

Bòrd na Gàidhlig Equalities Report 2021

and Outcomes for 2021 – 2025

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1. Introduction

Bòrd na Gàidhlig (BnG) believes that no-one should be denied opportunities because of their race or ethnicity, a disability, their gender 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.

Staff working for Bòrd na Gàidhlig and our stakeholders 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, BnG is required to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations.

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.

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.

The Regulations were subject to amendments in both 2015 and 2016, which placed additional duties on Bòrd na Gàidhlig to publish statements on equal pay and information about board members.

This report sets out the information required by these duties and provides a summary of progress with addressing responsibilities under the Equality Act 2010. There are four sections:

- i. Progress with mainstreaming;
- ii. Delivering the organisation's outcomes. This section includes information on the development of the outcomes that Bòrd na Gàidhlig will be working towards for 2021 - 2025;
- iii. Equal pay statements;
- iv. Information about Bòrd na Gàidhlig members.

Who should be aware of the General Duty in BnG

Board Members

They set strategic direction, review performance and must ensure good governance of the organisation.

Senior Managers

They oversee the design, delivery, quality and effectiveness of the organisation's functions.

Communications Staff

They can help ensure relevant equality information is available and accessible.

Research, Data and Partnership Managers

They can help support the organisation in understanding how to measure the effect of its policies and practices on people from equality groups.

Plans, Grants, Education and 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 BnG, 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 policies and procedures.

2. Mainstreaming

Bòrd na Gàidhlig works to improve the way in which all aspects of furthering the equality of opportunity are integrated into the way in which the organisation operates and is committed to ensuring equal opportunities for all. Furthermore, Bòrd na Gàidhlig is committed to providing a working environment that engenders fair and equal treatment of all staff, customers and other stakeholders.

The PSED is set out at section 149 (1) of the Equalities Act 2010 and requires public sector authorities to:

- i. Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct;
- ii. Advance equality of opportunity between people who share a relevant protected characteristic and those who do not;
- iii. Foster good relations between people who share a protected characteristic and those who do not.

As reported since beginning the work on the duties in the Regulations, Bòrd na Gàidhlig has faced a number of challenges with regard to their work on equalities. These issues continue to impact the work being undertaken by the organisation and include:

- i. Bòrd na Gàidhlig's key role is to provide strategic direction with regards to Gaelic language development and the organisation has no direct services users;
- ii. Organisations that deliver services relating to the implementation of Gaelic language development strategies and policies do not generally collect data about users of services relating to Gaelic development (discussed further in Progress with Outcomes);
- iii. There are very few, if any, groups representing those that share one or more of the protected characteristics, who are also involved in Gaelic language development.

Much of the work towards mainstreaming has focussed on embedding the principles of advancing the equality of opportunity and ensuring the initiatives that have been implemented are achieving their objectives through:

- Raising awareness of equalities;
- Continued integration of the equalities policy into relevant organisational policies and procedures up to and including board level;
- An impact assessment of all HR working policies, and the introduction of procedures to

review policies for opportunities to address potential equality issues as and when each policy is reviewed and updated;

- Ongoing collection of equalities monitoring forms for recruitment, leavers and current staff, and individuals receiving funding from the Bòrd na Gàidhlig.

The ultimate aim of the mainstreaming initiatives remains the integration of the requirements of equalities legislation into the day-to-day activities of Bòrd na Gàidhlig, and the progress with each of the areas identified as delivering this aim is detailed at Appendix 1. Many of the initial actions required to implement legal requirements are complete with the review and monitoring of their success is ongoing.

3. Delivering Outcomes

This section has two sub-sections: the first describes progress with current outcomes, and the second discusses the development of the outcomes proposed for the next four years.

3.1 Delivering Outcomes 2017-2021

In addition to compliance with the Regulations, the initial outcomes set by Bòrd na Gàidhlig were designed to:

- Facilitate compliance with the PSED;
- Identify where further consultation may be appropriate;
- Begin gathering data about equalities with a view to ensuring the organisation is in an informed position to accurately assess the success of equalities initiatives, as well as having the necessary information to determine the need for any positive action.

