



EQUALITY & DIVERSITY ANNUAL REPORT

The first annual report on the 2005 to 2008
integrated Equality & Diversity Strategy

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The Society believes that organisations sharing information, ideas and experiences in relation to Diversity affords the greatest opportunity for us all to move forward in this important work. We would encourage anyone with questions or feedback about our work to contact the Head of Diversity (diversity@lawscot.org.uk, 0131 226 7411 or text-phone 0131 476 8359).

Foreword

We are delighted to present the Society's first Equality and Diversity Annual Report.

As the professional body for solicitors in Scotland the Society has responsibilities to the profession, to the public as a whole, and as an employer. To provide, and be seen to provide, effective regulation the Society must take account of the Diversity of both profession and public and ensure that our services are 'accessible', 'user friendly' and equitable to all in experience and outcome. To carry out our regulatory functions effectively, we have to understand both the groups we regulate, and the public for whom we regulate.

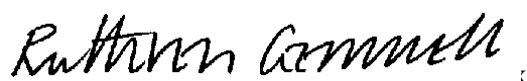
In November 2005 we established an ambitious integrated **Equality and Diversity Strategy**, which included our **Race Equality Scheme** within it. This is our first annual report on that Strategy and Scheme; in it we detail the successes and achievements, of which we feel there are many, and the further work and challenges ahead. This includes discussing the upcoming **Disability Equality Duty** and the **Gender Equality Duty**.

Highlights of the year include having:

- Successfully launched of the **Women in the Legal Profession study**, with over 150 solicitors attending the launch event in November of last year
- Achieved a fantastic response (3016 returns) to our '**Profiling of the Profession**' project
- Undertaken a **job evaluation project** (with an emphasis on equal pay for equal work)
- Launched a more **accessible website**
- Working with '**Ethnic Britain**' and '**The Big Issue**' to engage with a wider audience and encourage young people to consider a career in law

The document outlines other achievements before progressing to examine some key issues in more detail. We would both like to take this opportunity to congratulate the Council, Committees and Executive of the Society for ensuring that this first annual report demonstrates both purpose and progress in relation to Equality and Diversity.

We welcome comments and observations and please note there is an annual opportunity to allow such feedback to be taken into account.



Ruthven Gemmell
President



Douglas Mill
Chief Executive

KEY ACHIEVEMENTS

2.1 Introduction

The 2005 to 2006 period has been one of successes and achievement. Perhaps most important is that **throughout the year all the staff and management of the organisation have been involved** in some way in our equality work:

- Through training and awareness raising sessions on equality and diversity in general, and on the introduction of new areas, such as mandatory age discrimination for all staff
- In an online impact assessment and test of knowledge based around the equality and diversity training
- In brainstorming and discussion – on achievements for the year and areas for development
- In quarterly reviews of our equality and diversity objectives
- Through working on new job descriptions for a ‘Hay’ job evaluation
- Through specific projects – ranging from our Disability Access Review event, to contributing to the development of new legislation in areas such as Mental Health, and Adult Support and Protection

The aim is to try to keep up momentum in ensuring that by every member of staff, and throughout the year, equality and diversity is being actively considered.

Our Council has also played a significant role, debating our position and approach and engaging in awareness raising training. This elected body also endorsed key proposals; such as the new selection methods for committee members, the new anti-discrimination rules on the profession’s Codes of Conduct, and in approving new practice guidelines amended in light of the creation of Civil Partnerships.

We have had the support of a whole list of external organisations and agencies (see our Strategy for a full list – available on the Society’s website) that have provided help, expertise, guidance and motivation. The Society knows there is much to be done in the coming years and is looking forward to the work ahead, but celebrating success is also important. **We set out below some of our notable achievements in relation to our equality and diversity work.**

