

NORTH STRATHCLYDE COMMUNITY JUSTICE  
AUTHORITY

SEX DISCRIMINATION ACT 1975

EQUALITY ACT 2006

GENDER EQUALITY SCHEME 2007-2010

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# THE NORTH STRATHCLYDE COMMUNITY JUSTICE AUTHORITY

## SEX DISCRIMINATION ACT 1975

## EQUALITY ACT 2006

## GENDER EQUALITY SCHEME

### **1 Introduction**

- 1.1 The North Strathclyde Community Justice Authority ('the Authority') is the Authority constituted for the local government areas served by Argyll & Bute, East Dunbartonshire, East Renfrewshire, Inverclyde, Renfrewshire and West Dunbartonshire Councils in terms of the Management of Offenders etc (Scotland) Act 2005 and the Community Justice Authorities (Establishment, Constitution and Proceedings) (Scotland) Order 2006. The Authority is one of eight new statutory bodies created to be strategic planning and monitoring authorities for the provision of community justice services in Scotland.
- 1.2 In terms of the legislation the Authority will plan, co-ordinate, monitor and report on the delivery of offender services across Argyll & Bute, East Dunbartonshire, East Renfrewshire, Inverclyde, Renfrewshire and West Dunbartonshire Councils. The Authority works in partnership with the 6 constituent local authorities and the Scottish Prison Service and, as set down in The Management of Offenders etc. (Scotland) Act 2005 (Designation of Partner Bodies) Order 2006, with representatives from Strathclyde Police, NHS, Procurator Fiscal, Victim Support Scotland, APEX Scotland, NCH and Turning Point Scotland. The Authority sits 4 times per year at Paisley.
- 1.4 The Chief Officer of the Authority is aware of initiatives being undertaken by the constituent authorities and partner bodies with regard to the mainstreaming of equalities issues. This affords the Authority the opportunity to benefit directly from the actions already proposed by these organisations to ensure compliance with its gender equality obligations. This is reflected in the Gender Equality Scheme set out in the following pages.
- 1.5 This Scheme will endure for three years, following which a review will take place.

### **2 The Authority's Functions**

- 2.1 The Authority's functions derive mainly from statute and are set out in the Management of Offenders etc (Scotland) Act 2005 as follows:
  - (a) at such intervals as the Scottish Ministers may determine -

- (i) to prepare in consultation with the partner bodies, Scottish Ministers, the appropriate local authorities and such other bodies as the Scottish Ministers may specify, a plan for reducing re-offending by relevant persons; and
- (ii) to submit that plan to Scottish Ministers;
- (b) to monitor the performance of -
  - (i) appropriate local authorities; and
  - (ii) the Scottish Ministers

In complying with, and co-operating with each other, the community justice authority and others to facilitate compliance with, the area plan;

- (c) in so far as it considers such performance by -
  - (i) a local authority to be unsatisfactory, to issue such directions to that authority; or
  - (ii) the Scottish Ministers to be unsatisfactory, to make such recommendations to the Scottish Ministers, as it sees fit;
- (d) to promote good practice in the management of the behaviour of relevant persons (“management” being management with a view to reducing re-offending by those persons);
- (e) to allocate to the appropriate local authorities any amount paid to it under-
  - (i) section 27A(1) of the Social Work (Scotland) Act 1968 (c.49) (grants in respect of community service facilities); or
  - (ii) section 27B(1) of that Act (grants in respect of hostel accommodation for persons under supervision);
- (f) to arrange with the partner bodies that, so far as practicable, any information -
  - (i) relating to relevant persons; and
  - (ii) in the possession of any of those party to the arrangements, is furnished or made available to the others party to them;
- (g) as soon as practicable after the end of each financial year. To report to the Scottish Ministers on -
  - (i) its activities and performance during that year in discharging its functions under this section; and

- (ii) the activities and performance during that year of appropriate local authorities, partner bodies and the Scottish Ministers in complying with, or facilitating compliance with, the area plan; and
- (h) any function which it has by virtue of section 8 of this Act. (Section 8 deals with the transfer of functions to community justice authorities).

