



EQUALITY AND DIVERSITY POLICY

Introduction

This policy document sets out the Commission's commitment to achieving best practice in our approach to equality and diversity issues. It has been prepared against the background of current equality legislation, namely the Equality Act 2010; and also takes account, as appropriate, of relevant Scottish Government policies and strategies.

What is meant by equality and diversity?

Equality is about ensuring and promoting fair treatment for all, regardless of any characteristic. The protected characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The main focus is on eliminating discrimination against disadvantaged groups in society.

Diversity goes wider than this. It is about all sorts of differences, not just those covered by equality laws, but also differences in, for example, values, working pattern and social background. It is about valuing and respecting these differences in all of us: in particular, valuing and respecting the different skills and experience individuals have and the different, but equally important, contributions we can each make in the workplace and elsewhere. The Scottish Government has put it like this –

"People are valued as individuals ... factors such as sex, age, background, race and disability are harnessed to create a productive environment in which organisational goals are met efficiently and effectively by making the best use of **everyone's** talents and potential. Diversity is inclusive of everyone, not exclusive to particular groups. It is helpful in promoting the integration of equality into all aspects of life. Diversity policies are an extension of equal opportunities policies, not an alternative to them."

Impact of equality and diversity issues on the Commission

Our overall aim is to ensure that principles of equality and diversity are integrated into everything we do, both in our law reform work and in relation to our personnel policy and practices. This policy document deals with these two aspects separately, setting out specific commitments on each with a view to achieving our aim. While the Commission has a corporate responsibility for putting in place the mechanisms and procedures – and for encouraging a culture and environment – that accord with our statutory obligations and commitment to equality and diversity, individual members of staff



must also recognise their own responsibilities in helping to achieve this aim and should seek actively to promote equality of opportunity and respect for others, within the workplace and beyond.

LAW REFORM

We aim to ensure that equality and diversity issues are fully taken into account in –

- full consultation with those likely to be affected by our proposals, including different groups within society;
- assessment of the impact of our proposals and, if the impact may adversely affect particular groups within society, action to remove or mitigate that adverse impact wherever possible;
- the substance of the final recommendations we make for reform of the law.

In particular we -

- consider at the outset of a project, equality and diversity issues, on the basis of relevant information and advice as appropriate, in order to determine their likely impact on development of policy and on the consultation process, including the composition of any advisory group for the project;
- consider whether policies proposed in a law reform project might have an unequal effect on any particular group(s); if so, consider whether that inequality, and its extent, is justified;
- consider ways in which our publications can best be made accessible to our target audience(s), including the possible use of easy read versions;
- adapt our methods of consultation to suit the varying needs of individual projects and, in particular, ensure that, as appropriate, representatives of different sections of society are consulted on proposals for reform;
- take account of the interests of all sections of society in developing our recommendations;
- invite suggestions for new projects, from relevant bodies, including equality organisations, and from the general public; and
- in relation to our law reform work generally, consider the need for specialist advice on how to increase ethnic and other minority group involvement in our projects.



PERSONNEL MATTERS

We aim to ensure equal opportunities and fair procedures in recruitment and allocation of staff and in our working practices. In particular, we –

Responsibilities

- ensure that all managers recognise their responsibility for respecting diversity and for promoting equal opportunities for their staff and make available to their staff opportunities for private discussion about any equality or diversity issues;
- designate the Chief Executive as having particular responsibility for championing equality and diversity issues across the office;
- encourage flexible working arrangements where these are compatible with the business needs of the Commission;

Recruitment and selection

- invite job applications from all qualified and eligible individuals irrespective of any characteristic: ie age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation;
- refer in recruitment material to the Commission's policy on equality and diversity;
- comply with the statutory duty to undertake ethnic monitoring of staff appointed by the Commission on behalf of the Scottish Government;
- make reasonable adjustments to eliminate disadvantage for those with disabilities in relation to recruitment and, if appointed, in relation to performance of their duties in post;
- offer an interview to all applicants who declare a disability and meet the basic criteria for selection;

Information, training and working practices

- apply best equal opportunities practices in staff appraisal and development and ensure training opportunities are made available to all in accordance with the Commission's Training and Development Strategy;
- ensure that all staff receive information about the Commission's policy on equality and diversity;
- ensure that staff receive diversity training and appraisal training, as appropriate, and that, when necessary, managers undergo interview training in respect of the selection of new staff;
- arrange internal meetings and events so far as possible at a time convenient to those who have responsibilities for caring for others or who work part-time or under other flexible arrangements.



GENERAL

We aim to –

- provide a safe, supportive and welcoming environment for both staff and visitors to the Commission;
- ensure so far as possible that physical facilities and catering for visitors are suitable for them;
- give information about the Commission's policy on equality and diversity to those tendering for contracts;
- review this statement annually.

February 2023