

<b>Meeting</b>	<b>SPA People Committee</b>
<b>Date</b>	<b>27 May 2021</b>
<b>Location</b>	<b>Teleconference</b>
<b>Title of Paper</b>	<b>Workforce Equality &amp; Diversity Report</b>
<b>Presented By</b>	<b>Jude Helliker, Director of People and Development and Nicky Page, Head of ER and Reward</b>
<b>Recommendation to Members</b>	<b>For Discussion</b>
<b>Appendix Attached</b>	Appendix A – Equality, Diversity and Inclusion (Employment) Framework

**PURPOSE**

The purpose of this report is to update SPA People Committee on the:

- Equality, Diversity and Inclusion (Employment) Framework;
- the E&D Mainstreaming and Equality Outcomes progress report 2019 - 2021;
- the Joint Equality Outcomes for Policing 2021;
- the Standard Entrance Test review; and
- Workforce Monitoring update.

Members are invited to discuss the content of this paper

## **1. BACKGROUND**

- 1.1 Six monthly workplace equality, diversity and inclusion assurance update were previously provided to the SPA Resources Committee in June 2020 and December 2020.
- 1.2 This report provides pertinent, high-level updates since the discussion at the Resources Committee in December 2020.

## **2. FURTHER DETAIL ON THE REPORT TOPIC**

### **2.1 Equality, Diversity and Inclusion (Employment) Framework**

- 2.1.1 An Equality, Diversity and Inclusion (Employment) Framework was approved by the Police Scotland Strategic Leadership Board on 9 December 2020.
- 2.1.2 The framework was developed and progressed with input from stakeholders including the representatives from People and Development (P&D), diversity staff associations and the Scottish Police Authority (SPA).
- 2.1.3 The framework has been developed to support the delivery of the People Strategy and provide a clear overview of the Equality, Diversity and Inclusion approach and priorities going forward. The framework is fully aligned to both the People Strategy and wider organisational strategies.
- 2.1.4 It sets out how the organisation should deliver its business and the parameters within which decisions can be made. Fundamentally it sets out the organisational commitment towards an inclusive culture that attracts, develops and retains a diverse and representative workforce.
- 2.1.5 The employment focused Joint Equality Outcomes for Policing (5-8) were developed to align to and support the delivery of the EDI Employment Framework.
- 2.1.6 The delivery of this framework is also being supported by work that is ongoing to mainstream relevant actions into all levels of Police Scotland planning activity including the Annual Policing Plan, DCC/DCO level Delivery Plans, Divisional/Departmental Annual Delivery Plans and local People Plans. In addition, specific diversity action plans are being developed where required.

- 2.1.7 The measures in the EDI Employment Framework will be reviewed and updated following work to refresh the Performance Framework which includes new EDI measures.
- 2.1.8 The EDI (Employment) Framework is included in Appendix A.
- 2.1.9 Progress updates relating to the EDI Employment Framework will be reported to this committee through this regular Workplace EDI assurance report as appropriate.

## **2.2 E&D Mainstreaming and Equality Outcomes Progress Report**

- 2.2.1 Police Scotland published [E&D Mainstreaming and Equality Outcomes Progress Report \(2019 – 2021\)](#) on 30 April 2021.
- 2.2.2 The report provides updates on mainstreaming across key strategic areas such as leadership, Strategy and performance and procurement. It then sets out our activity highlighting the progress we have made to date against our 2017 Equality Outcomes.
- 2.2.3 This report evidences significant progress towards the 2017 equality outcomes as well as area where work is still ongoing.
- 2.2.4 The evidence in the report formed part of the work to review the 2017 equality outcomes and develop the new Joint Equality Outcomes for Policing 2021. This ensured that ongoing work was captured and carried over to the new equality outcomes.

