



**CROFTING COMMISSION
COIMISEAN NA CROITEARACHD**

CROFTING COMMISSION EQUALITY & DIVERSITY PLAN

VERSION 0.4

Last Review: August 2019

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INTRODUCTION

The Crofting Commission believe that no-one should be denied opportunities because of their race or ethnicity, a disability, their gender or sexual orientation, their marital or civil partnership status, their age or religion, or due to any of the protected characteristics detailed in the Equality Act.

Both staff working for the Crofting Commission and our customers should be treated equally and fairly. For staff this commitment also extends to maternity status, working pattern, employment status, caring responsibility and trade union membership.

Under the Equality Act 2010, as a Scottish public authority, the Commission is required to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations. Though listed in Schedule 19 of the Act covering the general equality duties, the Commission is not subject to reporting obligations under the additional 'specific duties' regulations.

BACKGROUND

The public sector equality duty came into force on 05 April 2011. The purpose of the duty is to ensure that public authorities consider how they positively contribute to a more equal society. It requires authorities to consider equality in all their functions, including decision-making, design and delivery of services.

From 01 October 2012 the scope of the Act was extended to ban age discrimination, though this does not presently cover people under the age of 18.

To date, the Crofting Commission has taken guidance on Equality issues from Scottish Government and has followed the policies adhered to by the government. This is especially relevant to our staff who are all civil servants employed by Scottish Government. In late 2015 however, the Commission undertook a Best Value Review, conducted by auditors Scott-Moncrieff. One of the outcomes of the Review was a recommendation that, although the organisation can demonstrate a range of initiatives in the area of equality and diversity, the drawing together of an overarching Equality Plan would be of benefit.

The aim of the Equality and Diversity Plan is to demonstrate the Crofting Commission's commitment to the Scottish Government's equalities agenda, mitigate the risk that equalities activities are not prioritised and align them with budgets and resources to cover short and medium-term objectives.

THE GENERAL EQUALITY DUTY

Under the Equality Act 2010, public authorities are required to have due regard to the need to:

1. Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct
2. Advance equality of opportunity between people who share a relevant protected characteristic and those who do not
3. Foster good relations between people who share a protected characteristic and those who do not.

This duty is often referred to as “the three needs”. To comply with the duty, a public authority must have due regard to all three of these needs.

The Act explains that to meet the second need (advancing equality of opportunity), a public authority must consider the need to:

- Remove or minimise disadvantage suffered by people with certain protected characteristics, where these are different from the needs of other people
- Encourage people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

The Act also sets out that:

- Meeting different needs includes (among other things) taking steps to take account of disabled people’s disabilities
- Fostering good relations means tackling prejudice and promoting understanding between people from different groups
- Meeting the general equality duty may involve treating some people more favourably than others.

WHO SHOULD BE AWARE OF THE GENERAL DUTY IN THE CROFTING COMMISSION?

Board Members

They set strategic direction, review performance and must ensure good governance of the organisation. The Convener is also appraised against a Diversity Objective for the Board.

Senior Managers

They oversee the design, delivery, quality and effectiveness of the organisation’s functions.

Equality and Diversity Staff

Their role in raising awareness and building capacity about the general duty. The Equality Lead in the Commission is the Head of Compliance.

Communications Staff

They can help ensure relevant equality information is available and accessible.

Data Analysts

They can help support the organisation in understanding how to measure the effect of its policies and practices on people from equality groups.

Frontline Staff

They need to be aware of how they can help to meet the needs of people from equality groups.

Procurement Staff

They need to be aware of how to build equality considerations into the organisation's supply chain. In the Commission, anyone tendering a contract should be aware of the Equalities Obligation.

Line Managers

They need to ensure appropriate reference is made to HR services so that equality practices are reflected in employment policies and procedures.

KEY COMMISSION DOCUMENTS

The primary function of the Crofting Commission is to regulate crofting. In all of the Commission's key documents we recognise that regulation is one tool to help support, promote and underpin crofting and that, with no direct development role, the Commission has limited powers to deliver sustainable development. It can, however, use its functions and relationships to contribute to the Scottish Government's aims for a more equal society.

The key references are:

- [The Policy Plan](#)
- [Corporate Plan](#)
- [Business Plan](#)
- [Gaelic Language Plan](#)

Policy Plan

The Commission recognises that by working with others, such as HIE and local authorities, and utilising its regulatory functions, such as Succession, it can promote the wider community benefits of crofting, which include population retention, the retention of Gaelic culture within Gaelic-speaking communities and affordable housing solutions, to allow young people to remain in crofting communities.

