



Equality outcomes and mainstreaming report

April 2017

The Scottish Legal Aid Board

www.slab.org.uk

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Introduction to our equality outcomes and mainstreaming report

We are pleased to introduce our second equality outcomes and mainstreaming report, and our first such report as Scottish Legal Aid Board Chair and Chief Executive. This report brings us to the end of our first equality outcomes cycle and has given us the opportunity to reflect on what we've achieved, and how we can build the lessons we have learned into the next cycle. More importantly the report gives us the opportunity to show our continued commitment to mainstream equality across the full range of our functions.

Over the past outcomes cycle we have further developed the governance of our equalities work which is now monitored by our leadership team including one of our Board members.

We continue to value and invest in research with external stakeholders and through engagement with our workforce. Through this involvement we can say that our stakeholders tell us we treat them fairly and there are no significant equality issues. During 2016 we began engaging with staff on mental health in the workplace through the See Me in Work programme (See Me Scotland). The interest from our employees has exceeded our expectations and we are grateful to those who have openly shared their experiences with us. It's clear that our employee support services, including occupational health provision and through the Human Resources team, is invaluable to those who experience mental ill health. However, there are also clear areas for improvement around training, awareness raising and supporting general mental wellbeing. This will continue to be one of our key priorities over our next outcomes cycle.

Our strategic focus for the next three years is on our continuous improvement as an organisation and to ensure positive outcomes are delivered to those seeking and accessing legal assistance. This is reflected in our equality outcomes 2017 - 2020 with a focus on improving our communications (including our website), embedding equality in the delivery of digital services and improving the evidence we gather about the suppliers and users of legal assistance. Looking ahead we have also decided to work to a three year equality outcomes cycle to match our corporate planning cycle and strengthen the link between our strategic and equality priorities.

We are pleased with our progress against our equality outcomes and look forward to working hard to progress our revised outcomes for 2017-2020.



Ray Macfarlane
Chair



Colin Lancaster
Chief Executive

The legislative framework on equality in Scotland

The Equality Act 2010 introduced a new public sector equality duty (PSED) which requires public authorities like the Scottish Legal Aid Board, in the exercise of their functions, to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not, and
- foster good relations between people who share a protected characteristic and those who do not.

In Scotland, the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 are designed to help public authorities meet the general duty. The regulations provide a clear planning and reporting framework and are supplemented by non-statutory guidance published by the Equality and Human Rights Commission (EHRC).

The specific duties require us to:

- report on mainstreaming the equality duty
- publish equality outcomes and report progress
- assess and review policies and practices
- gather and use employee information
- use information on members or board members gathered by Scottish Ministers
- publish gender pay gap information
- publish statements on equal pay
- consider award criteria and conditions in relation to public procurement
- publish in a manner that is accessible.

New information we are reporting in 2017

This report will include our second equal pay statement. Our first equal pay statement in 2013 covered our policy on equal pay and information on occupational segregation among our employees between men and women. For 2017 this will also cover:

- people who are disabled and people who are not
- people who fall into minority racial groups and people who do not.

Changes to the specific duties since 2012 mean we are now required to report information about our Board members. This includes:

- the number of men and of women who have been Board members of the authority during the period covered by the report, and
- how we will take steps towards there being diversity amongst our Board members so far as relevant protected characteristics are concerned.

Our reporting history under the specific duties

In April 2013 SLAB published a set of equality outcomes to achieve by April 2017. We also published information on the composition of our workforce and how we embed equalities in our day to day work. This information was updated in our April 2015 report which also covered the progress we'd made against our equality outcomes.

This report provides a final update on our original equality outcomes 2013 - 2017 and introduces our revised equality outcomes for April 2017 - April 2020.

We highlight how we continue to mainstream equality into our core business processes, and provide an update on how we gather and use workforce equality data. An update on equal pay and our equal pay statement is also included.

What we have learned from our first equality outcomes cycle

Our equality outcomes (2013-2017) were underpinned by an equalities work plan detailing timescales, resources and suggested measures to enable us to demonstrate progress and impact. The work plan was regularly reviewed over the outcomes cycle to take into account competing corporate priorities and necessary changes in scope.

Progress on the delivery of the 2013-2017 equalities work plan has been good overall, but not all the planned work has been achieved. As part of our review of our equality outcomes we have taken the opportunity to reflect on what we can learn from the last four years and the improvements we can make in planning and delivering our equalities priorities. These are summarised in the table below.

Lessons learned and improvements for the next equality outcomes cycle	
Link to corporate planning and priorities	Our equality outcomes and corporate planning cycles were not previously aligned. We have taken the opportunity to match our equality outcomes cycle to our corporate planning cycle of three years from April 2017. This helps us to set equality outcomes in line with corporate outcomes and associated activity.
Embed activity in relevant strategies	In reviewing our equality outcomes we have worked with managers across the business to make connections between their upcoming priorities and our equality outcomes. This includes consulting with those responsible for key strategies on communication, ICT and digital services and our workforce.
Improved reporting on progress	Embedding equality work in key strategies and linking to departmental priorities will enable streamlined progress reporting through Director's established business plan reporting. Our previous approach resulted in our equalities work plan being an extra layer on top of managers' other priorities which did not encourage ownership. Our revised approach should overcome this barrier and result in a more efficient reporting process.

Lessons learned and improvements for the next equality outcomes cycle (continued)

Our outcomes need to be focused, within our remit and evidence based.

For 2013-2017 our equality outcomes applied to all protected characteristics and were broad in scope. In some areas we could have focussed activity to ensure impact on specific equality groups.

For example, all the planned activity under equality Outcome 4 was completed but was scaled back to reflect our remit and our capacity to influence the way solicitors deliver their business. We have limited levers within the current system to do this and those we do have (e.g. Criminal code of practice, peer review systems) help us to monitor and report on how equality and diversity issues are met in specific cases or by firms. They do not lend themselves to the delivery of equality outcomes.

In this next outcomes cycle we have focussed on our role and remit where we are more able to deliver results.

Our outcomes should be ambitious but achievable.

We need to be realistic about the resource we have to deliver work under our equality outcomes as well as other priorities. We anticipate a reduction in the number of planned activities which will be focused on areas that evidence tells us will have most impact. We also need to build in capacity to respond to changes in priorities driven externally or revealed through ongoing customer engagement.

Progress to achieve our equality outcomes 2013 - 2017

The equality outcomes we set in April 2013 were based on evidence and were finalised in consultation with employees, our previous Equalities Project Board, Board members and external equality organisations. Our outcomes applied to all relevant protected characteristics. Our equality outcomes 2013 - 2017 were:

Equality outcome 1: People, irrespective of their equality characteristics, have equal access to appropriate information that helps them in accessing legal assistance in a timely manner

Equality outcome 2: Our diverse workforce is aware and understands equalities and diversity and the impact of this in helping us manage and deliver our business.

Equality outcome 3: People who apply for legal assistance are aware of why we collect equalities information and can conveniently disclose this information.

Equality outcome 4: Those who deliver legal assistance are aware and understand equalities and diversity and the impact on the accessibility of legal assistance

The aims of the general equality duty were supported by these outcomes as follows:

- eliminate unlawful discrimination, harassment and victimisation - supported by equality outcomes 1, 2, 3 and 4
- advance equality of opportunity between people who share a protected characteristic and those who do not - supported by equality outcomes 1, 2 and 4
- foster good relations between people who share a protected characteristic and those who do not - supported by equality outcome 2.

Our equalities work plan to progress these equality outcomes set out 97 key milestones to be achieved. This was an ambitious programme of work given our size of organisation and resource. We think our progress against our equality outcomes has been good and the overall delivery of the 97 milestones can be summarised as follows:

- 48 milestones now complete
- 25 milestones are ongoing and mainly relate to employee awareness raising
- 24 milestones were put 'on hold' for consideration under our next outcomes cycle.

A key challenge for the future is the ongoing reporting and embedding of completed activity so that it continues to have impact. We will do this through revisions to business plan updates to ensure progress continues to be reported and tracked by managers and Directors.

Key achievements from 2013 - 2017

Much of the work we have completed over this first outcomes cycle has helped us to establish our baseline for future work and take steps towards long term change. We believe the work we have done has had impact, however we have found it difficult to directly measure this.

Mental health at work

We have been working in partnership with See Me Scotland to help us engage with our employees as part of the See Me in Work programme. We have completed Stage 2 of the programme - 'engage and make a commitment' which involves all employees undertaking an online Mental Health Check survey. We worked with See Me Scotland to add open ended questions to the survey so that employees could tell us more about their experiences.

A total of 228 employees (64% response rate) completed the mental health check survey. See Me Scotland were very positive about the level of engagement shown by our employees. Our Chief Executive led the communication about this research and encouraged our workforce to have their say.

