

Claire Kerr
ckerr32@outlook.com

Disability Employment Gap Public Social Partnership

Baseline Data



Contents

Executive Review	3
Introduction	4
Aims and objectives	5
Methodology	6
Public bodies in Scotland	7
Employment of disabled people in public authorities	8
Disclosure of disabilities	9
Defining disability	10
Recruitment	11
Concluding remarks	12
References	13
Appendix 1	14



executive review

This report was commissioned by the Scottish Union of Supported Employment (SUSE) who are a charitable membership organisation dedicated to reducing the Disability Employment Gap in Scotland. In June 2020 there were 565,600 people employed in the public sector in Scotland which accounted for 21.2% of total employment (Scottish Government, 2020). The representation of disabled people among those employed in the public sector in Scotland was unknown and this report details the data collated from public bodies and agencies in Scotland regarding how many of their staff identify as being a disabled person.

This report presents the data collated in the research database where information is held by public authorities in Scotland of the numbers of people who have identified themselves as having a disability. As this research has relied on secondary data it is important to note that the language used in this report does not always reflect the social model of disability.



introduction

The power to legislate on equal opportunities is reserved to the UK Parliament. The public sector equality duty (PSED) requires Scottish public authorities to consider the need to eliminate unlawful discrimination, advance equality of opportunity, and foster good relations. This duty came into force in 2011 as part of the Equality Act 2010 (Scottish Government, 2016). Furthermore, regulations that placed specific duties on Scottish public bodies to meet the PSED were introduced in 2012 by Scottish Ministers (Scottish Government, 2016). These regulations introduced the duty for certain listed authorities to publish an equality mainstreaming report on the progress made to implement the equality duty. Further reports on progress were required to be published at intervals of not more than two years (UK Government, 2012). An alphabetical list of the public bodies who are covered by the Scotland specific duties and their reporting schedule is detailed in Appendix 1.

While the term public body is often used to describe any organisation within the public sector, for this research it refers to public bodies which have a direct relationship with the Scottish Government or Scottish Parliament. These have been classified into the following categories depending on the type of relationship that exists:

- Executive non-departmental
- Advisory non-departmental
- Tribunals
- Public corporations
- Health bodies
- Executive agencies
- Non-ministerial offices
- Commissioners and ombudsmen
- Other significant national bodies
- Organisations not recorded on the directory

aims & objectives

The overall aim of this research was to develop an evidence-informed baseline of the current numbers of disabled people employed in the public sector in Scotland. In order to achieve the aim the following objectives were set:

- Creation of a database that outlines information on the number and proportion of disabled people employed by different public bodies in Scotland.
- Collating the equality mainstreaming reports published by public bodies in Scotland.
- Analyse the data in the equality mainstreaming reports and report on how public bodies collect and report data on how many disabled people they employ.
- Analyse what policies public bodies in Scotland have in place to increase the recruitment of disabled people and retain staff members who have a disability.

methodology

The results presented in this report are drawn from secondary data. This data was gathered largely from the equality mainstreaming reports that were published by the public bodies on their websites. Where the information could not be located emails were sent requesting the information. As the data being sought was information that would be held by all public authorities in Scotland who are required to comply with the Scottish specific duties desk-based research was used for this project. Furthermore, the time constraints for obtaining and reporting on the information made this the only feasible way to meet the objectives (Anderson, 2013). In addition of being the fastest way of obtaining data, the use of desk-based research using secondary data has benefits of avoiding duplication of data collection and allowing for the research to be replicated.

There are limitations of desk-based research that must be considered. The baseline data presented in the database consists of information that has been provided by organisations on the numbers of disabled people who are employed by them. There is no standard agreed way for organisations to gather and report on this data which makes comparisons between organisations difficult. Not all organisations made it a requirement for staff to provide details on their disability status which makes it difficult to draw inferences from the data where it is unknown for a large proportion of their employees. There were also difficulties in obtaining the information from smaller organisations as they employed so few people that reporting on the data that they hold would have risked breaching data protection.

public bodies in scotland

The Scottish Government (2018) detail 199 public bodies that operate in Scotland. The spread of public bodies over the different categories is outlined in table 1 below.

