

Highlands and Islands Enterprise

Disability Equality Scheme – 2006 - 2009

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Foreword by the Chief Executive

Highlands and Islands Enterprise (HIE) aims to help the people, businesses and communities of the Highlands and Islands to realise their full potential. We want this aspiration to be within the reach of every single resident of our area.

We have a very broad remit which means we work with individuals, (helping them to acquire the skills they need to succeed in the labour market, offering careers advice and guidance), businesses (assisting the establishment of new enterprises and the growth of existing ones). We also support community groups to acquire assets and develop the confidence needed to fulfil their aspirations.

This Disability Equality Scheme sets out HIE's arrangements for complying with our duties under the Disability Discrimination Act 2005.

Our commitment to equal opportunities goes beyond a desire to comply with legislation. Our aspiration for the population of this region to grow by around 65,000 over the next twenty years means we need to be proactive in ensuring assistance from our Network is accessible to all people who choose to live, work and study here.

We have also expressed our desire for this region to be a shop window for the best that Scotland has to offer. This means we need to work to encourage a tolerant society and to celebrate diversity in all its forms.

By eliminating discrimination, combating harassment and promoting positive attitudes and participation in public life, we can promote equality of opportunity for disabled people.

The following document sets out our Disability Equality Scheme. The implementation of the associated action plan will take us some distance along the way to achieving these aims.

Sandy Cumming
Chief Executive
Highlands and Islands Enterprise

Introduction

The Disability Discrimination Act 2005 places a duty on public bodies including Highlands and Islands Enterprise, to promote equality for disabled people and to give this a central place within its policy making, service delivery and employment functions. This requires organisations to go beyond consideration of physical access and individual adjustments, and focuses on addressing barriers within systems and incorporating equality for disabled people into the culture of public bodies in very practical ways.

In implementing their functions under the general duty, public authorities such as HIE should give “due regard” to the need to:

- Eliminate unlawful discrimination
- Eliminate harassment related to disability
- Promote equality of opportunity between disabled people and others
- Take steps to take into account the needs of people with a disability, even where this involves treating them more favourably than others
- Promote positive attitudes towards disabled people
- Encourage participation by disabled people in public life

The general duty is supported by the specific duties, which provide the mechanisms and the means by which public authorities can meet the general duty to promote disability equality. These specific duties require authorities to produce and maintain a disability equality scheme (DES) and to collect and publish employment monitoring data.

This scheme sets out how HIE will meet these duties, describing our values and aims as they relate to equality and our plans to make disability equality an intrinsic aspect of our policies, functions and services. This DES outlines HIE’s aspiration to meet both the general and the specific duties of the Disability Discrimination Act 2005 over the period 2006-2009.

Highlands and Islands Enterprise (HIE)

Organisation

HIE is the economic and community development agency for the north western half of Scotland. It is a Non Departmental Public Body funded by the Scottish Executive. The Minister for Enterprise and Lifelong Learning is ultimately responsible for the actions of HIE.

HIE consists of our main offices at Cowan House, Inverness, and Earl Thorfinn House, Dingwall, a Data Centre in Benbecula and nine Local Enterprise Companies which also deliver the Careers Scotland function.

HIE Board members are appointed by Scottish ministers for a fixed period, usually for three years. The Chief Executive is accountable to the Scottish Executive and the senior management team are responsible for the day to day running of activities and projects.

A Smart Successful Highlands and Islands

The HIE Network's Operating Plan for 2006-09 sets out its **vision** for 'A Smart Successful Highlands and Islands' as follows:

"Our vision is for a Highlands and Islands which has a buoyant economy driven by competitive industry; a wide range of opportunities for a skilled workforce and a network of strong vibrant communities with a high quality of life. In pursuing this vision, we are particularly conscious that the opportunities offered by the area's unique environment and cultural heritage should be used in a way which does not compromise this special place for future generations."

The HIE Network's aim is:

"To enable people living in the Highlands and Islands to realise their full potential on a long-term sustainable basis."