2.2 Consultation & Involvement: making sure a range of views are gathered

1. The Society publicly advertised for members to join an Equality Forum, a group of solicitors (currently around 30) with personal and/or legal expertise in a range of issues of equality and diversity (from issues around race to sexual orientation) to become involved in policy and decision making
2. The Council of the Society has committed to convening a new formal committee in May 2007, The Equality and Diversity Committee, in recognition of the work of the current more informal Diversity Advisory Group
3. The purchase of consultation and questionnaire software to promote engagement with the profession and public, and securing adaptation to ensure it is WAI ‘AA’ compliant. This allows the rapid and accurate collection of information through the web – and has been used for a training needs analysis of staff in relation to equality, an assessment of current staff knowledge and attitudes, and with the public and profession to collect data on opportunities and barriers in relation to qualifying as a solicitor for those from a range of backgrounds, cultures and personal experiences
4. The design and completion of a one-day workshop to involve disabled people in setting the future agenda of our equality and accessibility work. Fifty people (50:50 split of Society staff/committee members and disabled people) attended this externally facilitated event and contributed to the establishment of a future action plan
5. Within the Involvement work there has been discussion and joint working/design on specific projects. For example, the current education consultation (on routes to qualification and Continuing Professional Development) was significantly influenced by discussion with disabled students and solicitors and from work with individuals from minority ethnic groups looking at their experiences of the profession
6. The Society has taken a seat on the Equality Committee of the Scottish Legal Aid Board to ensure that information is shared and opportunities for joint working explored to ensure maximum impact is achieved

7. The Society has appointed a full-time member of staff to build links with school pupils and university students to encourage non-traditional applicants to the profession and develop specific careers support materials addressing the issues that various groups feel they need additional information, advice and/or support on
8. The SGM (Special General Meeting) called in relation to Legal Aid funding was a standing room only event with over 150 solicitors in attendance. This allayed slight concerns about some previous turnouts that were less strong. The advertising mediums used (letter to members, Journal, website, EZINE) and the venue used were clearly less important than the topics on the agenda – and when important issues are under consideration we saw a tremendous engagement, with our members helping set policy on this key issue around access to justice
9. Regular and frank dialog with members and stakeholders has identified ‘ad hoc’ issues – such as the possible creation of a ‘specialty’ in ‘Discrimination Law’ to allow those seeking legal assistance in this field to access the highest quality advice
10. Lay membership has been increased across all committees, with a positive presumption that there will be lay-membership – there is now open advertisement for appointments through the national press
11. There is a three year phased plan to ensure that all committee appointments (for solicitors, see arrangements above for lay members above) within the Society are advertised nationally through The Journal and that the full membership are encouraged to consider applying – the Profile of the Profession project will soon allow us to assess committee and Council membership to ascertain how representative it is of the membership
12. Four lay observers have been appointed to Council through an open recruitment process, and the Society is lobbying the Scottish Parliament for an amendment to our constitution to allow these observers rights of membership of Council

2.3 Policy: ongoing identification, assessment, and actioning of issues

13. Implementation of a detailed equality impact assessment of all the functions, policies and procedures of the Society across all of the 'strands' of equality (race, sex, disability, etc.)
14. The final approval and launch of a three-year Equality and Diversity Strategy – setting a range of challenging and substantive targets across the coming years
15. The Society has undergone a job evaluation process with Hay, with a focus on equal pay for equal work. Staff have been re-graded and remuneration altered accordingly
16. The Society is launching a new recruitment and selection policy and recruitment paperwork – which meet all equality requirements. Of special importance will be collection of equality data, which will allow more effective monitoring and identification of issues in the future
17. A full package of reforms in Education and Training is being consulted on, for the first time all stakeholders will be requested to respond including groups such as the Equality Commissions, the Consumer Association, and individual members of the public and profession. This has already identified equality issues in relation to training (including the possibility of introducing discrimination and equality as mandatory elements of the route to qualification) and perceived barriers
18. The review of every 'Practice Rule' and 'Practice Guideline' and amendment, where appropriate, in light of the new Civil Partnership legislation
19. The practising certificate paperwork and Roll Management System have been adapted in light of the new Civil Partnership Legislation
20. The 'Profiling of the Profession' project and follow-up work on the Women in the Legal Profession Study will be vital in identifying future policy issues

