



EQUALITY & DIVERSITY ANNUAL REPORT

The **second** 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 pleased to present our second annual report on Equality and Diversity (***covering the period December 2006 to November 2007***). The report details progress with implementing our original ambitious strategy, which covered all 'strands' of equality, alongside summarising a year of significant achievement which includes the launch of specific ***Disability and Gender Equality Schemes*** (to meet new legal requirements placed on the Society).

The Society and the legal profession are in a period of unprecedented change, with major redesign work being carried out in relation to the education and training of solicitors, a review of the business structures through which legal services can be delivered, and a review of the professional and business standards to which solicitors subscribe. At the heart of all these debates are people; those wanting to become solicitors, the solicitors delivering legal services, the clients whom they serve, and indeed those who may find it difficult to access legal services (be that because of cost, location, the nature of their legal issue, or any other reason). It is these people that our equality work focuses on, and it these opportunities to rethink how we work that have opened tremendous possibilities for the Society to consider equality and diversity issues from the earliest stages of planning.

Highlights of the year include:

- ***Launching a new project to impact assess all of the work of the Society*** – collaborating with 'Equality Works' to ensure the integrity, independence and rigour of the process
- The establishment of the formal ***Equality and Diversity Committee*** reporting to the Council of the Society – and the public recruitment of solicitor and non-solicitor members
- ***Our equality work being selected as an example of best practice for how a professional body can tackle these issues*** by the UK Professional Associations Research Network (PARN)
- ***The publication of the Profile of the Profession research report*** in July 2007, providing national all-strand equality data on the profession and detailed information on experiences of discrimination
- ***Collaborating with the new Equality and Human Rights Commission***, in running our 2007/2008 Schools debating tournament on equality related topics, ensuring that young people engage with concepts around rights and responsibilities

- ***Developing and submitting a detailed and progressive response to the Discrimination Law Review ‘A Framework for Fairness: Proposals for a Single Equalities Bill for Great Britain’***
- The distribution to every secondary school in Scotland of the second edition of the ***‘Young Citizens’ Passport’*** detailing the rights and responsibilities of young people in relation to everything from employment law and access to services, to laws relating to relationships and sexuality
- ***Working with others to tackle equality***, from other justice sector organisations, including the Scottish Legal Aid Board and the Judicial Appointments Board, to bodies working with particular groups such as Able Magazine and Eastern Eye Scotland (part of the Ethnic Media Group).

Changes have also taken place, meaning some projects are on hold. For example, the government have decided that a new Scottish Legal Complaints Commission will start to take responsibility for some aspects of what is currently our work. Some equality projects relating to this area of work have had to be put on hold, while we await details of how the new Commission intends to operate and take time to assess what may require to be done in relation to equality and the elements of work remaining with the Society.

The document outlines other achievements in relation to both the original Equality and Diversity Strategy (including our Race Scheme) and the Disability and Gender Equality Schemes (for which this is also the annual report) before progressing to examine some key issues in more detail. We note that some individual staging-posts within key targets set in the original strategy are behind schedule, in large part due to the significant amount of time and resources committed to making sure we met the newly introduced requirements in relation to Gender and Disability. However, now that we are two years into our three-year strategy, we are confident that all the key objectives will be successfully met by the overall target date of November 2008.

We would both like to take this opportunity to congratulate the Council, Committees and Executive of the Society for ensuring that we continue to make Equality and Diversity a part of all that we do.

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

Richard Henderson
President

Farah Adams
Equality Committee Convenor

Douglas Mill
Chief Executive

INTRODUCTION

2.1 Introduction to the Law Society of Scotland

The Law Society of Scotland is the regulatory and membership body for Scottish solicitors. It was established by the Legal Aid & Solicitors (Scotland) Act in 1949. The main aims of the Society are set out in the Solicitors (Scotland) Act 1980. In essence, the Society ***promotes the interests of the Solicitors' profession in Scotland AND the interests of the public in relation to the profession.***

The Society supervises the education and training of solicitors, their Continuing Professional Development, ethical and professional standards, and accounting standards and procedures (with regular compliance inspections and the provision of insurance in relation to this last area). The organisation runs a variety of services, from CPD and a Professional Practice helpline to supporting Law Reform in Scotland, the UK and the EU. Most of these services are provided to solicitors, although our complaints function is public facing. There are around 130 staff located in a single office building.

All practising solicitors in Scotland must be members of the Society and must hold a current Practising Certificate. These are issued annually by the Society and the charge made for the certificate provides the majority of the Society's income. The organisation is not funded by the government nor associated with the civil service or other executive agencies. Nevertheless, many of our functions are regulatory and are deemed 'public functions', therefore a high standard of fairness and equity is expected by public and government, of which a commitment to Equality and Diversity is part.

2.2 Our Equality and Diversity Statement

On Friday 25th June 2004 the Council of The Law Society of Scotland pledged a commitment to Diversity and ratified the following statement:

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 represent and protect these truly diverse groups the Society recognises the need to:

- *Value the contribution from all who make up the population of Scotland*
- *Take strength from the widest experience, knowledge and understanding it can access – both within and outwith our Society membership*
- *Go beyond legal compliance by integrating diversity into all that we do*

And

- *Promote the core values of diversity to the profession as a whole*

KEY ACHIEVEMENTS

3.1 Introduction

The 2006 to 2007 period has seen continued achievement, building on the significant amount of work which had already been undertaken during the first year of the strategy.

All staff have continued to be involved in equality and diversity work. For example, in late 2006 a training impact assessment was carried out to assess the impact that our equality and diversity training had had on staff and practice (the results of this are covered in detail in our Gender Equality Scheme). As part of the impact assessment, and a later staff survey (spring 2007) we collected information on how well equality was being integrated into the work of teams and departments, and were pleased to see that issues were regularly being raised by staff and managers at team and project meetings. Various briefings and training sessions have kept staff across the organisation involved in the equality and diversity work. More training is planned in January 2008 (on Impact Assessment) and later in the year there will be another refresher on general equality issues.

The Society's Council has continued to oversee the equality work of the Society, and has reiterated its commitment to best practice, and meaningful and forward looking work, in relation to equality through its endorsement of both the Disability and Gender Equality Schemes. The Society also published a constructive and progressive response to the consultation on a single equalities bill, through our 'Law Reform' committee and team.

For ease of comparison we have reported progress under the same headings as used in the previous annual report, although we intend to use a new structure next year as the annual report will effectively become a part of the new strategy planned for 2008-2011 which will integrate the three current public sectors' duties.

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

1. Extensive consultation and involvement underpinned the development of our Disability Equality Scheme – details can be found in Section 6 (pages 27 to 37) of our DES
2. Likewise, multiple consultation and involvement methods were used in the development of our Gender Equality Scheme – details can be found in Section 9 (pages 71 to 81) of our GES
3. A major consultation on Education and Training and the route to qualification was held between November 2006 and February 2007. This saw 882 individuals from a range of backgrounds (including students, members of the public, solicitors and law lecturers) respond, as well as key organisations such as The Scottish Consumer Council, Scottish Refugee Council and Scottish Women’s Aid. Individuals facing a variety of access issues (from disability, ethnicity and being a working ‘mature’ student with family/carer responsibilities) contributed to the discussions. Key outcomes included widespread support for the inclusion of Discrimination Law (employment and goods & services) as a mandatory topic within the Foundation Programme (currently an LL.B. degree), and more emphasis on equality in PEAT 1 (the current post-graduate Diploma in Legal Practice)
4. In February 2007 the Society met with the Presidents of student law societies from each of the law schools in Scotland, to discuss a variety of issues including those around entry and access to the profession. There were various outcomes, including changes to the nature and form of information the Society distributes to ensure that those not from a professional or legal family background (the significant majority of entrants) have access to a wide variety of information on careers options and the profession
5. In March 2007 a strategic planning day was held with the Scottish Young Lawyers Association (SYLA), allowing the Society to learn more about the issues affecting those training to become lawyers and to align the Society’s work with that of SYLA where appropriate
6. In June 2007 the Society ran an event to discuss engagement with the next generation of lawyers. A wide range of representatives were there, including from groups such as ‘Lawcare’ (which supports solicitors facing times of stress, bullying and/or addiction), lawyers from other countries who have re-qualified in Scotland, ‘widening participation’ officers from universities, and so on. Again, this is assisting the Society in designing the information and support services to offer those considering a career in law or within the training process. Open invitations insured a wide cross section of participants
7. The Society ran an open recruitment and interview process to appoint a ‘new lawyers’ representative to our Council, ensuring that the views of young lawyers and those in the early days of their careers are central to the Society’s decision making

