



Council
2 May 2017
Equality and Diversity Annual Report

Classification	Public
Purpose	For noting
Issue	A report on work relating to equality and diversity in 2016-17
Recommendation	To note the content of this paper.
Financial and resourcing implications	None
Equality and diversity implications	Contained in the report
Communications implications	None
Annexes	A. Equality and Diversity Policy 2015 B. Report on key activities in 2016-17
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Background

1. In May 2015 Council agreed a new Equality and Diversity Policy which can be found at Annex A.
2. The policy includes a requirement for an Annual Report to Council on equality and diversity.

Discussion

3. The Annual Report for 2016-17 is attached at Annex B and sets out in broad terms the major activities relating to equality and diversity that have taken place during the year.
4. We are aware that a number of other regulators are reviewing their approaches to equality and diversity. For example, the General Optical Council has consulted recently on a new *Equality, Diversity and Inclusion Scheme* (see <https://www.optical.org/en/get-involved/consultations/index.cfm>) and the General Medical Council has engaged the consultants Mott McDonald to undertake research looking at how to develop a framework for measuring equality and diversity impact in its regulatory activities.
5. The Equality and Diversity Policy includes a requirement for Council to review the approach at least once in the period of each Corporate Plan. Over the next twelve months we intend to draw on best practice across the sector to refresh our quality and diversity policy, and to bring a revised policy to Council for approval in spring 2018.

Recommendation: to note the content of this paper.

Equality and Diversity Policy 2015

Objectives

1. The GOsC's objectives in respect of equality and diversity are to:
 - Ensure our regulatory framework is fair and free from discrimination
 - Promote professional values that protect a diverse public
 - Promote equality of opportunity and access to the osteopathy profession
 - Ensure a system of governance for the GOsC that supports equality and diversity
 - Ensure high standards in the recruitment and employment of our staff.

Legal duties

2. The General Osteopathic Council, as a body that exercises public functions, is subject to the equality duty under the Equality Act 2010.

In the exercise of its functions it must have due regard to the need to:

- a. Eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act
- b. Advance equality of opportunity between people who share a protected characteristic¹ and those who do not
- c. Foster good relations between people who share a relevant protected characteristic and those who do not.

Having due regard means the GOsC must think consciously and carefully about these three aims in its day-to-day work, so that equality issues influence its decisions in developing policy, in delivering services, and in its role as an employer. It has to do this in a proportionate way, focusing more attention on functions that have the most impact on different groups of people. It has this duty even if a third party carries out the function on its behalf.

Advancing equality of opportunity involves having due regard to the need to:

- a. Remove or minimise disadvantages experienced by people due to their protected characteristics
- b. Take steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people

¹ The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation. The protected characteristics of marriage and civil partnership are only relevant to (a) above.

- c. Encourage people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

Complying with the duty may involve treating some people differently. The duty recognises that the needs of people who are disabled are different from the needs of others. This may mean making reasonable adjustments or treating people who are disabled better than people who aren't disabled – for example, through positive action to help them participate more fully.

Having due regard to the need to foster good relations involves having due regard to the need to tackle prejudice and promote understanding.

3. In addition to its duties under the Equality Act, as a UK-wide body, the GOsC has legal duties under the Welsh Language Act 1993, set out in our Welsh Language Scheme, which can be found at <http://www.osteopathy.org.uk/about-us/our-work/welsh-language-scheme/>

Our commitment to equality and diversity

4. The GOsC believes that equality and diversity is integral to our work, and we recognise that taking account of different perspectives brings strength and opportunity to what we do. Our staff and non-executives are committed to promoting equality, valuing diversity, and meeting our equality duties and the objectives of this policy.
5. We will behave consistently and fairly towards everyone we work with, valuing and respecting their views and interests, and we will seek to eliminate any activities that may result in discrimination or exclusion based on individual characteristics.

How we will meet our duties

6. While the equality duty is relevant to all of our work, we have identified five key areas or 'themes' where we will focus our work on equality and diversity. These key themes and the associated activities are set out in the table below.

Monitoring and reporting

7. We will report annually to Council on equality and diversity matters, including on our performance against this policy and on specific equality and diversity projects undertaken within the previous twelve months.
8. We will ensure that our Annual Report to Parliament meets the requirement to report on the arrangements that the GOsC has put in place to ensure that it applies good practice in relation to equality and diversity.
9. This policy will be reviewed by Council at least once in the period of each Corporate Plan.