The See Me Report traffic light areas for improvement can be summarised as follows:

Green light	
Return to work	Very positive responses about support to return to work and formal support in place for staff experiencing mental health problems.
Amber light	
Recruitment	Low awareness of our recruitment processes being fair and inclusive
In work/ organisation culture	Work needed to encourage an open culture, improve consistency in approach, provide access to general information on mental health and awareness raising, ensure signposting and transparency around support and reasonable adjustments, and impact on teams or colleagues of people affected by mental health problems.
Red light	
Staff training needs	89% of respondents had not received training on mental health in the last 3 years

Our Equalities Steering Group were keen to work with employees to better understand and hear their views on the steps we could take to address the key issues highlighted by the survey; specifically training or awareness raising and improving our culture. To do this we commissioned an external researcher to help us with this next phase of work.

A total of 24 employees self nominated to take part in focus groups and 1-2-1 in depth interviews. The results from this research supported the findings from the survey and have provided us with invaluable evidence on which to develop our action plan; work that will take place during our next outcomes cycle. See Me Scotland has been very supportive of our approach and we will continue to work with them to develop our action plan.

Our employees have been very open and honest about their experiences of mental health at work. We greatly appreciate this and their interest in continuing to work together to improve our approach to mental health at work. Some individuals are also willing to share their experience with our wider workforce to encourage a more open culture about mental health. This research has also highlighted that our employees would welcome support and guidance on working with customers who experience mental health problems and we plan to include that in our action planning.

The success of this model of engagement will be used to inform future work with our employees. We consider that this approach, compared to setting a static staff consultancy group, will allow us to engage with employees on discrete projects and will lead to a wider range of people getting involved in a variety of work.

Wider staff engagement

In order to encourage an ongoing dialogue with our workforce we recently launched 'SLAB's Equality Challenge'; an online forum to raise awareness and share experiences, views and practice on equality issues. All employees are encouraged to ask a question or raise an issue through our staff intranet on any topic. This can be done anonymously if preferred. Since we launched this in February 2017 we have had nine queries which we are using to inform future articles. These articles also make reference to further information and resources including:

- learning opportunities and information available via our new Learning Management System
- internal guidance or policies
- external sources of information or support.

Due to the recent launch of SLAB's Equality Challenge this will continue as a workstream in our next outcomes cycle. We also hope this forum will direct and prioritise work in future outcomes cycles.

Publishing public information in accessible formats

Our core public leaflets about legal aid have been translated into British Sign Language (BSL). To reach a wider audience the videos also include audio and subtitles. We communicated the publication of the BSL videos through the Deaf Sector Partnership and were delighted to receive

positive feedback. For example, Scottish Council on Deafness told us “Well done to you all for getting this work done. Great progress!”.

There are a series of videos for each area of legal aid (i.e. criminal, civil and children’s legal assistance). These cover a variety of topics including general information about legal aid, how to find a solicitor, information for opponents in civil cases and other frequently asked questions. The most played videos have been in relation to Criminal legal aid (up to 98 plays) compared to children’s legal assistance (up to 43 plays) and civil legal assistance (up to 20 plays).

We have also published an Easy Read version of our complaints process which was developed in collaboration with other criminal justice partners and with support from organisations representing people with disabilities.

Equality information is reported through our Criminal Peer Review process

All solicitors who are registered with SLAB to provide criminal legal assistance are subject to peer review under our Criminal Quality Assurance Scheme. We will be able to include analysis of equality data noted in the peer review process and share this in our Criminal Peer Review reports from 2016-17.

Input from our peer reviewers highlighted slight differences in approach to reviewing practice under equality and diversity. This was discussed during a training event in May 2016 to ensure consistency in marking across all reviewers. Equality will continue to be a feature of future training with the next event planned for May 2017.

Accessibility audits of our offices are complete

We have audited the accessibility of all our buildings. Thistle House, our main office in Edinburgh, was audited against an agreed audit template developed by the Scottish Courts and Tribunals Service. The Civil Legal Assistance Offices (CLAO) and Public Defence Solicitors Offices (PDSO) have been audited against the Law Society of Scotland access template as the appropriate benchmark for small frontline offices.

An example of the improvements we have made to date include:

- large, clear signage in place to direct to car parking
- accessible parking spaces moved (2 in total) to an improved location, with clear markings and improved signage
- new wireless bell at our front ramp entrance linked to Reception.

Long term improvements for Thistle House will continue as part of our Facilities Department’s ongoing maintenance programme.

We have used information from the audits to develop information about the accessibility of the Thistle House office on our website. This includes specific information on accessible parking and provides photographs of key entrances to assist people visiting our office. Work to improve accessibility of our Public Defence Solicitors' Offices (PDSO) and Civil Legal Assistance Offices (CLAO) premises, including information on our associated websites, has been slower due to other business pressures. This work will continue into our next outcomes cycle.

Other work we have completed

Other work we have completed under our equality outcomes 2013-17 is shown in the table below.

Work completed under our equality outcomes 2013-17	
<p>Information on the accessibility of service providers registered to deliver legal aid</p> <p><i>(outcome 1)</i></p>	<p>We have audited the accessibility information we hold on firms and other service providers registered to deliver legal aid. This will form part of regular data audits and we now request this information as part of the registration process. The general public can see this information when using our 'find a solicitor' feature on our website.</p> <p>36% of service providers supply this information (increase from 19%). Please note that we rely on service providers to provide accurate and up to date information.</p>
<p>Employee equality data monitoring</p> <p><i>(outcome 2)</i></p>	<p>We have changed our equality data monitoring questions for staff and in our recruitment process to match those used in the Scotland Census 2011 and/ or in line with published good practice The employee data section in this report provides further information.</p>
<p>Inclusion of equality in performance management criteria</p> <p><i>(outcome 2)</i></p>	<p>Our staff performance review process and Learning Management System are designed to incorporate "Skills for Success"; a core competency framework which includes equality and diversity. Further review will be subject to development of SLAB's people strategy.</p>
<p>Equality data collection used by Grant Funded projects</p> <p><i>(Outcome 4)</i></p>	<p>We reviewed the way grant funded projects collect equality data from their service users. We will consider these findings in future projects as appropriate.</p>

Work completed under our equality outcomes 2013-17 (continued)

<p>Provide feedback on the Law Society of Scotland's (LSS) equality standards and implications for SLAB</p> <p><i>(Outcome 4)</i></p>	<p>SLAB responded to the public consultation on the standards in 2014. The standards reflect similar priorities to those outlined in our statutory duties as a public authority. We will continue to prioritise our statutory duties over compliance with the LSS equality standards due to the additional layer of reporting/ monitoring that compliance with both frameworks would require.</p>
<p>Consider and share successful models of engagement and service delivery as reported by grant funded stream 3 projects</p> <p><i>(Outcome 4)</i></p>	<p>SLAB's contribution to a final evaluation report on the stream 3 projects is complete. The Money Advice Service is expected to publish this report during 2017.</p>
<p>Consider how the CLAO service delivery model could be used across SLAB</p> <p><i>(Outcome 4)</i></p>	<p>This work was superseded by a full review of the CLAO service and development of a new business plan which is now being progressed. Priorities for the service have been refreshed and CLAO will start delivering to those priorities in 2017. A full equality impact assessment will be published.</p>

Challenges in making progress

There have been challenges in delivering our full equalities work plan, as outlined in the lessons learned section. Our approach to progressing activity which was planned for delivery during 2013-2017 can be summarised as follows:

- work that is ongoing
- work that has not progressed and will be replanned for the next outcomes cycle
- work that will be progressed under other mainstreamed projects.

Work that is ongoing	
Review of template letters	We are currently reviewing and redrafting our customer letters. The aim is to increase customer understanding through improved wording (i.e. less jargon) and letter structure. We are consulting with external organisations to help us make further improvements as required. This will be a long term project over our next outcomes cycle.
Legal Aid Handbook Review	The scope of this activity has changed. The handbook is the main source of information and guidance for firms registered to deliver legal aid. A project is now in place to fully review how our customers and SLAB use this resource. This will include consideration of both the equality information contained in this resource and the accessibility of the resource itself. This project will continue throughout 2017-18.
Development of dedicated equality materials/ information on making reasonable adjustments	We are developing resources for employees to ensure access to information on the accessibility of the office they work in and other relevant guidance e.g. how to use induction loops. We are also developing dedicated materials for our Learning Management System.
Planning in response to our access audits and publishing accessibility information	Gaps identified in the access audits are to be planned and prioritised for our CLAO and PDSO offices within the restrictions of relevant lease agreements. This will include information for customers or visitors. We include questions on accessibility in our CLAO and PDSO client surveys and there have been no significant issues raised.
Develop dedicated tools and materials to support ongoing equality awareness raising	Some materials have been developed or communicated through our employee intranet and new Learning Management System e.g. our equality impact assessment toolkit and information on mental health. It's important we continue to advertise new resources and updated information as part of our approach to raising awareness and training on equality issues.