## **2.3 Joint Equality Outcomes for Policing 2021**

- 2.3.1 Police Scotland and the SPA agreed a joint approach to setting equality outcomes for policing in 2021. This aimed to ensure that both organisations are working towards the same equality, diversity and inclusion priorities and outcomes across policing in Scotland.
- 2.3.2 Equality outcomes are core to the work of both organisations and act as an enabler to the delivery of the Strategic Police Plan, the SPA Corporate Plan and the Forensics Strategy. They also provide opportunities to further mainstream equality into strategic planning, performance and delivery mechanisms.
- 2.3.3 In forming the Joint Equality Outcomes for Policing extensive engagement with internal and external stakeholders took place and a wide evidence review was undertaken.

- 2.3.4 The [Joint Equality Outcomes for Policing 2021](#) were approved by the Police Scotland Strategic Leadership Board on 10 March and the SPA Board on 24 March and were published on the Police Scotland and SPA websites on the 30 April 2021.
- 2.3.5 Work is now underway within Police Scotland to embed relevant activities into annual delivery plans and develop specific diversity action plans as appropriate.
- 2.3.6 The measures to support the effective performance reporting are also currently being developed as part of the wider refresh of the Performance Framework and will be provided within a future update.
- 2.3.7 Progress updates on the employment related equality outcomes (5-8) will be reported to this committee through this regular Workplace EDI assurance report.

## 2.4 Workforce Monitoring

- 2.4.1 Work is currently underway to analyse and present the workforce monitoring data from 1 April 2020 - 31 March 2021. Data will be included in the next 6 monthly report once it has been through internal governance.
- 2.4.2 Continuous improvement work in relation to workforce monitoring is also ongoing. A summary update is captured in the [E&D Mainstreaming and Equality Outcomes Progress Report \(2019 – 2021\)](#) (page 44). Further work is also being developed to support the delivery of the new equality outcome in relation to the use of timely insights from workforce monitoring (outcome 5). This includes work to finalise the high-level monitoring and reporting overview to ensure a shared clarity in relation to the way that E&D workforce data is collected, analysed and reported.

## 2.5 Standard Entrance Test

- 2.5.1 The Police Service of Scotland Regulations 2013 (and previous versions of these regulations) require the recruitment process for constables to ensure the chief constable is satisfied the 'candidate is sufficiently educated, including being sufficiently competent in written and spoken English and sufficiently numerate, by passing an assessment to a standard approved by the chief constable and the Scottish Ministers' after consultation with relevant stakeholders.

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- 2.5.2 This requirement has been delivered through a Standard Entrance Test (SET) with the current SET being adopted by all Scottish forces in November 2002 following pilot testing and consultation.
- 2.5.3 In 2019, Police Scotland, carried out analysis on the attrition rate of candidates at the SET stage across a 2 year period. In summary, the average pass rate for minority candidates was 54% compared to 75% for white Scottish (or other UK) candidates. Anecdotal feedback provided through engagement also highlighted that minority candidates felt the test contained outdated and unfamiliar terminology with this being particularly relevant in the language paper.
- 2.5.4 In February 2020, Penna, a London based HR Consultancy Company specialising in occupational assessment were awarded the contract to develop a modernised SET with the specific requirements to:
- Retain the 3 distinct sections of language, numbers and information handling.
  - Modernise the language.
  - Create one exam containing the above 3 sections, to be undertaken in one hour sitting.
- 2.5.5 This was piloted with a group of 60 probationary police officers. From the group of probationary officers who undertook the pilot test, the diversity data available showed initial indications to be that any gender and disability differences would be minimal. Ethnicity was not reported on due to lack of sufficient variation in the data set to make any useful comparison. Therefore live testing progressed for a larger subject group to allow for assessment in relation to ethnicity.
- 2.5.6 Between June and August 2020, 378 candidates undertook the initial revised Standard Entrance Test across both recruitment centres in Jackton and Aberdeen.
- 2.5.7 This evaluation continued to show a disproportionate percentage of minority candidates were not succeeding in achieving an overall pass (67.5% BME failure rate compared to 46.7 for white candidates). Further scrutiny of results also showed that minority candidates were achieving high marks in both the numbers and information handling elements, and indeed an overall high score, but their performance in the language element did not meet the required level. Feedback from candidates and item analysis by Penna identified a particular challenge coming from a style of language question.

