



**ENGAGING
WITH PUBLIC
BODIES**

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Introduction

There are lesbian, gay, bisexual and transgender (LGBT) people in every part of Scotland, from Shetland to Stranraer. Each person has their own needs and each person depends on local and national services provided by our public bodies to different extents.

The Equality Act 2010 and Specific Duties Regulations provides LGBT people and groups with a unique opportunity to engage with local services, and help to make them more relevant to the LGBT people who use them.


There are benefits for both LGBT people and for public bodies in engaging with each other. In this section of the toolkit we look at LGBT communities and how they can best engage with public bodies in their area, what the benefits are and how to ensure LGBT people can make the most of engagement opportunities.

Why engage?

In other sections of this toolkit we talk about the benefits for public bodies of engaging with LGBT communities. There are also clear benefits for LGBT people and communities of engaging with public bodies and service providers. The benefits for LGBT people of engaging...

- 1 You can help shape and improve local services.** Helping to make services more accessible and relevant to LGBT people in your area. Better services help us all by ensuring that what we need is where we need it, when we need it.
- 2 Improved and more efficient services saves money.** This means more money can be spent in areas where services need developed or new services are needed.
- 3 Relationships with service providers can help flag up where there is a problem.** This might be about homophobia, biphobia or transphobia in your local community, where flagging up a problem can bring in resources to stop it.





4 Support for your LGBT group, which can then help it to develop or learn from other local groups in your area. You may gain access to Community Learning and Development (CLD) staff who can work with you on your group's development and help you to access funding.

5 Less homophobia, transphobia and biphobia in your community. By sharing your experiences of discrimination measures can be taken by the police and others to ensure safer streets and reduced discrimination.

6 More visibility and reduced isolation. With support for public body led initiatives LGBT people can be more visible in their communities, and no longer feel like they are the only one. In a 2010 report by the Equality Network, **Stronger, Safer and Supported**, 82% of respondents said that increased visibility would help build a stronger LGBT community.

What the law says

While it is certainly a good thing that LGBT people and public bodies are consulting and engaging with each other, it's important to know that public bodies have a duty, enshrined in law, to ensure that they are at least making an effort to understand the needs of LGBT people. These duties are part of the Equality Act 2010.

At a UK level there is a **general equality duty** which says that a public body must, in everything it does, 'have due regard to the need to':

- ◆ Eliminate discrimination, harassment and victimisation.
- ◆ Advance equality of opportunity between different groups, including:
 - Minimising disadvantages suffered by different groups.
 - Meeting the different needs of different groups.
 - Encouraging people from different groups to participate in public life and other activities.

- ◆ Foster good relations between different groups, including:
 - ◆ Tackling prejudice.
 - ◆ Promoting understanding.

This means that public bodies must think about the impact, and seek to understand the effect, of all the decisions they make and actions they take.

They should also try to reduce homophobia, biphobia and transphobia and not do anything that might increase discrimination.

In Scotland “specific duties” set out some things that public bodies must do, to implement the general equality duty.

The Scottish Government and Scottish Parliament have decided on the specific duties for devolved Scottish public bodies, including local councils, the police, the NHS, schools, colleges and universities. These are set out in the Equality Act 2010 (Specific duties) (Scotland) Regulations 2012. »

What the law says

- » Public bodies in Scotland must publish a report before the 30th April 2013 and every two years after highlighting the progress they have made to eliminating discrimination, harassment and victimisation; advancing equality of opportunity between different groups and fostering good relations between different groups.

They must also publish a set of equality outcomes, that is, results that the public body aims to achieve in order to further equality, including equality for LGBT people.

When creating equality outcomes, public bodies must take reasonable steps to involve LGBT people and groups and consider their views.

Public bodies don't need to set out specific equality outcomes for LGBT people, but if they haven't they will have to justify why they haven't.

Public bodies will also have to assess the impact of any new policy or practice on LGBT people; this is called an Equality Impact Assessment (EIA). To do this they must consider all relevant evidence, including evidence submitted by LGBT people. They must also publish the Equality Impact assessment so that people can see it.