Not all these public bodies are required to comply with the Scottish specific duties with 81 of the 199 detailed above not listed and are therefore not required to publish equality mainstreaming reports. The remaining 118 public bodies are split into three different reporting schedules which determines what their report must include. Only authorities listed in schedule A who have 150 or more staff members were required to report on sex, race and disability in published statement on equal pay in their first report in 2017. Most public bodies (114) were in reporting schedule A with four in reporting schedule B and one in reporting schedule C.

Not all the public bodies employed staff therefore they did not hold any information that would be relevant for this research. For some of the organisations any staff members were employed by the Scottish Government and seconded to their organisation. Others were advisory bodies with Board Members but no direct employees.

table 1

Executive non-departmental	41	Executive agencies	10
Advisory non-departmental	8	Non-ministerial offices	8
Tribunals	8	Commissioners and ombudsmen	6
Public corporations	5	Other significant national bodies	14
Health bodies	23	Organisations not recorded on the directory	76

employment of disabled people in public authorities

The ways in which public authorities reported the number of disabled people were employed in their organisation was varied. The most common method of reporting was as a percentage of their headcount. It was possible to find out the percentage of the workforce who had disclosed a disability for 111 Public Bodies. An overview is outlined in table 2 below.

It is worth noting that of the 18 Public Bodies who employed one percent or less who disclosed a disability that 12 of these were Health Boards and two were Local Authorities. Health Boards and Local Authorities tend to employ more people than the rest of the public sector, accounting for almost three quarters (74.79%) of the public sector headcount (Scottish Government, 2019).

table 2

% of employees who identify as a disabled person	Number of Public Bodies	% of employees who identify as a disabled person	Number of Public Bodies
<1%	19	4.01% - 5%	9
1.01% - 2%	24	5.01% - 10%	17
2.01% - 3%	20	10.01% - 20%	7
3.01% - 4%	14	>20.01%	1

disclosure of disabilities

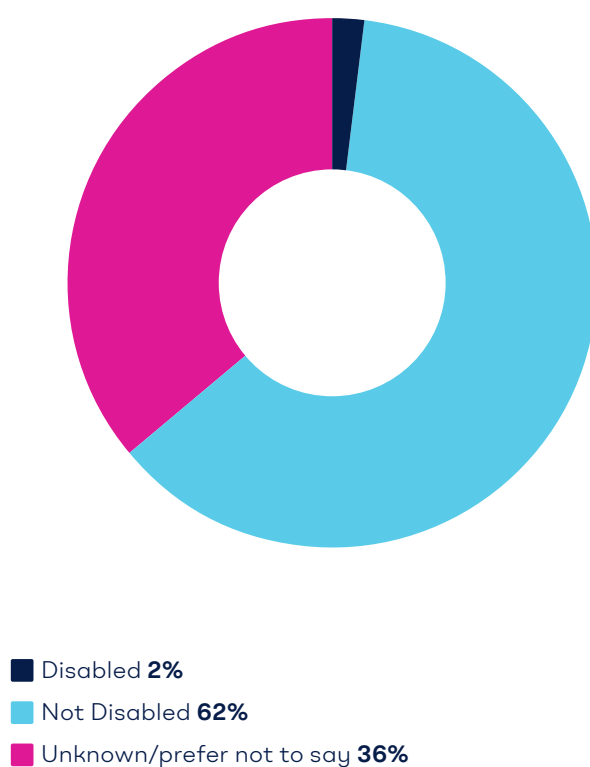
The aim of this research was to develop an evidence-informed baseline of the current numbers of disabled people employed in the public sector in Scotland. One of the difficulties in fully achieving that aim is the ways in which organisations collect and report this information. Most equality mainstreaming reports included information on the numbers (or percentages) of their headcount who had disclosed a disability, but it was not always mandatory for employees to complete this information. There were variations on how those who declined to answer were reported on. Some organisations assumed that those who had not provided a response had no disability while others reported separately the numbers who had declined to answer.

The PSED and the Scottish specific duties have improved the quality of data available on the employment of disabled people by public authorities in Scotland. The data collected however shows that there are still extensive gaps and inconsistencies that exist. Data was provided by 87 Public Bodies for the percentage of the workforce that had provided no response or preferred not to answer the question. Only five public authorities had full information for their workforce. For the remaining organisations the proportion of the workforce who had answered the question ranged from 99.85% to a low of 5%. An overview of the disclosure rates is shown in table 3 right.