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2.5.8 In September 2020 Penna revised the SET paper addressing the adverse impact factors, and this was introduced to live testing in October 2020. At the time of reporting, internal analysis of results to date are as follows:

	<b>SAT</b>	<b>PASSED</b>	<b>%</b>	<b>FAILED</b>	<b>%</b>
<b>BME</b>	17	15	88	2	12
<b>WHITE</b>	35	32	91	3	9

	<b>SAT</b>	<b>PASSED</b>	<b>%</b>	<b>FAILED</b>	<b>%</b>
<b>MALE</b>	42	37	88	5	12
<b>FEMALE</b>	10	10	100	0	0

2.5.9 These results demonstrate an encouraging trend towards a more equitable performance and a better balance of question style and number of items within the test.

2.5.10 Penna are now engaged in the production of a further two test papers, Paper 2 & 3, using the formula currently in place. The Language section for Paper 2 & 3 was piloted with 87 probationers across Scotland during March 2021. Penna are currently working on analysing the results with a view to producing a further 2 trial papers which will then be used in live candidate testing throughout the remainder of the full trial period. By introducing a further 2 papers, this offers candidates the opportunity to resit the SET if they fail to achieve the required marks in SET Paper 1. Ongoing evaluation and review will take place on a regular basis, both internally and via Penna.

2.5.11 Until the testing phase is complete, candidates who ‘fail’ the revised SET will not have this recorded as counting towards their overall attempts. Opportunity to re-sit any future iteration of the Standard Entrance Test will be offered as a priority.

2.5.12 As the application of SET requires approval from Scottish Ministers engagement has taken place with relevant stakeholders including SPA, Statutory Staff Associations and Diversity Staff Associations, which has resulting in Scottish Government drafting a ministerial briefing to support approval and endorsement of the continued live testing of a revised SET for Police Scotland over the next 18- 24months with a view to formal implementation once satisfied that the proposed SET is non-discriminatory and will stand up to any scrutiny afforded.

2.5.13 After said period of time, Police Scotland will seek formal approval from ministers to implement the revised final SET, providing full analysis over the 18-24mth period.

2.5.14 This work is linked to the delivery of the new Equality Outcomes (outcome 7).

## **2.6 EDI Training Review**

2.6.1 In November 2020, The Policing – Complaints Handling, Investigations and Misconduct Issues: Independent Review recommended that 'All Police Scotland officers and staff should receive training on unconscious bias, equality legislation and diversity; this should be updated throughout their career, with the opportunity for refresher courses at regular intervals'.

2.6.2 In accordance with the recommendation, the EDI & HR SOB directed that an 'end to end' training review be conducted within the service to capture EDI content and benchmark against external organisations.

2.6.3 Initial EDI content is introduced to new joiners in the organisation via the staff induction course and the Probationary Training Programme. These are recently refreshed products that have been developed with input from stakeholders and quality assured.

2.6.4 The First Line Managers (FLM) and Established leadership programmes will be refreshed in 2021 in response to recommendation 10 from the HMICS thematic inspection of LTD in 2020. Benchmarking is underway with a view to completing this refresh by September 2021 for FLM and December 2021 for Established leadership programmes.

2.6.5 EDI themes are included within many courses in operational and detective training (for example senior officer training and operational command), however these require to be refreshed for currency.

2.6.6 Work is underway to develop specific EDI content for tactical environments in operational safety training, including the delivery of enhanced EDI training to OSTI's. Discussions about the implications for public order and firearms training have yet to take place.

2.6.7 More widely, the Equality and Human Rights Impact Assessment (EqHRIA) SLWG has developed fit-for-purpose initial training to ensure Police Scotland meets its EQHRIA obligations, with plans

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to develop further products. Beyond that, individual divisions are sponsoring work from their own staff, supported by Diversity Staff Associations, to contribute to the service EDI effort as evidenced in the C3 led 'Inclusion Moments' program.