Report on 2017-2021 Outcomes

Outcome 1

Bòrd na Gàidhlig regularly commissions research that integrates equalities-related objectives where appropriate.

Work with adult learners of Gaelic indicated that 6% of learners consider themselves to have a disability. Using work commissioned by the EHRC, the percentage of adults learning Gaelic that considered themselves disabled was slightly higher than the overall percentage for adults learners with a disability in Scotland, although fell short of the national figure for those that consider themselves disabled within the general population in Scotland, which was reported as being 20% in the 2011 census.

To address an equality of opportunity identified for adult learners, Outcome 1 is to:

Through strategy and policy formulation, increase the proportion of adult learners of Gaelic that consider themselves to have a disability.

The measure that will be used to monitor delivery of this outcome is:

- i. The number of adult learners that consider themselves to have a disability reported in the annual survey of adult learners.

The target is to:

- i. Achieve successive increases in the representation of those that consider themselves to have a disability before the end of the reporting period.

Result: Target Met

The 2018 and 2019 reports showed an increase in those that considered themselves to have a disability although the 2018 result was a decrease from 2017. Overall, there was an increase during the reporting period.

Summary:

One important point arising from the initial survey in 2014 and repeated in subsequent surveys is that it is likely that people only reported a disability where they felt it impacted their learning. The figures for those who consider themselves disabled is slightly higher than the Scottish percentage for those disabled and participating in a learning activity, but still much lower than the representation in the general population in Scotland (20%).

2017 Report

26 (7%) of the 390 learners active during the snapshot week told us they consider themselves to be disabled. Of the rest, [redacted] preferred not to say.

2018 Report

44 (6.1%) of the 726 learners active during the snapshot week told us they consider themselves to be disabled. Of the rest, 16 (2.2%) preferred not to say.

2019 Report:

52 (9.2%) of the 567 learners active during the snapshot week told us they consider themselves to be disabled. Of the rest, 13 (2.3%) preferred not to say.

Outcome 2

To address the issue of lack of reliable and accurate information relating to equalities, the NGLP aims to introduce new mechanisms to capture a range of equalities-related information from organisations submitting GLPs. It is intended to gather information that can inform policies and strategies that will primarily advance equality of opportunity and promote positive action, although also aims to identify best practice that can be shared with others.

To enable Bòrd na Gàidhlig to effectively address all aspects of the PSED, and be in a position to identify and address equalities issues affecting those speaking, using and learning Gaelic through future strategy and policy development, Outcome 2 is to:

Create a map (or equivalent list by area) of equalities issues affecting those speaking, using and learning Gaelic across Scotland, which can be used to inform future outcomes as well as corporate strategies and policies.

The measures that will be used to monitor delivery of this outcome are:

- i. The number of equalities submissions included with GLPs;
- ii. The geographical coverage of information received.

The targets are to:

- i. Achieve an annual 80% return rate for equalities submissions included with GLP returns by public authorities by the end of the reporting period;
- ii. Capture or gather information on issues with Gaelic-related service provision impacting equalities for at least 50% of local authority areas by the end of the reporting period.

Result: Target Met

Statistics for 2019-2021

Within this reporting period, we received 75% and 89.1%, (average 82% annually) returns from public bodies with Gaelic Language plans in 2019-2020 and 2010-2021 respectively in relation to equality of opportunity within Gaelic Development.

Currently 93.8% of Local Authorities are engaged with the Gaelic Language Plan process. There are currently 24 local authorities with approved Gaelic plans, 4 local authorities recently approved 1st edition and 2 LA's preparing their first editions.

83% of the local authorities with approved Gaelic Plans have returned information to Bòrd na Gàidhlig through their annual Gaelic language Plan monitoring report form regarding equalities and the Gaelic language. We are awaiting data from the remaining 4 councils who are engaged with the process in 2021-22. We will receive data from the remaining 6 councils in 2021-22/2022-23 after their approval of their plans and the commencement of their reporting obligations under section 6 of the Gaelic Language (Scotland) Act 2005.