Work that has not progressed and will be replanned in our next outcomes cycle	
Deliver a programme of E&D awareness sessions for employees, prioritising Reception staff	Thistle House reception team received awareness training and discussed their experiences and further training needs. Approach for CLAO/ PDSO is to be identified by a new business manager and has not yet progressed due to other business pressures.
Review the use and impact of equality champions	The role of equality champions and what that means within SLAB will be considered under the project on mental health at work.
Gathering equality data about our service users	We have completed useful work to review the different ways we collect data. Any changes in data collection through our core systems will require significant resource from our Information Systems team and require robust project planning. This remains an important requirement for us to be able to monitor our customer journey, potential differences in outcomes and to be able to inform both our own impact assessments and any strategic changes to legal aid. This work will carry forward to our next outcomes cycle.
Work to be progressed under another project.	
Develop a framework for the translation of corporate documents into alternative formats	On review, this work will be taken forward under our equality impact assessment review for 2017-18 (see the section on mainstreaming equality). It remains an important part of assessing target audience needs when publishing information or guidance.
Recording and monitoring equality related complaints	This work will continue under our review of corporate governance. This work stream will include updating guidance for employees who log complaints and reporting internally on relevant complaints.

Our approach to developing equality outcomes for 2017-2020

In line with good practice set out in the relevant EHRC guidance¹, we have undertaken a series of steps as part of our process to revise our equality outcomes.

Evidence review

We have undertaken a review of evidence including:

- our own evidence: what we have found through stakeholder research and survey work
- evidence relating to the justice sector in Scotland: a review of published reports and research, and priorities that continue to be identified through our work with justice partners
- evidence relevant to SLAB as a public service provider and employer in Scotland: a review of published reports and research, and frameworks published by the Scottish Government.

A full list of the evidence that we have reviewed can be found in Appendix A.

Our review has led us to focus one of our equality outcomes on people with disabilities and minority ethnic people. This is supported by the evidence in two recent Scottish Government publications:

1. Race Equality Framework for Scotland²
2. A Fairer Scotland for Disabled People³ - Delivery Plan to 2021 for the United Nations Convention on the Rights of Persons with Disabilities.

Critical review of our current outcomes and alignment with new strategic objectives

An early stage in the review was to map our equality outcomes for 2013 - 2017 with the priorities in our next corporate planning cycle; those include streamlining what we currently do and improving customer experience. This focus, in addition to the evidence review, means that the core themes of our outcomes remain valid subject to a review of the scope and wording. We have also reduced the number of outcomes and plan to ensure the underpinning work is challenging yet achievable.

¹ EHRC non-statutory guidance for listed public authorities in Scotland:

<https://www.equalityhumanrights.com/en/advice-and-guidance/guidance-scottish-public-authorities>

² <http://www.gov.scot/Publications/2016/03/4084>

³ <http://www.gov.scot/Publications/2016/12/3778>

Internal stakeholder engagement

On drafting our equality outcomes managers and Directors were invited to contribute through discussions about their key projects and priorities over the next three years. There have been ongoing discussions with key people responsible for developing SLAB's new corporate plan and performance framework to ensure the link between business priorities and equality.

A significant proportion of work to achieve our revised equality outcomes will be embedded within our new or updated People; Communications; and ICT and Digital Strategies, all of which are still in development. This will ensure that teams responsible for delivering those strategies will take ownership of planning, progressing and reporting on progress through their own governance structures.

Other activity is already planned (e.g. Legal Aid Handbook review) or has been identified as a priority by specific teams. Where the scope of some activity is still to be agreed (e.g. mental health at work) we will ensure that the resource to deliver this is robustly assessed and agreed.

Our new outcomes have been publicised to our workforce through IntraSLAB, our staff intranet.

External stakeholder engagement

Our draft equality outcomes and overview of activity to support these were published on our website in March 2017. We contacted a range of representative equality organisations to ask for their views, via a short survey, on the following points:

- the focus of our outcomes
- to advise of any sources of evidence that we should consider
- to offer the opportunity to work together on delivering our outcomes or specific activity.

This short consultation was important to reassure us that we are prioritising the right areas in the absence of significant SLAB specific evidence.

Three organisations responded through completion of the survey with all agreeing that our outcomes are focussed on the right areas. It was suggested that our activity, specifically under outcome 1 and 2, should include staff training and skills development to help achieve the outcomes.

No one suggested specific evidence to review and all organisations were willing to work with us in the delivery of our outcomes as appropriate which is much appreciated.

Our equality outcomes for 2017 - 2020

Our three equality outcomes for 2017 - 2020 will support our strategic priorities and the three aims of the general duty. We have provided a high level overview of the activity that helps us achieve these outcomes. Where possible, we've indicated what success will look like and how we will measure the impact on equality groups.

Equality outcome 1: Our diverse workforce is aware and understands equality and diversity and the impact of this in helping us manage and deliver our business.

Relevant to all protected characteristics.

Our employees' individual skills and experiences help us deliver a high quality service. We want to make sure SLAB has the right culture and capability to continue to do this. This equality outcome will be explicitly reflected in our People Strategy. Other specific workstreams to achieve this outcome include:

Mental health at work (See Me Scotland)	
Evidence	<ul style="list-style-type: none"> • Mental Health Check survey and focus groups: clear issues identified through employee engagement (focus groups and survey) in 2016 • See me Scotland⁴ state that 1 in 4 people are likely to experience a mental health problem in any one year. Low representation of people in workforce declaring themselves to be disabled.
Who will benefit?	<ul style="list-style-type: none"> • Our employees: 1 in 3 employees who engaged with the mental health check survey told us they have experienced mental health problems • Our customers: through improved employee knowledge and SLAB guidance.
Activity	<ul style="list-style-type: none"> • Training and awareness raising on mental health issues • Improved transparency on SLAB support available to employees experiencing mental health problems, and support for colleagues • Improved mental wellbeing for all employees • Engagement with employees to understand low disclosure under disability.
Measures	<ul style="list-style-type: none"> • Revisit the mental health check survey (baseline set in 2016) • Qualitative feedback from employees/ case studies • Workforce disclosure rates under disability • occupational health statistics • staff survey.
Owner	Policy team (project management)
Duration	Years 1 -3

⁴ <https://www.seemescotland.org/stigma-discrimination/>

Equality outcome 1 activity continued

Awareness raising on equality, diversity and inclusion	
Evidence	<ul style="list-style-type: none"> • Cross justice work evidence that frontline staff awareness raising is important to enable access to services, specifically on disability.
Who will benefit?	<ul style="list-style-type: none"> • Our employees • External people who engage with SLAB
Activity	<ul style="list-style-type: none"> • Regular IntraSLAB updates and articles on equality topics including national awareness days and SLAB priorities • Improved signposting to information, guidance and learning about equality practice • Develop and resource relevant information, training and guidance • Incorporate equality and inviting in speakers to complement team training or other corporate work.
Measures	<ul style="list-style-type: none"> • Staff survey • Monitoring of engagement with SLAB's Equality Challenge through queries or requests to post articles • stakeholder surveys (internal and external) • Proxy measure to SLAB's customer service performance indicators.
Owner	Corporate Policy Officer (Equalities) with support from Communication and Human Resources.
Duration	Years 1-3

Information on reasonable adjustments available to all employees	
Evidence	<ul style="list-style-type: none"> • Continuing work under the Criminal Justice Disability Project Group.
Who will benefit?	<ul style="list-style-type: none"> • Employees: through increase knowledge and access to information about responding to reasonable adjustments • People with disabilities who use our services.
Activity	<ul style="list-style-type: none"> • Development of reasonable adjustment resources for all offices • Employee training or awareness raising as required • Review of need to improve reasonable adjustment information for employees moving teams and/ or new managers.
Measures	<ul style="list-style-type: none"> • Stakeholder surveys • Employee feedback on resources and/ or training • Proxy measure to SLAB's customer service performance indicators.
Owner	Business Manager (CLAO/ PDSO) and Corporate Policy Officer (Equalities) (Thistle House)
Duration	Year 1

Equality outcome 2: Minority ethnic people and disabled people experience equal access to quality accessible services and information about legal aid.

Relevant to the protected characteristics disability and race.

We have a responsibility to ensure that our services are accessible. Improvements in this area will help support organisational improvements to our processes, increase efficiency and improve the experience of our system users and customers.

