



**CROFTING COMMISSION
COIMISEAN NA CROITEARACHD**

CROFTING COMMISSION EQUALITY & DIVERSITY PLAN

VERSION 0.7

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CONTENTS

- INTRODUCTION 1
- BACKGROUND..... 1
- THE GENERAL EQUALITY DUTY..... 2
- WHO SHOULD BE AWARE OF THE GENERAL DUTY IN THE CROFTING COMMISSION?..... 2
 - Board Members..... 2
 - Senior Managers 2
 - Equality and Diversity Staff..... 3
 - Communications Staff 3
 - Data Analysts 3
 - Frontline Staff 3
 - Procurement Staff 3
 - Line Managers..... 3
- KEY COMMISSION DOCUMENTS 3
 - POLICY PLAN..... 4
 - CORPORATE PLAN 4
 - BUSINESS PLAN 4
 - GAELIC LANGUAGE PLAN 4
- WHAT WE DO – CUSTOMER FACING ACTIONS (CFA)..... 5
- WHAT WE DO TO PROMOTE EQUALITY – ACTIONS WITH STAFF (SA)..... 6
- SCOTTISH GOVERNMENT VISION OF DIVERSITY AND INCLUSION 9
 - SCOTTISH GOVERNMENT DIVERSITY POLICY STATEMENT 9
 - RESOURCES AVAILABLE ON DIVERSITY & EQUALITY 10
- FORWARD PLANNING..... 10
- ANNEX A..... 11
 - PROTECTED CHARACTERISTICS 11
- ANNEX B..... 12
 - EQUALITY & DIVERSITY PLAN – ACTION PLAN (AP) 12

INTRODUCTION

The Crofting Commission believe that no-one should be denied opportunities because of their race or ethnicity, a disability, their sex, their gender reassignment 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.

Historically, 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, in partnership with our auditors. 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 Finance.

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 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 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	Revision of Code of Conduct for Area Representatives (previously referred to as Assessors), with text taken from Equality and Human Rights Commission, aligned to Scottish Government policies on equal opportunities and diversity. Communicated to all Area Representatives and included in Induction Pack March 2023. Specific Equality and Diversity section relating to application process.	<ul style="list-style-type: none"> Eliminate Discrimination Advance Equality of Opportunity Foster Good Relations 	Head of Compliance	Code of Conduct reviewed on an annual basis for Area Representatives and Commissioners.
CFA02	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.	<ul style="list-style-type: none"> Eliminate Discrimination Foster Good Relations 	Director of Corporate Services	Increased use of social media platforms, including reaching out to Gaelic speakers via Twitter/Facebook and videos. Key staff have undertaken Accessibility training in September 2022 to tackle web accessibility, mobile accessibility, and document accessibility based on Web Content Accessibility Guidelines (WCAG) 2.0/2.1 Level AA and related standards
CFA03	Improvements to application forms and guidance, refinements on Crofting Census forms, review of letters as part of Croft Information System process, all designed to be clear and accessible.	<ul style="list-style-type: none"> Advance Equality of Opportunity Foster Good Relations 	Director of Operations & Policy	Form re-designed to create clearer text and higher contrast for people with visual impairment. Increase in visibility of Gaelic on common forms.
CFA04	Crofting Roadshows/Common Grazings Workshops etc, 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 	Director of Operations & Policy	Restarted in 2022/23 as COVID-19 restrictions normalised.
CFA05	'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	Initial review complete and now viewed as an on-going requirement.
CFA06	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 Finance	Standard clause added
CFA07	Great Glen House is an accessible building with a portable induction loop. The Commission promotes such provision through its service level agreement with Nature Scot.	<ul style="list-style-type: none"> Foster Good Relations 	Head of Finance	MOTU reviewed. Callers to office is by appointment. Callers who prefer to use Gaelic will be dealt with by a Gaelic speaking officer provided notice is given of requirement.
CFA08	Opportunities to encourage diversity of Board and create dialogue with under-represented groups.	<ul style="list-style-type: none"> Advance Equality of Opportunity 	CEO/Head of Compliance	Virtual Board meetings open Commission up to wider audience. Substantial effort undertaken by Head of Compliance and a Commission Short-Term Working Group in 2021 & 2022 to encourage women to apply for election to the Commission Board.