Corporate Plan

The Vision set out in the Corporate Plan identifies the integral part played by crofting in population retention in rural areas, and how the Commission, through decision-making, is able to support individuals and communities. By using its powers, the Commission will regulate to encourage the active use of crofts and common grazings, which will contribute to the Scottish Government's National Outcomes and help create strong, resilient and supportive communities.

Business Plan

The Commission will improve its evidence base by utilising the Croft Information System and the returns from the Crofting Census to strengthen its understanding of the communities it serves. This improved data will be reflected in enhanced information displayed in the Annual Report and online. Stronger management information will enable the Commission to consider how it can better meet the general equality duty.

Gaelic Language Plan

The Commission's Gaelic Language Plan forms part of the Induction process for all new staff and carries with it a range of practical commitments, which are reviewed quarterly by senior management and annually by the Board.

The Gaelic language has helped shape crofting over generations and the Commission is committed to doing all it can to encourage and promote the place of Gaelic in Scottish life.

WHAT WE DO – CUSTOMER FACING ACTIONS (CFA)

CFA Ref	Action Completed	General Equality Duty	Owner	Review Update
CFA01	Mentoring young people – participation on Boards. Exercise undertaken in 2015/16 with Commissioners/ CEO and two young crofters. In line with SG Public Boards and Corporate Diversity aims, to improve the percentage of women and other under-represented groups in leadership roles in Scotland, to reflect the broader population by 2020.	<ul style="list-style-type: none"> • Advance Equality of Opportunity • Foster Good Relations 	CEO	Participation by young people considered by Board in May 2019. CEO to take forward.
CFA02	Revision of Code of Conduct for Assessors, with text taken from Equality and Human Rights Commission, aligned to Scottish Government policies on equal opportunities and diversity. Communicated to all Assessors and included in Induction Pack and on website.	<ul style="list-style-type: none"> • Eliminate Discrimination • Advance Equality of Opportunity • Foster Good Relations 	Head of Compliance	
CFA03	Amendments to website to create clearer visual communication, addition of audio/video and social media platforms, to increase accessibility and reduce barriers to young people and people with disabilities. Best practice guidance on design also utilised for Annual Report and other publications, with the provision of alternative formats on request.	<ul style="list-style-type: none"> • Eliminate Discrimination • Foster Good Relations 	Head of Compliance	Increased use of social media platforms, including reaching out to Gaelic speakers via Twitter/Facebook and videos.

CFA Ref	Action Completed	General Equality Duty	Owner	Review Update
CFA04	Improvements to application forms and guidance, refinements on Crofting Census forms, review of letters as part of CIS process, all designed to be clear and accessible.	<ul style="list-style-type: none"> • Advance Equality of Opportunity • Foster Good Relations 	Head of Compliance & Head of Operations	Form re-designed to create clearer text and higher contrast for people with visual impairment. Increase in visibility of Gaelic on common forms.
CFA05	Crofting Roadshows and Election Roadshows undertaken in accessible venues, with as wide a geographic spread as possible, bi-lingual advertising in Gaelic-speaking communities.	<ul style="list-style-type: none"> • Advance Equality of Opportunity • Foster Good Relations 	Head of Compliance	
CFA06	'Equality check' carried out on Board papers and all publications/key documents to ensure written communication is gender neutral	<ul style="list-style-type: none"> • Eliminate Discrimination 	Head of Compliance	
CFA07	Equality clauses added to all contracts as part of tendering/procurement process and submissions measured against equality criteria.	<ul style="list-style-type: none"> • Advance Equality of Opportunity • Eliminate Discrimination 	Head of Compliance	
CFA08	Great Glen House is an accessible building with a portable induction loop. The Commission promotes such provision through its service level agreement with SNH.	<ul style="list-style-type: none"> • Foster Good Relations 	Head of Compliance	SLA under review. Callers to office who prefer to use Gaelic will be dealt with by Gaelic speaking officer.
CFA09	Opportunities to encourage diversity of Board and create dialogue with under-represented groups (specifically women and young people) through interaction with SCF Young Crofters, Fencing for Women and Women in Agriculture	<ul style="list-style-type: none"> • Advance Equality of Opportunity 	CEO	Several interactions throughout 2018, which will be continued into the new year.