8. Consulting our own membership, and those of non-solicitor representatives, on the *Discrimination Law Review –A Framework for Fairness: Proposals for a Single Equalities Bill for Great Britain* and submitting a response. This is also part of our commitment to ensuring we participate, where possible, in the equality related consultations of others
9. The establishing of a 'reference group' to assist in the review of the personal and practice standards set for individual solicitors by the profession. This group is chaired by a non-solicitor (public) member of our Council, and includes representatives from the Equality and Human Rights Commission, Scottish Women's Aid, Citizens' Advice Bureau Scotland, the Scottish Legal Aid Board, and the Scottish Consumer Council. Further consultation is planned in spring 2008 with groups of service users we can access through these organisations, with a full public consultation later in the year
10. In October the Society launched a national public consultation on possible Alternative Business Structures which solicitors may in the future be allowed to practice within. A range of groups were specially consulted and a draft Equality Impact Assessment will be used to encourage discussion and debate as to what the implications of different business models may be for different strands of equality
11. In the Spring of 2007 the Society consulted with its own staff on a variety of issues, including how equality and diversity were incorporated into the work of teams, managers and staff within the organisation
12. The Society continues to monitor the direct involvement of members (solicitors) in the decision making of the Society, and believes the Council continues to be broadly representative of the profession around gender, ethnicity, and disability
13. The Society is actively working with others in relation to equality in general (such as with the Judicial Appointments Board, and the Scottish Legal Aid Board) and in relation to specific aspects (such as trying to establish a justice sector disability forum with the Scottish Legal Aid Board, the Crown Office and Procurator Fiscal Service, the Association of Chief Police Officers, the Scottish Court Service, and the Scottish Prison Service)
14. Lay membership has been increased across all committees, and there is now open advertisement for appointments through the national press. This ensures direct involvement of a wide cross-section of individuals in the policy making processes of the Society
15. Regular and frank dialogue with members and stakeholders has identified 'ad hoc' issues – such as the need to provide greater support and guidance to those taking maternity leave, during the course of a 'traineeship'

16. The Society has created two new sub committees of the Law Reform Committee, an Equalities Law Committee and a Social Security Committee. We believe both of these committees not only assist in involving a wide cross section of our members and the public in formation of Society responses on these issues, but also that they are invaluable in allowing us to take part in national debate on these issues

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

17. 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.) This project is detailed in Section 6, and will see a complete review completed by the time of the next annual report
18. In continuing to review our HR policies two further developments were started during this period. An online application process, based on the recruitment and selection policy developed last year, was launched. This process does not pass any identifying data (age, dates of education, etc.) to those shortlisting, and asks only for relevant employment (which means less easy identification of career breaks etc.). Staff and managers have also started to engage with the development of 'competencies', which lead on from our work on job evaluation and equal pay
19. The publication of the Profile of the Profession project gave us new information on the issues of discrimination solicitors felt occurred within the profession. This in turn allowed the Society to assess what may require to be done to address this, and put in place a package of measures including developing a free CPD webcast for solicitors (including online assessment) to raise awareness of equality issues, and what may need to be done to address them
20. The New Lawyers Engagement Strategy, launched this year, commits to working with universities to gather more accurate equality data in relation to those in the early stages of legal training and their progression rate to later stages
21. The Society is planning joint research with the Scottish Legal Aid Board and the Scottish Government looking at career choices and progression in the profession, in particular in relation to Legal Aid work
22. The Society is committed to working with the Judicial Appointments Board (JAB) in Scotland to examine whether there are any possible equality issues around those applying to become judges, and those being appointed. As well as providing baseline data on the profession tailored to fit with JAB data the Society will also support a questionnaire issued by JAB to examine the views of both the Solicitor and Advocate branches of the profession

3.4 Publishing, profile raising and promotion of equality and diversity

23. We have worked with the UK Professional Associations Research Network (PARN) to provide case studies on our equality work which other UK professional bodies will be able to access to assist in their own work tackling equality
24. The publication of the Profile of the Profession project, and circulation to members. This included coverage in The Journal, the E-bulletin, through general press release, and through various specific events and communications
25. The filming of an Equality and Diversity CPD webcast to the profession, due to be launched in January 2008
26. The publication of a wide variety of articles on equality and diversity related issues in the members' monthly Journal. For example, age discrimination in the workplace (Jan 07), Ethnic Minority Law Centres (Jan 07), disability discrimination (Feb 07), accessibility (March 07), vulnerable witnesses (March 07), young lawyers reviewing the access to justice pledges during the Scottish parliament elections (April 07), extradition issues (April 07), faith and the legal profession (April 07), balancing family and career (May 07), adults with incapacity (June 07), a profile of the profession (July 07), careers outside law (July 07), comment on the 'Framework for a Fairer Future' Green Paper (August 07), and working abroad as a solicitor (Nov 07). We believe the Journal consistently ensures a high profile for equality related issues within the profession, and that we carry more articles on such issues than most other professional journals
27. Events to profile raise and promote equality at schools and university level, including our work on developing, and distributing to every secondary school in Scotland, the second edition of the '*Young Citizens' Passport*', detailing the rights and responsibilities of young people in relation to everything from employment law and access to services, to laws relating to relationships and sexuality
28. This work will be furthered by our collaboration with the Equality and Human Rights Commission on our 2007/2008 debate tournament. This involved over 100 schools and over 350 school pupils engaging with complex motions, all of which were themed around equality and diversity. This first round motion was 'This House believes the Principle of Equality has gone too far', while the second round motion is due to be 'This house believes that immigrants are a drain on Scotland's public services'
29. We have encouraged students to think about national/Scottish identity, and as a prize to our debate tournament in 2006/2007 students worked with a film maker to produce a short film on this topic: it will be distributed to all schools in Scotland as part of our 1707 partnership project and contains interviews with young people from a range of backgrounds

30. We have continued to try to raise the profile of careers in law through publications such as 'Ethnic Britain' and 'Able Magazine', and through events such as Eastern Eye Scotland Job Opportunities Fair
31. We have worked with developing countries to assist in capacity building in relation to Law Societies and legal regulation. For example, our Director of Law Reform was at the West African Bar Association Meeting in Dakar to work with local law societies and bar associations
32. 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
33. The Society has provided input to various government consultations, often raising issues in relation to equality and diversity and the law. For example, in May 2007 the Society responded to the Proposals for a Judiciary (Scotland) Bill, emphasising that the selection criteria for judges must not discriminate directly or indirectly
34. The Society was again asked to present on its equality work at a range of conferences and events including, for example, presenting a case study at the Disability Rights Commission conference (Glasgow) in September 2007