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

SA Ref	Action Completed	General Equality Duty	Owner	Review Update
SA01	The Commission has previously 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	Potential opportunities will be reviewed at Executive Management Team level should a suitable vacancy arise.
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 lasting direct links between the social enterprise and staff.	<ul style="list-style-type: none"> • Foster good relations 	CEO	Social enterprise venues will be considered for training/workshop venues should opportunities arise.
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 Finance	On-going.
SA04	Awareness Sessions: Diversity training arranged for staff.	<ul style="list-style-type: none"> • Eliminate discrimination 	Head of Finance	'Diversity and Inclusion in the Scottish Government' podcast viewed by staff in Quarter 4 2022/23. Delivered via 'Pathways' (the Scottish Government learning platform).
SA05	Gaelic Language Plan approved with detailed targets and commitments, 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 	Development Team	The Commission encourages Gaelic language skills in workplace. All staff are offered the opportunity to attend weekly Gaelic tuition language lessons in addition to Gaelic Awareness sessions that were facilitated during 2022/23. The Commission has published a comprehensive Gaelic Language Plan that runs from 2020-2025.
SA06	All staff are required to achieve a mandatory diversity objective as part of their annual performance appraisal	<ul style="list-style-type: none"> • Advance equality of opportunity • Foster good relations 	Director of Corporate Services	Recent access to variety of eLearning resources promoted to all staff via Scottish Government 'Pathways' (Providing a single source for all learning and development content, from articles and videos to entire e-learning courses). Diversity objective will now include key reference to Commission's zero tolerance approach to bullying in the workplace.
SA07	In addition to the above, Commission staff will have Gaelic included within the diversity objective, so all are asked to record how they engage with the Commission's commitments in the Gaelic Language Plan.	<ul style="list-style-type: none"> • Advance equality of opportunity 	Director of Corporate Services	Weekly language training sessions.

SA Ref	Action Completed	General Equality Duty	Owner	Review Update
SA08	Staff complete relevant annual diversity and equality training in connection with their duties.	<ul style="list-style-type: none"> • Advance equality of opportunity • Eliminate discrimination 	Director of Corporate Services	Training highlighted to Commission staff for completion. Scottish Government 'Pathways' now provides a comprehensive suite of Diversity and Inclusion podcasts and interactive training covering a range of topics. The Commission Staff Handbook has also been updated to include a section on Equality, Diversity and Inclusiveness.
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 	Director of Corporate Services	Induction Pack and Staff Handbook revised and updated in February 2023.
SA10	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 	Director of Corporate Services	Monthly Conversations between staff and line managers include specific reference to wellbeing. Staff Handbook updated to include reference to 'Right to Disconnect'. Staff who recruit will be instructed to undertake 'Inclusive Recruitment' annual refresher training via Scottish Government 'Pathways' e-Learning platform.
SA11	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 	Director of Corporate Services	Variety of actions taken forward on wellbeing including delivery of several Mindfulness sessions, access to training on wellbeing and stress management.
SA12	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 	Director of Corporate Services	Mental Health First Aider training previously provided to 10 x staff members. SMT to liaise with the Staff Engagement Group to source accessible support sessions for staff.
SA13	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 	Director of Corporate Services	Online presentation to Commission staff by Scottish Government HR professionals in September 2022. Focus on awareness sessions on Bullying & Harassment/Grievance Procedure and support that is available to colleagues. Respect and Dignity/Grievance Policy updated within Staff Handbook.
SA14	As part of the shared service agreement with Nature Scot, 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 	Director of Corporate Services	MOTU and Shared Service Agreement with Nature Scot reviewed. Commission Health, Safety & Welfare Committee re-resourced in January 2023.

SCOTTISH GOVERNMENT VISION OF DIVERSITY AND INCLUSION *(adhered to by the Crofting Commission)*

In Scottish Government, our vision is to be a world-leading, diverse employer where people can be themselves at work.