What is a public body?

In order to engage with public bodies, we need to know what Public Bodies are and what they do.

Public Bodies play an important role in the delivery of public services in Scotland and are all around us, from your local council to the Police, the National Health Service (NHS) and even the BBC. All public bodies have a duty to ensure that they engage with LGBT people. How they do this is up to them to decide within the framework of the Equality Act 2010 and the specific duties.

The term 'public body' describes the range of public bodies which have a direct relationship with the Scottish or UK Governments and the Scottish or UK Parliaments and for which they are responsible. It's important to note »

All public bodies have a duty to engage



What is a public body?

- » the Scottish Government and the Scottish Parliament are themselves Public Bodies.

Regulation 2 of the 'Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012' sets out the public bodies in Scotland which will be covered by the new specific duties.

These include the 32 local councils, 14 local NHS Health Boards, 8 regional Fire and Rescue Services and 8 regional Police Services.* Lots of other public bodies in Scotland are also covered, and if the public body is a UK wide body, like the BBC, it is covered by a UK wide duty.

If you're not sure what duties cover the public body you're trying to engage you should contact them to ask.

Details of public bodies in Scotland are available on the National Public Bodies Directory

<http://www.scotland.gov.uk/Topics/Government/public-bodies/about/Bodies>

* Police and Fire services are set to be merged in Scotland to make a single Fire and Rescue Service and a single national police force.

How to engage

There are a number of ways you might want to consider engaging with your local or national public bodies. The onus is not on you to engage, but on the public body. So while you may want to consider each method, you should encourage the public bodies to use a diverse range of methods.

One-to-one meetings

You can arrange a one-to-one meeting with a representative from the public body you want to engage with. You should try to contact the person responsible for equalities issues, but, depending on the issue you need to discuss, other people might be the best people to meet with.

Advantage

One-to-one meetings allow you to build up a working relationship with a point of contact.

Disadvantage

Sometimes the person you meet with will not be able to help and will need to pass your questions to another person.



» Invite public bodies to meetings of your local group

If you have a local LGBT group you can invite representatives of public bodies to come and talk to the group or give a presentation.

Advantage

Helps to build a relationship with the public body and helps you understand their priorities.

Disadvantage

It's good to give your members advance notice when someone is coming along to your group, as not everyone will have disclosed their sexual orientation or gender identity.

If you're an LGBT person or a public body representative and you don't have an LGBT group in your area you can contact us and we can help you to start one. Contact details can be found in the information booklet.

Taking part in Community Councils

Community Councils are the most local tier of statutory (i.e. set up by law) representation in Scotland. They are there to bridge the gap between local authorities and communities, and help to make public bodies aware of the opinions and needs of the communities they represent.

Advantage

This allows for a mainstreaming of LGBT issues and can ensure the visibility of LGBT people in community life.

Disadvantage

Some community councils need to do more work to include more diversity, your issue may not always be seen as a priority.

Arranging a public meeting

If you have a specific issue you wish to address a public meeting might be the best way to bring people together to talk about it. It's important to advertise your meeting well in advance and use an accessible venue.

Advantage

You can engage a large number of diverse people.

Disadvantage

Some LGBT are apprehensive of taking part in public meetings for fear of being outed or facing adverse views.

Taking forward priorities

The new equality duties present you, with a great opportunity to get your issue onto the agenda of a public body. Councils, hospitals, schools and other public bodies must listen to local LGBT groups when making policies, setting objectives and carrying out other work.



**WHAT
SHOULD
I DO?**

By making your case, you could ensure that your priority is at the heart of a public body's work.

- ◆ Tell your local council, or any other public body, that you wish to discuss your priority.
- ◆ Have a clear idea of your own priorities and the priorities of the council, health board, or other public body, try and find common ground.
- ◆ Have evidence – if you have a report or relevant case studies or examples this will help you convince the public body to take forward your priority, you can contact the Equality Network, Stonewall Scotland or LGBT Youth Scotland to ask if there is relevant research available, but remember you can also ask the public body to get evidence.