WHAT WE DO TO PROMOTE EQUALITY – ACTIONS WITH STAFF (SA)

SA Ref	Action Completed	General Equality Duty	Owner	Review Update
SA01	Engaged with SG Modern Apprenticeship programme, offering places to two young people, including an individual with a disability that placed him at a significant disadvantage in the job market. Both went on to secure permanent employment outside the Commission.	<ul style="list-style-type: none"> • Advance equality of opportunity 	CEO	
SA02	Developed relationship with local social enterprise, using business facility for 3 x all staff training days and engaging directly with participants with disabilities. Has led to direct links between the social enterprise and staff.	<ul style="list-style-type: none"> • Foster good relations 	CEO	Relationship has continued by using venue and working with staff for successful 2018 Away-Day
SA03	Role of Equality & Diversity officer located within Senior Management Team, reflecting priority given to agenda and locating budget resources (Comms and Training) with relevant budget holder	<ul style="list-style-type: none"> • Advance equality of opportunity • Eliminate discrimination 	Head of Compliance	
SA4	Specific diversity training arranged for Convener in line with requirements of Public Bodies Unit.	<ul style="list-style-type: none"> • Eliminate discrimination 	Head of Compliance	Completed training session with Anne Donald. Convener forwarded details of Mentoring Project for potential Board chairs, aimed at improving opportunities for people with disabilities.

SA Ref	Action Completed	General Equality Duty	Owner	Review Update
SA05	Gaelic Language Plan approved with detailed targets and commitments, with responsibility held at Senior Management level, helping to promote language and culture of particular relevance to the Commission's staff and customers.	<ul style="list-style-type: none"> • Advance equality of opportunity • Foster good relations 	Head of Compliance	Much work completed in 2018/19 to promote and encourage Gaelic language skills in workplace. More awareness training delivered in Nov/Dec 2018 and Aug/Oct 2019.
SA06	All staff are required to achieve a diversity objective as part of their annual performance appraisal	<ul style="list-style-type: none"> • Advance equality of opportunity • Foster good relations 	Head of Compliance	Access to variety of eLearning resources promoted to all staff and HoC attended Equalities workshop in October 2018, focused on opportunities for women on Boards.
SA07	In addition to the above, Commission staff have Gaelic included within the diversity objective, so all are asked to record how they engage with the Commission's commitments in the GLP.	<ul style="list-style-type: none"> • Advance equality of opportunity 	Head of Compliance	Staff survey undertaken, with positive results, reported to BnG. Weekly language training sessions delivered in 2018-2019 to around 18% of staff.
SA08	All staff complete diversity and equality training as part of their annual mandatory objectives. This is either delivered via a course or by completing modules for the Civil Service.	<ul style="list-style-type: none"> • Advance equality of opportunity • Eliminate discrimination 	Head of Compliance	Mandatory training also highlighted to Commission staff in 2019 for completion.

SA Ref	Action	General Equality Duty	Owner	Review Update
SA09	Information on Equality & Diversity is included in the Staff Handbook and forms part of the Induction for new staff.	<ul style="list-style-type: none"> • Advance equality of opportunity • Eliminate discrimination • Foster good relations 	Head of Compliance	
SA10	Specific training sessions have been delivered to cover Autism in the workplace	<ul style="list-style-type: none"> • Advance equality of opportunity • Foster good relations 	Head of Compliance	Diversity Awareness training day for all staff organised in January and March 2019.
SA11	Adhere to SG HR policies on equality and diversity in the workplace, including work-life balance and recruitment.	<ul style="list-style-type: none"> • Advance equality of opportunity 	Head of Compliance	
SA12	Monthly Conversations take place between staff and line managers and include specific reference to wellbeing to allow any concerns to be acted on.	<ul style="list-style-type: none"> • Foster good relations • Eliminate discrimination 	Head of Compliance	Availability of Wellness Action Plans promoted to staff, including line manager training in September 2018.
SA13	Recognition of need to increase awareness of mental health issues as Equality issue.	<ul style="list-style-type: none"> • Advance equality of opportunity • Eliminate discrimination • Foster good relations 	Head of Compliance	Mental Health First Aider training provided to 8 x staff members. HoC and HoO attended 2 x workshops on Mental Health in Workplace.

SA Ref	Action	General Equality Duty	Owner	Review Update
SA14	The Commission adheres to the SG Fairness at Work policy, which covers equality and diversity.	<ul style="list-style-type: none"> • Foster good relations • Eliminate discrimination 	Head of Compliance	Training session for staff delivered by Inclusion Scotland in early 2019. Visits by HR to deliver all-staff information in June 2019.
SA15	As part of the shared service agreement with SNH, the Commission promotes best practice in making sure the office space is suitable for people with differing needs, for instance with a portable induction loop, bi-lingual signing and disabled access to the building.	<ul style="list-style-type: none"> • Foster good relations • Eliminate discrimination 	Head of Compliance	MOTU and Shared Service Agreement with SNH under review
SA16	Take part in research project on diversity in NDPBs	<ul style="list-style-type: none"> • Advance equality of opportunity 	Head of Compliance	First part of research completed – now engaged in stage 2 of process

SCOTTISH GOVERNMENT HR POLICIES ON EQUALITY & DIVERSITY *(adhered to by the Crofting Commission)*

Induction procedures within the Commission are designed to ensure diversity issues are included and staff are aware of a range of advice, guidance and support provided by SG HR officers.

