

Performance guidelines

for government departments in Scotland

All government departments and ministers of the crown have a statutory general duty to work towards eliminating unlawful racial discrimination, and to promote race equality and good race relations. As the architects of laws and policies that shape people's lives, they are also responsible for leading the way in promoting race equality for all public authorities. How central government and its agencies approach and meet their duties will ultimately signal the success or failure of the most ambitious race relations project since the passage of the 1976 Race Relations Act.

This leaflet describes the main results or outcomes that will distinguish a department that is meeting its duty well. It also outlines some of the ways in which government departments can show that they are meeting the duty.

This leaflet should prove useful to many organisations, as well as to members of the public who want to know how well a department is performing. For example, auditors and the CRE may use this leaflet as a guide to the performance they can expect from a successful department. Civil servants and ministers will also find the leaflet helpful when they want to know whether their own work, and the work of their department as a whole, is making a difference to meeting the duty to promote race equality and good race relations. Most of the results and activities we list here are likely to be included in the department's race equality scheme (which will vary from one department to another).

This leaflet does not have statutory force. It is meant to be a concise guide to the outcomes that central government departments should aspire to in meeting their duty. We recommend that departments use the statutory *Code of Practice on the Duty to Promote Race Equality in Scotland* (which gives guidance to the new public duty), and the non-statutory *Guide for Scottish Public Authorities* (which contains more detailed advice and practical examples) to develop full strategies for promoting race equality. Useful information and advice are also available on the following websites:

- www.cre.gov.uk
- www.homeoffice.gov.uk
- www.cabinet-office.gov.uk
- www.scotland.gov.uk

Outcomes of meeting the duty

Community satisfaction and equal opportunities

- People from all ethnic groups are equally satisfied with:
 - the department as a whole;
 - individual policies, and the way the department puts them into practice; and
 - the quality of its services.
- People from all ethnic groups say they have confidence in the department and its ministers.
- There are no significant differences in policy outcomes between different ethnic groups.
- The department caters for a wide variety of needs, through flexible and well-designed services and policies.
- The department makes decisions openly, and is accountable to the interests it serves.
- There is wide understanding of, and support for, the department's values and race equality aims.
- Interest and involvement in the department's consultations has risen, especially among people from ethnic minorities.
- Complaints, in general, are low, and there are no significant differences between ethnic groups in complaints about the department's services and policies.

Staff satisfaction and equal opportunities

- The department's workforce is representative at all levels of the populations – local or national – from which the department fills posts.
- Staff are aware of and understand the diverse cultural characteristics of the communities they serve. They use this knowledge to develop policies and laws that do not unjustifiably disadvantage any groups.
- Staff confidence in the department is high among all ethnic groups.
- The department's employment practices attract good candidates from all ethnic groups.
- The department has a good reputation as a fair employer.

Confidence and respect

- Ministers and officials know their responsibilities under the new public duty, and are confident about promoting the duty and the department's policies.
- The department sets high standards for the organisations it works with, and for the organisations that work for it.
- The department is respected for its commitment to – and success in – promoting equal opportunities and good race relations.

Evidence of meeting the duty

Leadership

Strong leadership is vital if government departments are to meet the new public duty. A department that is effectively promoting race equality will be able to show the following.

- Ministers have made a public commitment to tackle unlawful racial discrimination, and to promote equal opportunities and good race relations.
- Senior civil servants and ministers take a firm and steady lead on promoting race equality.
- Ministers have the resources to put their commitment to race equality into practice, and can depend on strong support and advice from civil servants in promoting the duty.
- Ministers and senior officials understand the guiding principles of promoting race equality. They make sure that these principles govern all aspects of the department's work. They have publicly stated that they are accountable for promoting race equality.
- Senior officials from ethnic minorities play an active and responsible part in all areas of the department's work. They are not marginalised, or expected only to concern themselves with the department's work on equality and diversity.

Services and policies

The aim of the general duty is to make race equality central to the way government departments and their agencies work. Services, policies, and procedures that are relevant to the duty should reflect this. A successful department will be able to show the following.

The department has identified functions and policies that are relevant to the duty.

