

**Thursday 11<sup>th</sup> February 2020, 2.00 pm**

## **Equalities Outcomes and Mainstreaming Report 2021-2023**

**Item number: 5.6**

### **Executive summary**

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- 1.1 In order to meet the obligations placed on public bodies by the Equality Act 2010 and associated regulations the Integration Joint Board must
  - i. publish a set of equality outcomes which it considers will enable the authority to better perform the Public Sector Equality Duty
  - ii. publish a mainstreaming report setting out how it will mainstream the Public Sector Equality Duty into its day-to-day functions
- 1.2 At the November IJB meeting it was agreed that an update on progress would be provided to IJB members on 11<sup>th</sup> February 2021. This report updates the group on the development of the new equalities outcomes and provides a draft Mainstreaming and Equalities Outcomes report for 2021-2023.

**Board members are asked to:**

**Provide comment and direction on the draft Mainstreaming Report and the draft Equalities Outcomes.**

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## Equalities Outcomes and Mainstreaming Report 2021-2023

### 1 Purpose

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- 1.1 This report updates the group on the development of the new equalities outcomes and provides a draft Mainstreaming and Equalities Outcomes report for 2021-2023.

### 2 Recommendations

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- 2.1 As a result of this report what are Members being asked to: -
- Provide comment and direction on the draft Mainstreaming and Equalities Outcomes report

### 3 Background and main report

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- 3.1 The Public Sector Equality Duty requires public bodies in the exercise of their functions to have due regard to the need to:
- i. Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
  - ii. Advance equality of opportunity between people who share a relevant protected characteristic and those who do not
  - iii. Foster good relations between people who share a protected characteristic and those who do not
- 3.2 Alongside consultation (detailed in Section 9) available data and other evidence was collated to inform the development and identification of the key equalities outcomes for Midlothian HSCP.

#### 3.3 The proposed draft Equalities Outcomes are

**Outcome 1:** Older people, and people with disabilities in Midlothian will have more equal access to health and social care services and information (via improved digital inclusion, communication, and an inclusive physical environment)

**Outcome 2:** Adults identifying as LGBT, men, and people with disabilities will have better awareness of and access to, community mental health support, information and treatment.

**Outcome 3:** BAME People, Women, adults identifying as LGBT and people with disabilities in Midlothian will experience safer, welcoming, and more inclusive communities.

**Outcome 4:** Older people will be better able to enjoy human rights and fundamental freedoms when residing in care or treatment facilities, or receiving care in their own home, including full respect for their dignity, beliefs, needs and privacy, and the right to make decisions about their care and the quality of their lives.

**Outcome 5:** The Midlothian Integration Joint Board will support the participation of, and more accurately reflect, the community it serves.

Full Equalities Outcomes and Mainstreaming Report provided in Appendix 1.

Work remains underway to determine the measures for each outcome in order that the IJB can be assured of progress. While measures around sex, age and social-economic circumstance are often available to the HSCP there continue to be challenges around certain population measures, for example information that would allow us to compare service access and experience, for people living in Midlothian who are LGBT or have certain disabilities.

The IJB is expected to publish the Equality Outcomes by the 30<sup>th</sup> April. A report on progress made is required every 2 years.

## 4 Policy Implications

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- 4.1 Section 149 of the Equality Act 2010 (the Public Sector Equality Duty), and the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 as amended, outline the legal duties of the integration authority including preparation and publication of Equalities Outcomes.
- 4.2 The Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2016 outlines the requirement for listed public bodies to publish the gender composition of their Boards, and to produce succession plans

## 5 Directions

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- 5.1 Once Equality Outcomes are approved, they will be incorporated into the relevant Directions and/or a specific Direction prepared.

## 6 Equalities Implications

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- 6.1 The purpose of Equality Mainstreaming is to make the Equality Duty integral to the functions of the IJB. Equality Outcomes will assist the IJB to meet the General Equality Duty and provide a focus to efforts to increase equality across Midlothian.

## 7 Resource Implications

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- 7.1 There are no specific financial implications arising from this report. However, this should be reconsidered when Outcomes and mainstreaming are approved.

## 8 Risk

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- 8.1 Failure to publish an Equalities mainstreaming report and Equalities Outcomes will mean that the Integration Joint Board is not meeting its obligations under the Equality Act 2010.
- 8.2 Failure to take account of the impact of the strategic plan, or significant changes to services, on people with protected characteristics may lead to the Integration Joint Board unwittingly acting unlawfully.

## 9 Involving people

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- 9.1 A Lothian-wide public consultation exercise was undertaken to support the drafting of the equalities outcomes. (Available on request.)
- 9.2 A report on consultation responses in relation to Midlothian has been produced. This is provided at Appendix 2.

## 10 Background Papers

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- 10.1 The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012  
<https://www.legislation.gov.uk/ssi/2012/162/contents/made>
- 10.2 Equality and Human Rights Commission. Equality Outcomes and the Public Sector Equality Duty: A Guide for Public Authorities, Scotland  
<https://www.equalityhumanrights.com/en/publication-download/equality-outcomes-and-public-sector-equality-duty-guide-public-authorities>

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| <b>DATE</b>          | 1/2/21                                |

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- Appendices: 1) Draft Equalities Outcomes and Mainstreaming Report 2021-2023  
2) Draft Midlothian Equalities Outcomes Consultation Report