2.4 Publishing, profile raising and promotion of equality and Diversity

21. Creation of an Equality and Diversity website section which collates all key information on the work of the Society in this field and of other organisations offering information and support
22. Launch of the results of the 'Women in the Legal Profession' research. This was jointly run and funded with the Equal Opportunities Commission Scotland and over 2300 people responded to the study which was then launched to an invited audience of around 150
23. Distribution of an Equality and Diversity themed edition of the Journal in November 2005 to help raise awareness across all of the Society's 10,000 members
24. Launch of the 'Profiling the Profession' project to generate a full demographic profile of the profession covering all the 'strands' of equality – this has attracted over 3000 responses, and the results are currently being collated (due for publication in February)
25. The creation of a solicitor specialty in 'Discrimination Law' – making it easier for members of the public to access expert legal advice on discrimination law
26. A new and tighter definition of 'discrimination' included in a review of the Codes of Conduct for solicitors
27. Promoting understanding of equalities issues in wider society through our debating competition. Two motions were themed around equality issues; 'This House would make the incitement of religious hatred illegal' and 'This House would educate disabled children in special schools'. This involved over 100 schools and over 350 schools pupils engaging with these complex motions
28. The Society is continuing its financial and drafting support for the award winning Young Citizen's Passport, in partnership with the Citizenship Foundation, by working on the 2nd edition
29. In conjunction with the Scottish Parliament the Society is distributing learning materials and an instructional DVD to all secondary schools in Scotland to encourage participation in debate and legal matters, and to foster a better understanding of the legal profession and the career opportunities it affords – this linked to our other careers work and trying to get people from a range of backgrounds and cultures to consider law as a career
30. All 10,000 members of the profession have been sent a basic information leaflet on Equality and Diversity containing key definitions, an outline of the work of the Society, and details of where to access further information

31. The Annual Report – which all solicitors are encouraged to access, contained a section detailing the work achieved and planned by the Society in the field of equality and diversity
32. The Society has worked with publications such as The Big Issue and Ethnic Britain to promote careers in law – including developing profiles of role models such as Council Members of the Society and other leading lawyers
33. The Society has organised a meeting of the Scottish Regulatory Forum themed on Equality and Diversity to ensure the sharing of best practice with other professions
34. The Society has provided input into the parliamentary drafting of legislation on civil partnerships, immigration and asylum, the establishing of a Scottish Commission for Human Rights, the Family Law Scotland Bill, Mental Health legislation, the Adult Support and Protection Bill, and the Adoption of Children Bill
35. The Society has offered financial support to the Achievers UK website – this aims to provide youngsters from every school in Scotland with role models who are former pupils of the that school who have gone on to succeed – the Society sponsors the legal sections, aiming to encourage all youngsters to see the law as a possible future career

2.5 Tendering and Procurement of Services

36. Application of new procedures when accrediting providers of the Exempting LL.B. Degree and the Diploma in Legal Practice to ensure universities provide the Society with, among other things, a range of equality data, information on their plans to increase accessibility, and details of how issues around Equality and Diversity are to be taught pervasively throughout the curriculum
37. The Society has launched a new tender for The Journal, and included a variety of equality factors including the need to produce accessible versions of the content, the need to comply with all the ‘public function’ duties, and an active requirement that they promote equality and diversity through the selection of authors, topics and content
38. A variety of other tendering and procurement processes have included equality and diversity criteria – including, for example, accessibility requirements for new online and distance learning materials (aimed both at those in training and practising members of the profession)

2.6 Increasing access to information and services for all

39. The launch of a new Society website meeting the WAI 'AA' standard for accessibility – the aim is to make as much information as possible about the Society available in clear and easy to access materials on the website
40. The launch of an online version of the Journal which meets the WAI 'AA' standard for accessibility
41. The Society has launched a new complaints pack that is available in large print, audio cassette, Braille, and a variety of languages. This can be requested by phone, text-phone, e-mail, fax, or in person at our reception
42. The Society is commissioning various building work, including additional disabled toilet facilities, to improve access within the building
43. The Society has commissioned accessible distance learning materials to support some subjects in the Diploma in Legal Practice – again, these were designed incorporating feedback from current students who required materials to be made available in alternative formats
44. The Society has made all central learning materials for the Diploma in Legal Practice available in electronic WAI 'AA' accessible format – a wireless network in our office now allows online access to all materials during meetings. This means that even when additional papers are called for during the course of a meeting these can often be made available electronically and, as a consequence, in a variety of more accessible formats.
45. Council papers are now available electronically to all Council members, allowing them to be printed and viewed in a range of formats
46. The Society has supported the Pathways to the Profession projects to encourage non-traditional schools (those not traditionally sending pupils into the profession) and to support individual pupils within those schools
47. The Society has supported career advisory services trying to match young people with 'mentors' in the profession – identifying solicitors willing to help encourage the next generation where they may have no contacts within the legal world
48. Staff can opt for remote access to the Society's IT system. Alongside flexible working policies this has increased the flexibility staff have around the ways the work
49. New accessible facilities (including toilets) built within Society offices and new signage and other work undertaken to improve access