Of the eight organisations who reported having over 10% of employees who declared a disability, five of those held information on over 95% of their total workforce. Conversely, of the twelve organisations who reported having less than 1% of employees who declared a disability, seven of them held information on less than half of their total workforce. Where the data held by organisations is partial it should be noted that it is not possible to be confident that it is a reliable sample of the workforce. The size of the organisation is also relevant and there is great variation across the public authorities in Scotland. It was possible to find out information for a total of 391,263 staff employed by public authorities in Scotland which accounts for almost 70% of all public sector employees. The chart below shows that only 2% of those employees declare a disability however the information is not known for 36% of these employees.

table 3

% of employees who did not answer or preferred not to say	Number of Public Bodies
<5%	19
5.01% - 10%	12
10.01% - 25%	18
25.01% - 50%	16
50.01% - 75%	16
>75%	6



defining disability

One of the difficulties in establishing baseline data on the number of disabled people who are employed is that there are different understandings of what it means to be a disabled person. The Equality Act 2010 defines a disabled person as:

someone who has a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.

It is also stated that people living with HIV, cancer and multiple sclerosis are regarded as disabled people from the point of diagnosis and not only when their condition prevents them from carrying out normal day-to-day activities (Disability Information Scotland, 2021).

Not all people living with long-term impairments recognise themselves as disabled people which could impact on the numbers who advise that they have a disability. For one organisation there was concern from the Equality and Diversity Officer around the accuracy of the data that they reported. While they had worked to encourage disclosure leading their percentage of employees who declined to answer to drop from 39% to 2% in two years, they believed that they were still underreporting. They advised that they had several staff members who were happy to record long term conditions on their records. These conditions would be considered disabilities, but the individuals would record "no" when asked if they had a disability as they managed their condition well and did not identify as a disabled person. It was felt that if they asked the question 'do you have a disability or a long-term condition?' that they would receive more positive responses.

A small number of organisations provided data on the types of impairment that were recorded suggesting that they ask employees to select from a list of impairments rather than asking if they have a disability. This could increase the number of people who identify as a disabled person, however more information is required to determine if all those impairments would be considered disabilities under the Equality Act 2010.

recruitment

All public bodies in Scotland who are listed under the Scottish specific duties are required to publish equality mainstreaming reports provide information on how their recruitment processes are used to increase diversity in their workforce. In relation to recruiting greater numbers of people who identify as having a disability the most common method used was to become a Disability Confident Employer. This ordinarily involves guaranteeing to interview applicants who identify as having a disability if they meet the minimum requirements for the role. Employee equality information is removed prior to interview to prevent interviewers being aware of disabilities unless reasonable adjustments are requested that interviewers must be aware of. There is also a requirement for Disability Confident Employers to encourage applications from disabled people when recruiting however there is limited evidence of the ways in which that is achieved. No details are given on ways in which they have ensured that their recruitment processes have been reviewed to ensure that they are accessible to disabled people.

There is also the requirement for Disability Confident Employers to support existing employees who identify as having a disability and to provide reasonable adjustments in the workplace where appropriate. As the data presented in this report highlights it is unlikely that all public authorities in Scotland have accurate data regarding the numbers of employees in their workforce who identify as being disabled. It is therefore unlikely that they are in regular consultation with them to check that all reasonable adjustments that are required are in place.

concluding remarks

This report has presented the data collated from the desk-based research of public authorities in Scotland. It is presented together with a database of the information received from equality mainstreaming reports, workforce monitoring data, and information sourced directly from organisations. Difficulties in the collation and reporting of workforce equality information has been outlined with gaps in the data for over a third of the workforce. From the information received only 2% of employees in public authorities in Scotland identify as having a disability. This is considerably less than the 11.7% of the public sector workforce that the Scottish Government advise are disabled (Scottish Government, 2016).

Further work is required to improve the quality and reliability of workforce monitoring data on staff in public authorities in Scotland. Efforts should be made to ensure that organisations are inclusive environments where new and existing staff feel supported in identifying as a disabled person.

references

Anderson, V. (2013) *Research Methods in Human Resource Management : Investigating a Business Issue*, CIPD, London. Available from: ProQuest Ebook Central. [11 January 2021].