3.5 Tendering and Procurement of Services

35. The Society has not been involved in any major tendering or procurement exercises during this period

3.6 Increasing access to information and services for all

36. The Society has again commissioned accessible distance learning materials to support some subjects in the Diploma in Legal Practice. These were designed incorporating feedback from current students who required materials to be made available in alternative formats. It is the third year the Society has supported providers in central commissioning of this software
37. The Society refreshed its corporate identity during the course of the reporting year. A new logo and house style was developed, with access issues taken into account from the start. A move to a clearer sans serif font, a larger font size for standard correspondence, and a focus on clear and accessible language should all increase the accessibility of information for people with a range of impairments

38. The Society is now committed to relocating our premises from traditional Edinburgh tenement accommodation to a more open and accessible working environment. We believe this will bring a wide range of access benefits, and assist in promoting a more open image of the Society and the profession
39. The Society has continued to support 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
40. 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

3.7 Human resources

41. All HR policies had been reviewed during the last reporting year, as well as there being a major project completed in relation to job evaluation, the introduction of flexible working and flexi-time, and a new recruitment and selection process
42. A new performance appraisal system is being introduced, and staff and managers have also started to engage with the development of 'competencies', which lead on from our work on job evaluation and equal pay
43. A review of our Investors in People status was undertaken, and a follow-up meeting with the assessor will take place early in the new year

3.8 Training, awareness raising, and information dissemination

44. An impact assessment of the original one-day training for all staff 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 showed good understanding and retention of knowledge, along with indicating that the principles were being used in practice within projects and teams
45. Follow-up sessions for those who missed the original equality training, or who have started since that training took place
46. Mandatory two-day training for all those involved in recruitment selection
47. A specific training event has been commissioned to train senior staff in more detail on impact assessment and involvement techniques
48. Bespoke training has been provided on various occasions as part of the ongoing training and development of staff; for example, to Compliance Inspectors on equality issues that could arise in inspecting practices and writing reports on compliance with Society guidelines

RACE, DISABILITY AND GENDER DUTIES

4.1 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 the time of development of the Strategy 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 saw the introduction of a new *Disability Equality Duty* and April 2007 saw the introduction of a new *Gender Equality Duty*. To demonstrate its commitment to working in these areas, and ensure the Society fully met its responsibilities, supplementary schemes were published on each of these areas (available from the website). This annual report also provides details of progress with these Schemes.

It remains the intention of the Society to undertake a major review of all its work during 2007/2008, culminating in the launch of a new Strategy in November 2008. The Society is aware that the former Commissions (CRE, DRC, EOC) had found that many Single Equality Schemes had not been of a high standard, and had not always fully differentiated the differing legal requirements of the different duties. However, the Society also believes that for an organisation of this size and nature, it is important to ensure that there is a single point of reference for managers, for training, for members of the public, and for members, and that a single approach is also important in ensuring all strands of equality are effectively mainstreamed into the work of the Society. Our reasons for seeing the 'strands' as necessarily working together are clearly laid out in Section 3.3 of our original strategy. It may be that an overarching strategy is developed with individual sections on each of the three specific duties, or some other effective hybrid solution is identified.

4.2 The 'General Duties'

In Scotland, the three former Commissions developed a joint document entitled:

Bringing Equality to Scotland: The Three Public Sector Duties

A joint publication by the Commission for Racial Equality, Disability Rights Commission and Equal Opportunities Commission in Scotland

This provides an excellent summary of the key issues for organisations in Scotland covered by the duties, and an extract is worth producing below as a useful summary of the '**General Duties**' the Society now has in relation to equality and Diversity.

GENDER EQUALITY DUTY	DISABILITY EQUALITY DUTY	RACE EQUALITY DUTY
<p><i>Due regard to the need to:</i></p> <ul style="list-style-type: none">▪ Eliminate unlawful discrimination and harassment▪ Promote equality of opportunity between men & women.	<p><i>Due regard to the need to:</i></p> <ul style="list-style-type: none">▪ Promote equality of opportunity between disabled persons and other persons▪ Eliminate discrimination that is unlawful under the Disability Discrimination Act 1995▪ Eliminate harassment of disabled persons that is related to their disabilities▪ Take steps to take account of disabled persons' disabilities, even where that means treating disabled persons more favourably than other persons▪ Promote positive attitudes towards disabled people▪ Encourage participation by disabled people in public life	<p><i>Due regard to the need to:</i></p> <ul style="list-style-type: none">▪ Eliminate unlawful racial discrimination▪ Promote equality of opportunity▪ Promote good relations between persons of different racial groups.

4.3 The 'Specific Duties'

The document also provides a useful summary of the '**Specific Duties**' the Society now has in relation to equality and Diversity.

GENDER EQUALITY DUTY

A listed public authority must prepare and publish a **Gender Equality Scheme**.

The Scheme must set out the overall objectives the public body has set to allow it to meet its general duty

The public body must consider the need to have an objective to address the causes of any unequal pay for men and women staff related to their sex

The scheme must also set out the actions it has taken or intends to take to:

- Gather information on the effect of its policies and practices on men and women, in particular the extent to which they promote equality between male and female staff, and the extent to which the services it provides and the functions it performs take account of the needs of men and women
- Make use of the information it has gathered to meet the duty and review the effectiveness of its scheme and the actions taken
- Assess the impact of its policies and practices on men and women, and use the results to inform its work
- Consult employees, service users, trade unions and others
- Achieve the objectives it has set

Continued overleaf...

DISABILITY EQUALITY DUTY

A listed public authority must involve disabled people in the development of a **Disability Equality Scheme** which demonstrates how it intends to fulfill its general and specific duties and which includes a statement of:

- The way in which disabled people have been involved
- The methods for impact assessment
- Steps which the authority will take towards fulfilling its general duty (the Action Plan)
- The arrangements for gathering information in relation to employment and, where appropriate, its delivery of education and its functions
- The arrangements for putting the information gathered to use, in particular in reviewing the effectiveness of its action plan and in preparing subsequent DES

Within 3 years of the Scheme being published, take the steps set out in its action plan and put into effect the arrangements for gathering and making use of information

Publish an annual report containing a summary of the steps taken under the action, the results of its information gathering and the use to which it has put the information

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RACE EQUALITY DUTY

Listed public authorities must publish a **Race Equality Scheme** setting out functions and policies that are relevant to the general duty on race and arrangements for:

- assessing and consulting on the likely impact of proposed policies on the promotion of race equality
- monitoring policies for any adverse impact on the promotion of race equality
- publishing the results of such assessments, consultation and monitoring
- ensuring public access to information and services which it provides
- training staff in connection with the duties imposed by the Race Equality Duty

Employers are required to monitor by reference to racial group staff in post and applicants for employment, training and promotion. Where the employer employs 150 or more full-time staff it must also monitor the numbers who receive training, benefit or suffer detriment from performance assessment reviews, are involved in grievance procedures, are the subject of disciplinary procedures or cease employment

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GENDER EQUALITY DUTY

Cont.

The public authority must put the scheme, and the actions identified, into effect within three years. It must report annually on the actions it has taken.

It must review the scheme and publish a revised scheme within three years

Listed public bodies with at least 150 full time equivalent staff must publish an **equal pay policy statement**, and report on this every three years

Scottish Ministers must publish reports every three years, in addition to the Scottish Executive's equality scheme and equal pay statement

These reports will set out the priority areas which Ministers have identified for advancement of equal opportunities across the public sector, and provide a summary of progress made in these priority areas by the public sector

DISABILITY EQUALITY DUTY

Cont.

From December 2008, Scottish Ministers will have to publish reports every 3 years that:

- Give an overview of the progress made by public authorities in relation to disability equality
- Set out proposals for co-ordination of action by public authorities so as to bring about further progress on disability equality

RACE EQUALITY DUTY

Cont.

Listed educational authorities must prepare a **race equality policy**, and have and fulfill arrangements to:

- assess the impact of its policies, including its race equality policy, on pupils, staff and parents of different racial groups, including, in particular, the impact on attainment levels of pupils
- monitor the impact of the operation of such policies on such pupils, staff and parents, including, in particular, their impact on attainment levels of pupils
- take steps to publish annually the results of its monitoring.