There are some good examples of where LGBT people or groups have influenced a policy, decision or an action of a public body.

- ◆ LGBT people in West Dunbartonshire convinced the council of the need for an LGBT group in the area, this need has now been met with support from the council.
- ◆ The LGBT group in the Western Isles successfully challenged bad practice in the provision of Civil Partnerships on the island of Lewis.
- ◆ Trans people were recently involved in influencing a new national gender reassignment protocol for Scotland.



The Scotland specific equality duties apply to Scottish public bodies carrying out services that are devolved. These bodies include councils, hospitals, schools, transport providers and Fire & Rescue services. You may try to get a number of these bodies to work together in taking forward your priority.



**WHAT SORT
OF PRIORITIES
WILL THEY BE
INTERESTED IN?**

To comply with the duties, public bodies must carry out work to promote equality, tackle discrimination and foster good relations between people. If you have a key priority that would contribute to any of these areas, then you should talk to your local public bodies about it.

A public authority should always be willing to engage with voluntary groups over key priorities. Your voice as an LGBT community member or citizen is important. Some occasions when a public authority would find your help particularly useful include when it is collecting evidence, setting objectives, or analysing the impact of a change in policy on equality groups.



**WHY
SHOULD THEY
LISTEN TO
ME?**



HOW DO I GATHER EVIDENCE?

It's always better to back up what you are saying to a public body, and there are a number of ways you can consider doing this.

- ◆ Hold a special meeting of your group to talk about a specific topic, ask people for their views, opinions and why they would like things to change/stay the same.
- ◆ Run a survey or poll, there are lots of free online tools which can help you reach out to other LGBT people. Remember that not everyone has access to the internet so you might want to use this along with other methods.
- ◆ Gather anecdotal evidence from people who have suffered or benefited from a policy or practice.
- ◆ The onus is not on you to gather the evidence, so if you think there is a problem you can ask the public body to gather evidence.

Top ten tips

- 1** Before attending any meetings set yourself an agenda of what you would like to discuss or achieve in the meeting. Keep a record of all your meetings so that you can track progress or chase up actions.
- 2** Ask for feedback or a report of engagement events you attend. If you're putting your time and effort into attending you'll want to know what comes of it.
- 3** Build a relationship. Keep public bodies up to date with the activities of your group or forum. You never know what they'll be interested in or what they can share with staff or other networks.
- 4** Try to back up the things that you say. Providing evidence or statistics will help your case. Remember, it's not just up to you to gather evidence, where there is none you can ask if they public body will gather some.
- 5** You don't have to engage on every topic. Prioritise the topics that are important to you or your group and don't feel the need to respond on every topic.

6

Highlight any real or perceived barriers to participation. Try to encourage the public body to include more diverse people in their consultation work.

7

Form alliances or work in partnership with others who have a shared agenda.

8

Check that the person you are contacting is the person you want to speak to. You want to ensure the person you're dealing with can help make the change you want.

9

Be clear who you are speaking on behalf of. LGBT people are as diverse as society itself. It's better to say "in our opinion" than to say "LGBT people think..." And its ok to say when there are differences of opinion in your group on a topic.

10

You could ask to see the public body's current equality objectives. These set out the public body's equality work and they will help you decide on which issues you wish to engage. New equality outcomes need to be in place by 30th April 2013.

EQUALITYNETWORK

Lesbian, Gay, Bisexual and Transgender Rights in Scotland



Stonewall
S C O T L A N D

Community Connections

has been developed in partnership by Equality Network, LGBT Youth Scotland and Stonewall Scotland in order to achieve meaningful engagement with lesbian, gay, bisexual and transgender communities.

- 1 Engaging LGBT People**
- 2 Engaging Public Bodies**
- 3 Engaging Young People**
- 4 Engaging Transgender People**
- 5 Best Practice**
- 6 Publicity**