The aim will be pursued through the following four strategic objectives:

- Strengthening communities
- Developing skills
- Growing businesses
- Making global connections

Seven principles underpin HIE's strategy: sustainability, inclusion, working in partnership, freedom of information, risk management and responsibility, value for money and efficient government. HIE's commitment to 'Inclusion' in particular states:

“We are committed to inclusion and to supporting active communities. The HIE Network is determined to enable equality of access to employment, business and development opportunities across the Highlands and Islands for everyone, regardless of race, disability, gender, sexual orientation, religion or belief. This is reflected in our decentralised delivery system of Local Enterprise Companies and in our focus on building capability within communities to lead their own development.”

Policy and Strategy - Approach to Disability Equality

HIE's commitment to equality

HIE aims to be an equal opportunities employer and is committed to treating all existing and prospective employees in the same way. This is regardless of gender, marital status, race or ethnic origin, disability, age, sexual orientation, religion or belief or any other factor.

HIE believes that the promotion of equality is a key component of good management, as well as being legally required, socially desirable and morally right. HIE welcomes the opportunity to further develop and improve its approach to disability equality and details within the Disability Equality Scheme our intended approach to fulfilling the general and specific duties as outlined by the Disability Discrimination Act 2005.

In doing so, HIE wishes to create and maintain a working environment that will enable all people to maximise their potential and so contribute to the overall success of the Network. It is HIE's belief that each individual will benefit from an environment which encourages trust and respect for each other.

Resourcing our focus on equality

In order to reflect HIE's commitment to equality at a strategic level across all the services and functions of the Network, responsibility for equality issues was transferred in 2005 to HIE's Strategy Group.

In developing the DES, HIE recognises that it aims not only to be compliant with the legislation but also to go further in promoting the spirit of its responsibilities, not just in relation to disability but across the broad spectrum of equality strands covered by legislation. In order to achieve this, HIE has recognised the need for a dedicated resource to address equality issues across the Network, with the focus on developing a more integrated approach to equality and diversity. HIE is in the process of recruiting an Equality Manager within the Strategy Group and will also commission, in the short term, a small amount of consultancy support to assist in driving forward key initiatives effectively in the initial stages.

HIE's Equality Forum was established in October 2002 and comprises nominees from the HIE core, the Local Enterprise Companies and Careers Scotland with specific representation from Human Resources, Legal Services and the recognised Unions, PCS and UNISON. The forum aims to assist the Network to embed equality considerations within the mainstream of the Network's policies and practices, specifically with respect to the provision of products and services to the public. In 2004, the composition of the Equality Forum was revised to ensure appropriate representation across all functions of the organisation and awareness training on equality and diversity was arranged for all members of the forum. This training was also delivered to all members of the Network's senior management team.

Developing HIE's Disability Equality Scheme - 2006-09

HIE is committed to making disability equality an integral feature of its policy making, service delivery and employment functions.

General Duty

The broad aims of the DES, as specified under the general duty of Disability Discrimination Act 2005, are to give "due regard" to the need to :-

- Eliminate unlawful discrimination
- Eliminate harassment related to disability
- Promote equality of opportunity between disabled people and others
- Take steps to take into account the needs of people with a disability, even where this involves treating them more favourably than others
- Promote positive attitudes towards disabled people
- Encourage participation by disabled people in public life

Specific Duties

In addition, "specific duties" outline the key mechanisms which will enable HIE to meet the general duty, including the requirement to produce and publish a disability equality scheme (DES), involving disabled people in its development. The scheme should include a statement of :-

- The way in which disabled people have been involved in the development of the scheme
- HIE's methods for impact assessment
- Steps to be taken - an action plan
- Arrangements for gathering information in relation to employment and other functions
- Arrangements for putting the information gathered to use, in particular in reviewing the effectiveness of the action plan and in preparing subsequent disability equality schemes

HIE must produce a report containing a summary of the steps taken under the action plan, the results of our information gathering and the use to which we have put the information.