### **3 Gender Equality**

3.1 The Scheme has been developed as a result of the Equality Act 2006 which amends the Sex Discrimination Act 1975. The legislation places a general duty on all public authorities, including community justice authorities, when carrying out their functions to have due regard to:-

- eliminate unlawful discrimination and harassment; and
- promote equality of opportunity between men and women.

These two elements will be referred to throughout this scheme as the general duty.

3.2 As part of this general duty, public authorities are required to give due regard to the need to:- eliminate unlawful discrimination and harassment in employment and vocational training, for people who intend to undergo, are undergoing, or have undergone gender reassignment. The expression 'transsexual people' is used to refer to the people who are covered by this element of the duty. However, it should be noted that Renfrewshire Council acts as the employing authority for the Authority's workforce and, as such, the Council's own Gender Equality Scheme addresses the general and specific duties relating to unlawful discrimination and harassment in employment and vocational training against transsexual people.

3.3 In addition to this general duty, the Authority is subject to specific duties, which are laid down in the Sex Discrimination (Public Authorities) (Statutory Duties) (Scotland) Order 2007. The Regulations set out the specific steps which must be taken to assist public authorities to fulfil the general duty. These specific duties are:

- to prepare and publish a Gender Equality Scheme;
- to consider the need to include objectives to address the causes of any gender pay gap;
- to gather and use information on how an authority's policies and practices affect gender equality in the workforce and in the delivery of services;
- to consult with all key stakeholders and to take account of relevant information in order to determine gender equality objectives;
- to assess the impact of current and proposed policies and practices on gender equality;
- to implement the actions set out in its Scheme within three years; and

- to report on progress on an annual basis and review the Scheme at least every three years.
- 3.4 The functions and policies of the Authority require to be monitored and assessed to ensure that the Authority is complying with the general duty.
  - 3.5 The general duty provides the Authority with a challenge to review its functions and policies and an opportunity to attack prejudice and discrimination through its statutory duties.
  - 3.6 In supporting the general principles of gender equality the Authority will also seek where appropriate to build the general duty into its structures and future activities.
  - 3.7 From October, 2007 the gender equality duty will be enforced by a new body, the Commission for Equality and Human Rights (CEHR). The new body will also deal with other areas of equality: age; religion and belief; and sexual orientation.

#### **4 The Gender Equality Scheme**

- 4.1 The Gender Equality Scheme (the Scheme) is the Authority's plan stating how it intends to meet its general duty.
- 4.2 In its Scheme, the Authority is required to identify those of its functions and policies, or proposed policies, which it considers relevant to issues of gender equality. The Scheme should set out:
  - The Authority's gender equality objectives;
  - How information will be gathered to monitor change;
  - How staff and service users have been consulted in setting objectives;
  - How the impact of the Authority's policies and practices on gender equality will be assessed; and
  - What actions will be taken to meet the Authority's objectives over the next 3 years.
- 4.3 The Authority will consult with its members and partners and other relevant organisations over its Gender Equality Scheme. The initial duration of the Scheme is three years. A review of the scheme is required every three years but as a matter of practice the Authority will continually monitor the implementation of the Scheme.

## **5. The Authority's Objectives**

- 5.1 It should be noted that Renfrewshire Council acts as the employing authority for the Authority's workforce and, as such, the Council's own Gender Equality Scheme addresses both the general and specific duties relating to gender pay gaps, gender equality in the workforce and discrimination and harassment in the workplace.
- 5.2 However, the Authority is committed to the promotion of gender equality as an integral part of its operation. It will ensure that its policies and practices do not adversely impact upon people as a result of their gender and that its workforce is fully aware of gender equality issues.

## **6 How information will be gathered to monitor change**

- 6.1 The assistance of Renfrewshire Council's Chief Executive's Department will be sought in relation to the implementation of a gender monitoring scheme and also in relation to the monitoring of data gathered. Data will be collected by reference to age, disability, ethnicity and gender. This monitoring will be extended to include complaints processed by the Authority. This will allow the Authority to identify and address complaints which relate specifically to gender issues.