2.7 Human resources

50. All HR policies have been reviewed and revised in light of changes in relation to Civil Partnership, age discrimination, the new disability and gender duties, and various other legislative changes in the course of the year
51. The Society is launching a new recruitment and selection policy and recruitment paperwork – which meet all equality requirements. All ‘identifying’ data will be taken off the forms used in short-listing. The system also removes data on areas such as the institution at which qualifications are gained and the requirement for all jobs to be listed, asking for only for ‘relevant’ previous work to be noted. This means that those short-listing the applications have much less access to data on the ‘background’ of candidates, be that making assumptions based on where they went to school/university or so easily identifying maternity/disability related gaps in employment history. Attendance at a mandatory two-day training course is required before staff can be involved in the recruitment process
52. The Society has undergone a job evaluation process with Hay, with a focus on equal pay for equal work. Staff have been re-graded and remuneration altered accordingly
53. The Society has introduced flexi-time and a flexible working policy. It is currently piloting a remote-working project to allow staff to work from home with access to full services from the central office
54. The Society has reviewed terms and conditions for all staff to ensure equality issues in relation to overall contracts of employment
55. Introduction of a Child Care Voucher scheme, open to all staff

2.8 Training, awareness raising, and information dissemination

56. Provision of a basic one-day training programme on Equality and Diversity to all the staff of the Society - with 57% of attendees rating the course ‘Excellent’ and 42% as ‘Good’
57. An impact assessment of the training has now been carried out, using a web platform testing knowledge, attitude, perceptions, and also gathering data on departmental implementation of ideas in the training – the results are currently being collated
58. Mandatory two-day training for all those involved in recruitment selection (this is in addition to day-long equality and diversity training and age discrimination training event)

59. Creation of an internal Intranet site to support the staff training which collates key information including the Statutory Codes of the Commissions and ancillary information – such as a multi-faith calendar detailing key festivals/dates for all the major religions
60. The education review of the Professional Subjects (those underpinning the LL.B. and the Society's exams) has led to a recommendation that 'Discrimination Law' and 'Human Rights' be contained as mandatory subjects for all those wishing to enter the profession – this would increase the knowledge and skills in this field of around 2000 students per year
61. The education review of the Diploma in Legal Practice has led to a recommendation that 'Equality and Diversity' in relation to client care be contained as a mandatory subject for all those wishing to enter the profession. It also suggests that assessment should contain a greater emphasis on client care and 'soft skills' – this would increase the knowledge and skills in this field of around 600 diploma students each year
62. Presentation of an Equality and Diversity training session, and supporting learning materials, to over 200 of the Society's Reporters (lay and solicitor) – who work on analysing complaints received by the Society and producing a reports for the Client Relations Committee
63. The Society has rolled out training for Council members and Committee chairs, with 50% having been through the process and more sessions planned. All members have received learning materials and briefing papers on equality and diversity
64. The Head of Diversity was a key-note speaker at a UK conference on 'Diversity in Law Firms' in London which was supported by Bridget Prentice, Parliamentary Under Secretary of State at the Department of Constitutional Affairs and aimed at encouraging equality and diversity in law firms. Presentations have also been delivered at a Commission for Race Equality best practice seminar, the Scottish Discrimination Lawyer's Association and various other meetings and events
65. The Society has worked to support three blind individuals progressing through the LL.B., Diploma in Legal Practice, and in trying to access traineeships – working to ensure barriers are removed where possible and where the Society has authority or influence. We have also worked with others following the training who have mobility impairments

WHAT PROGRESS HAS THE SOCIETY MADE?

3.1 Introduction

This section examines how progress has been monitored and how detailed reporting on our Strategic Equality and Diversity Objectives, and Departmental Action Plans can be accessed.

3.2 Strategic Equality and Diversity Objectives

The Society had previously decided that it was important that there was a clear and detailed plan of work in relation to equality and diversity, and that this was placed in the public domain.

Strategic Objectives were set which drew together common themes from the departmental planning process (see below) or tackled particular organisational issues (Section 7 of the Strategy details how these objectives were set in more depth, and provides the detailed action plans for each objective).