Specific Duty: Employment

HIE is also bound by the specific duty in relation to employment and must put in place actions relevant to ensuring that disabled applicants and employees can progress and succeed throughout HIE. HIE has focussed on the following areas in relation to the specific duty on employment :-

- ❖ recruitment and selection
- ❖ induction
- ❖ retention

- ❖ job role, performance and management
- ❖ terms and conditions and benefits
- ❖ data monitoring and employee involvement

Further developments in monitoring will also enable HIE to focus on disability equality in grievance and discipline, learning and development and promotion.

Involvement of Disabled People in development of the DES

HIE is a member of the Wellbeing Alliance, the community planning partnership for Highland. The Alliance comprises a partnership of Highland Council, Highland NHS Board, Highlands and Islands Enterprise, Northern Constabulary, Scottish Natural Heritage, Communities Scotland, Highlands and Islands Fire and Rescue Service and voluntary organisations working with young people. The Wellbeing Alliance contacted a range of disability groups asking for their involvement, which would inform the development of equality schemes for the partner bodies. Initial responses have been received and these have been taken into account in the development of HIE's scheme. Further analysis and interpretation of the findings forms part of the action plan and will be undertaken within the first year of the DES.

Existing HIE employees who have formally declared a disability were also asked to complete a questionnaire on their experience of working for HIE, to highlight areas which can be addressed through the scheme. Responses to the questionnaire have highlighted some areas for review or development and these also have been incorporated into the action plan. The opportunity to respond to the initial questionnaire will also be extended to all employees who have a disability (but who have not formally recorded this) and, for those who give permission to do so, their managers. Inclusion of other employees with a disability and their line managers, where possible, will help us identify any organisational barriers to disability equality. The recognised trade unions were also asked to contribute their views and suggestions for inclusion in the scheme.

Impact Assessment

Existing Network functions and policies have been listed and assessed on a 'yes' or 'no' basis to determine whether they are relevant to the general duty and these were further assessed to determine the level of risk under the general duty. Each policy was rated as being either 1 (high risk), 2 (medium risk) or 3 (low risk) (see Appendix I). The risk rating was then used to determine the priority in terms of action to be taken. The rating determined the time frame for action, with policies rated 1 prioritised as requiring action first and 3 as last (see Appendix II Action Plan).

Current activity

HIE is involved as a partner in a number of initiatives with an equality focus:

- Women into Construction project
- Construction Equality Group
- Working with Fresh Talent Initiative to organise a construction conference which will focus on people from accession countries and asylum seekers (permitted to stay)
- Men into Childcare project
- Fairplay Scotland - opportunities for women in the labour market
- EQUAL Close the Gap project - address the gender pay gap
- A range of ESOL activities
- Highlands & Islands Equality Forum

Production of 'Welcome Packs' to help newcomers to the region (primarily from Eastern Europe) to settle into their chosen local community.

Impact assessment

Assessment of Policies and Functions

In order to ensure a systematic approach to disability equality impact assessments, those involved in developing policies are provided with guidance on the process which involves two stages. This mirrors the processes put in place to address impact assessment for race equality:-

(i) Screening stage: Assessing a policy/function for its relevance to disability equality. The procedure adopted for current and new policies/functions is as follows:

- Identify the policy/function
- Describe the aims of the policy / function
- Collect evidence / information
- Decide if the policy is relevant.

(ii) Full impact assessment: The primary aim is to undertake a systematic assessment to ensure that the policy/function will not have adverse effects on disabled people. *[It is important to recognise that the principles of relevance and proportionality apply. Some policies are likely to be more relevant than others and the time and resources spent on the process should be proportionate.]* A toolkit with a checklist will be used for undertaking this process.

The project appraisal process will be screened to determine how best to incorporate disability impact assessment into the process alongside race impact assessment.

Consultation on impact of policies and functions

HIE undertakes a significant amount of consultative activities work, including:

- Corporate market research
- Customer satisfaction surveys
- Programme evaluations
- Economic research

The results from such consultations are fed through to the relevant areas of our organisation to help inform policy development and service delivery.