We will embed this outcome in our Communications and ICT and Digital strategies. Specific workstreams we have identified to achieve this outcome include:

Review of template letters	
Evidence	<ul style="list-style-type: none"> • Feedback in Civil Applicant survey 2016 that letters too technical • UNCRPD national action plan focuses on accessible information.
Who will benefit?	<ul style="list-style-type: none"> • Our customers: through clearly communication and improved understanding about their legal aid application and/ or any action SLAB need them to take.
Activity	<ul style="list-style-type: none"> • Engagement with external organisations on draft changes already made to some letters • Redrafting of letters • Potential purchase of new software to improve letter formatting options.
Measures	<ul style="list-style-type: none"> • Client and solicitor survey feedback as appropriate • Staff survey • Ad hoc feedback from operational teams.
Owner	Operational Managers
Duration	Years 1 -3

Legal Aid Handbook Review	
Evidence	<ul style="list-style-type: none"> • Feedback through surveys and other engagement with solicitors • Internal acknowledgement that improvement is required.
Who will benefit?	<ul style="list-style-type: none"> • Our system users: improved transparency on processes, information needed and other guidance. • Our staff and legal aid applicants should also benefit through improved guidance and efficiencies delivered through this project.
Activity	<ul style="list-style-type: none"> • Initial research to explore how SLAB’s written guidance is used and by whom; and to explore user needs. This will inform further stages of this workstream.
Measures	<ul style="list-style-type: none"> • Customer satisfaction surveys with external users • Internal employee engagement with relevant teams • Further measures will be identified as project develops
Owner	Policy team (project management)
Duration	Year 1 to set framework for longer term changes

Equality outcome 2 activity continued

Improved communication on office accessibility	
Evidence	<ul style="list-style-type: none"> • UNCRPD national action plan: accessible offices/ sites • BSL Scotland Act: access to services through interpreting and translation • Criminal Justice Disability Project Group: ongoing office access improvements and transparency • Race Equality Framework for Scotland: access to interpreting and translation.
Who will benefit?	<ul style="list-style-type: none"> • Our customers: through improved transparency on office accessibility, contact information to discuss access needs and information on access to interpreting • <i>Relevant employee guidance etc will relate to outcome 1.</i>
Activity	<ul style="list-style-type: none"> • Review of access audits of PDSO and CLAO offices and action plan developed • Visitor information developed • Publication of access information to cover both physical access and communication support • Link to outcome 1 for employee guidance/ training requirements.
Measures	<ul style="list-style-type: none"> • Customer surveys • Monitor complaints regarding service delivery.
Owner	Business Manager (CLAO/ PDSO) with support from Policy team
Duration	Years 1 - 2

Activity under the Communications Strategy	
Evidence	<ul style="list-style-type: none"> • Principles of Inclusive Communication • Almost all evidence reviewed referred to digital services, information and accessible information via websites.
Who will benefit?	<ul style="list-style-type: none"> • Our customers: through improved employee knowledge and improved digital and written communication • Our employees: through increased knowledge on accessibility and access to relevant tools and templates.
Activity	<ul style="list-style-type: none"> • Independent website accessibility audit • Revised communications guidance for employees • Update template documents with accessibility embedded • Further activity may be identified through further development of the strategy.
Measures	<ul style="list-style-type: none"> • To be developed as part of action planning to support final strategy
Owner	Communications team
Duration	Years 1 -3

Equality outcome 2 activity continued

Form 2 Digitisation	
Evidence	<ul style="list-style-type: none"> • Internal evidence on acceptance rates of Form 2 during application process • Supports national drive towards digital services.
Who will benefit?	<ul style="list-style-type: none"> • Our customers: online application will improve accessibility for some groups • Our system users: increased efficiencies through improved applicant access.
Activity	<ul style="list-style-type: none"> • Specific activity is to be developed as part of project plan. This is likely to include early consideration of user needs and digital accessibility specifications.
Measures	<ul style="list-style-type: none"> • To be identified as part of project planning.
Owner	Civil Finance and IS teams
Duration	Year 1

Equality outcome 3: System users and legal aid applicants are aware of why we collect equalities information and can conveniently disclose this information.

Relevant to all protected characteristics

We have a strong history of collecting data through our research programme. More systematic collection of data will help us be responsive to our customers and will help us in our role to advise Scottish Ministers on the strategic development of accessible and high quality legal assistance.

We will embed this outcome in our ICT and Digital strategy and make connections to our Research Programme. Our key work to achieve this includes:

Options for increased data capture on applicants and system users	
Evidence	<ul style="list-style-type: none"> • Return rates through Legal Aid Online are low, including from our own direct service delivery. • The need for improved data gathering is evidence in the majority of the evidence we reviewed including the Race Equality Framework.
Who will benefit?	<ul style="list-style-type: none"> • Corporate benefit in understanding customer journey and experiences; will inform EqIA and advise to Scottish Ministers. • Wider stakeholders
Activity	Project plan is in development. The project aims to develop options for increased capture of equalities data on applicants and system users to help SLAB in managing and developing the legal aid system. Work completed in this outcome cycle will lay the foundations for broader system change or work with stakeholders as required.
Measures	To be identified as part of project planning
Owner	Policy Projects Manager for project plan development. Ownership beyond this is to be confirmed
Duration	Years 1 -3

How we manage and embed equality across our business

Leadership, governance and business planning

Equality and diversity matters to us and commitment by leaders and senior management continues to be a key factor in our mainstreaming approach.

In November 2016, we established an Equalities Steering Group (ESG) to replace our previous Equalities Project Board. Our Equalities Steering Group⁵ provides leadership and the decision making capacity to drive our outcomes work and wider corporate work on equality. Group members are responsible for promoting equality and leading the way on mainstreaming equality across the organisation and legal aid. The ESG is chaired by our Chief Executive and membership includes one of our Board members.

Progress on our equality work and wider public sector and justice equality issues are reported to the ESG every quarter, facilitated by our Corporate Policy Officer (Equalities). Board members receive an annual paper specifically reporting on our equalities work. Board and committee papers are expected to provide decision makers with an update on equality in relation to the paper topic as appropriate to ensure strong governance and transparency.

Board diversity and succession planning

SLAB was one of the first organisations to sign the 50/50 by 2020 pledge to commit to progressing gender balance on our Board. We are pleased to report that the number of men and women on our Board is currently balanced at exactly 50/50.

There is well publicised agreement that diversity in the board room and in senior leadership encourages innovative thinking and leads to better decision making and governance. It's therefore important that we look beyond gender to wider diversity at Board level across the protected characteristics, and also in the skills and experiences our board members bring to the table.

We have a new skills matrix in place which will be used to inform new appointment rounds expected to start during 2017 for appointments in 2018. Our Chief Executive's Office and Board Chair will work together to draft a succession plan by Summer 2017 which will include equality and wider diversity.

⁵ Membership of the ESG includes a SLAB Board member, our Chief Executive, Director of Operations, Director of Strategic Development, Director of Corporate Services & Accounts, Director of PDSO, Head of Service for CLAO, HR Manager, Policy Projects Manager and Corporate Policy Officer (Equalities).

Equality impact assessments

Our Equality Impact Assessment (EqIA) process and guidance helps us to think about the impact of new and current policies or projects on protected equality groups. We have published a total of five full EqIAs in this reporting cycle (April 2013 to April 2017):

- Procedure for consideration of exclusion of solicitor or advocate under Section 31 of the Legal Aid (Scotland) Act 1986
- Children's legal assistance: the legal aid aspects of the Children's Hearings (Scotland) Act 2011
- Guidance on Special Urgency applications
- Contact Guidance
- Communications.

The number of EqIAs that we have published is low, however we know that impact on equality groups is being considered by project boards and project managers. This is reflected in the number of EqIAs that are ongoing within longer term projects. As part of a different approach to project management, project scope and timelines will be more clearly defined. The scope of the EqIA will therefore be easier to understand and manage.

We have made various minor changes to our EqIA toolkit since 2013 with some impact. In August 2016 the Equalities Steering Group approved the suggestion that we undertake a more comprehensive review of our EqIA process and supporting guidance. Some work has already begun to review the forms, guidance and governance structures used in other public sector organisations. This work and other elements of the EqIA review will continue into 2017-18.

The aims of the EqIA review are:

1. To identify opportunities to embed the EqIA process in corporate governance and performance management, and influence relevant changes
2. To make best use of current support, communication tools and general equality related training to increase staff awareness of SLAB's responsibility to undertake EqIAs. Further awareness raising to be considered and developed in 2017-18
3. To research the tools, templates and techniques used by other organisations to undertake EqIAs and embed them in project management and other corporate processes. This will inform improvements to SLAB's EqIA toolkit to be developed in 2017-18
4. To explore opportunities to improve SLAB's ability to record and monitor planned, ongoing and completed EqIAs.

The review will be project managed by our Policy team who will bring in expertise from across SLAB as required to help shape our revised approach. This will include key people leading on corporate governance, project management and project leads. We are also going to consider expanding the scope of the EqlA to include other linked corporate responsibilities including corporate parenting.