Each objective also includes key performance indicators, the allocation of management responsibility and timescales. However, in summary, the Objectives tackled ten key areas:

1. **Recruitment and Appointment**
2. **Guidance for The Profession**
3. **Impact Assessment**
4. **Involvement**
5. **Measurement and Monitoring**
6. **Accreditation – LL.B., Diploma & PCC**
7. **Procurement and Partnership**
8. **Diversity Awareness Raising and Training**
9. **Accessible Information & Events**
10. **Departmental Action Plans** (ensuring that departmental delivery remained an organisational priority)

A reporting protocol was established to ensure that progress was monitored throughout the year by the senior team of the Society. The arrangements were designed to ensure that equality and diversity issues remained high on the agenda of the Society on an ongoing basis and that anyone could easily access data on how the various objectives and action plans were being implemented.

The protocol stipulated that:

- Each responsible person would report quarterly on progress (in February, May, August, November)
- The report would be based on the action plan, with the following codes being inserted in the 'progress' column
 - C** Completed in full
 - W1** Work underway, due to be complete on schedule
 - W2** Work underway, likely that timescale will need extended
 - D** Delayed (*with a requirement to provide details as to why*)
- Narrative would be added to explain any delays, if objectives needed amended or if they were no longer relevant (Section 3.8 of the Strategy sets out the limited circumstances in which an objective would be changed or deemed no longer relevant)
- The Head of Diversity would collate all the responses

As well as the summary below the main Strategy document has now been amended so that you can see progress marked against each of the strategic objectives

See Section 7 of the amended *'Equality and Diversity Strategy for 2005 to 2008'* document for the detailed reporting on these objectives.

Progress at a glance...

<p>1. Recruitment and Appointment</p>	<p>A new staff recruitment system has been launched, as has a new open system of recruitment for Society committees. Non-solicitor representation has continued to increase on committees and non-solicitor observers have been appointed to our Council – we are pleased with progress in this field</p>
<p>2. Guidance for the Profession</p>	<p>Initial groundwork has been done and we have already built relationships with several key organisations. This work is a little behind schedule – but we are confident it will be completed within the life cycle of the strategy and have allocated additional funding this financial year to move the project forward</p>
<p>3. Impact Assessment</p>	<p>Research on various models has been completed and there has been senior approval of an integrated Impact Assessment tool for all projects, again this is a little behind schedule but we are confident it can be complete and implemented before the next annual report and have allocated additional funding this financial year to ensure this</p>
<p>4. Involvement</p>	<p>We have now recruited for, and appointed to, an ‘Equality Forum’, which was open to any member of the profession to join and was advertised in the national legal press. Our Council has voted to increase the size of, and constitutionally formalise, the existing Diversity Advisory Group, which from May 2007 will become a formally convened sub-committee of our Council. We have consulted widely on major policy developments – through our education consultation, on legal aid, and on changes in the profession. We have held major events such as our Service Accessibility Review. We are slightly behind schedule in formalising a stakeholder analysis – but this has been a deliberate position to allow resource to be concentrated on involvement on important policy issues which arose during the course of the year. We will be back on track by the next annual report</p>
<p>5. Measurement and Monitoring</p>	<p>A complete Audit of the Profession has been completed and data from 3017 respondents analysed, all findings are due for publication in February 2007. The staff-monitoring scheme has been established, and will generate its first data set in time for the next annual report. Departments have been building measurement systems into new projects, and will be coming back on schedule in relation to existing schemes by the next annual report</p>
<p>6. Accreditation</p>	<p>Equality and Diversity criteria have now been included in the relevant accreditation schemes for external providers of legal education, and monitoring is due to commence on schedule</p>
<p>7. Procurement and Partnership</p>	<p>Final completion of the policy in this area is slightly behind schedule, but each individual significant procurement project has had the involvement of the Head of Diversity to ensure that appropriate measures are taken, this objective is on track overall for delivery by the scheduled date</p>

Progress at a glance (cont.)...

