the specific duties in the Equality Act is that listed public authorities must publish a 'mainstreaming report'.

# Mainstreaming equalities

## Our work

8. Audit Scotland carries out several different strands of audit activity in local government on our behalf. This includes annual audits, Best Value audits, an annual overview report on local government, national performance audits and a new approach to auditing Community Planning Partnerships. Audit Scotland also works on our behalf with inspectorates and regulators to streamline audit and inspection activity in local government. We make sure that Audit Scotland builds consideration of equalities into its audit activities with a view to promoting diversity and equality across the public sector, including local government

## Annual audit planning frameworks

9. Working with other inspectors and regulators on our behalf, Audit Scotland has developed a Shared Risk Assessment (SRA) process to ensure that scrutiny in local government is streamlined and coordinated. The process is also intended to ensure that resources are targeted using a risk based approach. The SRA approach leads to an Assurance and Improvement Plan (AIP) for each council.
10. Using the SRA approach, Audit Scotland reviews and assesses the corporate activities in Scotland's local authorities in partnership with other inspectors and regulators.<sup>4</sup> This involves staff from each of the scrutiny bodies meeting to decide the key risks within each local authority with the aim of making sure that audit, inspection and regulation work is better targeted and more proportionate. These meetings are known as Local Area Networks (LANs). Equality is one of the main areas considered as part of this annual process.
11. The Equality and Human Rights Commission (EHRC) has commissioned a piece of work to assess the extent to which Scottish public bodies have complied with the specific duties of section 149 of the Equality Act 2010. Analysis of public bodies' compliance with the duty to publish equality outcomes and employment information will be available later in 2013. This was reflected in the updated AIPs for all councils. The results of this activity will be reflected in future SRA work.

## Best Value audits of local authorities

12. The Local Government in Scotland Act 2003 introduced the statutory duty of Best Value in local government. This duty requires local authorities to:
  - make arrangements to secure continuous improvement in performance whilst maintaining an appropriate balance between quality and cost; and, in making those arrangements and securing that balance

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<sup>4</sup> The other bodies are Education Scotland, Scottish Housing Regulator, HMICS and the Care Inspectorate.

- have regard to economy, efficiency, effectiveness, the equal opportunities requirements and to contribute to the achievement of sustainable development.<sup>5</sup>

13. Best Value audits examine how local authorities have implemented the statutory duty of Best Value. Considering equalities is integral to our Best Value audits. It is an important cross-cutting characteristic of the corporate assessment framework and is embedded in all aspects of the Best Value framework. All our Best Value audit reports on local authorities include a section on the progress made by these organisations on equalities and [Exhibit 2](#) highlights some examples from recent reports.

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### Exhibit 2. Examples of references to equalities in recent Best Value audit reports

"Equality issues are clearly incorporated into the work of the council. It has the appropriate processes in place to manage equalities, train staff and monitor performance. The council works with partners to promote awareness of equalities issues within its communities."

Extract from *Midlothian Council: the Audit of Best Value and Community Planning*, Accounts Commission, June 2012

"Scottish police forces have been taking appropriate actions, such as equality impact assessments, to improve equality and diversity through operational policing and within their workforces. Work on equality and diversity has been supported by clear leadership throughout forces. As a result, they are achieving a greater gender balance in their workforces. Police authority members have not demonstrated a clear understanding of their role in promoting equality and diversity and have not led or scrutinised equality and diversity issues effectively."

Extract from *Best Value in police authorities and police forces in Scotland*, Audit Scotland and HMICS, November 2012

Source: *Audit Scotland on behalf of the Accounts Commission*

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14. Last year, EHRC staff shadowed one of the Best Value audits and gave useful feedback on how equalities issues can be even more securely embedded in the audit process. The EHRC also observed several LAN meetings which take place as part of the SRA process. They made a number of recommendations aimed at giving equalities issues greater prominence in this process in the future.
15. Audit Scotland has published a toolkit on equalities to support auditors carrying out Best Value audits of public bodies.<sup>6</sup> The toolkit helps auditors to establish the extent to which public bodies' arrangements for equalities are designed to achieve and are delivering Best Value. Organisations may also use the toolkit to inform their own self-assessment processes.

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<sup>5</sup> Public bodies are expected to demonstrate five generic Best Value themes (vision and leadership; effective partnerships; governance and accountability; use of resources; and performance management) and two cross-cutting Best Value themes (equality and sustainability).

<sup>6</sup> The toolkit is available on Audit Scotland's website.