Where the race equality policy is prepared by an education authority, that authority should ensure that each school under its management complies with the arrangements in the race equality policy.

Further and higher education institutions must prepare a **race equality policy**, and fulfill arrangements to:

- assess the impact of its policies, including its race equality policy, on students and staff of different racial groups, including, in particular, the impact on attainment levels of pupils
- monitor, by reference to those racial groups, the admission and progress of students and the recruitment and career progress of staff
- include in its written statement of its race equality policy an indication of its arrangements for publishing that statement and the results of its assessment and monitoring
- take steps to publish annually the results of its monitoring

WHAT PROGRESS HAS THE SOCIETY MADE?

5.1 Introduction

This section examines how progress has been monitored and contains detailed reporting on our Strategic Equality and Diversity Objectives (including our Race Scheme) and the targets set in our Disability and Gender Schemes. Departmental information is available on request.

5.2 Strategic Equality and Diversity Objectives

The Society had previously decided that it was important 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 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 the setting of 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 to be 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.

Progress at a glance...

- 1. Recruitment and Appointment**

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 believe this target has now been achieved.***
- 2. Guidance for the Profession**

This work is around nine months behind schedule, but an external consultant has now been appointed to ensure we complete this target within the three-year strategy life-cycle.
- 3. Impact Assessment**

An independent external consultant, and the Equality and Diversity Committee of the Society, have now approved our approach to, and paperwork for, Equality Impact Assessment. The paperwork is based on the outcome of research into best practice models within the public sector. A training session for representatives from all teams is scheduled for January 2008, with supporting 'coaching' sessions for staff planned for April / May. A schedule of impact assessment is planned so as to ensure that all the Society's work has been assessed to the new standards by the launch for the new equality strategy in November 2008. A panel will review all the Impact Assessments, including independent members, prior to being signed off. ***We believe this target has now been achieved.***
- 4. Involvement**

The last update noted our 'Forum', 'Committee', and 'Service Accessibility Review', where senior staff worked with people with a range of disabilities to consider improving access. We consulted on the GED and DED, and have identified and built links with other organisations working on equality (such as the Scottish Legal Aid Board and the Judicial Appointments Board. As part of the Society's Strategy work a stakeholder analysis was undertaken. ***We believe this target has now been achieved.***
- 5. Measurement and Monitoring**

A complete Audit of the Profession has been completed and data from 3017 respondents analysed: this was published in July 2007. The staff-monitoring scheme has been established, and will generate its first data set in time for the next annual report (the small number of staff/low turnover means we cannot publish until we have sufficient numbers so that the data does not specifically identify individuals). Departments have been building measurement systems into new projects, and will be coming back on schedule in relation to existing schemes by the end of the Strategy life-cycle.

<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 has commenced. Enhanced criteria are now planned for the next edition of the accreditation guidelines, and are currently being developed. Accreditation processes have both identified equality issues and attached specific conditions in relation to equality. <i>We believe this target has now been achieved.</i></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. <i>This objective is on track overall for delivery by the scheduled date.</i></p>
<p>8. Diversity Awareness Raising and Training</p>	<p>The Journal has had several equality related articles and events have been run to promote awareness in the wider profession. Various online learning packages are currently being evaluated to roll out another phase of training to staff, which will allow them to improve their knowledge and skills in the various different strands of equality. <i>All but one sub-element have been met; on target for completion by November 2008.</i></p>
<p>9. Accessible Information & Events</p>	<p>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. The Roll Management System project is somewhat less advanced than originally anticipated, but continues to progress. <i>All but one sub-element have been met; on target for completion by November 2008.</i></p>
<p>10. Departmental Action Plans</p>	<p>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.</p>

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 resources allocated in the coming year.

In the 2007/2008 year we need to drive ahead with implementation of the strategy and ensure that those projects are achieved, as well as starting to prepare for the launch of the

new strategy (this time incorporating Race, Disability and Gender Equality Schemes) in November 2008 (covering the period up to November 2011).

5.3 Disability and Gender Equality Scheme Objectives

As already discussed, December 2006 saw the introduction of a new ***Disability Equality Duty*** and April 2007 saw the introduction of a new ***Gender Equality Duty***. Although our Equality Scheme already incorporated all 'strands' of equality (as well as meeting our ***Race Equality Duty***) the Society decided to publish two additional schemes, to ensure we met the legal requirements, and to emphasise our commitment to these areas. This annual report provides the first update on the Schemes, which have been in operation ten months and six months respectively.

It should also be noted that the requirements of these new schemes, as legal requirements, had to be given precedence over the commitments made in the original strategy, and to some extent the diversion of resources to meet these new requirements accounts for the slower progress in this reporting period than in the last one.

The majority of all targets are either in progress and on track, or completed. Where this is not the case additional information is provided.

On the following pages are the action plans from these two schemes. The reporting protocol, described above in Section 5.2, provides details of what the progress codes mean.

5.3.1 Action Plan 1 – Disability Equality Scheme

A. Increasing the profile of the Law Society		Action	Responsibility	Timescale	Progress
A1	Development of a public relations campaign to increase awareness of the Law Society of Scotland and its services.	<p>To establish a three year strategy for raising the profile of the Society, its role, and its services</p> <p>To ensure the Strategy specifically sets out how awareness will be raised across a diverse audience, with specific reference to disability and the other 'groups' covered by the 'strands' of equality</p> <p>To publish the strategy</p>	Corporate Comms	Q4 2007	W2 - 2008
A2	Provision of opportunity for the Society staff to develop wider ranging networks with statutory and voluntary sector agencies and disability organisations.	This is to be addressed through Strategic Objective 4 from the original Strategy. It was the implementation of this objective that led to this initial Service Accessibility Review, and further work is already planned.	Equality Strategy	N/A	N/A
B. Access to legal representation and advice					
B1	Explore methods for people to easily identify solicitors who specialise in providing services for people with mental health issues and other impairment, including details of independent advocacy and mental welfare organisations, as well as those providing support for people who have physical or sensory impairment.	The issue of information on the services provided by solicitors continues to raise issues, and we believe we need to address the specific point raised here, but go beyond it. We have therefore set a much wider objective in Section 8.3 to address this concern. We have started discussions with the Scottish Legal Aid Board and others on this issue	See Section 8.3	See Section 8.3	N/A
B2	Promote to the Society staff and members awareness of the duty placed on Health Boards and Local Authorities to ensure that independent advocacy is available in order that they can advise clients where to access such a service if required.	<p>After discussion it was decided that the Society needed to take care in this field as our legal responsibilities are not the same as Health Boards or Local Authorities and there are associated risk management issues. However, it was considered appropriate to:</p> <p>Contact Advocacy groups to gain more information on the role they play within the legal sector</p> <p>Develop and publish a fact-sheet for solicitors</p> <p>To develop and implement a communication plan to ensure firms are aware of this advice – including Journal article (ideally with contributions from a</p>	Head of Diversity	<p>Q3 2007</p> <p>Q1 2008</p> <p>Q1 2008</p>	<p>C</p> <p>W1</p> <p>W1</p>