Report on Activities in 2016-17

Equality and diversity theme	Main activities	Commentary
1. Service provision	A. We will ensure that information is available in accessible formats, whether in hard copy or online.	<p>This is an ongoing commitment and we ensure that all documents intended for external use are offered in accessible formats (see http://www.osteopathy.org.uk/news-and-resources/publications/).</p> <p>We have ensured that all osteopaths wishing to access webinars as part of the CPD scheme have the opportunity for additional support if required to ensure equality of access for all. This has included bespoke 1:1 support sessions (including provision of sessions in the early morning or late evening to take account of caring and other responsibilities or where osteopaths are based), staff with training in a range of diverse learning styles and redesign of materials to ensure best practice in use of fonts and colours to enhance accessibility.</p>
	B. We will ensure that Osteopathy House and GOsC's external events are accessible.	<p>This is an ongoing commitment and premises and accessibility for the premises is maintained, including a hearing loop for use in the Council Chamber.</p> <p>We will be reviewing the technology available to support hearings and other meetings in 2017-18.</p> <p>Whilst ensuring that we anticipate the needs of our Visitors, we also encourage Visitors to let us know if they have specific needs so that we can ensure accessibility for all for example in the particular lay out of rooms for meetings, and ensuring particular chairs are available.</p>

	<p>C. We will ensure that complainants and witnesses are effectively supported through the fitness to practise process.</p>	<p>New guidance for witnesses in fitness to practise hearings – in video and hard copy format – was launched in spring 2016 (see http://www.osteopathy.org.uk/standards/complaints/hearings/attending-a-hearing/witness-guidance/).</p> <p>In 2016-17 we have been developing new guidance for registrants which will be published in spring 2017.</p>
	<p>D. We will meet our duties under the Welsh Language Act.</p>	<p>We submitted our annual monitoring report to the Welsh Language Commissioner in September 2016 following the Annual Report to Council in July 2016.</p> <p>This year our initiatives in this area have included surveying practices in Wales about use of GOsC Welsh Language materials and also introducing the ability to show on the online register where Welsh is spoken in an osteopathic practice.</p>
<p>2. Policy development and implementation</p>	<p>A. We will assess the equality and diversity implications of all new work.</p>	<p>This is an ongoing activity in which review of new policy proposals is undertaken to assess whether equality and diversity implications are reflected in the proposals, and additional equality impact assessment is undertaken if required (see below). Equality Impact Assessments have been developed and have informed our work updating the Student Fitness to Practise and Health and Disability Guidance.</p>

	<p>B. We will publish formal equality impact assessments on all major projects.</p>	<p>These major areas of work involved significant consideration of equality impact.</p> <ol style="list-style-type: none"> 1. Recruitment to Council – the equality and diversity impact assessment produced in 2015-16 for the reconstitution of Council was reviewed and updated for the 2016-17 Council recruitment process. 2. CPD scheme – an equality and diversity impact assessment has been produced for the proposed new CPD Rules and has been submitted to the Department of Health as part of our legislative bid. 3. <i>Osteopathic Practice Standards</i> review – a draft equality and diversity impact assessment is in preparation ahead of consultation in 2017-18 and it is proposed that this will be reviewed by an external consultant. 4. <i>Student fitness to practise guidance and Health and Disability Guidance</i> – equality impact assessments will be published along with the final guidance. <p>In 2017-18 we propose to develop a new template for producing equality and diversity impact assessments to ensure a consistency of approach.</p>
	<p>C. We will seek to ensure that our consultations, surveys and research projects address equality and diversity issues, and that there is an appropriate diversity of respondents.</p>	<p>We undertook four main consultations in 2016-17:</p> <ul style="list-style-type: none"> • Osteopaths under investigation • Voluntary removal policy • Student fitness to practise guidance – students and OEIs • Students with a disability or health impairment guidance – students and OEIs <p>Consultation responses were sought in a number of different ways to maximise participation, and equality and diversity matters were considered as part of the consultation process. The equality impact</p>