Equal Opportunities Policy Statement

All staff should be treated equally irrespective of their sex, marital/civil partnership status, maternity status, age, race, ethnic origin, sexual orientation, disability, religion or belief, working pattern, employment status, gender identity, caring responsibility or trade union membership.

Diversity Policy Statement

The Scottish Government is committed to increasing the diversity of staff within the organisation. We will develop all our staff, ignoring all irrelevant differences in their management and development. Furthermore, we will positively value the different perspectives and skills of all staff and make full use of these in our work.

Resources Available on Diversity & Equality

- Diversity on eHR
- Diversity Objectives
- Diversity Training
- Line manager's diversity toolkit
- Caring for someone – advice for carers
- Work-life balance
- Flexi policy and working patterns (flexible working)
- Equality staff networks
- Prayer groups and facilities (a prayer room is available in GGH and a prayer group meets here)
- Inclusive communication
- How we can support disabled staff
- How we show we are positive about disabled people
- How staff can access the Employee Assistance Programme to support wellbeing.

FORWARD PLANNING

Active consideration of equality will help the Commission to identify ways in which to improve evidence gathering and engagement, to help improve the quality of services it provides, making them more responsive to customer and staff needs, leading to better outcomes.

Senior Managers and Commissioners have a vital role to play in giving a clear and consistent message about the importance of promoting equality and diversity. Through visible leadership the senior management team ensures that equality is reflected in performance reporting, that staff are clear the Commission adopts a zero-tolerance approach to discriminatory behaviour and builds the capacity of all staff to consider and promote the equality duties.

In 2019, senior managers will work with the Convener and Commissioners to take the organisation to 2020 via a series of reviews of activity on equality and diversity. In addition to the work currently undertaken, the Commission will use the following:

- **Staff Satisfaction Surveys** – building on the twice-yearly survey (reported and measured as a KPI) and the SG data gathering, to provide improved data on attitudes and issues around equality and diversity; noting that because of the size of the organisation, anonymising information from staff surveys is challenging.
 - 2019 Review Update – Head of Compliance to compare survey results from 2018 with 2019 responses in December 2019.
- **Customer Journey-Mapping** – design a mapping exercise to test whether the Crofting Census creates barriers for some people with protected characteristics and how these might be mitigated.
 - 2019 Review Update – Head of Compliance has acted on comments from customer with visual impairment, ensuring action taken to improve accessibility of census form. Customer-journey mapping not yet carried out. Feedback exercise to be built into the 2019 crofting census wash-up in April 2020.
- **RoC Online** – using predicted improved engagement with customers to measure whether putting the RoC online reduces access barriers and reviewing the impact this has, to see whether it could lead on to further innovations.
 - 2019 Review Update – no adverse impacts recorded from development of RoC online. Positive impact recorded by increasing 24hr accessibility of information.
 - Improved access planned (decrofting directions – October 2019).
 - What's next for ROC online? Apportionment orders in spring 2020.

- **Assessor Network** – ensure equality outcomes are considered so that recruitment to the new panel of Assessors is promoted to under-represented groups as a volunteering opportunity.
 - 2018 Review Update – recruitment to current panel took into account accessibility issues, by ensuring roadshows took place in accessible venues, Code of Conduct for Assessors included equalities provisions and recruitment opportunities were advertised via third sector platforms.
- **Review** how the Commission uses data from the Crofting and Grazings Census and the RoC to build a picture of diversity in crofting communities and how, by working with partners, the Commission can contribute to wider public benefits.
 - 2019 Review Update – action outstanding. Head of Compliance to discuss with Head of Digital Improvement. Need to balance this with protection of personal data under GDPR.
- **Induction Training Programme** – ensure equality and diversity is given an appropriate profile in the early training delivered to new Board members.