The information that has been received covers the following geographical areas by local authority;

Comhairle nan Eilean Siar

Comhairle na Gàidhealtachd / Highland Council

Comhairle Mhoireabh / Moray Council

Comhairle Siorrachd Obar Dheathain / Aberdeenshire Council

Comhairle Baile Obar Dheathain / City of Aberdeen Council

Comhairle Sruighlea / Stirling Council

Comhairle Fìobha / Fife Council

Comhairle Inbhir Chluaidh / Inverclyde Council

Comhairle Rinn Friù / Renfrewshire Council

Comhairle Rinn Friù an Ear / East Renfrewshire Council

Comhairle Baile Ghlaschu / Glasgow City Council

Comhairle Baile Dhùn Èideann / Edinburgh City Council

Comhairle Siorrachd Dhùn Bhreatainn an Iar / Dunbartonshire Council

Comhairle Siorrachd Air an Ear / East Ayrshire Council

Comhairle Baile Dhùn Dè / Dundee City Council

Comhairle Aonghais / Angus Council

Comhairle Dhùn Phrìs is Gall-Ghaidhealaibh / Dumfries and Galloway Council

Comhairle Pheairt is Ceann Rois / Perth and Kinross Council

Comhairle Siorrachd Àir a Deas / South Ayrshire Council

Comhairle Siorrachd Lannraig a Tuath / North Lanarkshire Council

In these reporting years, we received information regarding equalities and the development of the Gaelic language from a large number of national public authorities who have provided information within the national context.

Equality of opportunity - Examples

- **Edinburgh City Council 2021-21** -The main challenge has been in securing teaching capacity, to ensure that GME is available across as wide a spectrum of learning as possible. As noted above, we have developed a recruitment strategy to help to address this.

Policy, procedures or measure

- **Edinburgh City Council 2020-21** - Pupil Voice groups were set up at TnP in August '19, with a focus on a range of topics, including language and culture. The progress and success of these were cut short by the COVID closure. There are plans to re-establish these groups this session,

using a slightly different approach. There will also be an Equalities group, reflecting current priorities at local authority and national level.

- **Aberdeen City Council 2020-21** - Aberdeen City Council has approved an Equality Outcomes and Mainstreaming Report 21-25 which highlights the Council's commitment to supporting the aspirations and objectives in the [National Plan for Gaelic](#) and the [Gaelic Language \(Scotland\) Act 2005](#).

Implementing specific measures

- **Edinburgh City Council 2020-21**- In addition to our focus on closing the attainment gap, staff make every effort to include pupils from all backgrounds in extra-curricular activities. Strategies include budgeting to allow pupils from low-income backgrounds to take part in trips at a reduced cost, or free of charge. This has been key in allowing pupils from varying demographics to have the opportunity to use their Gaelic in a social environment, as well as in the classroom.
- **Aberdeen City Council 2020-21** - To overcome the shortage of GME Early Learning and Childcare staff and the challenges in recruiting fluent Gaelic speakers for ELC expansion, ACC have put together an innovative training course to support ELC practitioners to learn Gaelic to be able to better support the GME nursery setting. We will continue to advertise for fluent Gaelic-speaking staff, but as an interim measure, this allows us to build capacity amongst our current workforce and work towards meeting the needs of learners. This training will start in Spring 2021.
- **Fife Council 2020-21** - We have extended our plan to fully include the Arm's Length Executive Organisations and with that, extended all relevant training and opportunities. We continue to support the Partnership Group for Gaelic in Fife which allows small vol orgs to sit at the same table as national agencies and help steer the direction of Gaelic in Fife. E-learning is being developed to ensure all Trusts and FC staff have access to basic Gaelic Awareness sessions. A new staff audit is in early development that will capture more accurate numbers of Gaelic usage and levels; within FC we hope to then be able to capture Gaelic use at point of recruitment.
- **Comhairle nan Eilean Siar 2020-21** - Tha libhrigeadh foghlaim tro e-Sgoil a' dèanamh cinnteach gu bheil cothrom aig gach sgoilear sna h-Eileanan air FMG ann an sreath de chuspairean, às bith far a bheil iad, cothrom nach robh aig a h-uile duine ron seo
- **Inverclyde Council 2020-21** – Gaelic Parent classes - Led by two members of GME staff, these classes were offered to parents at Whinhill and provided a place for parents to learn Gaelic to be used at home and to help with school/homework. Parental engagement was high and parents/grandparents enjoyed learning new vocabulary and ways to support their children. An online offering for Gaelic family classes will be offered in the future.

