Notes and actions of the EAG meeting held in meeting room M23, 1A Parliament Square, Edinburgh, on the 21st of November 2013 between 10.00 and 12.30 hrs.

1. **Arrival & Coffee**

Attending:

Colin Lee - CEMVO Scotland, Chair.

Rohini Sharma Joshi – Trust Housing Association Ltd.  
Suzanne Munday – MECOPP.

Christine Jess – Specialist on disability issues.

Alan Swift – Director, SCS Human Resources.

Nicola Dean – SCS, Court Services Branch.

George Malone – SCS, Admin Support (notes).

Guests:

Eric McQueen – Chief Executive SCS.

David Currie – SCS Director, Property and Services.

Apologies: Daniel Donaldson - Consultant for LBGT equality and human rights.

Colin Lee welcomed the members of the advisory group asked that a note of thanks be added to the minutes regarding Stephen Coulter, who has recently moved on to other challenges with Scottish Education. Stephen’s contribution was much valued and of considerable importance.

Alan Swift, SCS Director HR advised the EAG that until a new Corporate Secretary was appointed that he would be standing in for SCS on the EAG. It was expected that the new appointment would be made around January 2014.

1. **Matters arising from the August 2013 meeting.**

The minutes were read and accepted with a clarification regarding a comment used on page 4 in reference to the Equalities Outcomes Action Plan.

Previous Action Points:

AP AUG 13/001 - Add LGBT development to the agenda for future meetings (SC / GM).

Alan Swift has been in contact with the Chairs of the SCS LGBT and Disability Groups recently and there appeared to be little happening within the groups. Alan suggested that a joint exercise with the LGBT and Disability Action Group be developed and had in mind a twice yearly event at which members could explore the environment each of the groups faced. If the concept was successful, Alan had in mind reaching out to other justice partners and inviting them to attend. COPFS have three groups that may be interested, LBG, Transgender and Disability. Alan envisaged the concept as being a facilitated forum and, would advise Daniel Donaldson who has previously expressed an interest in these groups.

Action Point – on-going.

AP Aug 13/002 – Invite the SCS Head of Communications to a future meeting to include the action Feb13/004 regarding translated literature.

Nicola had held a discussion with Susan Whiteford (Head of SCS Corporate communications - unable to attend this meeting) regarding translated literature. Currently there is an issue on the horizon regarding EU regulations and the need to translate criminal documentation / productions. SCS are currently looking at this and the Scottish Government should have regulations in place during 2014 which will cover “essential documents”. The definition of “essential” is being explored. In the meantime Susan was happy to attend a future meeting of the EAG as this issue develops.

The EAG then discussed some issues related to translating documents and the dangers of assuming the translations were correct. Members of the EAG were keen that the “back translation” technique is used to check document veracity. Rohini Sharma Joshi made a plea for people not to use translation software such as Google as a short cut, as it may lead to the translation losing sense.

Another point raised was that the Scottish Government guidelines for translation do not cover the use of “community language”. This is where the language in use varies from the “official” version locally. Similarly, there is a need to ensure that any legal terms used in the documentation relate to the receiving group.

MECOPP have developed and use a standard glossary of word translation terms. They also helped build web content for NHS 24 and Suzanne Munday offered to engage with SCS to assist with this issue.

Christine Jess also had experience of this issue and was keen that all Scottish Government agencies were consistent in their approach and usage. Christine would use her contacts within the NHS to explore what they were doing on this subject.

A discussion then took place around adult literacy and the need to ensure the communication strategy took this into account. Similarly the users of Brail documentation should not be forgotten. Discharge this action and open a new one.

**AP Nov 13 / 001 – Include Translation Services as an agenda item for the next meeting in February 2014**

AP Aug 13 / 003 – Discharged. David Currie is attending this meeting to discuss access issues.

AP Aug 13 / 004 – Stephen Coulter to talk to Alan Swift regarding the use of the carers policytowards obtaining a kite mark award for SCS.

SCS Carers Contact Team will look into the issue of the Kite-mark early in 2014. They have been very busy recently organising the 2013 carers conference, held on 7 and 8 November. In addition they have produced a new DVD in support of carers. The DVD was shown for the first time at the conference. The EAG were pleased with this development and asked that they be represented at the next carers conference.

**AP NOV 13 /002 – Alan Swift and Suzanne Munday to set up a meeting to discuss arrangements for carers in the SCS.**

AP Aug 13 / 005 – Discharged

AP Aug 13 / 006 – LGBT on-going as discussed earlier in this meeting

AP Aug 13 / 007 – Discharged, now on agenda.

AP Aug 13 / 008 – Discharged on agenda for this meeting.

AP Aug 13 / 009 – Discharged at time of writing – received and circulated to EAG.

AP Aug 13 / 010 – Discharged, on agenda for this meeting.

AP Aug 13 / 011 – On-going (part done), Suzanne to contact Scottish Women’s Aid.