## **7 How staff and service users have been consulted in setting objectives**

- 7.1 The Gender Equality Scheme will be published on the Authority's pages on Renfrewshire Council's web site.
- 7.2 The Scheme has been circulated to all Authority members, partners and employees. Copies are available from the offices of the Clerk, Corporate Services Department, Cotton Street Paisley, PA1 1TR. This will allow feedback and comment as part of the ongoing review of the Scheme. Alternative formats of the Scheme will be made available by arrangement when required.

## **8. How the impact of the Authority's policies and practices on gender equality will be assessed**

- 8.1 The Authority is required to have and identify arrangements for assessing and consulting on the likely impact of its proposed policies on the promotion of gender equality. The Authority recognises that the steps required in respect of each policy will vary depending on the nature of the policy and the surrounding circumstances. From the introduction of this Scheme, all reports presented to the Authority proposing policies that have any significant relevance to gender equality will include details of:

**8.1.1** a gender impact assessment of the proposed policy;

- 8.1.2 any consultation carried out in conjunction with that assessment; and
- 8.1.3 any action, including monitoring where appropriate, proposed in consequence of that assessment and consultation.

The Authority will consider these matters in reaching its decision on the proposed policy.

8.2 Gender impact assessments will follow the undernoted procedure:

- Identify all aims of the policy
- Consider all available data and research findings relating to the policy
- Assess the likely impact on people of different genders based on available evidence
- Consider the options to mitigate and adverse gender impact
- Consult on the policy and possible options
- Decide whether to adopt or modify the policy
- Once adopted make arrangements to monitor the actual impact of the policy
- Publish the results of the impact assessment

8.3 The Authority is required to have and identify arrangements for monitoring its policies for any adverse impact on gender equality. It is proposed that the effects of policies will be subject to regular scrutiny as part of the annual review process.

## **9. What actions will be taken to meet the Authority's objectives over the next three years**

9.1 The Authority's Gender Equality Scheme action plan, (the action plan) is attached as Appendix I. This details the actions the Authority will implement in order to promote gender equality. The Authority will, within three years of the publication of this Scheme, take the steps which it has set out in the action plan unless in all the circumstances it would be unreasonable or impractical to do so. In that event the Authority will consider other and alternative measures if appropriate.

9.2 The Scheme will be reviewed on an annual basis and progress on the action plan will be reported to members.

9.3 The Scheme will be comprehensively reviewed on a three-yearly basis.

9.4 The Authority will identify arrangements for training staff in relation to their duties to promote gender equality and ensure equality of opportunity. The Authority is committed to ensuring that its support staff receive adequate training in these areas.

## LIST OF CONSULTEES

- 1 All members of the Authority, its partners and its employees
- 2 Renfrewshire Council's Chief Executive's and Corporate Services Department
3. Equal Opportunities Commission

Further consultation will be held with interested agencies following the Authority's approval of this draft scheme.

Responses must be submitted by 27th August, 2007 at the latest. **Because the Scheme will be monitored on an ongoing basis there will be adequate opportunity to comment further as the Action Plan is implemented.**

### Your Views on the Scheme

The Gender Equality Scheme is an evolving Plan. Your views will help to shape it and would be appreciated.

### Dealing with the Public

The North Strathclyde Community Justice Authority (the Authority) will ensure that it is in a position to deliver what it promises in terms of its Gender Equality Scheme. Documents should be quickly available in alternative formats should they be requested; all service users should be able to access the premises used by the Authority and its staff and they should be enabled to understand the happenings of the Authority.

The draft scheme will be presented to the Authority at its meeting to be held on 7th September, 2007.

Please address your comments to:

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Renfrewshire Council  
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## NORTH STRATHCLYDE COMMUNITY JUSTICE AUTHORITY