8. Diversity Awareness Raising and Training	Throughout the year the organisation has managed to maintain a high profile through training and awareness raising, and has also worked to assess the impact of training through online tests of knowledge. A second-phase training plan is under development on schedule. The Journal has had several equality related articles and events have been run to promote awareness in the wider profession
9. Accessible Information & Events	Many of the publicly available information services (dial-a-law and guidance leaflets) have been discontinued for reasons outwith the equality remit – and so some areas here are now less relevant. A new more accessible complaints pack has been launched and piloted for feedback with a range of individuals with special access needs. The new WAI ‘AA’ accessible website has been launched, although is still awaiting full external review. An events checklist system is in place and being monitored
10. Departmental Action Plans	All departments have been delivering well, and plans are on target. The Society views it as especially positive that this ‘bottom up’ work has been progressing at the same sustained pace as the broader Strategic Objectives. More detail on this area is contained in the following Section (3.3)

In conclusion; we are confident of delivery of all objectives within the lifecycle of the strategy. Where individual ‘milestones’ to overall delivery have been missed, reviews have taken place and additional support or resource allocated in the coming year.

In the 2006/2007 year we need to drive ahead with implementation of the strategy and ensure that those projects which are not quite on target have caught up by the next annual report. We would also note that the majority of objectives were set for year one and two of the strategy, to ensure an initial drive, with the third year left slightly clearer so that a small amount of time was free for any project lagging, and equally importantly that we could launch the fundamental review of the strategy in order to prepare for a new phase in November 2008.

The Society also believes this level of attainment throughout this year, and the two years since the appointment of a specific individual to lead on equality and diversity, shows the effectiveness of the 'all strands' approach, and supports the contention that the most appropriate way to truly integrate, mainstream and promote issues of equality and diversity is through a single coordinated strategy.

3.3 Departmental Objectives

Section 6.1 of the Equality and Diversity Strategy details how all functions, policies, processes, and procedures were reviewed and scored. The model used followed the requirements of the Race Relation (Amendment) Act, the 'highest' equality standard at the time of undertaking this work, but applied these principles to all of the strands of equality. The scoring (after various checks and refinements detailed in the strategy document) was then used to produce ranked lists of priorities for each department within the Society, which became the **departmental action plans** (these are available in Appendix 2 of the Strategy).

This enacted the necessary two-stage approach to impact assessment which is recommended by both the Commission for Racial Equality and the Disability Rights Commission:

- A review of all work/new projects
- A more detailed consideration of those areas/projects identified as likely to have at last some impact on equality and diversity

These action plans:

- Identified the key issues in more detail, including reference to research and evidence
- Set action points for required change
- Outlined indicators that would demonstrate change had taken place
- Allocated responsibility
- Set target dates
- Provided a column for the reporting of progress

A reporting protocol was then established, which was designed with the same considerations as for the Strategic Objectives, but to be applicable at a departmental level.

The protocol stipulated that:

- Each head of department would report quarterly on progress (in February, May, August, November)
- The report would be based on the action plan, with the following codes being inserted in the 'progress' column
 - C** Completed in full
 - W1** Work underway, due to be complete on schedule
 - W2** Work underway, likely that timescale will need extended
 - D** Delayed
- Narrative would be added to explain any delays, or if objectives needed amended or are no longer relevant (Section 3.8 of the Strategy sets out the limited circumstances in which an objective would be changed or deemed no longer relevant)
- The reports would be submitted to the 'Heads of Department' group – the operational management team of the Society
- The Head of Diversity would collate all the responses

Progress reporting on these objectives can be found in Appendix 2 of the amended *'Equality and Diversity Strategy for 2005 to 2008'* document.

3.4 Special Issue Reporting

In designing our progress and monitoring systems it was noted that additional activities might be relevant to equality and diversity that were not captured through the above mechanisms. These might relate to new projects or initiatives (for example, when the opportunity arose to work with Ethnic Britain), or might have come about as an unanticipated consequence of some previously impact assessed work. Directors were therefore encouraged to report back on an ongoing basis and, in particular, at the bottom of the action plan for their department, as discussed at Section 3.3 above.

These have been incorporated into the list of 'Key Achievements' presented at Section 2 of this report.

3.5 Overall Organisational Reporting

A system was also established for ensuring this information was all brought together so that overall progress could be monitored:

The protocol stipulated that:

- Head of Diversity to collate the report generated by the above systems
- Single update report to be prepared, highlighting key areas of progress and any issues of concern
- Head of Diversity to collate the report generated by the above systems
- Report to be submitted to the Chief Executive, Deputy Chief Executive, President's Committee, and Heads of Department meetings, as appropriate

CHANGES TO STRATEGY DOCUMENTS

4.1 Introduction

The Equality and Diversity Strategy is meant to be set plan and set out a benchmark from which progress is measurable.