		solicitor, advocacy worker and client), contacting HR departments in all major firms, and promoting through the EZINE			
B3	Accessible and wider ranging information should be made available on the Legal Aid process, including the details of solicitors offering Legal Aid services.	This is primarily an issue for the Scottish Legal Aid Board, an entirely separate organisation which supervises Legal Aid in Scotland. However, the Society can take action by: Reviewing Website and correspondence templates to ensure links to information on SLAB's website and contact details for the organisation are provided	All departments	Q1 2007	C
B4	Consideration by the Society of conducting a consultation and promotional exercise with its members, to determine methods to improve the provision of services for people with mental health issues.	To remit this issue to the Society's Mental Health Committee for consideration To formally report on what might be done in this field To implement recommended actions	Law Reform	Q2 2007 Q4 2007	W2 W2
C. Education and Training					
C1	An ongoing focus on mandatory Disability Equality Training for staff of all levels, which should include a focus on the use of language and be delivered by qualified disabled people and organisations	The development of a specific disability equality training plan ensuring the involvement of 'disabled people and organisations' For this to be approved by the Diversity Advisory group Implementation and impact assessment	Head of Diversity	Q2 2007 Q3 2007 Q3 2008	W1 Scheduled for Jan 08 meeting W1
C2	Develop relations with universities to include Disability, Equality and Diversity training as part of the Law degree and included as an aspect of the Diploma in Legal Practice or Professional Competence Course.	The Society has already incorporated specific requirements on both undergraduate LL.B. and post-graduate Diploma providers to teach and assess equality and diversity pervasively throughout the curriculum The Society is currently consulting on changes in the education and training system and has both included specific questions relating to content of the programmes and barriers within the system and has targeted a significant range of equality organisations to ask them to comment on the proposals. It is important that these issues are addressed in a 'mainstreamed' way as integral to the project, rather than becoming a separate equality led initiative	Education and Training	N/A	The response to the first stage consultation as to whether these issues should be included was positive – and work is now progressing on drafting detailed proposals

		The Society will collate the results of the consultation and these will be available publicly through our website			
C3	The Society should host information and training events to provide Careers Advisors with accurate knowledge and understanding of all aspects of careers within the legal profession and how best to promote this effectively to students.	<p>This is already carried out as part of our ongoing liaison with Careers Scotland and individual careers advisors/offices</p> <p>To ensure that a specific event is run with university careers advisers looking at equality issues and careers in law</p>	Education and Training	Q4 2007	W1
C4	Seek ways of promoting the Law Society of Scotland and its services within schools to enhance the profile of the legal profession.	<p>This is already carried out as part of our ongoing liaison with Careers Scotland and individual careers advisors/offices</p> <p>We distribute careers leaflets to schools throughout Scotland and attend a number of local, regional and national events to ensure that bespoke information is provided to those with an interest in law</p> <p>We provide telephone and e-mail advice to individuals interested in careers in law who have specific questions they need answered</p> <p>We support the Law in Schools project, the Young Citizens' Passport and Achievers UK, all aimed at promoting law in schools</p> <p>We have appointed a New Lawyers Coordinator, a new full-time post aimed at building better links for those considering or training in law and developing a long-term engagement strategy – covering both how we communicate our messages to these groups and how they can inform our policy and work through 'involvement'</p> <p>Strategy to specifically identify how the Society will engage with a diverse audience, with specific reference to disability and the other 'groups' covered by the 'strands' of equality</p>	Education and Training	Q4 2007	C
C5	Create a pack (or online resource) for use within schools.	The same issues as at C4 apply	Education and Training		

		To launch online resource in timescale agreed in the engagement strategy			W1
C6	Promote within legal firms the offering of work experience placement opportunities for disabled young people via local schools.	<p>We have appointed a New Lawyers Coordinator, a new full-time post aimed at building better links for those considering or training in law and developing a long-term engagement strategy – covering both how we communicate our messages to these groups and how they can inform our policy and work through ‘involvement’</p> <p>This action point will be explored as part of that strategy development – and we will consult extensively (with all relevant groups) on the appropriateness of the strategy prior to final adoption. Again, it is important that these issues are addressed in a ‘mainstreamed’ way as integral to the project, rather than becoming a separate equality-led initiative</p>	Education and Training	N/A	New Lawyers Engagement Strategy now available on our website
C7	Incorporate into the Society’s website a “Student’s Zone” featuring disability issues and seek ways to develop the facility to enable students to seek advice, support and share experiences with each other. Disabled students should be actively involved in the design and content of the site.	<p>The same issues as at C4 apply</p> <p>To involve a diverse cross-section of individuals, with specific reference to disability and the other ‘groups’ covered by the ‘strands’ of equality, in the design of a ‘Student Zone’</p> <p>To launch online resource in timescale agreed in the engagement strategy</p>	Education and Training	Q3 2008	W1
				Q3 2008	W1
C8	Establish a programme of working with medium sized law firms to develop a strategy to support disabled law students in securing Post-Diploma training contracts.	As at C4	Education and Training	N/A	
C9	Ensure Law Society of Scotland members are fully aware of all available financial supports and advice to assist them in meeting any additional support needs of potential employees.	<p>To source or develop a fac- sheet on this topic</p> <p>To make fact-sheet available on the Society’s website</p> <p>To develop and implement a communication plan to ensure firms are aware of this advice – including Journal article, contacting HR departments in all major firms, and promoting through the EZINE</p>	Head of Diversity	Q3 2007	C
				Q1 2008	W1
				Q1 2008	W1
C10	Actively engage with disabled solicitors/law students in the process of any proposed changes to education and training provision.	The Society is currently consulting on changes in the education and training system and has both included specific questions relating to content of the programmes	Education and Training	N/A	W1

		<p>and barriers within the system and has targeted a significant range of equality organisations to ask them to comment on the proposals</p> <p>The Society will collate the results of the consultation and these will be available publicly through our website</p> <p>To consider, and where appropriate implement, suggestions and recommendations made through the consultation in relation to the content and accessibility of the various stages of training</p> <p><i>NB timescale cannot be specified at this stage as it may require change of statutory regulations or, possibly, primary legislation</i></p>			
D. Accessibility, Promotion of Best Practice and General Communication					
D1	Development of a series of Disability Guidelines as a valuable resource in the promotion of best practice to High Street solicitors. The Guidelines should contain a variety of sections offering a “pick and mix” of advice and information on physical, sensory, intellectual and communication impairment and mental health and how to best meet people’s needs.	This has already been committed to as part of the integrated Equality and Diversity Strategy. An update on progress can be found in the current Equality Annual Report	Equality Strategy	N/A	-
D2	Active and ongoing engagement of disabled people in the development of strategies, initiatives and training	This is to be addressed through Strategic Objectives 3, 4, & 8 from the original Strategy. It was the implementation of this objective that led to this initial meeting, and further work is already planned.	Equality Strategy	N/A	-
D3	Emphasis on the development, in consultation with disabled people, of practices to encourage open disclosure of any additional support needs they have, especially at initial point of contact, in order that services can be more effectively provided.	<p>Identify best practice in collection methods and approaches for monitoring data in service provision setting, and report</p> <p>Gain views of individuals with disabilities on the best practice identified, and report</p> <p>Implement recommendations as appropriate</p>	Head of Diversity	<p>Q1 2008</p> <p>Q2 2008</p> <p>Q3 2008</p>	<p>W1</p> <p>W1</p> <p>W1</p>
D4	Greater face to face contact with Case Managers involved in complaints cases	<p>This already can happen on an ad hoc basis</p> <p>CRO to examine how this might be better integrated into the current process</p>	Client Relations Office	Q4 2007	Due to the handover of responsibly in this area this has not

		<p>Formal note of findings to be included in the 2007 annual report on Equality</p> <p><i>NOTE – many of these functions are likely to pass to a new statutory organisation (not currently covered by the Disability Equality Duties) in the near future, at which point the Society could no longer influence the set processes</i></p>		Q2 2008	been actioned, but will be reviewed after the handover.
D5	Audit of complaints received by disabled people to identify and evaluate any common themes emerging	This is already carried out by CRO, part of existing departmental action plan	Client Relations Office	N/A	-
D6	Continuous review of website to ensure optimum accessibility for people with all forms of impairment.	This is ongoing, part of existing departmental action plan	Client Relations Office	N/A	-
D7	Ensuring all paper-based information and forms are available online and vice versa.	This has been an ongoing part of the Society's equality work. Over the last year a significant emphasis has been placed on this work with major new website sections to deal with the Society's responses to public consultations, our debating competition, and our education and training consultation. The decision was also made to place all information in the public domain, as a development from the old website where much solicitor focussed information was held in a 'members' area	IT	N/A	-