Procurement processes and award criteria

We have reviewed our procurement award criteria and conditions in line with the EHRC guidance to support public authorities to meet their equality duties in relation to public procurement. The guidance is written with reference to the Scottish Government's Procurement Journey. These requirements continue to be included in the annual audit of our procurement processes.

Youth employment and work experience

We aim to support young people and undergraduates to gain useful and relevant work experience where we can with consideration to the nature of our work and the organisational size. We do this in a variety of ways, including but not limited to:

- the chance to shadow one of our solicitors
- providing a paid placement for university students who work for a year as part of their university degree
- voluntary work experience placements to 18 to 24 year olds that we offer through our partnership with Job Centre Plus. Since 2015, one person undertook a 4 week placement which provided insight into the in our Accounts Department.

Law undergraduates and students continue to contact us to work shadow our solicitors to learn more about legal aid and working with clients. Since 2015, we have supported 8 requests across our PDSO and CLAO networks. Our CLAO Inverness office also accommodated a work experience placement through The Highland Council.

Our Human Resources Administrator position is filled each year by a student from Napier University who is undertaking a relevant degree and is required to work for a year as part of the course. The students work and earn in a full role with us and we support them to undertake a work based project towards the end of their placement.

Grant funding programme

Our grant funding programme⁶ priorities are set by the Scottish Government and Money Advice Service. Since our last mainstreaming report update SLAB has been managing projects under three programmes that were designed to enhance legal and lay advice services to people across Scotland who need direct assistance with civil matters such as housing, debt and welfare benefits. All projects provide detailed quantitative information about clients which includes an agreed equality dataset for each client assisted. We periodically ask projects to reflect on the data provided and to consider whether there are any gaps in the populations they are targeting. This includes ways to expand outreach to everyone in the local community that may benefit from the service or project beyond the current client base.

The Economic Downturn programme (now the **Early Resolution and Advice Programme**) and the **Making Advice Work programme** have continued to provide insights into the links between issues such as mental health and money problems and the need to place advice provision within the broader support networks that people rely on to overcome these issues. An evaluation of Economic Downturn and MAW Streams 1 and 2 will be published in the near future.

Many of the projects focus on providing assistance to hard-to-reach groups and vulnerable people who have not received help or assistance with their problems until a late stage. The projects deal with the crisis (often concerning housing or debt) that bring people to them and then focus on helping with their long-term problems.

Stream 3 of the Making Advice Work programme was set up to fund projects that test new ways of providing advice to particularly vulnerable groups such as people with disabilities, people experiencing domestic abuse and other groups with additional specific needs. The projects aimed to improve people's financial situation and their ability to deal with money and debt issues long-term. Many of the people helped by the projects had not sought advice about their money issues before but did have relationships with other services and support agencies such as mental health support groups or community organisations. The projects built on these pre-existing relationships, working with support workers and agencies to engage people with advice that could improve their financial situation.

Stream 3 has challenged assumptions about how to create advice services that are accessible to vulnerable and hard-to-reach groups. It has provided valuable insights into the types of approaches that are likely to be successful in engaging people with different needs in the advice process.

⁶ For more information see our website - <http://www.slab.org.uk/about-us/what-we-do/policyanddevelopmentoverview/#powers>

In April 2016 a MAW Stream 3 Deaf Action Money Matters project published an Advisory Services Good Practice Guide⁷, designed for mainstream advice agencies to improve their accessibility to deaf people

An evaluation of the Stream 3 projects will be published by the Money Advice Service in 2017.

The **Tackling Money Worries** stream has focussed on improving outcomes for low-income families with children dealing with a change in their circumstances, which places them at higher risk of debt and money problems. The projects have provided regular monitoring reports that highlight the impact on families and their income of circumstances, such as the birth of a child and the early years, relationship breakdown and involvement in the criminal justice system. Two particularly strong themes that have emerged from the projects has been the impact on families of disability, both in a child (bringing with it additional needs and draws on limited incomes) and in adults, particularly mental health issues such as depression and anxiety. Below are examples of two projects which have been successful in tackling inequality:

- The Granton Information Centre (GIC) Leith Early Years Collaborative Pioneer Site - Family Friendly Money Service won the top team award in the Quality Improvement Awards organised by The Scottish Government and Healthcare Improvement Scotland in November 2016. The project, a partnership between GIC and NHS Lothian has pioneered an improvement methodology that has been able to link pregnant women receiving midwife and health visitor services to advice services designed to improve their financial situation before the birth of a child and in the early months of parenthood
- The Enable Fife Young Families Money Advice Project has worked with 324 families across Fife who have a child with a learning disability. They have provided advice and support to enable often isolated and struggling families to access additional income and tackle the financial issues triggered by the needs to care for their children's additional needs.

All grant-funded projects continue to provide demographic and other data about the circumstances and characteristics of their clients, helping SLAB to build a picture of the link between these and people's advice needs.

⁷ <http://www.deafaction.org.uk/resources/downloads/good-practice-guide/>

Scottish National Standards for Information and Advice Providers

In November 2015 SLAB announced that it had been asked by the Scottish Government to develop and implement a new accreditation model for the Scottish National Standards for Information and Advice Providers (SNSIAP)⁸. SNSIAP is the accepted quality framework for agencies providing advice on housing, money, debt and welfare benefits issues. They contain both organisational standards and competences for advisers and agencies. All agencies wishing to be accredited under SNSIAP will have to go through an audit of their service and this will include standards relating to equality and accessibility of services, including:

- Organisational Standard 2.2: All services must undertake a regular exercise to determine the profile of their local community and any special needs that may exist
- Organisational Standard 3.1: All service providers must be committed to providing equity of access to services for all
- Organisational Standard 3.7: All service providers must be able to provide information in a range of formats that are appropriate to the needs of disabled people and the local community.

During the three-year test period (starting in November 2016) Scottish Government ministers will receive reports on the strategic themes emerging from the new accreditation process to help inform the future direction of policy on publicly funded advice.

Working with justice system partners to drive change

The work that we do and the influence that we have contribute to positive reform of the justice system.

We are a member of the Justice Board⁹ which oversees the delivery of the Scottish Government's Justice Change Programmes and comprises the Justice and Safer Communities Directors and the Chief Executives of the main Justice system organisations.

The Justice Board continues to monitor the work of the **Justice Equality and Diversity (JED) sub group**¹⁰ and associated **Criminal Justice Disability Project Group (CJDPG)**. The CJDPG was set

⁸ For SNSIAP information see <http://www.gov.scot/Publications/2010/10/08154126/0>.

⁹ <http://www.gov.scot/Topics/Justice/justicestrategy/justice-board>

¹⁰ The JED Sub Group is chaired by the Crown Office and Procurator Fiscal's Office (COPFS). Members include SLAB, Scottish Government (Safer Communities), Police Scotland, Scottish Prison Service, Scottish Courts and Tribunals Service, Scottish Children's Reporter Administration, Fire and Rescue Scotland and the Law Society of Scotland. The Judicial Institute and Judicial Appointments Board act as observers.

up to take forward work on disability and specifically to address the recommendations set out in the Justice Disability Steering Group’s “Access to Justice” report¹¹ and the EHRC reports “Hidden in Plain Sight”¹² and “Out in the Open”¹³. The work of this group is informed and supported by a Disability Advisory Group¹⁴ which has been central in helping us develop the right solutions to the published recommendations. The Equality and Human Rights Commission (EHRC) sit as an observer on the CJDPG. The CJDPG is finalising a progress report on its work to address those recommendations which is expected to be published during 2017 after which the CJDPG will disband.

We are also a member of the Working Group on Interpreting and Translation (WGIT). This group comprises the main justice organisation and aims to work collaboratively to establish common standards for interpreting and translation throughout the Scottish Justice System. As a member of this group, SLAB attended a recent BSL interpreter’s consultation event to discuss BSL interpreting in justice settings with a view to identifying solutions to barriers experienced by interpreters, and to develop effective working relationships between interpreters and justice organisations.

The event was organised by Police Scotland and hosted by the Scottish Prison Service. Around 30 BSL interpreters working in Scotland attended along with representatives from registered BSL bodies (SASLI, ASLI), Scottish Government, Heriot Watt and Queen Margaret Universities. The whole day was very positive and informative, with the interpreters themselves being very complimentary about this forward thinking event. Key issues including specialist training to work in the justice sector, awareness and understanding of an interpreter’s role and sourcing interpreters were discussed. Plans for further engagement and action are to be agreed.

Advising the Scottish Government and working with other partners on justice issues

SLAB is responsible for monitoring the availability and accessibility of legal services. We do this by identifying instances of problems with access or levels of supply that appear likely to increase the risk of this happening and to report this to Scottish Ministers.