AP Aug 13 / 012 – Discharged, approach made and contact to hand. Issue will be discussed at this meeting.

AP Aug 13 / 013 – Discharged, new organisation chart distributed.

AP Aug 13 / 014 - Discharged, the Kirpan protocol and work instructions cover women adherents.

It was agreed that a re-scheduling of the agenda could take place to allow for exigencies of the service and subsequently items 3 (Equality Action Plan) and 4

(Dignity at Work) were swopped in the running order.

1. **Dignity at Work (DaW)**

Alan Swift introduced and positioned the DaW initiative within SCS and the role it had to play in the reduction of harassment and bullying. Alan advised the EAG that a policy of openness and transparency is being developed within SCS and some £400K had currently been spent on delivering coaching training to SCS managers. DaW formed a part of this training. A DVD of the DaW training material was played to the EAG demonstrating various scenarios and identifying what help SCS people could expect to get, when contacting the DaW helpline number.

The DaW helpline is manned by staff volunteers who have been especially chosen (having gone through an assessment centre) and trained to operate the system. One aspect that it is hoped the DaW team will help address relates to the comments received from the annual staff survey regarding bullying and harassment, where there appears to be a disconnect between the comments received and the number of grievances raised.

Having viewed the DaW DVD and inspected the promotional material the EAG were positive in their support of the initiative. A question was asked about text phone or related methods of communication and Alan Swift replied that he would check that a subtitle version of the DVD was available.

Colin Lee asked Alan if he felt that staff were comfortable enough to challenge unacceptable management behavior via the grievance route. Alan felt that the DaW material and helpline would support any weaknesses in this area and it was possible there could be a rise in grievance stats as a result of DaW being implemented.

A discussion, regarding typical areas where bullying and harassment might be experienced, took place with front line services being identified as being the most vulnerable. To date all the stats pointed to the issues being related to work matters rather than any of the protected characteristics.

**AP Nov 13 /003 – Alan Swift to check that the DaW DVD is capable of / has a subtitle mode or that alternative method of delivery e.g., text phone is available.**

1. **Equality Action Plan.**

The current version of the plan (Aug 2013) was discussed with progress being noted across the plan. Some areas highlighted for change are:

1. It is intended that the “One Service” Equality training material should be refreshed in light of the DaW material so that obvious synergies can be obtained.
2. Line managers guidance on maternity cases – this procedure has now a planned release date of the end of December 2013
3. The issue of dress codes was raised. All court officers have a uniform, in court staff are expected to wear a gown and SCS in the public areas wear ID badges. Dress is not normally an issue and is subsequently left to the line manager regarding “appropriateness”.
4. Knowledge sharing was discussed and Nicola Dean is working on various aspects of this including web based solutions in order to capture and share learning.
5. Vulnerable witnesses: Work was ongoing to build capability and capacity in this area with a number of new sites and facilities coming on line. SCS is working with justice partners, Scottish Government, public and charitable bodies to ensure that facility suites can be accessed and are of the best standard for the witnesses involved e.g. children. SCS IT unit are currently testing a site in Arbroath as a pilot and, if successful, plan to rollout this approach on other sympathetic sites. Nicola Dean is currently scoping this aspect.
6. The EQIA process was discussed and it was felt that some additional training for SCS staff members was required particularly around the background data aspects. It was felt that it would be beneficial if SCS were to adopt the SG approach and have a background evidence matrix that all staff completing an EQIA could call upon. George Malone informed the group that a new stage was being built into the SCS project management procedure called stage zero. The intention was to ensure that before a project appeared before the SCS board for approval that all testing of the concept was done thoroughly at the idea development stage. First and foremost in this was the completion of the EQIA. Work on this is on-going.
7. Employer of Choice – SCS are looking at the current structure and ethos of the employment / career process for younger people. What recruitment process may be the right approach for adults with experience is not right for school leavers or younger people with little or no work experience. The SCS are planning to introduce modern apprenticeships, for the administrative grades, with recruitment planned for the new year. Christine Jess asked about ring fencing a proportion of the apprenticeships for certain individuals with restricted backgrounds. Glasgow Council has links to Skills Development Scotland in this area and Christine would be happy to help SCS with contacts.

**AP Nov 13 / 004 – Include Modern apprenticeships / recruitment in the agenda for the next meeting.**

1. Mainstreaming equalities with other Justice systems: Pam McFarlane (SBM Tayside and Fife) has, in the interim, taken over from Stephen Coulter and continues to progress this issue. Similarly Nicola Dean is progressing the subgroup looking at equality outcomes where it is becoming apparent that there is some confusion amongst public bodies as to what an “outcome” actually is. These is a need for all public bodies, including SCS to review their mainstreaming reports before 2017 and ensure that the outcomes are actually that and that they can be measured and that progress can be seen. This is a requirement of the EHRC.
2. **Members Recruitment and Terms of Reference (TOR)**

The issue of membership of the EAG was discussed and it was agreed that this item would remain on the agenda for the next meeting.