We are committed to building a workforce of people with a wide range of backgrounds, perspectives and experiences. We can only reap the value of our diversity with an inclusive environment, where people are valued for their individual uniqueness but also have a sense of belonging and a voice. That means a workforce that includes people of different age groups, socio-economic backgrounds, faith and beliefs. People who are trans, disabled, from minority ethnic backgrounds. People who identify as lesbian, gay or bisexual or another sexual orientation. A workforce that is representative of the people of Scotland.

Inclusion is one of our core organisational values. Therefore, this journey – to be a world-leading diverse employer where people can be themselves at work – is something our workforce are collectively behind.

Why are we striving to become more representative of the public we serve?

- It is the right thing to do – everyone should have a fair and equal opportunity to work in the service of Scotland and be a part of the structures and institutions that deliver for their communities
- To deliver our best, most inclusive policies requires us to better reflect the makeup of Scottish society – supporting our internal and external vision to put people at the heart of what we do and be user and citizen centred, building more authentic relationships with a broader range of people
- Diverse teams working effectively together deliver better results – we need our best talent to tackle the challenges Scotland faces and support Ministers make good decisions for the people of Scotland.
- All of this fosters trust, and the more trust our workforce feels towards our organisation the more likely we all are to share our authentic selves – and thrive in our roles

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.

SCOTTISH GOVERNMENT 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 executive 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.

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	2023 Update
AP01	Staff satisfaction survey – use to provide data on bullying and harassment, wellbeing and opportunities.	<ul style="list-style-type: none"> • Advance equality of opportunity • Eliminate discrimination • Foster good relations 	Director of Corporate Services	<p>2022 Scottish Government survey completed. The Executive Management Team and Staff Engagement Group reviewed results in February 2023, and will be circulated to all staff in due course.</p> <p>Results will be incorporated into the ‘Staff Action Plan’ report for Audit & Finance Committee.</p>
AP02	Ensure recruitment to new Area Representatives 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 	Development Team	Recruitment of a new panel commencing March/April 2023.
AP03	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 Compliance + Crofting Development team	Head of Compliance and Crofting Development Team to consider objective and how it can be delivered
AP04	Equality & Diversity given high profile in Year-2 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 Finance	<p>Investigate if Commissioners can gain access to Public Bodies Unit portal containing support materials plus Equalities Toolkit.</p> <p>Source Diversity Awareness training for 2023.</p> <p>Source Unconscious Bias training for 2023.</p>
AP05	Provide Commissioner training in Year-2 on Natural Justice & European Convention on Human Rights.	<ul style="list-style-type: none"> • Advance equality of opportunity • Eliminate discrimination 	Solicitor	Solicitor advised planning to deliver in May 2023.
AP06	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 	Development Team	Gaelic Awareness sessions and conversational classes available to all staff.

AP Ref	Action	General Equality Duty	Owner	2023 Update
AP07	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 	Development Team/Communications Team	<p>Board meetings now opened up to wider audience and promoted to Area Representatives.</p> <p>Commission recommenced roadshows, primarily led by Grazings and Development Teams.</p>
AP08	Consider Modern Apprentice programme	<ul style="list-style-type: none"> • Advance equality of opportunity 	Chief Executive	Opportunities will be considered as they arise.
AP09	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 	Director of Corporate Services	Work now being championed by Staff Engagement Group and Health & Safety Committee.
AP10	Mentoring young people – participation on Boards. 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.	<ul style="list-style-type: none"> • Advance equality of opportunity • Foster good relations 	CEO/Convener	To outline proposal to Board.
AP11	Staff complete relevant annual diversity and equality training in connection with their duties.	<ul style="list-style-type: none"> • Advance equality of opportunity • Eliminate discrimination 	Head of Finance	<p>Source appropriate training for Executive Team/Senior Management Team as they oversee the design, delivery, quality and effectiveness of the organisation's functions.</p> <p>Ensure that staff undertake any mandatory training and also promote the sources of training/information available within the Scottish Government Pathways e-Learning platform.</p>
AP12	Awareness Sessions	<ul style="list-style-type: none"> • Eliminate discrimination 	Health & Safety Committee	Tailored to suit all staff within the Commission. Line managers will be encouraged to attend. Example: Menopause Health Highland (Scheduled for 19 th June: Online 1 hour)