Under the monitoring duty we did research with stakeholders and with support from the Deaf Sector Partnership to explore the issues that people who are deaf or hard of hearing experience

¹¹ [‘Access to Justice’](#) Report 2010, Justice Disability Steering Group in partnership with Capability Scotland

¹² [‘Hidden in Plain Sight’](#), Equality and Human Rights Commission

¹³ [‘Out in the Open’](#), Equality and Human Rights Commission

¹⁴ Disability Advisory Group members include Scottish Council on Deafness, Scottish Disability Equality Forum, Epilepsy Scotland, Deafblind Scotland, Inclusion Scotland, Sense Scotland, People First (Scotland), Autism Scotland Network, Supporting Offenders with Learning Disabilities, Disability Agenda Scotland, Royal National Institute of Blind People Scotland.

in accessing legal advice. An update on this research will be included in our fifth monitoring duty report to be published in 2017.

Stakeholder feedback

Stakeholder engagement forms a big part of our research activity¹⁵ and we invest in hearing about our stakeholders' experience to help inform our work. Research helps us to collect evidence where there are known inequalities and can help SLAB increase the participation of equality groups. All our surveys include the collection of appropriate data across relevant protected characteristics. Our Research Team also help to review or evaluate other projects and changes to policy, both internally and externally.

SLAB commissioned a survey of applicants for civil legal aid during 2016/17. This explored experiences by protected characteristics, as well as by outcome of their legal aid application. The report found that “a minority of respondents (7%) stated that they had initially experienced difficulties in accessing legal aid because of a protected characteristic, with most of these respondents identifying themselves as having a disability. The difficulties that had been experienced were generally related to either their disability or to language barriers”. SLAB will use the research findings to help explore and address these issues.

¹⁵ <http://www.slab.org.uk/about-us/what-we-do/research/>

Our employee and equal pay information

How we gather employee data

We work hard to gather information on our workforce and about people who apply to work for us across all the relevant protected characteristics. We collect information on age, sex (or gender), sexual orientation, religion and belief, race (including ethnic origin and national identity), disability, and gender reassignment from employees and people who apply for jobs with us. The monitoring of pregnancy and maternity information and return to work after maternity leave is fully embedded in our HR processes.

Our employee information is gathered and held by our Human Resources (HR) department in our HR Oracle system. As part of a HR Shared Services project with Scottish Natural Heritage we updated our employee equality monitoring questions to align with good practice and Scottish census questions. We have also moved to a 'self service' model where employees can update information directly through their own unique online account.

As part of the change to HR self service we ran a series of face to face sessions with managers which included information on equality monitoring. We also published employee updates on our intranet including the Stonewall guidance 'What's it got to do with you?'¹⁶. In our 2015 staff survey we asked employees for their views about barriers to disclosing equality information; no significant barriers were reported. Our communications have therefore focused on confidentiality and the importance of this data in helping us understand our workforce. We will report on this 'new' data in our next progress report but we know at this time that we have achieved a 52% disclosure rate. We will continue to communicate with our employees to increase disclosure rates.

Further changes to our HR Oracle systems are planned for the coming outcomes cycle 2017-2020 due to our ICT Strategy efficiency commitments. These are likely to have an impact on the available resource to extract equality data and to develop other systems for reporting e.g. our recruitment system. To minimise this impact we need to ensure that we embed our requirements for efficient delivery of our equality reporting requirements into further systems changes.

External applicant data is sourced from our online recruitment system hosted by an external supplier and disclosure rates continue to be high. When recruiting for an employee via an agency we ask the agency to ensure completed equality monitoring forms are returned. However, response rates are low and we do not make this mandatory. The data we receive in this way does not currently form part of our recruitment data.

¹⁶ <https://www.stonewall.org.uk/resources/whats-it-got-do-you>

How we extract our data for analysis

The recently published guidance from the Coalition for Race Equality and Rights (CRER) recommends different ways to aggregated ethnicity data to cover a number of different analyses. Specifically we had hoped to consider three high level groups: White Scottish< British and Irish; White minority ethnic; and non-white minority ethnic. We have been unable to do this for this report but plan to include this in future reporting.

The annualised employee data discussed in this report refers to the time period 1 April 2014 to 31 March 2015, and 1 April 2015 to 31 March 2016. Anonymised data is provided to our Analysis and Management Information (AMI) Team for formatting. The figures used for equality reporting include all people employed by SLAB at some point within each financial year i.e. all employees who joined or left during the year. This accounts for the difference in figures between this report and our Annual Report and Accounts 2015-16 publications which reflects our gender breakdown as at 31 March 2016.

What does our employee data tell us

The coverage and quality of our workforce and recruitment equality information has remained very similar to that reported in April 2015 reflecting our continued low levels of recruitment. Our disclosure rates have remained static.

The top line comparison of our equality monitoring of protected characteristics data for 2014-15 and 2015-16 is shown in Appendix B. There has been little change in this data across the two years since we last reported and we have therefore focused on reviewing the 2015-16 data only in this report. Our full recruitment and employee equality monitoring of protected characteristics for the period 1 April 2014 to 31 March 2015 and 1 April 2015 to 31 March 2016¹⁷ is published separately.

The number of employees involved in **grievances, disciplinary action and dismissals** during 2014-16 is small (<10 people). Based on these numbers we are unable to form any definite conclusions based on differences across equality groups. We will continue to gather and monitor this information.

In 2015-16, 100% of **maternity leavers** returned to work. Of these, 40% requested a variation to their contractual hours on return and all were approved (one request is on a temporary basis pending the outcome of a restructure within the department). In 2014-15 75% of maternity leavers returned to work and all requests to return on a different contractual basis (50% of those who returned) were accommodated.

¹⁷ See the Equality Monitoring of Protected Characteristics 2014-15 and 2015-16 data published on the Equalities page of the SLAB website <http://www.slab.org.uk/about-us/equalities/>.

In 2015-16, 8 employees returned to work following a period of **long term disability related absence**. The individuals themselves did not declare as having a disability. Two employees accessed their retirement pension benefits so did not return.

Gender: we continue to have an approximate 64/36% female/male gender breakdown. Although not unusual in the public sector this is in contrast to the 2011 Census which shows that 52% of the Scottish population is female and 48% is male.

Disability: SLAB's 2015-16 figure for declared disability is 6%, and is considerably lower than a national reported figure¹⁸ of 23% declaring a long term health condition or disability.

Sexual Orientation: Two percent of employees identify as lesbian, gay, bisexual or other which is inline with the 2014 Scottish Survey Core Questions¹⁹ dataset.

Ethnicity: our current dataset is aggregated to use the categories 'white including white minority', 'ethnic minority' and non-disclosure. Our 2015-16 figures are 72%, 2% and 26% respectively. The 2011 census shows 4% of the Scottish population fall into what we could categorise as 'ethnic minority' with the remaining being 'White: total'. Thus SLAB is slightly less diverse than the Scottish population. We plan to make further comparisons with local and other datasets in order to inform future actions.

Age: Like the census figures our employees are clustered around the middle age range with fewer younger and older employees. We have fewer employees in the lower and older age ranges than the census. In contrast to observations reported in 2015, our most recent data shows a decrease in numbers across all age groups apart from the under 24 age group with shows an increase in numbers.

Religion or Belief: The number of employees identifying as Christian is lower than the Census figure (32% compared to the nationally declared figure of 54%). The relatively high percentage of 'not stated' may account for this. The percentage of SLAB employees declaring no religion is in line with national figure (SLAB 34%, Census 37%); whilst the number of staff declaring 'other religions' (which amalgamates Buddhist, Hindu, Muslim, and others e.g. Jewish) also reflects the national profile (SLAB 3% compared to the Census figure of 2%).

Transgender: Our workforce data shows 28% non-disclosure with no employees disclosing as Transgender through this level of monitoring. We continue to raise awareness and promote access to resources on gender identity and gender reassignment equality through our Learning Management System and staff intranet; this includes ways for employees to raise queries or issues in confidence as appropriate.

¹⁸ See <http://www.gov.scot/Topics/People/Equality/Equalities/DataGrid/Disability>

¹⁹ <http://www.gov.scot/Publications/2016/05/7615>

Our gender pay gap and statement on equal pay

Gender pay gap

SLAB continues to work towards making sure that pay is fair and non-discriminatory. We conduct an annual equal pay audit and apply our pay policy to all employees. As a listed public authority we are required to publish our gender pay gap. This is the percentage difference between male employees' average hourly pay and female employees' average hourly pay (both excluding overtime).

SLAB's overall gender pay gap at March 2016 is **14.2%**²⁰, very similar to the figure of 14.1% reported in March 2014 and an improvement on the figure of 18.5% first reported in 2013. SLAB's gender pay gap is less than that reported by SPICe²¹ in January 2016 for Scotland (14.8%) and the UK (17.5%)²².