Although at present information on those involved in consultative activities are not disaggregated by disability, HIE will build this into the process. It will also build on intelligence currently in place and consultations with these groups will be built into the impact assessment process depending on the appropriateness and relevance of the policy areas/functions.

Monitoring policies for any adverse impact

Developing monitoring systems

There are a number of systems in place which can provide monitoring information on major functions.

- NMS and implications
- Client Information Database
- Annual customer satisfaction surveys
- Bespoke corporate research
- Careers Scotland's client information database 'Insight'
- National Training programmes database

HIE is in the process of reviewing its existing systems for collecting a wide range of data and will explore and establish a system for monitoring by disability in relation to all relevant functions and policies in service delivery as well as employment. The following areas in particular will be developed:

Dealing with adverse impact

- Change the policy / function to address issues / concerns that may have been raised
- Consider ways of minimising adverse impact
- Find alternative means for achieving the policy objective
- Increase effort where necessary to ensure impact is maximised
- Provide a strong justification for the policy to remain as it is because of the policy objectives of addressing the specific needs of some groups / areas, etc

Arrangements for assessing the impact of activities and improving these where necessary

Policies/functions will be reviewed based on the ranking accorded to them in undertaking the review of functions for their relevance to the duty and listed in Appendix I and the following table:

Ranked Policy/Function level	Year of review
High	2007
Medium	2008
Low	2008

The following sections describe HIE's arrangements for meeting its duties under the Act.

HIEs review will ensure that there is transparency in specific policies and functions relevant under the act; and that involvement of disabled people will be sought in major policy or function review. Clear lead roles and responsibilities have been identified, both overall and in relation to specific policies and functions and appropriate monitoring and evaluation /impact assessment / outcomes, etc. are to be published in due course.

Meeting the specific duty for Employers

Recruitment and Selection

An on-line recruitment system is currently being developed and is likely to be implemented early in 2007. This will increase accessibility to our vacancies for those with a disability and enhance our monitoring and reporting capability for recruitment. We are currently recognised by Jobcentre Plus, under the disability symbol banner, as an employer who is committed to the employment, retention, training and career development of disabled employees. Once online recruitment has been launched, this will provide an opportunity to survey disabled candidates' views on the recruitment process to enable us to identify service improvements.

Induction

All employees have an induction plan to take them through the first 12 weeks of employment, which includes attendance during this period at a two day residential induction event. The induction event includes a session on equality which outlines the responsibilities of HIE as an employer and of employees in relation to all equality strands, including disability and HIE's public duties on race, disability and, in due course, gender.

Retention

An online exit interview facility is currently being developed in-house which will also enable us to explore more fully equality issues, including disability, when an employee

leaves. Disability monitoring has also been introduced into the 2006 Staff Survey, issued on 4 December, to enable us to analyse more effectively employees' views.

Job role, performance and management

The Job Evaluation and Grading Support (JEGS) system which was introduced in 2002 to evaluate existing roles and which informed the new grading structure complies with the equality requirements. This system is used when assessing requests for job grading review.

All employees have the formal opportunity to meet with their line manager twice yearly to discuss their performance and any employment issues, including those relating to equality.

In support of the Network's management development programme, a series of HR workshops are provided for managers on a range of topics:- managing equality and diversity, managing attendance, people management, recruitment and selection, managing discipline and grievance, effective investigations and supportive performance management and managing pressure. As of April 2007 attendance on the recruitment and selection workshop is compulsory for all interview panel members, in recognition of increasing complexity of employment legislation and managers' responsibilities.

Terms and conditions and benefits

An exercise is currently being carried out to schedule a review of existing policies and functions which will act as a baseline for an annual policy review schedule. This will take into account the priorities as established under the disability equality scheme. This extends beyond policies, to implementation of processes and procedures. Policy development currently underway which has a direct relevance for the scheme includes new bullying and harassment, home-working, criminal record disclosure and capability policies.