However, the business, legal and social environment is rapidly changing, for example, since the launch of the Strategy we have seen new legislation introduced, Statutory Codes revised, and the internal structure of the Society alter. To acknowledge this we wished to update elements of our strategy to ensure that a single document still remained the key guiding framework within which we operated, to ensure this process of amendment is transparent we note overleaf the sections that were altered as part of this annual reporting and review process, and are happy to provide copies of the original un-amended strategy document to anyone who wishes to examine the changes in more detail.

This means that whilst supplementary documents, such as this annual report, bring together specific information for a variety of audiences the Strategy document and its implementation continues to be the key driver behind the Society's equality and diversity work. It was felt important that there was this single source for staff, management and members to refer to in ensuring we continued to meet our targets.

Finally, it should be noted that we have NOT changed any of the targets or objectives (either at an organisational level or for individual departments) – where timescales, priorities or other factors have led to changes this is noted in the relevant column reporting on progress with achieving that particular objective.

4.2 Summary of amendments

Contents

- Added new section (7.7) to contents page

Section 1 Foreword

- Unchanged

Section 2 Executive Summary

- Unchanged

Section 3 Introduction

- We have altered the definition given of 'Sexual Orientation' in light of feedback received – we are grateful for the feedback from one of our members on improving this definition
- We have amended the definition of age discrimination; from Oct 2006 this became a legal requirement whereas when the Society had originally launched the strategy this had not yet come into force (although the Society had already committed to meeting the standards.
- The introduction by the Disability Discrimination Act 2005 of the new standards led to an amendment to the description of our integrated approach – originally this committed to implementing the Race Duties model to all strands of equality, the new text commits to using the Race and Disability Duties as the model for our approach to other strands – this is consistent with the Council's policy commitment to implementing the highest standard from one area across all areas.

Section 4 The Organisation

- Unchanged

Section 5 Equality, Diversity and The Law

- We have added further information to take account of new legislation and regulations
- Revised Statutory Codes have been issued, which are now noted in this section
- We have amended the wording of our 'Discrimination Rule'

Section 6 Our Responsibilities

- We have noted the new requirements of the Disability Equality Duty

Section 7 Strategic Equality and Diversity Objectives

- These have been amended to indicate progress towards achieving the specified objectives
- A key has been added, with codes used for reporting on progress
- All original objectives are still listed, even if no longer relevant, to ensure full transparency
- Added section (7.7) with detailed notes on implementation of Strategic Objectives

Appendix 1 Listing and Scoring of all functions, policies and procedures

Appendix 2 Prioritising and Departmental action planning

- These have been amended to indicate progress towards achieving the specified objectives
- All original objectives are still listed, even if no longer relevant, to ensure full transparency

DISABILITY AND GENDER DUTIES

5.1 Introduction

This annual report presents information on the ***'Integrated Equality and Diversity Strategy 2005 to 2008'***. As is discussed at various places in the Strategy and in this Annual Report the approach of the Society at that time was to use the mandatory requirements of the Race Equality Duty (both the 'General' and 'Specific' duties) and use these across all the 'strands' of equality – Section 3 of the Strategy details the reasons for this approach and how it was implemented.

However, December 2006 sees the introduction of a new ***Disability Equality Duty*** and April 2007 will see the introduction of a new ***Gender Equality Duty***.

In each case the Society's intention is to create an additional document to sit alongside the Strategy in order to demonstrate our commitment and ensure that where higher standards or specific arrangements are being introduced that we adapt our approach to take account of these. However, it is the intention of the Society that the timescales set for each additional plan will coincide with the major review of the Strategy in 2008, allowing us to return to a position of having a single statement in the equality field. It is believed that, whilst that document will need to take account of the different arrangements in different areas, it is the best way of ensuring a consistent and progressive approach to mainstreaming Equality and Diversity across all of the Society's work.

5.2 Disability Equality Duty

The Disability Discrimination Act 2005 will bring in new responsibilities for the Law Society of Scotland. As a provider of 'public functions' we will have to comply with the 'General Duties' (definition below). The Society is also named in the Scottish regulations [The Disability Discrimination (Public Authorities) (Statutory Duties) (Scotland) Regulations 2005, SI No.565] as a body that has to comply with the 'Specific Duties'.