DES Objective E			BADGING SCHEME		
To examine the possibility of an equality 'badging scheme' to encourage private practice firms and in-house legal departments to consider equality issues and work towards a set scheme of criteria for which recognition would be gained.					
	TIMESCALE	UPDATE			
<ul style="list-style-type: none"> To have meetings of the Diversity Advisory Group and the Equality Forum to discuss viability, value, and possible key content of such a scheme (looking at both HR and service provision issues) 	Q3 2007	Initial paper prepared - on agenda for January 08 meeting			
<ul style="list-style-type: none"> To meet with a cross-section of firms (managing partners, marketing managers, HR managers) to discuss viability, value, and possible key content of such a scheme 	Q1 2008	Not yet due			
<ul style="list-style-type: none"> To investigate the viability, costs, and key issues in a variety of current badging schemes (public and private sector) and to explore the possibility of a bespoke system 	Q1 2008	Not yet due			
<ul style="list-style-type: none"> To explore and collate any work done in other jurisdictions/professions in this field 	Q1 2008	Not yet due			
<ul style="list-style-type: none"> To present a detailed report to the President's Committee and Council of the Society on the viability of such a scheme 	Q2 2008	Not yet due			
<ul style="list-style-type: none"> To take forward the outcome of this process into the 2009 to 2012 Equality and Diversity Strategy 	Q3 2008	Not yet due			
<p><i>The specific issues around disability and access will be examined and existing concepts such as the 'Two Ticks' badge explored to ensure that disability issues are a key consideration of this work. This is aimed at addressing some of the issues raised in Section 5 coming out of the Profile of the Profession feedback and our work with individuals, as detailed in Section 6.</i></p>					
Relevant areas of the General Duty. A, B, C, D, F					

DES Objective F			IMPROVING ACCESSIBILITY - FIRM INFORMATION		
To work with others to examine the range of information we hold on law firms (including areas of work, accessibility of services, and fields of specialism), to identify what additional information would be of use, and to scope a project to create a new database to assist the public in accessing the most appropriate services.					
	TIMESCALE	UPDATE			
<ul style="list-style-type: none"> To review current information held on firms by various sources 	Q1 2008	Not yet due			
<ul style="list-style-type: none"> To produce a short report on the equality issues in this area which have been identified from a range of sources 	Q1 2008	Not yet due			
<ul style="list-style-type: none"> To contact potential collaborators (including Scottish Legal Aid Board and others) to assess potential for formal collaboration 	Q2 2008	Preliminary discussions have taken place as SLAB are due to undertake some work in this area			
<ul style="list-style-type: none"> If workable solutions are found, to develop a final set of proposals as to content and design of the data collection project and implementation 	Q2 2008	Not yet due			
<ul style="list-style-type: none"> To gain formal approval for appropriate proposals 	Q3 2008	Not yet due			
<ul style="list-style-type: none"> To take forward the outcome of this process into the 2009 to 2012 Equality and Diversity Strategy 	Q4 2008	Not yet due			
Relevant areas of the General Duty. A, B, C, D, E, F					

5.3.2 Action Plan 1 – Gender Equality Scheme

A. Outcomes from the Profile of the Profession Project		Action	Responsibility	Timescale
A1	The Profile of the Profession study ('forms', see section 5.12) identified an issue around networking and social events relating to sex, orientation, and gender status.	To develop guidance and examples of best practice to encourage firms and individuals to establish networking (internal and external) appropriate to all of their staff.	JB/MR	Q1 2008 – W1
A2	The Profile of the Profession study ('forms', see section 5.12) identified an issue around bullying and harassment relating to sex, orientation, and gender status. The study also indicated the need for an advisory service.	The Society will put in place a communications plan for Lawcare, the <u>independent</u> service it all ready funds which provides help and support for people facing a range of health and welfare issues, specifically including bullying and harassment. This will include using The Journal, EZINE, digital signatures and providing discussion points for key Society spokespeople so they can promote the service.	NS/JN	Q4 2007 – W1
A3	The Profile of the Profession study ('forms', see section 5.12) identified an issue around working arrangements (part-time, flexi) relating to sex, orientation, and gender status.	The Society will publicly advertise in The Journal for examples of good practice from law firms around these areas, and seek to publish and widely disseminate good practice and the actual experiences of specific law firms to encourage the raising of standards in the profession generally.	NS	Q4 2007 – W1
A4	The Profile of the Profession study ('sources', see section 5.12) identified that discrimination could come from a range of sources (trainees, associates, partners, solicitor on other side of transaction), and in relation to all but one the main role of the Society may be better education of members (discrimination coming from clients was viewed as outwith what the Society can reasonably seek to influence).	The Society will: <ul style="list-style-type: none"> ▪ Issue the research to the profession to raise awareness of the issues ▪ Issue guidance to the profession on issues of gender equality ▪ Create and promote free CPD available to the profession over the web on issues in the profession in relation to discrimination and key issues for firms to consider 	NS	Q3 2007 – C Q4 2007 – W1 Q1 2008 – C
A5	The Profile of the Profession study ('sources', see section 5.12) indicated the profession felt that the rules on discrimination, contained in the Codes of Conduct, should be reviewed and tightened.	The Society will: <ul style="list-style-type: none"> ▪ Review the current discrimination rule, seeking expert advice from discrimination lawyers, the Equality Forum, and groups representing particular interest in this area ▪ The Society will seek recommendations and, where appropriate, implement these recommendations 	NS	Complete

A. Outcomes from the Profile of the Profession Project (cont.)		Action	Responsibility	Timescale
A6	The study raised the suggestion that the Society establish an advisory service on equality. This is already available in relation to bullying and harassment (see A2 above) but the Society also wished to set new targets in this area	The Society will: <ul style="list-style-type: none"> Carry out further research into what nature of advisory service people feel would be of use (on equality law? pastoral? peer support network?) Consider the recommendations and whether there is consensus on a viable service which could be planned for in the 2008-2011 Equality Strategy 	NS	Q3 2008 – W1
-	Outcomes in relation to education, training, and ways to qualify as a solicitor raised in this study are dealt with separately at 'C' below	N/A	N/A	N/A
B. Outcomes from the Women in the Profession Project		Action	Responsibility	Timescale
B1	The Women in the Legal Profession study raised the remuneration issue as its central recommendation for further work.	The Society will: <ul style="list-style-type: none"> Source guidance on the equal pay issue (where possible, trying to use official guidance from the EOC) Distribute the guidance to member firms Encourage firms that have implemented reviews to contact the Society with feedback, to be used to encourage other firms 	NS	Q3 2008 – W1
B2	The main supplementary issues in this study were the issues facing part-time solicitors, who are predominantly women, across a range of areas (allocation of work, promotion, networking)	See objective 'A3' above	-	-
B3	It was suggested the Society could do more to promote firms offering government childcare vouchers	The Society will share its own experience of implementing childcare vouchers for staff with the profession, and promote the scheme to employing firms and organisations.	FS	Q2 2008 – W1
B4	A recommendation coming from this report was that discrimination be monitored on an ongoing basis. There is already a commitment to monitoring.	The Society has already publicly committed to collecting a data set in the future that will let us monitor equality trends. This is likely to happen in 2009/2010, three years after the profile project. This timeframe has been decided based on a variety of factors – detailed in section 5.15 of this report.	NS	2009/2010 (objective to be carried forward to 2008-2011 strategy)
B5	The study suggested the Society should consider issuing guidance on selecting individuals for partnership.	To issue guidance on the legal and ethical obligations of law firms in making partnership decisions and offer practical assistance in developing criteria and methodology for the assessment of associates.	NS	Q3 2008 – W1