- The department has considered all its functions and the ways in which it carries them out. It has decided which of its functions are relevant to the duty to promote race equality, and has put them in order of priority.
- All parts of the department, and its agencies, are involved in reviewing functions.
- The department plans to repeat this assessment at least every three years.

The department has arranged to assess, and consult on, the impact its policy proposals are likely to have on the duty to promote race equality.

- The department has procedures for assessing its policy proposals for their possible impact on race equality.
- The department takes steps to identify the full range of needs in the communities it serves. It makes sure everyone knows about its consultation plans and how they can take part.
- The department carries out assessments of its policy proposals by gathering as much information as possible on the subject. It consults staff in the department and across the Executive (at both ministerial and official level), their representatives, users of its services, and members of the public (including people from ethnic minority communities) as part of these assessments.

- The department uses both formal and community-based approaches to consultation. For example, it uses public meetings, 'e-surveys', outreach programmes, and contacts with community representatives, especially from groups it does not consult regularly.
- The department considers other policy option, when its assessments and consultations show that its policies could have adverse effects on some ethnic groups.

The department has arranged to monitor the effects of its policies on different groups.

- The department uses both established performance measures and its own performance indicators, to monitor policies for their effects on different ethnic groups.
- The department sets ambitious but achievable targets to make continuous progress in promoting race equality.
- The department uses performance management systems to make sure that race equality is part of its everyday work. This is reflected in the work of all units and agencies.
- The department uses the results of its assessments and consultations, including ethnic monitoring, to improve its policies and services.

The department has arranged to publish reports of its assessments, consultations, and ethnic monitoring every year.

- The department keeps easily accessible records of its monitoring, consultations, and assessments, and of any changes it makes to its policies as a result.

- The department publishes user-friendly summaries of its assessments, consultations, and monitoring. For example, in newsletters, occasional publications, its annual report, and on its website. The summaries include information about any changes the department plans to make to its policies as a result.

The department has made arrangements to make sure that everyone has access to information about its work, and to its services.

- The department uses various methods to provide information, and to promote its services.
- The department produces information in various languages, and provides interpreters for its services when needed.
- The department has effective, efficient, and open procedures for dealing with complaints about its services.

The department has produced and published a race equality scheme.

- The department's scheme consists of a strategy and an action plan to meet the general duty and any specific duties.
- The scheme is a timetabled and realistic three year plan, which came into effect on 30 November 2002.
- The scheme is organised around achieving the results and outcomes described under 'Outcomes of meeting the duty'.
- The department reviews the scheme regularly, and reports publicly on progress, using the department's regular systems and processes.

- The scheme has been published on the department's website, and in printed form. It is also available in other formats, on request. Copies have been distributed to all staff, in the department and across the Executive, and are available to members of the public.

The department has set race equality objectives for all its partnership work, and for work carried out for it under contract.

- The department informs partner organisations that it intends to work in line with the principles of the duty to promote race equality.
- The department persuades its partners to adopt these principles as governing principles for the partnership's activities.
- The department has written its race equality duties into its service agreements and procurement contracts as performance standards for delivering services that are relevant to the duty.

Employment

The department has made arrangements to train its staff on the duty.

- Ministers and civil servants receive training on the Race Relations Act, and on how to prevent discrimination and encourage respect for people from different ethnic backgrounds.

- Staff responsible for meeting the duty receive training on their responsibilities under the Act, and in the skills they need to meet the general duty and any specific duties.

The department has made arrangements to monitor staff, applicants, and employment processes, by ethnic group.

- The department routinely monitors employees and applicants for employment, training, and promotion, by ethnic group. As it has more than 150 full-time employees, it also monitors the number of staff who receive training, who benefit or suffer disadvantage from performance assessments, who are involved in grievances or disciplinary action, or who end their employment with the department.
- The department takes steps to explain the importance of reliable ethnic monitoring and to encourage all staff to cooperate by completing their ethnic classification form.
- The department uses the ethnic monitoring data to set recruitment targets and to take action, both to encourage applicants from ethnic groups that are under-represented in particular areas of work and to deal with any adverse impact its employment policies and procedures might be having.
- The department publishes the results of its monitoring in its annual report.



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