**AP Nov 13 / 005 – Include Members Recruitment in the next meeting agenda**

A general discussion then took place around what the members felt about the EAG and the SCS’s role. Most of the members preferred the voluntary role they had at the moment and are pleased that what has been offered has been taken seriously by the SCS. Eric McQueen assured the EAG that its role was highly valued by the SCS and this was also supported by Alan Swift.

Some suggestions for future members were discussed and Suzanne Munday suggested that a regional representative from Age Scotland join the team. Rohini Sharma Joshi would to speak to Engender regarding a possible representative.

**AP Nov 13 / 006 – Suzanne and Rohini to make contact with potential volunteers to discuss joining the EAG.**

The volunteer versus appointed members issue was touched upon as was the type and style of advice being offered by the EAG to SCS. Also raised, was the issue of how formal a future recruitment policy needed to be with the Public Appointments process touched on. Similarly, the issue of payment was briefly discussed but there was no consensus. It was felt that the members of the EAG need to have a discussion together, before the next EAG meeting, and it was agreed that a pre-meeting should be held immediately preceding the next EAG in 2014.

**AP Nov 13 / 007 – EAG team members to meet prior to the next 2014 EAG to discuss remuneration issues.**

**AP Nov 13 / 008 – George Malone to propose 4 dates in 2014 for the EAG meetings. Venues would be decided later.**

The Terms of Reference for the EAG were agreed and adopted.

1. **Changes to SCS Senior Management**

The latest SCS organization chart was presented to the EAG and Eric McQueen outlined the way forward with some posts, such as the corporate secretary, still to be filled.

1. **Disability Access**

David Currie, SCS Director of Property and Services (P&S), presented on Disability Access and what was being done in SCS.

P&S are currently engaged on a programme of work that encompasses reasonable access and which has a set of minimum acceptable standards incorporated in it. To date some £3.8 million had been spent on the main areas of improvement with an additional £1.2 million to hand for statutory requirements. SCS are working closely with Historic Scotland (HS) when dealing with the older building stock. As a result, better solutions are being found with SCS aiming to have deeper penetration (access) of the court buildings than originally thought possible. The liaison with HS and the extra funds available are making this possible.

P&S are currently developing a quality audit template in conjunction with the criminal justice disability project team and Capability Scotland. David would appreciate input from the EAG on the form and the types of questions and assumptions used in its development.

**AP Nov 13 / 009 – David Currie to provide George Malone with a copy of the quality audit form. George Malone to circulate the form to EAG members and the members to feedback any comments by the next meeting date (February 2014).**

A question was raised about surveying of Court users / witnesses / jurors to get feedback on the facilities as it was felt that this could be of value to P&S.

**AP Nov 13 / 010 - Eric McQueen to speak to David Fraser, Director - Operations delivery, regarding what survey material, post-trial, was available.**

It was suggested that there were other organisations that could be able to help SCS develop the template and the EHRC was suggested as one.

**AP Nov 13 / 011 – Suzanne Munday to ask the EHRC if they are able to help with the template development.**

**AP Nov 13 / 012 – Ian Clark, SCS Head of Research, to be invited to the next meeting to discuss the findings of the latest (2013) Court User Survey.**

1. **AOB**
   1. **Publication of EAG Minutes & notes**

The minutes of previous meetings have now been published on the SCS Intranet, as has the members pen pictures.

* 1. **Kirpan Agreement**

It was confirmed that the issue of concern regarding women devotees has been covered and an additional training / DVD is to be issued to staff.

* 1. **Complaints / FOI**

Two complaints had been received in the last quarter. One was related to disabled access in a new court room. This issue was subject to reply from the Chief Executive and to discussion by EAG members.

The other did not relate to the SCS although the SCS did process it and pass it on appropriately. It was raised by Tayside Deaf Hub and it related to the use of inappropriate language in court (which received publicity in the Dundee Courier ) where the Depute Procurator Fiscal was quoted as describing a witness in a case as "deaf and dumb" this was further exacerbated as the Sheriff allowed the terminology to be used in his court.

Appropriate action has been taken to avoid a repeat.

* 1. Dates, and potential venues, for the next series of meetings for 2014 were discussed:

Stirling – February

Tain – May

Aberdeen – August

Edinburgh – November

George Malone has been actioned to provide an initial set of dates.

The business of the day concluded with lunch.

Summary of action Points for this meeting:

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| AP Nov 13 / 002 | Alan Swift and Suzanne Munday to set up a meeting to discuss arrangements for carers in the SCS. |
| AP Nov 13 / 003 | Alan Swift to check that the DaW DVD is capable of / has a subtitle mode or that alternative method of delivery e.g., text phone is available |
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| AP Nov 13 / 005 | Include Members Recruitment in the next meeting agenda |
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