Outcome 3

The final outcome is based on an outcome from the previous set and looks to advance equality of opportunity. While it has been difficult to obtain data to report on progress, the next census will be conducted in 2021 and therefore progress with strategy and policy implementation can be assessed at that time. Outcome 3 is to:

Increase the representation of those with some Gaelic ability from non-white ethnic groups in the geographic areas of Scotland where their representation is below that in the general population.

The measure that will be used to monitor delivery of this outcome is:

i. Census returns in 2021.

The target is to:

- i. Realise an increase in Gaelic ability from non-white groups in the geographic areas of Scotland where their representation is below that of the general publication.

Result: Impacted by COVID-19

As a result of the COVID pandemic, the Scottish Census has been delayed to 2022 therefore it is not possible to report on this outcome.

Actions implemented in 2019to mainstream Public Sector Equality Duty

Number of public authorities with a Gaelic Language Plan increased	Increasing understanding and awareness of linguistic and cultural diversity; increased planning and actions implemented to promote inclusion and diversity.
Collaboration with campaign groups which promote diversity and Inclusion	Increased understanding of their research, methodology of increasing understanding and a reverse transfer of knowledge.
Developed and implemented Bòrd na Gàidhlig Gaelic Language Plan	Increased clarity of vision, principles and actions to ensure that the organisation evidences the working practices support diversity and inclusion
Develop organisational values which include respect; and established working practices which embed our values.	Increased communication on the values of respect and support, to support key messages on appropriate behaviours as an organisation and as individuals
Developed our first People Strategy 2019-2023	Increased planning to ensure all staff are treated equally and fairly in the strategy to develop our team
Developed and implemented a Stress Management and Wellbeing Policy	Clearer guidance on how we support our staff to have work/life balance and to ensure consistency of treatment across the organisation
Developed and implemented a Standards of Conduct Policy	Clearer guidance on the standards of behaviour expected of all Bòrd na Gàidhlig employees, representatives, contractors and agency workers of Bòrd na Gàidhlig which are based on organisational values.
Published Pay Statement annually (via our Annual Report and Accounts)	Increased transparency on how our pay policy works.

3.2 Setting Outcomes for 2021 - 2025

As required by the Regulations, Bòrd na Gàidhlig has formulated outcomes for the next four-year period. The development of these outcomes took into consideration:

- The limited availability of data and information to make informed decisions about advancing the equality of opportunity;
- Improving engagement of those that work with Bòrd na Gàidhlig in equalities issues;
- Addressing issues that were identified in the work that has been completed to date;
- Relevant technical guidance and self-assessment toolkit issued by the Equalities and Human Rights Commission (EHRC).

Bòrd na Gàidhlig has developed three outcomes for the next reporting period and the evidence used to formulate these outcomes is discussed further under each outcome below.

Outcomes for 2021-2024

Outcome 1

To ensure that all funding schemes we deliver promote equality of opportunity and require applicants to consider how they will achieve this in their project.

Measure: Inclusion of specific question on equalities in funding application forms.

Target: 100% of forms include this question

Reporting period: Reporting date – 2023 and 2025

Outcome 2

Increase the representation of those with some Gaelic ability from non-white ethnic groups in the geographic areas of Scotland where their representation is below that in the general population.

Measure: Census returns 2022.

Target: Realise an increase in Gaelic ability from non-white groups in the geographic areas of Scotland where their representation is below that of the general publication.

Reporting period: Reporting date – 2023 or 2025

Outcome 3

To continue to build reliable and accurate information relating to equalities, and enable Bòrd na Gàidhlig to effectively address all aspects of the PSED, and be in a position to identify and address equalities issues affecting those speaking, using and learning Gaelic through future strategy and policy development, Outcome 3 is to:

Refresh the existing list (by area) of equalities issues affecting those speaking, using and learning Gaelic across Scotland, which can be used to inform future outcomes as well as corporate strategies and policies.