- 2.6.8 Funding is secured for the development of two Senior Leadership Programmes. The first programme 'Your Leadership Matters' launched on the 12 April 2021 for superintending and staff equivalent roles across Police Scotland and SPA. Equality, diversity and inclusion is a key theme throughout the 3-month programme. The programme finishes in July 2021 and will be evaluated with a view to providing a similar programme for the next level of leaders.
- 2.6.9 RISE, the development plus pilot programme concluded in March 2021 with the aim to increase development opportunities for under-represented groups specifically BME and women.
- 2.6.10 SWDF offers a suite of one-day courses for female officers and staff as part of their 'Springboard' programme. In addition, a separate Springboard programme for senior female leaders is also underway.
- 2.6.11 Significant work is already being undertaken within business areas across the organisation to update and modernise EDI training content. Within LTD, Leadership and Talent and Operational Training significant steps have already been made towards ensuring that EDI is embedded across the course prospectus, with additional work planned for launch throughout 2021.
- 2.6.12 The organisation currently lacks general refresher training on EDI matters, or role-specific EDI training. This has led to external training being bought in throughout 2020. Consideration is now being given to creating a dedicated EDI Training Development team, reporting to the Head of LTD to undertake the required service-level audit and to deliver on a training development plan that encompasses the wider Police Scotland training prospectus.
- 2.6.13 It is important to note that EDI competence is the responsibility of all staff and officers and any EDI resource in LTD would also assist with upskilling other training product owners to confidently accept this responsibility, in their own professional areas.



**3. FINANCIAL IMPLICATIONS**

- 3.1 There are no financial implications in this report.
- 3.2 Costs of delivering this work are within current budget provision.

**4. PERSONNEL IMPLICATIONS**

- 4.1 There are no current personnel implications associated with this paper.

**5. LEGAL IMPLICATIONS**

- 5.1 This update and the work contained within supports compliance with work related aspects of [The Equality Act 2010](#) and [The Equality Act 2010 \(Specific Duties\) \(Scotland\) Regulations 2012](#).

**6. REPUTATIONAL IMPLICATIONS**

- 6.1 A failure to effectively deliver equality, diversity and inclusion in employment and provide appropriate assurance in relation to compliance with the Equality Act 2010 could impact on SPA's and the public's and staff confidence in Police Scotland.

**7. SOCIAL IMPLICATIONS**

- 7.1 There are no social implications associated with this paper.

**8. COMMUNITY IMPACT**

- 8.1 There are no community implications associated with this paper.

**9. EQUALITIES IMPLICATIONS**

- 9.1 This paper and the work contained within support equality, diversity, inclusion in employment and compliance with The Equality Act 2010.

**10. ENVIRONMENT IMPLICATIONS**

- 10.1 There are no environmental implications associated with this paper.

**RECOMMENDATIONS**

Members are invited to discuss the content of this report.

## Appendix A - Equality, Diversity and Inclusion (Employment) Framework

Our people drive the success of policing in Scotland and we recognise the value that a diverse workforce and inclusive culture brings. We will ensure **all our people are confident to champion equality, diversity and inclusion.**

By **mainstreaming** into strategy, planning and performance mechanisms as well as business as usual activities, we will ensure local accountability and put **inclusion at the heart of all our decision making.**

By taking **proactive steps to remove barriers and create inclusive workplaces** we will ensure a culture that can **attract, develop and retain a representative workforce** and gain the **confidence of the diverse communities** we serve.

As Is:	To Be:
<ul style="list-style-type: none"><li>• Reactive</li><li>• Tactical/ Task focused</li><li>• Specialist E&amp;D accountability</li><li>• Bureaucratic and risk adverse</li><li>• Outdated data collection, systems and processes</li></ul>	<ul style="list-style-type: none"><li>• Proactive</li><li>• Strategic/outcome focused</li><li>• Mainstreamed E&amp;D accountability</li><li>• Innovative and bold</li><li>• Fit for purpose and responsive data capabilities</li></ul>

### Operating Principles

The following principles have been identified to ensure an inclusive, people focussed approach:

- We will provide effective and practical tools to remove barriers and build an inclusive workplace for our people.
- We will work collaboratively to ensure equality, diversity and inclusion are at the heart of all we do.
- We will ensure a continuous improvement approach based on relevant evidence and engagement.