## Auditing Community Planning Partnerships

16. Community planning is the process by which councils and other public bodies work together, with local communities and the business and voluntary sectors, to plan and deliver better services and improve the lives of people living in Scotland. It was given a statutory basis through the Local Government in Scotland Act 2003. Mainstreaming equalities into the community planning process was an integral aspect of the Act.
17. The Accounts Commission has been leading development work around how external audit and inspection might hold Community Planning Partnerships (CPPs) to account for their performance and help them deliver better outcomes. Three early audit sites have helped test the CPP audit framework (Aberdeen, North Ayrshire and Scottish Borders). All three early CPP audits considered the extent to which the CPP has been successful in addressing the significant outcome gaps between the most and least deprived communities in their area.<sup>7</sup> The national report, *Improving community planning in Scotland*, also considered this important issue and concluded that:

"One of the aims of community planning was to help reduce social inequality. However stark differences in outcomes for different groups still persist in Scotland. The reasons for many of these inequalities are complex and deep-rooted, affected by many social, economic and environmental factors. It is in these complex areas that CPPs can make a real difference if they focus their efforts and being to bear the full weight of their combined resources, skills and expertise."<sup>8</sup>

## National performance audits

18. The Accounts Commission and the Auditor General have a rolling programme of national performance audits which aims to be flexible and responsive to the changing public sector environment. Interested parties are invited to suggest topics for this programme at any time but there needs to be better engagement with equality organisations on a more regular basis about the programme and about relevant audits.
19. Audit Scotland's quality framework for performance audits requires staff to identify equalities issues where relevant when scoping our national performance audits. Any issues that are to be investigated in relation to equalities are highlighted in the project brief.<sup>9</sup> In addition, audit teams consider how well they addressed equality issues as part of a post-project review. This helps identify learning points for future audits that can be shared with colleagues. During 2013/14, Audit Scotland will review and refresh the guidance for its staff on how to build equalities into this area of its work.

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<sup>7</sup> The audit reports on the three CPPs are published on Audit Scotland's website.

<sup>8</sup> *Improving community planning in Scotland*, Audit Scotland, 2013.

<sup>9</sup> Audit Scotland prepares a project brief for each performance audit. This sets out the background to the topic under investigation and the objectives, scope and methodology of the audit. We publish project briefs on our website.



20. During 2012/13, we published a joint report with the Auditor General on *Health inequalities in Scotland*.<sup>10</sup> The report highlighted that there are significant and long-standing health inequalities in Scotland, and that the public sector can make better use of its resources to address these challenges. It also highlighted that there are still significant differences in life expectancy and health depending on deprivation, age, gender, where people live, and ethnic group (Exhibit 3, overleaf). The findings were presented to the Parliamentary Public Audit Committee which took evidence from the Scottish Government and then prepared a report with recommendations for the Government to take forward.<sup>11</sup> Our report is also helping to inform the Parliamentary Health and Sport Committee's inquiry into health inequalities. Audit Scotland continues to raise awareness about the issues raised in our report through presentations to various organisations, including to the Minority Ethnic Carers of Older People Project (MECOPP).
21. Another joint report with the Auditor General on *Reducing reoffending in Scotland* highlighted that, overall, significantly more men reoffend than women; of the 14,245 people convicted in 2009/10 who were reconvicted within one year, 12,299 were men and 1,946 women, and most people who reoffend are under the age of 30.<sup>12</sup> Offenders originally convicted of crimes of dishonesty, breach of the peace and violent crime are the most likely people to be reconvicted. Further analysis of the data shows that men under 21 are the most likely to reoffend. Over a third of this group who were convicted in 2009/10 reoffended within one year compared to just over a quarter of men over the age of 30. Women are generally less likely to reoffend than men, and women over 30 are the least likely to reoffend (20 per cent of women over 30 convicted in 2009/10 were reconvicted within one year).
22. The report also noted that the Scottish Government had provided £100,000 to each Criminal Justice Authority (CJA) in April 2010 to spend specifically on services to support women offenders. CJAs reported that they found it challenging to plan, manage and spend this funding because it was provided at short notice and was guaranteed only for a year. The short-term nature of the funding made it difficult to commission services where staff had to be recruited to fill posts and to ensure the funding was spent appropriately. It is difficult to identify how effective this funding has been in reducing reoffending among women. It was spent in different ways, often supplementing existing funding for services for women offenders, there are no consistent measures of performance, and effectiveness needs to be assessed over a longer period.

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<sup>10</sup> *Health inequalities in Scotland*, Audit Scotland, 2012.