Data monitoring and employee involvement

HIE will continue to monitor applicants and employees using the Census 2001 statistics as our benchmark on a range of equality strands. Monitoring disability for employees is particularly challenging as it relies on voluntary disclosure. For example, analysis by disability was carried out in the equal pay audit 2006, but the small number of recorded disabled employees prevented any meaningful analysis of trends. In response to this, we have opened up our involvement in preparation of the DES to those who have not formally declared a disability and aim to increase employee involvement as awareness of, and trust in, our aims increases over the period of the DES. Annual verification of employee data will ensure statistical analysis is relevant and accurate.

Involvement of disabled people in the development of the scheme has provided valuable information to benchmark HIE's performance on employment. It is anticipated that this will be repeated throughout the period of the scheme, to gauge improvements in performance or areas for review and development.

A dedicated HR employee records / pay system is in place and review and development of the HR employee records system and associated reporting capacity is currently being explored.

Reporting

HIE will publish the following through various media including making use of its website and highlighting progress in its annual report:

- The disability equality scheme
- Summary of all involvement with disabled groups conducted
- Summary of results of monitoring
- Progress against targets as specified in the agreed action plan

This information / material can be made available in other languages / formats on request.

Public access to information and services

Access to information and services

HIE is committed to publishing information about targets, achievements, performance and activities. This information is published through annual reports and on its website.

HIE is committed to identifying the most effective way to deliver its services to diverse groups – through the use of its extensive network of Local Enterprise Companies and Careers Scotland locality offices to ensure information and services are made available to everyone in all of the communities we serve.

HIE can provide this information /material in other languages / formats on request.

HIE will work with individuals, community groups, businesses and partners through a variety of media. We communicate with customers face-to-face, over the phone, through email and written correspondence and provide information to customers on our website. We also provide some advice and support services through third parties. Our activities and policies are well publicised through the local and national media, and our staff regularly attend community meetings and other local fora.

HIE will work to remove barriers related to disability. We will consider any reasonable request for documents / information to be provided in alternative formats to enable wide access.

Experience of services

Should survey work or consultations bring to light barriers to accessing our services which are affecting disabled individuals or groups within our communities, we will take action to address these issues. Bespoke research will be used, where appropriate, to identify and address needs.

Training

In order to ensure that equality, with particular emphasis on the public duty on disability equality, is understood and embedded within HIE, training on equality, including disability has been provided for key influencers in the Network.

The range of skills workshops currently available, outlined in the section on “Meeting the specific duty for employers”, which support managers, have been reviewed to include HIE’s responsibilities under the Disability Discrimination Act 2005 and the disability equality scheme, with a workshop specifically on equality and diversity. All of these refer to individual and corporate responsibility for equality issues.

HIE understands that it is essential to support all employees in delivery of their roles by appropriate training and a training programme is currently being developed to address HIE’s commitment to a range of equality strands, including disability. This will enable all employees to gain an understanding of and commitment to HIE’s public duty in relation to disability equality, as well as the current and future responsibilities on race and gender.

Procurement

To comply with our duty under the Act, HIE must take disability equality into account when procuring goods, works, or services from external providers. While contractors themselves must not discriminate, they do not have the same legal obligation to promote equality of opportunity.

HIE will take action to ensure contractors procured by HIE conduct their business in a manner that is compatible with HIE’s obligation under the DDA 2005. The Procurement Brief which has to be completed and attached to the Invitation to Tender Document now contains guidance on this.

Partnerships

Where we work in partnership with other organisations, we are still responsible for meeting the general duty to promote disability equality.

Complaints

The HIE Network has in place a clear policy for dealing with complaints. Where it is not possible to resolve the complaint internally, a complainant is entitled under the terms of the Scottish Public Service Ombudsman Act 2002 to have their complaint considered by the Scottish Public Service Ombudsman. The contact point within HIE for complaints is:

Lara Pollard
Customer Service Manager
Highlands and Islands Enterprise
Freepost IV74
Inverness
IV2 7BR
Direct-line: 01463 244502

Disability Equality Scheme Action Plan

The action plan associated with the Disability Equality Scheme was reviewed in December 2007 and combined as a single action plan, incorporating actions to be taken from December 2007 onwards in relation to disability, race and gender. The joint action plan can be viewed on the HIE website.