GENERAL DUTIES

- Promote equality of opportunity between disabled people and other people
- Eliminate discrimination that is unlawful under the Disability Discrimination Act
- Eliminate harassment of disabled people that is related to their disability
- Promote positive attitudes towards disabled people
- Encourage participation by disabled people in public life
- Take steps to meet disabled peoples needs, even if this requires more favourable treatment

Public authorities are expected to have 'due regard' to the general duty. 'Due regard' comprises two elements: proportionality & relevance. Two further elements should be considered in decision making; involvement & transparency

SPECIFIC DUTIES

- a public authority should publish a Disability Equality Scheme demonstrating how it intends to fulfil its general and specific duties
- a public authority should involve disabled people in the development of the Scheme
- the Scheme should include a statement of:
 - the way in which disabled people have been involved in the development of the scheme
 - the authority's methods for impact assessment
 - steps which the authority will take towards fulfilling its general duty (the 'action plan')
 - the authority's arrangements for gathering information in relation to employment, and, where appropriate, its delivery of education and its functions
 - the authority's arrangements for putting the information gathered to use, in particular in reviewing the effectiveness of its action plan and in preparing subsequent Disability Equality Schemes
- a public authority must, within three years of the Scheme being published, take the steps set out in its action plan (unless it is unreasonable or impracticable for it to do so) and put into effect the arrangements for gathering and making use of information
- a public authority must publish a report containing a summary of the steps taken under the action plan, the results of its information gathering and the use to which it has put the information.

5.3 Gender Equality Duty

The Equality Act 2006 amends the Sex Discrimination Act 1975 to place a statutory duty on all public authorities, including the Law Society of Scotland, to have due regard to the General Duties:

GENERAL DUTIES

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

Public authorities are expected to have 'due regard' to the general duty. 'Due regard' comprises two elements: proportionality & relevance. Two further elements should be considered in decision making; involvement & transparency.

The final arrangements in relation to the specific duties in Scotland have not yet been finalised, but they are likely to be:

SPECIFIC DUTIES

- produce and publish an equality scheme identifying their gender equality goals and action to meet them, in consultation with employers and stakeholders
- monitor and review progress
- review the scheme every three years
- develop, publish and regularly review an equal pay policy, including measures to address promotion, development and occupational segregation (*probably with a duty to do so by September 2007*)
- conduct and publish gender impact assessments of all legislation and major policy developments, and publish their criteria for conducting such impact assessments (*probably with a duty to act on the findings of the impact assessment*)

Again, the final timescale is not set in Scotland for the specific duties coming into force, but it is likely to be either April 2007, or June 2007.

REPORTING ON FURTHER PROGRESS

The Society commits to publishing annual updates, with a major review taking place in October 2008. This will include information on our functions and policies, their relevance to the various strands of equality, and our progress in meeting the objectives set in the ***Equality and Diversity Strategy*** (which included our ***Race Equality Scheme***) and the supplementary Disability and Equality Schemes. The next annual report will be due for publication in November 2007.

Each new Scheme or annual report will be made available through our website along with information on how to gain copies of the full report in alternative formats, and press releases will be passed to various media to promote the availability of the plan.

Various relevant organisations working in associated fields will be identified, contacted and encouraged to provide any feedback they feel is appropriate.

Information on projects (including data collection and specific initiatives) will also be fed back as appropriate through the Society's Journal (available to the public free of charge online), through press-releases, through the website, and other means as is appropriate.

MAIN FORMS OF REPORTING:

<i>Our website</i>	http://www.lawscot.org.uk
<i>The Journal</i>	http://www.journalonline.co.uk
<i>Press releases (as appropriate)</i>	available on our website
<i>Annual Report on Diversity</i>	available on our website

The Society recognises that different people will prefer to access our service and information in different ways:

The Society has committed to providing flexible access to information through a variety of mediums:

- Phone enquiries and our helpline
- Fax
- Text phone/Minicom enquiries
- Information and promotional events
- Press releases to a variety of print and other media
- Our website – <http://www.lawscot.org.uk>
- The website of 'The Journal', the official magazine of the Society – <http://www.journalonline.co.uk>
- Information leaflets and packs – including a variety of formats
- Training DVDs including subtitles, text of audio tracks, etc.