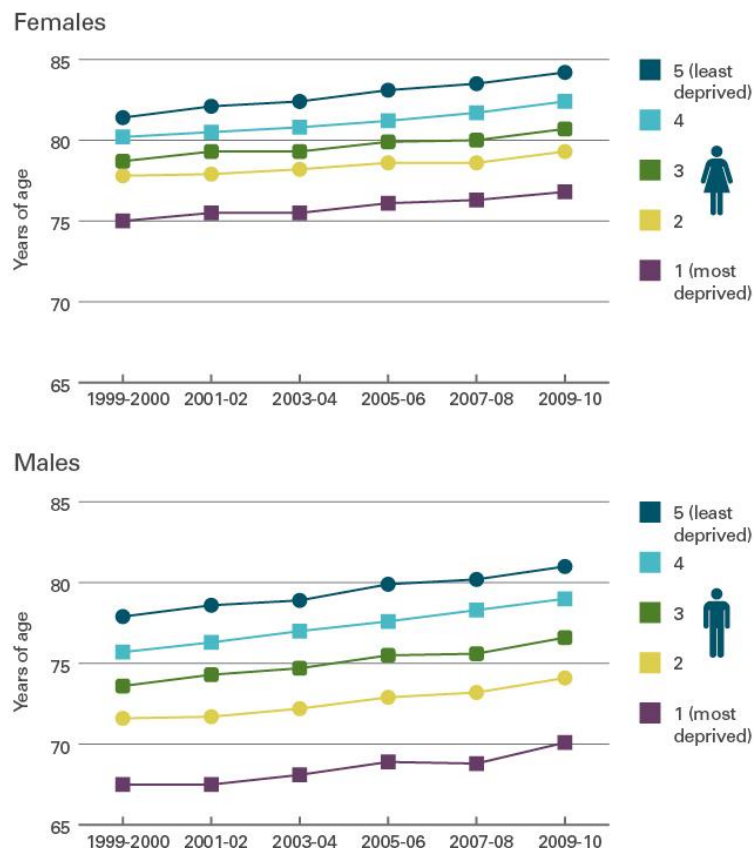
<sup>11</sup> *1st report, 2013 (Session 4): Report on health inequalities*, Scottish Parliament Public Audit Committee, April 2013.

<sup>12</sup> *Reducing reoffending in Scotland*, Audit Scotland, 2012.

### Exhibit 3

#### Average life expectancy at birth, 1999-2000 to 2009-10

Average life expectancy has increased but people in the least deprived areas still live longer than people living in the most deprived areas, and the gap has increased for women.



Source: Scottish Public Health Observatory, 2012

## Our policies and practices

- We monitor the impact of our activities and aim to ensure they represent good practice. Our objectives in doing this are to make sure we promote equality, and embed consideration of equality into our own decision-making.

### Communicating with the public

- Audit Scotland's website is an important mechanism for us to communicate with the public and others about who we are and what we do. We also publish our findings and other outputs such as our strategy and annual report on this website. In January 2013, Audit Scotland began a review of the website, with the intention of further improving user experience. The Digital Accessibility Centre (DAC) continues to accredit the website and will act as consultants for certain aspects of the review. Audit Scotland has worked closely with the DAC since 2008 to achieve and maintain the government compliance level of 'Accessible AA' and looks to build on that in further developing the website.

25. Audit Scotland also prepares and publishes a lot of written material on our behalf and aims to provide a website and printed material that are accessible to the widest possible audience. It works to make sure that printed material and its website are useable by people of all abilities. During 2013/14, Audit Scotland is moving to reduce the amount of printed material that it publishes and is introducing an e-publishing policy. It will consider the impact that this may have on different groups as part of this move.

## Assessing impact

26. Audit Scotland carries out Equality Impact Assessments (EIAs) on our behalf. These assessments provide an opportunity for us to consider the impact that our activities may have on different groups. Audit Scotland remains committed to carrying out EIAs which cover all the protected characteristics and have procedures in place to make sure that any issues particular to one characteristic are properly assessed.
27. During 2012/13, Audit Scotland published EIAs on its electronic working papers package; corporate plan 2012-15; redeployment and redundancy policies; property policy; audit appointments working group; and annual budget. All EIAs are published on Audit Scotland's website.
28. Audit Scotland had planned to introduce a new screening process during 2012/13 to help consider whether policies and practices should be subject to an EIA. It had also planned to review how we carry out EIAs and the documentation associated with EIAs to make sure they comply with the Equality Act; and to review the guidance for staff about how to undertake EIAs so that this is more user-friendly. All of these pieces of work remain outstanding and will form part of Audit Scotland's equalities action plan for 2013/14.

## Diversity and Equality Steering Group

29. Audit Scotland's Diversity and Equality Steering Group aims to embed equality within Audit Scotland and to ensure a coordinated corporate response on equality issues. The steering group reports its activity and progress on its workplan to Audit Scotland's Management Team, which in turn reports to the Audit Scotland Board, the Auditor General and the Accounts Commission.
30. The group steers Audit Scotland's strategy on all equality-related matters. The steering group has a strategic role but its membership, rooted within Audit Scotland's five business groups, is able to make sure that action and cultural changes take place at a local level. On our behalf, the steering group will monitor and report on progress with achieving our equality outcomes.
31. We are keen to learn more about good practice in relation to equality and to develop networks with other public bodies. Members of Audit Scotland's Diversity and Equality Steering Group attend meetings of the Non-Departmental Public Body (NDPB) Equality Forum to hear about experiences and approaches in other public bodies. Audit Scotland staff also meet regularly with the EHRC.

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