C. Education, Training, and routes to qualification targets (cont)		Action	Responsibility	Timescale
C2	Obtaining a traineeship entrance certificate	<p>As part of the education and training consultation the Society will seek to put in place minimum standards for:</p> <ul style="list-style-type: none"> ▪ recruitment and selection procedures for those seeking to appoint trainees ▪ Review and promote the training register to those having difficulty in obtaining a traineeship ▪ monitoring the equality profile of those on the training register 	LC	Q2 2008– W1
C3	Working in a traineeship	<p>As part of the education and training consultation the Society will seek to put in place minimum standards for:</p> <ul style="list-style-type: none"> ▪ terms and conditions of employment ▪ allocation of work ▪ remuneration and benefits ▪ the training of those supervising trainees (with specific respect to equality) 	LC	Q2 2008 – W1
		<p>The Society will also:</p> <ul style="list-style-type: none"> ▪ inform trainees as to the independent and confidential helpline service (see A2 above) ▪ inform trainees and trainers that the Codes of Conduct prohibit all forms of discrimination, and that disciplinary action can be taken against those who do not meet the required standard 	LC / CP	Q2 2008 – W1
C4	Continuing Professional Development	<p>As part of the education and training consultation the Society will seek to put in place minimum standards for CPD for solicitors, which ensures they are guided to periodically undertake CPD in equality and diversity, in particular where they have management and/or employment responsibilities.</p>	LC	Q2 2008 – W1

D. The Society's 'functions'...		Action	Responsibility	Timescale
D1	The Society notes that at the moment there is only a single structure and fee system for practising certificates.	To review the current structure, make recommendations, and where appropriate implement those recommendations.	NS	Q1 2008 – W1
D2	It was identified that fewer women achieved their CPD through Society provided programmes (section 7): although this service is provided on a commercial basis, it was considered worth investigating more.	To identify, through the new IT system, whether a male/female differential in the uptake of CPD is present. If an issue is identified, to explore what the issues underlying it are, and form recommendations. To implement recommendations as appropriate.	JP	Q2 2008 – W1
D3	The Society notes the requirements around Impact Assessment, and plans this work as part of the preparation for the new integrated equality and diversity strategy that will be launched in November 2008.	To finalise the development of a best-practice impact assessment tool. To impact assess ALL of the Society's policies, processes, procedures, and functions, and involvement in independent representation in the impact assessment process. To publicly report on the outcomes of impact assessment.	NS	Q3 2008– C W1 W1
D4	The Society wishes to gather more data on the profile of those who make complaints against Scottish solicitors.	To monitor, for a six month period starting November 2007, the equality profile of those making complaints against Scottish solicitors. To assess whether any equality issues are indicated by the data.	MM	Q3 2008 - W1

E. The Society as an employer...		Action	Responsibility	Timescale
E1	A possible issue is in relation to whether the Society's approach to staff development and promotion helps ensure equality of opportunity (see Section 6.2) – it was not clear from the responses whether this related to gender issues, or other strands of equality.	The Society will: <ul style="list-style-type: none"> Further explore the issues through focus groups with staff, lead by the Employee Representative Group Ensure any issues identified are addressed through the learning and development strategy and other appropriate means 	KC	Q1 2008 – W1
E2	Impact assessment, following up staff on training, indicates a high level of awareness of key issues in relation to gender equality.	To ensure that ongoing training in relation to gender equality is available to all staff, and that the impact of that training is monitored.	Q4	W1
E3	The Society implemented a HAY job evaluation scheme, with a particular view to ensuring equal pay, but recognises that these schemes need to be regularly reviewed.	To review the equal pay work undertaken as part of the HAY job evaluation process one-year-on from implementation, and assess if it still continues to ensure the Society is following best practice.	KC	Q4 2007 – W1
E4	The Childcare voucher scheme will have been in operation for over a year.	The Society will: <ul style="list-style-type: none"> Review the effectiveness of the scheme Re-promote the scheme to all staff 	KC/FS	Q1 2008– W1
F. The Society – Council and Committees		Action	Responsibility	Timescale
F1	A less than expected percentage of female solicitors and lay members were members of committees and panels.	To improve the representativeness of committees by: <ul style="list-style-type: none"> Raising the issue of numbers with those involved in the appointments process, and providing mandatory training Adverts for posts to contain an equality statement Monitoring the outcomes of the new application and selection process Continuing to report publicly on figures 	DC	Q3 2008 – W1
F2	A less than expected percentage of females were convenors of Law Society Committees.	To improve the representativeness of convenor appointments: <ul style="list-style-type: none"> Raising the issue of numbers with those involved in the appointments process, and providing mandatory training Continuing to report publicly on figures 	DC	Q3 2008 – W1

5.4 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 least 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.

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

Section 6 of this Annual Report details our next phase of Impact Assessment, which is currently underway.

5.5 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 to promote careers in law to different groups), or might have come about as an unanticipated consequence of some previously impact-assessed work (for example, being able to raise our concerns in the Single Equalities review that it may weaken the legal protection for disabled people). Directors were therefore encouraged to report back on an ongoing basis and, in particular, record such issues on the action plan for their department. Many of these areas are noted in Section 3 above.

5.6 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

5.7 Summary for Disability Equality Duty requirements

Under para. 3.111 of the Code of Practice in Scotland those organisations covered by the duties must include a summary in their annual report of:

What we have done in the past year to eliminate discrimination and promote equality of opportunity

We believe the objectives and, more importantly, the work to implement them covered already in this section (Section 5) provide the required summary, in particular Section 5.3.1, where we report on our Disability Scheme objectives.

The results of information gathering which has been carried out, what evidence was obtained and what does it indicate

We document elsewhere that the Disability Equality Duty started during a three year period (2005-2008) where we already had an Equality and Diversity Scheme in place, much of which related to issues around disability and accessibility. These planned and resourced evidence gathering exercises included two major projects to collect data on the experiences of disabled solicitors and on members of the public trying to access services from the Society and from our member solicitors. Indeed, data from one of these projects was extensively quoted in the DES, but not actually made publicly available as a final research report until July 2007. This research was heavily promoted through The Journal, the E-bulletin, general press release, and other means, to ensure that our members who actually have responsibility for the delivery of legal services were engaging with the issues raised.

The Society was, therefore, in a position where much of this pre-planned evidence gathering was due for completion on, or just after, the required date of publication of a DES, placing us further ahead than many other organisations.

Our Disability Equality Scheme provided details of extensive evidence collection, and what we believe it indicates, in relation to Scotland in general and the legal profession in particular (for example, see our ***Profile of the Profession*** study and our ***Service Accessibility Review*** – further details can be found in Section 5 of the DES). The full research reports can be downloaded from <http://www.lawscot.org.uk/diversity/research.aspx>.

Section 6 of our Disability Equality Scheme details the consultation and involvement work that underpinned our Scheme.

The focus for this year was, therefore, not on more data collection but on starting to try to tackle the issues we identified during our previous data collection and involvement work.

2008 will, however, see a return to a focus on collecting evidence to support the rigorous and challenging impact assessment project, already initiated and to be completed by November 2008, which will see all functions of the Society reassessed. Consultation and involvement will also underpin this work. More details are laid out in Section 6 of this annual report. As a relatively small organisation, we firmly believe that the most appropriate way to tackle equality issues is through focussed efforts within a three-year plan, and that due to the investment in high quality evidence gathering last year it was appropriate that more time was spent this year on implementation.