Disability Information Scotland (2021) *The Equality Act* [online]. Available from: www.disabilityscot.org.uk/info-guide/the-equalityact/#disability-discrimination [accessed] 12 January 2021]

Equality and Human Rights Commission (2020) *Listed authorities covered by the Scotland specific duties* [online]. Available from: www.equalityhumanrights.com/en/public-sector-equality-duty-scotland/listedauthorities-covered-scotland-specific-duties. [accessed, 8 January 2021].

Scottish Government (2016) *Mainstreaming equality: Scottish Government's equality duties* [online]. Available from: www.gov.scot/publications/scottish-governments-equality-duties/. [accessed, 8 January 2021].

Scottish Government (2016) *A Fairer Scotland for Disabled People: delivery plan* [online]. Available from: www.gov.scot/publications/fairerscotland-disabled-people-delivery-plan-2021-united-nations-convention/ [accessed, 12 January 2021].

Scottish Government (2018) *Public bodies in Scotland: guide* [online]. Available from: www.gov.scot/publications/public-bodies-in-scotlandguide. [accessed, 9 January 2021].

Scottish Government (2019) *Public sector employment in Scotland: statistics for fourth quarter 2018* [online]. Available from: www.gov.scot/publications/public-sector-employment-scotland-statistics-4thquarter-2018/pages/2/ [accessed, 19 December 2020].

Scottish Government (2020) *Public sector employment in Scotland: statistics for second quarter 2020* [online]. Available from: www.gov.scot/publications/public-sector-employment-scotland-statistics-2ndquarter-2020/pages/2/#:~:text=In%20June%202020%20there%20were,more%20than%20in%20June%202019. [accessed, 8 January 2021].

UK Government (2012) *The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012* [online] . Available from: www.legislation.gov.uk/ssi/2012/162/made. [accessed, 8 January 2021].

appendix 1

Public Authority	Sector	Reporting schedule	Subject to board diversity duty?
Aberdeen City Council	Councils	A	No
Aberdeenshire Council	Councils	A	No
Accounts Commission for Scotland		A	Yes
Angus Council	Councils	A	No
Argyll & Bute Council	Councils	A	No
Audit Scotland		A	Yes
Ayrshire College	Further & higher education	A	Yes
Bòrd na Gàidhlig		A	Yes
Borders College	Further & higher education	A	Yes
Cairngorms National Park		A	Yes
Care Inspectorate		A	Yes
Children's Hearings Scotland		B	Yes
City of Edinburgh Council	Councils	A	No
City of Glasgow College	Further & higher education	A	Yes
Clackmannanshire Council	Councils	A	No
Comhairle nan Eilean Siar	Councils	A	No
Commissioner for Children & Young People in Scotland		A	No
Creative Scotland		A	Yes
Dumfries & Galloway College	Further & higher education	A	Yes
Dumfries & Galloway Council	Councils	A	No
Dundee & Angus College	Further & higher education	A	Yes
Dundee City Council	Councils	A	No

appendix 1

Public Authority	Sector	Reporting schedule	Subject to board diversity duty?
East Ayrshire Council	Councils	A	No
East Dunbartonshire Council	Councils	A	No
East Lothian Council	Councils	A	No
East Renfrewshire Council	Councils	A	No
Edinburgh College		A	Yes
Falkirk Council	Councils	A	No
Fife College	Further & higher education	A	Yes
Fife Council	Councils	A	No
Food Standards Scotland		B	No
Forth Valley College of Further & Higher Education	Further & higher education	A	Yes
Glasgow City Council	Councils	A	No
Glasgow Clyde College	Further & higher education	A	Yes
Glasgow Colleges' Regional Board	Further & higher education	B	Yes
Glasgow Kelvin College	Further & higher education	A	Yes
Healthcare Improvement Scotland	Health boards & special health boards	A	Yes
Highland Council	Councils	A	No
Highlands & Islands Enterprise		A	Yes
Historic Environment Scotland		A	Yes
Independent Living Fund Scotland (ILF Scotland)		C	Yes
Inverclyde Council	Councils	A	No
Inverness College	Further & higher education	A	Yes