Protected Characteristics

- **Protected Characteristics**
 - Age
 - Disability
 - Gender reassignment
 - Marriage and civil partnership
 - Pregnancy and maternity
 - Race
 - Religion and belief
 - Sex
 - Sexual orientation

EQUALITY & DIVERSITY PLAN – ACTION PLAN (AP)

AP Ref	Action	General Equality Duty	Owner	May 2018 Update	Aug 2019 Update
AP01	Staff satisfaction survey – use to provide data on bullying and harassment, wellbeing and opportunities. Compare data in-year and with SG People Survey. Consider adding question to survey to seek staff ideas on improving diversity.	<ul style="list-style-type: none"> • Advance equality of opportunity • Eliminate discrimination • Foster good relations 	Head of Operations & Workforce	<p>People Survey deadline 31 Oct 2017 staff survey completed in June, next survey scheduled for February.</p> <p>CC staff survey carried out Feb 2018. Liaison with SEG and unions continuing re results. New survey to be completed by 31 Oct 2018.</p>	<p>2019 survey completed in April. SMT working with Staff Engagement group to prioritise critical areas. HoC will review 2018/2019 results in Dec 2019. Question on Diversity to be added to 2020 survey.</p>
AP02	Design customer journey mapping exercise to test whether present format of Crofting Census creates barriers and how these might be mitigated.	<ul style="list-style-type: none"> • Eliminate discrimination • Foster good relations 	Head of Compliance	<p>Design feedback exercise as part of 2018 re-design of census form and as part of exercise to produce baseline on customer satisfaction, as per KPIs.</p> <p>Consider feedback exercise as part of 2018 census wash-up in April 2019.</p>	<p>Feedback exercise overdue. HoC to ensure customer feedback recorded for 2019 returns and to design customer consultation, with HoD&I.</p>

AP Ref	Action	General Equality Duty	Owner	May 2018 Update	Aug 2019 Update
AP03	Does the RoC online reduce access barriers to customers – e.g. they do not need to phone or write to us to access information?	<ul style="list-style-type: none"> Foster good relations 	Head of Operations & Workforce	Results are positive, with fewer specific calls, reduction in general enquiries and positive feedback on RoC online.	Increased access planned – decrofting directions Oct 2019 and apportionment orders – spring 2020.
AP04	Ensure recruitment to new Assessor panel is promoted as volunteering opportunity to people with protected characteristics – use volunteer networks.	<ul style="list-style-type: none"> Advance equality of opportunity Foster good relations 	Crofting Support Manager (LG)	Have plan in place to coincide with Roadshows. Completed.	
AP05	How can CC use data from Crofting Census, grazings census and RoC to build up a picture of diversity in crofting communities, while respecting DPA requirements?	<ul style="list-style-type: none"> Advance equality of opportunity 	Head of Digital Improvement	Outstanding and needs to be balanced by rights under GDPR.	Update needed
AP06	Equality & Diversity given high profile in Year-1 training for Commissioners and specific diversity training completed by Convener.	<ul style="list-style-type: none"> Advance equality of opportunity Foster good relations 	Head of Compliance	Met in Sep 17, Convener training in Nov 17, with Action Plan to follow, plus HoD engage with SG network. Completed.	
AP07	Provide Commissioner training in Year-1 on Natural Justice & ECHR.	<ul style="list-style-type: none"> Advance equality of opportunity Eliminate discrimination 	Solicitor	December 17. Completed.	

AP Ref	Action	General Equality Duty	Owner	May 2018 Update	Aug 2019 Update
AP08	Increase awareness of cultural importance of Gaelic to customer-base and promote learning by providing training and BnG presentation to Board.	<ul style="list-style-type: none"> • Foster good relations 	Head of Compliance	Sept 17 – Feb 18. Completed Update – members of Board attended Gaelic Awareness sessions and Convener completed Basic Gaelic Language training course. Dec 2018 BnG presentation to Commissioners.	Gaelic Awareness sessions delivered to all staff in 2018 and 2019. As well as delivery of Basic Language Classes, conversation classes have continued throughout 2019.
AP09	Ensure all venues for Roadshows are accessible and bi-lingual advertising in Gaelic-speaking areas.	<ul style="list-style-type: none"> • Eliminate discrimination • Foster good relations 	Head of Compliance	November – Completed	
AP10	Consider Modern Apprentice programme for Corp Admin FTE vacancy	<ul style="list-style-type: none"> • Advance equality of opportunity 	Head of Compliance	December Vacancy filled by temp at present.	New opportunities now being considered for 2019/2020.
AP11	Actions to promote increased awareness of Mental Health in the Workplace	<ul style="list-style-type: none"> • Advance equality of opportunity • Eliminate discrimination • Foster good relations 	Head of Compliance	Training delivered on Diversity 2018 & 2019, 2017 & 2018 staff (x 8) took part in training for MHFAs.	2018 HoC and HoO attended workshops on Mental Health in the Workplace. Actions to follow.