		<p>assessment ensured that consultation for the health and disability guidance included a specific focus group including people with disabilities and an interest or experience in disabilities to ensure that the guidance was informed by a wider perspective than that originally planned.</p> <p>In the case of the latter guidance the draft was also reviewed by an education expert with a special interest in disability issues who attended the focus group meeting.</p> <p>The network of experts is ongoing as a result of this work to support the sharing of good practice.</p>
<p>3. Data collection and analysis</p>	<p>A. We will collect and record relevant equality and diversity data systematically from new registrants in order to understand the profile of our registrants.</p>	<p>This is an ongoing activity in relation to new registrants and arises also as part of the CPD Evaluation Equality Impact Assessment.</p>
	<p>B. We will collect and record equality and diversity data from those we interact with, including: respondents to consultations and research surveys; and complainants and others involved in fitness to practise proceedings.</p>	<p>This is an ongoing commitment in relation to consultation responses and research surveys.</p> <p>In 2016 we undertook a review of registrants who had been subject to a complaint to seek to identify any common attributes or trends. The output from this work was considered by the Policy Advisory Committee at its March 2017 meeting (see http://www.osteopathy.org.uk/news-and-resources/document-library/about-the-gosc/pac-march-2017-item-9a-data-report/?preview=true).</p>

	<p>C. We will collect and record equality and diversity data on all applicants and appointees to non-executive and executive posts.</p>	<p>This exercise was completed in relation to the nineteen Council and Committee appointments made in 2016-17. All of this information was analysed and reported to the Remuneration and Appointments Committee. We continue to collect equality and diversity data on all applicants and appointees to the staff team.</p>
	<p>D. We will analyse data collected through these processes and ensure that it is used to inform the equality and diversity aspects of our work.</p>	<p>In relation to non-executive appointments, in summary, for lay appointments we recruited a majority of women appointees and also made a slight improvement in ethnic diversity. For registrant appointments we had a more positive gender balance than in previous campaigns but, overall, this could still be improved. The ethnic profile of appointees remains largely white. However, further work is required to understand more about the ethnic diversity of the profession as a whole.</p>
<p>4. Partnerships and the implementation/promotion of standards</p>	<p>A. We will seek to work in partnership with others to ensure best practice in equality and diversity (for example, with the osteopathic educational institutions and others in the implementation of the <i>Osteopathic Practice Standards</i>).</p>	<p>A key piece of work in this area was the commissioning of a thematic review in relation to professional boundaries as part of the education quality assurance Annual Report process. The Policy Advisory Committee also agreed the commissioning of research into professional boundaries. Both of these pieces of work will be reviewed to ensure that equality and diversity implications are taken into account in future work. We have also agreed to commission research (jointly with the General Chiropractic Council) about osteopathy, touch and communication, and we expect that this will take account of equality and diversity implications as part of this research for further consideration and dissemination.</p>

	<p>B. We will seek to ensure that equality and diversity considerations are taken into account in any projects undertaken jointly with others (for example, with our Osteopathic Development Group partners on development projects).</p>	<p>We continue to highlight to ODG partners the importance of recognising equality and diversity aspects of ODG projects. Again we were pleased to note the positive gender balance of participants in the Leadership Programme, which in 2016-17 had 65% female participation.</p>
<p>5. Employment and governance</p>	<p>A. We will ensure that our HR policies are up to date and represent best practice in equality and diversity, and we will monitor their effects on staff recruitment and retention.</p>	<p>Recruitment in 2016-17 appears to have successfully maintained the strong diversity profile within the GOsC staff team, but we intend to update our staff equality and diversity data as part of a forthcoming staff survey. We have a range of flexible working policies in place to ensure that there staff are provided with equal opportunities to undertake their work.</p>
	<p>B. We will ensure that all non-executives and executives receive appropriate and regular equality and diversity training.</p>	<p>The focus of training in equality and diversity in 2016-17 was in relation to unconscious bias. Training in this area was provided to Council members and members of the fitness to practise committees. Some members of the Executive also received training in equality and diversity in the course of 2016-17. It is expected that this will be rolled out to other staff during 2017-18.</p>
	<p>C. We will seek to improve the diversity of applicants and appointees to non-executive roles.</p>	<p>As noted above, some aspects of the diversity profile of appointees improved. The Remuneration and Appointments Committee has agreed to explore further best practice in this area before any new appointment processes commence.</p>

	<p>D. We will keep ourselves up to date and share best practice in equality and diversity through our participation in the joint regulators' equality and diversity forum.</p>	<p>Members of the Executive continue to attend the regular meetings of the equality and diversity forum.</p> <p>A member of the Executive also attends a recently established LGBT inter-regulatory group.</p> <p>We have also contributed to a GMC project considering how equality and diversity impact in its regulatory activities.</p>
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