appendix 1

Public Authority	Sector	Reporting schedule	Subject to board diversity duty?
Keeper of the Registers of Scotland (The)		A	No
Lews Castle College	Further & higher education	A	Yes
Loch Lomond and the Trossachs National Park		A	Yes
Mental Welfare Commission for Scotland		A	Yes
Midlothian Council	Councils	A	No
Moray College	Further & higher education	A	Yes
Moray Council	Councils	A	No
National Galleries of Scotland (Board of Trustees of)		A	Yes
National Library of Scotland		A	Yes
National Museums of Scotland (Board of Trustees of)		A	Yes
New College Lanarkshire	Further & higher education	A	Yes
NHS 24	Health boards & special health boards	A	Yes
NHS Ayrshire & Arran	Health boards & special health boards	A	Yes
NHS Borders	Health boards & special health boards	A	Yes
NHS Dumfries & Galloway	Health boards & special health boards	A	No
NHS Education for Scotland	Health boards & special health boards	A	Yes
NHS Fife	Health boards & special health boards	A	Yes
NHS Forth Valley	Health boards & special health boards	A	Yes

appendix 1

Public Authority	Sector	Reporting schedule	Subject to board diversity duty?
NHS Grampian	Health boards & special health boards	A	Yes
NHS Greater Glasgow & Clyde	Health boards & special health boards	A	Yes
NHS Health Scotland	Health boards & special health boards	A	Yes
NHS Highland	Health boards & special health boards	A	Yes
NHS Lanarkshire	Health boards & special health boards	A	Yes
NHS Lothian	Health boards & special health boards	A	Yes
NHS National Services Scotland	Health boards & special health boards	A	Yes
NHS National Waiting Times Centre	Health boards & special health boards	A	Yes
NHS Orkney	Health boards & special health boards	A	Yes
NHS Shetland	Health boards & special health boards	A	Yes
NHS Tayside	Health boards & special health boards	A	Yes
NHS Western Isles	Health boards & special health boards	A	Yes
North Ayrshire Council	Councils	A	Yes
North East Scotland College	Further & higher education	A	Yes
North Highland College	Further & higher education	A	Yes
North Lanarkshire Council	Councils	A	No
Orkney College	Further & higher education	A	Yes
Orkney Islands Council	Councils	A	No

appendix 1

Public Authority	Sector	Reporting schedule	Subject to board diversity duty?
Perth & Kinross Council	Councils	A	No
Perth College	Further & higher education	A	Yes
Renfrewshire Council	Councils	A	No
Revenue Scotland		B	Yes
Scottish Ambulance Service	Health boards & special health boards	A	Yes
Scottish Borders Council	Councils	A	No
Scottish Children's Reporter Administration		A	Yes
Scottish Courts and Tribunals Service		A	Yes
Scottish Criminal Cases Review Commission		A	Yes
Scottish Enterprise		A	Yes
Scottish Environment Protection Agency		A	Yes
Scottish Fire & Rescue Service	Police & fire authorities	A	Yes
Scottish Funding Council		A	Yes
Scottish Legal Aid Board (The)		A	Yes
Scottish Ministers ¹		A	No
Scottish Natural Heritage		A	Yes
Scottish Police Authority	Police & fire authorities	A	Yes
Scottish Qualifications Authority		A	Yes
Scottish Social Services Council (The)		A	Yes
Scottish Water		A	Yes
Shetland Islands Council	Councils	A	No
Skills Development Scotland		A	Yes
South Ayrshire Council	Councils	A	No

appendix 1

Public Authority	Sector	Reporting schedule	Subject to board diversity duty?
South Lanarkshire College	Further & higher education	A	Yes
South Lanarkshire Council	Councils	A	No
Sportscotland (Scottish Sports Council)		A	Yes
State Hospitals Board for Scotland (The)	Health boards & special health boards	A	Yes
Stirling Council	Councils	A	No
VisitScotland		A	Yes
West College Scotland	Further & higher education	A	Yes
West Dunbartonshire Council	Councils	A	No
West Lothian College	Further & higher education	A	Yes
West Lothian Council	Councils	A	No

¹ While the specific duties lie with Scottish Ministers, the term 'Scottish Ministers' includes all ministers and Scottish Government Executive Agencies. Current Scottish Executive Agencies are:

- Accountant in Bankruptcy
- Disclosure Scotland
- Education Scotland
- Forestry and Land Scotland
- Scottish Prison Service
- Scottish Public Pensions Agency
- Social Security Scotland
- Student Awards Agency for Scotland
- Transport Scotland