Measures:

- i. The number of equalities submissions included with GLPs;
- ii. The geographical coverage of information received.

Targets:

- i. Achieve an annual 80% return rate for equalities submissions included with GLP returns by public authorities by the end of the reporting period;
- ii. Capture or gather information on issues with Gaelic-related service provision impacting equalities for at least 75% of local authority areas by the end of the reporting period.

Reporting period: Reporting date – 2023 and 2025

4. Equal Pay Statement

Bòrd na Gàidhlig is committed to promoting and embedding equality of opportunity and diversity in all aspects of employment. We are committed to the principle of equal pay for all employees and aim to eliminate any bias in reward systems. This includes equality on the basis of gender, race, age, pregnancy and maternity, gender reassignment, sexual orientation, religion or belief, marital/civil partnership status, ethnic origin and disability.

To maintain the necessary confidentiality and comply with data protection legislation, detailed information has not been provided for any groups of employees where there are 5 people or less in any particular category. Consequently the average hourly rate can only be reported for the organisation as a whole and as a comparison of males and females, although is monitored for all grades and by other protected characteristics.

There are currently 15 female and 7 male employees of Bòrd na Gàidhlig. The average hourly rate for females is 75.9% of the average hourly rate for males. This is an increase from 2017 when it was 72%. All staff who undertake the same or similar roles are on the same pay scales, which are set by the Scottish Government.

5. Board Information

There are currently 3 female and 4 male board members, who are appointed by the Scottish Government. A recruitment round for up to 3 new board members is about to commence, and in line with the Gender Representation on Public Boards (Scotland) Act 2018, a number of actions will be implemented to encourage more females to apply for these roles.

Bòrd na Gàidhlig actively promotes inclusion, diversity and equality at all levels of the organisation and makes information about board members and their salaries available from their website. Bòrd na Gàidhlig has uses the succession plan checklist and toolkit issued by the Scottish Government and has already implemented a number of measures to encourage diversity and promote equality of opportunity through the Board. The Gender Representation Report can be found at Appendix 2.

Note

As well as taking action to meet the outcomes, Bòrd na Gàidhlig is always looking to improve

engagement with groups representing those with protected characteristics, particularly around the development of strategies for service provision across Scotland. Services users or those seeking to access Gaelic language development or cultural services are actively encouraged to contact Bòrd na Gàidhlig with feedback about any aspect of service delivery. Bòrd na Gàidhlig would particularly welcome comments from those representing groups of people with any of the protected characteristics.

Appendix 1 –

Bòrd na Gàidhlig Board - Gender Representation Report 2023

Gender Representation on Public Boards (Scotland) Act 2018

Introduction

The Gender Representation on Public Boards (Scotland) Act 2018 has been established to help address the historic and persistent underrepresentation of women in public life. Women represent over half the population of Scotland - nearly 52%.

Section 1 of the Act sets a “gender representation objective” that a board has 50% of non-executive members who are women. Where a board has an odd number of non-executive members, the objective applies as if the board has one fewer non-executive member. A board with 50% or more non-executive members who are women has met the objective.

Schedule 1 of the Gender Representation on Public Boards (Scotland) Act 2018 lists the public authorities covered by the Act – this includes Bòrd na Gàidhlig (BnG). The Appointing Person as stated in the statutory guidance as responsible for appointments to BnG is: The Scottish Government Ministers.

BnG Board membership on 31 March 2023

Non-Executive Directors	6
Female Non-Executive Directors*	3

**This includes the Chair of the BnG Board*

Recruitment Data

An advertising and recruitment campaign was held for the position for BnG Non-Executive Board Members in 2021. A summary of the outcome* is detailed below.

Recruitment of:	Public Body	Appointment Title	Closing Date	Applied	% of applications from Women	Women Appointed
2 Member positions	Bòrd na Gàidhlig	Non-Executive Directo	Feb 2022	8	50%	Y -1

** Data supplied from the Scottish Government Public Appointments team*

A new recruitment campaign began in March 2023, to appoint three additional Board Members, and this will include specific steps to attract more women to the Board. This will be in addition to general advertising of the roles.

Shona MacLennan, Ceannard
01 April 2023