Our 'all staff' position is improving and analysis by grade shows that the pay gap in all grades except one is within an acceptable range of 1-3%. Our HR team is conducting further analysis on the pay data for gender, in line with calculations recommended by Close the Gap and SPICe to help us explore possible reasons for our pay gap. This work will be completed in the next 6 months at which point we will identify priority actions.

We are required to publish our policy on equal pay and information on occupational segregation. This is specifically with regards women and men, people who are disabled and those who are not, and people who fall into a minority racial group and those who do not. The inclusion of race and disability as categories in occupational segregation reporting is an addition to the reporting requirements for 2017.

Small populations make detailed analysis and subsequent conclusions regarding ethnicity and disability difficult. Our next pay award is due to be implemented from 1 August 2017, before which we plan to carry out another equal pay audit.

²⁰ Further information on our Equal Pay analysis is on the Equalities page of the SLAB website <http://www.slab.org.uk/about-us/equalities/>.

²¹ Scottish Parliament Information Centre (SPICe) - The gender pay gap - facts and figures 2015. <http://www.parliament.scot/parliamentarybusiness/96106.aspx>

²² SLAB's pay gap is 14.4% when calculated using the SPICe categorisation for full time workers i.e. people who work 30 or more hours per week. SLAB categorises full time workers as those who work 37 or more hours per week.

Annual Pay Award

Our annual pay awards are within the parameters of Scottish Public Sector Pay Policy²³, by which we are bound.

Measures within Public Sector Pay Policy aim to protect the lower paid and protect employment in general. Scottish Government analysis has shown that within the public sector there are higher numbers of women and disabled people than in the private sector²⁴. Implementation of the pay policy protects these groups.

Now recognised as a Scottish Living Wage employer, we continue to implement the Scottish Living Wage and a minimum basic pay increase for those earning under £22,000 a year. We continue to provide a commitment to no compulsory redundancies and to apply pay progression and the basic award allowed within policy where affordable. These components are applied based on criteria that are not determined by any protected characteristic.

From our data there is a higher proportion of women, disabled people, younger employees as well as part-time workers, of whom a higher proportion are women, among lower paid employees. Therefore, from our assessment the measures in the pay policy can be seen to positively benefit lower paid staff and protect these employees from pay restraint. We do not believe we have introduced or perpetuated any direct or indirect discrimination for individuals in the application of our pay awards. Our pay awards help in working towards reducing the gender pay gap within SLAB as they increase the overall base levels of pay for the lower end where women are concentrated.

Vertical segregation

Vertical segregation concerns the clustering of employees with certain protected characteristics at particular levels of the grade structure. Where a group sharing a protected characteristic is absent from a particular level, or overrepresented at another, further analysis may be required to explore the potential reasons for this.

In relation to vertical segregation by gender, in absolute terms (comparing all men v all women), female staff form a majority at each of SLAB's three grade bands including the most senior grades (7+). This majority declines as we go up the grades and is noticeably less at grade 7+ where men are relatively overrepresented.

In relation to vertical segregation within each gender in its own right, 48% of female employees employed by SLAB are employed at Grades 1 - 3 compared with 13% at Grades 7+. In contrast, 36% of male employees are employed at Grades 1-3 compared with 20% at Grades 7+. Male

²³ [Scottish Government 2016-17 Public Sector Pay Policy](#)

²⁴ [Scottish Government EQIA 2016-17 Public Sector Pay Policy](#)

employees are less clustered at the bottom of SLAB's grade structure as compared to female employees.

This is an improvement on the position in 2011-12 data, when 10% of female employees were in Grades 7+; and men held the majority of Grades 7+ posts. In 2011-12 there were 55 posts at Grades 7+ compared to 61 posts in 2015-16. The main increase in the number of posts (5 of the 6) was from 2013-14 to 2015-16 where the positions went to 3 men and 2 women.

Of total staff declaring disability (22), 18.2% (4) are in Grades 7+ and 45.4% (10) are at Grades 1-3. For both grades ranges there is a higher representation of people with disabilities than the SLAB average. There are proportionally fewer employees with declared disabilities in Grades 4-6. There are no disclosed ethnic minority employees in Grades 7+.

Horizontal segregation

Horizontal segregation concerns the clustering of staff with certain protected characteristics into specific job types. We have looked at differences across our Directorates²⁵ and separated out PDSO, the Solicitor Contact Line (SCL) and CLAO.

CLAO has been considered separately from its Directorate, Strategic Development. They are sufficiently occupationally different from other teams in Strategic Development and we consider that they can be usefully compared with PDSO. Although numbers within SCL are small, they have a different work pattern to other solicitor groups which again, we thought would be interesting to review.

Looking at segregation by gender, our data shows that whilst the largest directorates (Corporate Services and Operations) and PDSO are broadly in line with the SLAB total representation (i.e. approximately 2 out of 3 employees in these directorates are female), there are notable variations within other parts of the organisation.

The Strategic Development and Chief Executive's directorate has a lower than average proportion of female staff (54% compared to the SLAB total of 64%). The greatest deviation can be seen within CLAO, where 92% of staff are female (nearly 30% more than the SLAB average)²⁶. The reasons for these differences are unclear and indicate a need for further analysis and exploration. As already noted, the figures for disability and ethnic origin make it difficult to identify significant trends.

²⁵ For the purposes of this analysis the 'directorates' do not strictly observe our current structure in that we've separated out our frontline solicitor services, and the Legal Services Team is included in the Operations directorate.

²⁶ NOTE: this figure for CLAO comprises only 13% of total female staff employed by SLAB.

However, it can be noted that Strategic Development and CLAO have no members of staff who declare they identify with an ethnic minority group (Note: this does not disaggregate ethnic minorities within the 'White' data category). It should be noted that just one change in personnel would have a significant impact on data percentages.

There are no employees who have declared they have a disability within the Strategic Development or SCL populations, whilst representation is low within CLAO. There is a relatively higher representation of employees who have declared a disability employed in Corporate Services.

There are various additional observations which could be noted. Further analysis is required to support any firm conclusions or future activity. Disclosure rates for these protected groups (specifically disability and ethnic origin) currently impact on our analysis, as does our current inability to consider differences with regards white minority and non-white minority ethnic groups.

The way we train our staff

We recognise and value our employees' differences and individual contributions to our work and culture. We support employees to develop their skills and knowledge, enhancing their contribution to SLAB and their own career prospects. Our workforce has online access to information which maps core skill requirements to relevant learning opportunities. Since December 2016 we have been rolling out a new Learning Management System (LMS) which contains learning programmes dedicated to Equality, Diversity and Inclusion. These provide an easy pathway to useful e-learning courses, guidance and links to external support.

Equality and diversity training is a compulsory part of our corporate induction programme. The induction session involves completion of online learning packages including Challenging Behaviour, Cultural Awareness, Disability Etiquette and Working with the Equality Act. This is followed by a face to face discussion with our Corporate Policy Officer (Equalities) to talk in more detail about SLAB's equality strategy and how this relates to individual job roles.

In addition to compulsory corporate training, management is asked to identify and plan for relevant equalities training based on their departmental or individual employee needs. Examples of equality and diversity related training that have taken place since April 2015 include:

- Ten employees attended Equality Impact Assessment Training offered by SEPA
- Eight employees from CLAO, Communications, HR and Reception attended BSL Awareness Training provided by Deaf Action (places were given to other NDPBs and justice organisations)

- Our Communications team attended training on Hidden Accessibility and how to create accessible documents offered by SCVO
- 16 employees attended Neurodiversity Awareness Training and Dyslexia Awareness Training
- Four Reception staff attended a facilitated group session on equalities and customer service
- Three employees participated in ‘Mindfulness’ training to help them deal with stress or other mental health issues
- Several employees have undertaken individual learning as part of their professional development on topics such as ‘Tackling sectarianism in the workplace’, SCoD Connect & Communicate Conference, Sign Language Refresher, Dealing with Debt and Mental Health and ‘From Care To Where? A Spotlight on Aftercare’.

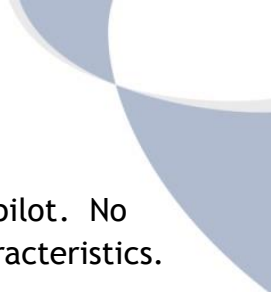
Solicitors in our Civil Legal Assistance Offices (CLAO) access CPD relevant to the equalities issues their clients face. We continue to roll out Mental Health First Aid Training to all CLAO employees, solicitors and business support, to further help staff to provide a service that meets the needs of people with mental health issues. Employees from the CLAO Aberdeen office regularly attend the Aberdeen Mental Health and Wellbeing Network which focuses on raising awareness and helping agencies to share knowledge. The CLAO Inverness office inputs to the NHS Highland Psychological Trauma Group and provides a bespoke mental health representation service.