## Inclusion

- An inclusive culture that embraces diversity and enables people to give their best
- All leaders champion equality, diversity and inclusion at all levels
- A mainstreamed approach to equality, diversity and inclusion with local accountability
- Inclusive policy, process and guidance tailored to the needs of our people
- All our people are skilled in relation to equality and diversity and understand their responsibility to build an inclusive workplace

### How will this be delivered?

**The Force Executive** will be accountable for ensuring that equality, diversity and inclusion considerations are proportionately mainstreamed into all areas. They will lead by example and take proactive action to develop an inclusive workplace.

**People and Development** will ensure that the inclusion of our people is considered in all our people policy and decision making.

**Wellbeing & Inclusion** will work with accountable stakeholders to support the mainstreaming of equality, diversity and inclusion in employment into everything that we do including strategy, planning, reporting, policy and decision making.

**The Recruitment, Selection & Promotion team** will be skilled to ensure fair and transparent implementation of processes that are free from unconscious bias and take account of individual needs including facilitating reasonable adjustments.

**Training** will be responsible for delivering innovative training and development opportunities to upskill all officers and staff on equality, diversity and inclusion. This will include integrating education on equality, diversity and inclusion into leadership and operational delivery courses.

**Corporate Communication** will provide vital support to ensure accessibility and consistency of messaging and alignment with all other work.

**All Officers and Staff** will have a personal responsibility to promote a culture of equality and to treat everyone with dignity and respect.

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As an enabler of the People Strategy, the three key strategic themes frame the activities:

<b>Inspiring Leadership – winning hearts and minds to drive success</b>		
<b>Operating Principle</b>	<b>Planned Activities</b>	<b>Measures for Success</b>
<p>Leaders will be provided with effective and practical tools to support their peoples' diverse needs</p> <p>Leaders will be skilled in identifying barriers to equality and inclusion, will be confident to address these and progress opportunities to promote inclusion</p>	<ul style="list-style-type: none"><li>• Build the skills, confidence and capability of line managers through education, training and coaching including reverse mentoring</li><li>• Provide clear, accessible SOPs and Guidance</li><li>• Develop mechanisms to use ongoing two-way dialogue with diversity stakeholders to ensure better inform decision making by under-represented management teams.</li></ul>	

<b>Positive Environment – creating great environments for our people to perform</b>		
<b>Operating Principle</b>	<b>Planned Activities</b>	<b>Measures for Success</b>
<p>We will work collaboratively to ensure a fair, transparent and inclusive working environment</p>	<ul style="list-style-type: none"><li>• Work with internal and external stakeholders to identify priority issues based on robust data and design solutions</li><li>• Utilise communication and training channels to educate all our people and ensure an understanding of equality, diversity and inclusion</li><li>• Mainstreaming equality and inclusion through broader collaboration across P&amp;D priorities in particular recruitment, development, retention and wellbeing agendas</li><li>• Embed effective and proportionate Equality and Human Rights Impact Assessment (EqHRIA) as part of all decision making</li></ul>	<ul style="list-style-type: none"><li>•</li></ul>

<b>Organisational Health – our people and services are flexible, innovative and agile</b>		
<b>Operating Principle</b>	<b>Planned Activities</b>	<b>Measures for Success</b>
By pursuing a mainstreaming agenda, we will ensure that equality and inclusion is at the heart of all we do	<ul style="list-style-type: none"><li>• Develop innovative and agile solutions to improve the provision of training and guidance to support specific business and Individual needs</li><li>• Continuously improving workforce monitoring to develop more dynamic dashboards and bespoke reports</li><li>• Improve data systems and capabilities to ensure timely and responsive reporting to support evidence based decision making</li><li>• Deliver bespoke programmes to support the personal and professional development of under-represented groups.</li></ul>	<ul style="list-style-type: none"><li>•</li></ul>

### Equality, Diversity and Inclusion Employment Framework Overview