What we have done with the information gathered

Again, much of this is covered in our Disability Equality Scheme, and in the reports on progress above. The first main use so far of the ***Profile of the Profession*** study and our ***Service Accessibility Review*** was the creation of our Disability and Gender Schemes.

We have also used the research to create free (at the point of delivery) CPD for the whole legal profession, delivered through Webcast and online assessment. This is aimed at raising awareness of key equality issues within the profession and making suggestions (often based on the direct suggestions of those who took part in the research or involvement work) on how to improve services and access.

The data will also be used to assess our own work, as it gives us the first national baseline data on the mix of solicitors likely to use our services, or pass through a regulatory process. It can also be used to assess issues in relation to entry into the profession, by those wishing to become solicitors.

The complaints process, the major public facing function of the Society, was also due for review during this year and a project would have looked at the demographic profile of complainers and those complained against, but this has been put on hold until next year. The Scottish Parliament has passed legislation which will mean the majority of this caseload will pass to a new organisation, not covered by the equality duties, and until more clarity is available from the Scottish Legal Complaints Commission (the board of which was not in place at time of publication) this work cannot be appropriately nor cost-effectively undertaken (for example, we would want to use similar codings to the new Commission, to ensure the comparability of the data sets generated, and we would want to avoid expending resources on monitoring processes we would no longer be responsible for).

The data is also being used in the creation of guidance to be issued to all solicitors in Scotland. This was one of the objectives in our original Strategy, and whilst it is slightly behind schedule, this has brought the benefit of meaning that far more views, experiences, and evidence can be used in the creation of it.

Finally, the data has been passed to all departments and managers, and will be used to underpin our impact (re-)assessment of all functions, a process which commenced in November 2007 and is due for completion in November 2008 (more details in Section 6).

We will review what format other organisations chose to make this summary available in during the first year of reporting, and use that to inform our approach for the future.

EQUALITY IMPACT ASSESSMENT

6.1 Introduction

This year saw the launch of a major Equality Impact Assessment (EIA) initiative. Current schemes are based on an exercise carried out in 2004, where all of the Society's functions were impact assessed using a model based on the requirements of the Race legislation, but incorporating all 'strands' of equality, including disability and gender.

The 2004 process involved all the functions and policies of the department being scored against equality impact criteria, and then ranked in order by score. This scoring was checked to ensure consistency between departments and also in comparison to how other organisations had ranked and prioritised analogous areas within their own Race Equality or Diversity Equality Action Plans. Having reviewed the scoring the issues were then ranked, and those above the threshold of significance were transferred to an Action Planning Template.

It should be noted that the scoring and ranking exercise was seen as far more important in stimulating active discussion about our functions and policies than as a mathematical exercise. Whilst we hope the scoring is 'accurate' it is the new understanding of our processes, and their possible implications, which is the outcome, and not whether a particular function is a '12.5' rather than a '13'. More details can be found in Section 6 or our Strategy.

However, a new approach has been committed to during the course of this year, which will again see all functions of the Society rigorously assessed and a new model for any future developments put in place. This has received significant resources, as our belief is that rigorous impact assessment, and accompanying high quality 'involvement', will be key in developing our future approach and targets.

6.2 The New System

A benchmarking exercise was undertaken to examine possible models for impact assessment. This examined guidance offered by the Commission for Racial Equality, The Disability Rights Commission, and the Equal Opportunities Commission as well as drawing together models from the public and private sector to identify best practice. General risk management models were also examined, as this is an area where there is more development and research than equality impact assessment, and relevant ideas and approaches noted.

The result was the development of new paperwork including:

- An Initial Screening Questionnaire
- A Full Equality Impact Assessment Template
- Guidance, including worked examples

A pilot assessment is currently underway. Once this is complete a finalised set of paperwork will be made available on our website. Drafts are already available to any interested individual or organisation.

It was anticipated that this system would meet the requirements of the three public duties, as well as, where possible, being future-proofed against upcoming developments in equality legislation. Draft versions received input from our retained consultants, Equality Works, and our Equality and Diversity Committee, and were then approved for use.

Each area of the Society then appointed EIA leads. On 11th January 2008 a training session will be held for these staff, examining the process, and related issues such as 'involvement', in detail. This supplements a one-day general diversity training session, various updates, and a two-day recruitment training session which these staff will have received.

The plan then allows for these staff to start leading EIA work within their area. To ensure the work progresses appropriately and that assessment is being robustly carried out two mechanisms will be in place. The Head of Diversity will meet regularly with each lead to ensure progress and offer advice, and a consultant from 'Equality Works' will meet for a

'mentoring' session with each lead staff member to provide additional independent support, advice, and scrutiny.

A timetable has been established which should see draft assessment work available in April/May 2008, and completion of Impact Assessments by July/August 2008.

There will be a final EIA Event, where project leads present on their work to a panel of senior organisational staff, consultants from Equality Works, Council members, and members of the public representing a range of interests. This will give them a chance to promote the work they have undertaken, as well as take account of final feedback and input prior to publication. We also hope this makes the EIA process both robust and transparent.

The results of the EIA can then be worked into the Equality Strategy (including Race, Disability and Gender Schemes) for 2008 to 2011.

CHANGES TO THE STRATEGY DOCUMENTS

7.1 Introduction

The Equality and Diversity Strategy is meant to be a fixed 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. However, 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 the annual reports, Disability Equality Scheme and Gender Equality Scheme, 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 primary 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.

7.2 Summary of amendments

	2005/2006 AMENDMENTS	2006/2007 AMENDMENTS
*****	<p>Contents</p> <ul style="list-style-type: none"> Added new section (7.7) to contents page 	<ul style="list-style-type: none"> Unchanged
Section 1	<p>Foreword</p> <ul style="list-style-type: none"> Unchanged 	<ul style="list-style-type: none"> Unchanged
Section 2	<p>Executive Summary</p> <ul style="list-style-type: none"> Unchanged 	<ul style="list-style-type: none"> Unchanged
Section 3	<p>Introduction</p> <ul style="list-style-type: none"> 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. 	<ul style="list-style-type: none"> Reference added to the Gender Equality Duty
Section 4	<p>The Organisation</p> <ul style="list-style-type: none"> Unchanged 	<ul style="list-style-type: none"> Note added to make reference to ongoing organisation redesign work Note added to make reference to changing strategic priorities Noted added on new Law Reform Equality Committee

	2005/2006 AMENDMENTS	2006/2007 AMENDMENTS
Section 5	<p>Equality, Diversity and The Law</p> <ul style="list-style-type: none"> ▪ 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' 	<ul style="list-style-type: none"> ▪ Code of Practice: Trade Organisations and Qualifications Bodies – revised draft of September 2007 – added to list of codes ▪ Note added to indicate codes should be available on new EHRC website but that as of publication date direct URLs not available ▪ Note added on Disability and Gender Equality Duties
Section 6	<p>Our Responsibilities</p> <ul style="list-style-type: none"> ▪ We have noted the new requirements of the Disability Equality Duty 	<ul style="list-style-type: none"> ▪ Unchanged
Section 7	<p>Strategic Equality and Diversity Objectives</p> <ul style="list-style-type: none"> ▪ 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 	<ul style="list-style-type: none"> ▪ Note added to make reference to changing strategic priorities ▪ All original objectives are still listed, even if no longer relevant, to ensure full transparency ▪ Amended section (7.7) with detailed notes on implementation of Strategic Objectives
Appendix 1	<p>Listing and Scoring of all functions, policies and procedures</p> <ul style="list-style-type: none"> ▪ Unchanged 	<ul style="list-style-type: none"> ▪ Unchanged
Appendix 2	<p>Prioritising and Departmental action plans</p> <ul style="list-style-type: none"> ▪ 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 	<ul style="list-style-type: none"> ▪ 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