Solicitors in our Public Defence Solicitors’ Offices (PDSO) also access CPD relevant to the equalities issues their clients face. Recent CPD has focused on mental health and relevant legal updates, dyslexia awareness and communication across culture. Representatives from the PDSO are members of the Supporting Offenders with Learning Disabilities (SOLD) network and attend SOLD events.

How we use our employee data and staff engagement

We analyse our employee data to provide assurance our policies and procedures provide equality of opportunity and to help us identify where further investigation may be required. Our HR team use the data to analyse our pay and performance management information which is considered by our Equalities Steering group.

We engage with our employees on an ongoing basis in respect of our Flexible Working policy. We are currently in the second phase of a Flexible Homeworking pilot to extend our offering for employees. At the end of phase one in 2015 all employees were surveyed for their views. Before moving forward to phase two of the project in 2016, an analysis of results had been done to



ensure that no-one would experience any difficulties in joining or taking part in the pilot. No differences were found through the analysis of results by the protected equality characteristics.

We have also been engaging with employees about mental health at work as already presented in this report.

Who we are and what we do

SLAB was set up in 1987 under the Legal Aid (Scotland) Act 1986 and we are accountable to Scottish Ministers.

SLAB is responsible for doing a range of things, the key ones being:

- advising Scottish Ministers on the operation of legal aid, and ways to develop it
- managing expenditure on legal assistance cases
- deciding whether to grant applications for legal aid
- assessing solicitors' and advocates' accounts for legal aid work, and paying them for the work they have done
- investigating and minimising fraud and abuse of legal aid
- operating and developing a network of SLAB employed solicitors who offer criminal and civil legal advice and representation
- operating a police station duty scheme which gives suspects the right of access to a solicitor before and during police interview as well as running the 24 hours, 7 days a week solicitor contact line which is staffed by solicitors employed by SLAB to provide legal advice to suspects
- providing grant funding for targeted legal advice and other services.

Our work is overseen by a non-executive board, the Chairman and members of which are appointed by Scottish Ministers. Our board currently consists of 12 members. The main responsibilities of the board are determining SLAB's strategic objectives and scrutinising expenditure, operations and organisational performance. We also have committees of the board to consider areas such as audit and risk; legal aid guidance and procedures; complex, sensitive or high profile legal aid cases; and remuneration and our pay arrangements.

Our Chief Executive, Colin Lancaster, is the Accountable Officer of the organisation and heads up an Executive Team made up of three directors responsible for the operational and administrative functions of SLAB, and the Principal Legal Adviser.

As a public body, SLAB also has a range of other duties and commitments, including:

- **Monitoring of Access to Legal Services.** We have a statutory function of monitoring the availability and accessibility of legal services and reporting to Scottish Ministers. We assess whether there is an inability of potential clients to find or obtain the services of solicitors or advocates willing to act in particular areas of law or specific geographic areas. This function is not restricted to the accessibility or availability of legally aided services. It also includes privately funded services. Our assessment of access to services is based on both types. We report our findings annually to ministers and publish these reports

- **Corporate Parenting.** On 1 April 2015, we became a Corporate Parent under the Children and Young Person (Scotland) Act 2014. The legislation introduces statutory duties on a range of public bodies, including SLAB, in regards to looked after children and care leavers. It places a number of responsibilities on SLAB in terms of how it deals with young people who experience the legal system
- **Fair Work.** We are committed to the Scottish Government’s Fair Work agenda and are an accredited Living Wage employer. We actively support trainees and work placements
- **Public Bodies Climate Change Duties.** We have duties under the Climate Change (Scotland) Act 2009 that require us, in exercising our functions, to act in the way best calculated to contribute to the delivery of emissions reduction targets, in the way best calculated to help deliver any statutory climate change adaptation programme, and in a way we consider most sustainable. We have measured our organisation’s carbon footprint since 2008 and now fully adopt the Carbon Trust’s Management System. Reporting against this duty has now become mandatory from November 2016 and we will publish a report later in the year
- **Duty to Publish Information.** The Public Services Reform (Scotland) Act 2010 requires public bodies to publish information on certain expenditure and activities. Under the Act, we have a duty to publish information regarding a range of different expenditure, a statement of the steps taken during the year to promote and increase sustainable growth, and a statement of the steps taken during the year to improve efficiency, economy and effectiveness. We publish this information on our website.

Appendix A. List of evidence reviewed to support our equality outcomes 2017 - 2020

[Race Equality Framework for Scotland](#)

[EOC: removing barriers: race, ethnicity and employment](#)

CRER: Changing the Race Paradigm

[The LSS Equality and Diversity strategy 2014-2017](#)

[SOLD Report: The Criminal Justice Pathway.](#)

[Draft Mental Health Strategy - ten years](#)

EHRC - pregnancy and maternity discrimination and disadvantage summary report

EHRC Strategy

BSL (Scotland) Act

Close the Gap publication

[Principles of Inclusive Communication](#)

UNCRPD national action plan

Collaborative working with justice partners.

SLAB evidence:

Staff survey 2015

Mental Health Check Survey 2016

People related policies and work (e.g. launch of Read/ Write Gold - 5 licences).

[Stakeholder engagement](#) work including Civil Survey (2013 and 2016)

Appendix B. Equality monitoring of protected characteristics 2014-15 and 2015-16 top line comparison tables.

Table 1 Employees gender distribution comparison 2014-15 with 2015-16

		2014-15		2015-16		Change	
		Count	%	Count	%	count	%
Gender	Female	257	65%	250	64%	-7	-1%
	Male	141	35%	138	36%	-3	+1%
	Total	398	100%	388	100%	-10	-

Table 2 Employees national identity distribution comparison 2014-15 with 2015-16

		2014-15		2015-16		Change	
		Count	%	Count	%	count	%
National Identity	British	77	19%	79	20%	+2	+1%
	English	<10	2%	<10	2%	-	0%
	Irish	<10	1%	<10	1%	-	0%
	Scottish	250	63%	247	64%	-3	-1%
	Other	10	3%	<10	2%	-	-1%
	Not stated	50	13%	44	11%	-6	-2%
	Total	398	100%	388	100%	-10	-

Table 3 Employees ethnic origin distribution comparison 2014-15 with 2015-16

		2014-15		2015-16		Change	
		Count	%	Count	%	count	%
Ethnic Origin	White, incl. white minority	275	69%	281	72%	+6	+3%
	Ethnic minority	12	3%	<10	2%	-	-1%
	Not stated	111	28%	99	26%	-12	-2%
Total	398	100%	388	100%	-10	-	

Table 4 Employees religion or belief distribution comparison 2014-15 with 2015-16

		2014-15		2015-16		Change	
		Count	%	Count	%	count	%
Religion or Belief	No religion	127	32%	130	34%	+3	+2%
	Christian	128	32%	123	32%	-5	0%
	Other religion or belief	<10	3%	10	3%	-	0%
	Not stated	134	34%	125	32%	-9	-2%
	Total	398	100%	388	100%	-10	-

Table 5 Employees sexual orientation distribution comparison 2014-15 with 2015-16

		2014-15		2015-16		Change	
		Count	%	Count	%	count	%
Sexual Orientation	Heterosexual	325	82%	323	83%	-2	-1%
	Lesbian, gay or bisexual	<10	2%	<10	2%	-	0%
	Not stated	64	16%	58	15%	-6	-1%
	Total	398	100%	388	100%	-10	-

Table 7 Employees disability distribution comparison 2014-15 with 2015-16

		2014-15		2015-16		Change	
		Count	%	Count	%	Count	%
Disability	No	334	84%	327	84%	-7	0%
	Yes	20	5%	22	6%	+2	+1%
	Not stated	44	11%	39	10%	-5	-1%
	Total	398	100%	388	100%	-10	-

Table 8 Employees age distribution comparison 2014-15 with 2015-16

		2014-15		2015-16		Change	
		Count	%	Count	%	Count	%
Age (banded)	<= 24 years	16	4%	20	5%	+4	+1%
	25 - 39 years	139	35%	137	35%	-2	0%
	40 - 49 years	128	32%	123	32%	-5	0%
	50 - 59 years	95	24%	94	24%	-1	0%
	60+ years	20	5%	14	4%	-6	-1%
	Total	398	100%	388	100%	-10	-

Table 9 Employees transgender distribution comparison 2014-15 with 2015-16

		2014-15		2015-16		Change	
		Count	%	Count	%	Count	%
Transgender	No	277	70%	278	72%	+1	+2%
	Yes	-	-	-	-	-	-
	Not stated	121	30%	110	28%	-11	-2%
	Total	398	100%	388	100%	-10	-