### GENDER EQUALITY SCHEME

#### ACTION PLAN

What we will do	How we will do it	How we will know we have done it	By when	Who will carry out the action	What we hope to achieve
<i>Please note that Renfrewshire Council is the employing authority for the Authority's workforce. All duties relating to gender pay gaps and workforce discrimination are included in the Council's Gender Equality Scheme.</i>					
1. How information will be gathered to monitor change	<ul style="list-style-type: none"> <li>Implement a gender monitoring scheme</li> </ul>	Written scheme	January-March, 2008	Chief Officer	The Authority's policies and practices will not have a detrimental effect upon the wellbeing of people as a result of their gender
	<ul style="list-style-type: none"> <li>Extend this monitoring to complaints processed by the Authority</li> </ul>	Written scheme	January-March, 2008	Chief Officer	Any complaints raised which related to issues of gender can be highlighted and addressed
2. How staff and service users have been consulted in setting objectives	<ul style="list-style-type: none"> <li>Draft Scheme and action plan circulated to Authority members, employees, partners and other stakeholders</li> </ul>	Consultation database	August, 2007 and ongoing	Chief Officer/ Clerk	

	<ul style="list-style-type: none"> <li>As part of the annual review process, consider whether further publicity in relation to the Scheme is required</li> </ul>	Section included in annual report	July, 2008 and ongoing on an annual basis	Chief Officer/ Clerk	All key stakeholders and all sections of the community will be aware of the plan
	<ul style="list-style-type: none"> <li>Make copies of the Scheme available at the Authority's offices, all public libraries in the Authority's area and publish the Scheme on the lead authority's web site.</li> </ul>	Database of offices and libraries	September/ October, 2007	Clerk	Copies of the Scheme are made widely available to members of the community
	<ul style="list-style-type: none"> <li>Translations and other formats e.g. Large print, Braille and audio to be made available on request. All documents will be written in plain English.</li> </ul>	Database of available translation and transcription services	September, 2007 and ongoing	Chief Officer/ Clerk	The Scheme is accessible to all members of the community in an acceptable format
3. How the impact of the Authority's policies and practices on gender equality will be assessed	<ul style="list-style-type: none"> <li>Conduct an audit of all existing Authority policies to ensure compliance with the Authority's Scheme.</li> </ul>	List of existing policies with gender impact assessment	December, 2007 and ongoing	Chief Officer/ Clerk/	The Authority's policies and practices will be informed and influenced by the people who are most likely to be affected by them.

<p>3. How the impact of the Authority's policies and practices on gender equality will be assessed cont.</p>	<ul style="list-style-type: none"> <li>Consider an appropriate means of consulting on policies potentially impacting on disability equality.</li> </ul>	<p>Database of consultees</p>	<p>December, 2007 and ongoing</p>	<p>Chief Officer/ Clerk</p>	<p>The Authority's policies and practices will be informed and influenced by the people who are most likely to be affected by them.</p>
	<ul style="list-style-type: none"> <li>The effects of the policies to be subject to regular scrutiny as part of the annual review process.</li> </ul>	<p>List of policies and details of analysis undertaken</p>	<p>July - September, 2008 and ongoing on an annual basis</p>	<p>Chief Officer</p>	<p>As above</p>
	<ul style="list-style-type: none"> <li>Require all reports presented to the Authority proposing policies that have any significant relevance to gender equality to include details of: <ul style="list-style-type: none"> <li>the gender impact assessment carried out;</li> <li>any consultation carried out in conjunction with that assessment; and</li> <li>any action, including monitoring where appropriate, proposed as a consequence, of that assessment and monitoring.</li> </ul> </li> </ul>	<p>Section included in reports detailing impact of proposed policy, consultation carried out and any action arising from this process</p>	<p>December, 2007 and ongoing</p>	<p>All report authors</p>	

4. What actions will be taken to meet the Authority's objectives over the next three years	<ul style="list-style-type: none"> <li>Review the scheme annually and report progress on the action plan to Authority members.</li> </ul>	Annual report	July - September, 2007 and thereafter on an annual basis	Chief Officer/ Clerk	The Authority will meet the specific race equality duties within an identifiable timescale
	<ul style="list-style-type: none"> <li>Review the Scheme three-yearly.</li> </ul>	Report with feedback from consultees	July - September, 2010	Chief Officer/ Clerk	Any weaknesses or failings in the Scheme will be identified and addressed. New actions and timescales will be developed.
	<ul style="list-style-type: none"> <li>Diversity training will be provided to all the Authority's workforce</li> </ul>	In-house diversity training course	January, 2008 and ongoing	Chief Officer	An understanding of gender equality issues