

Item: 15

Orkney and Shetland Valuation Joint Board: 27 March 2025.

Single Equality Scheme.

Report by Assessor and Electoral Registration Officer.

1. Purpose of Report

To present the revised Single Equality Scheme for the period 2025/26 to 2028/29.

2. Recommendations

It is recommended:

2.1.

That the Orkney and Shetland Valuation Joint Board Single Equality Scheme 2025/26 - 2028/29, attached as Appendix 1 to this report, be approved.

3. Background

3.1.

The Equality Act 2010 repealed the Equal Pay Act 1970, the Sex Discrimination Acts 1975 and 1986, the Race Relations Act 1976, and the Disability Discrimination Act 1995 but consolidated and amended the provisions contained within the above legislation and extended these to cover additional areas of equality.

3.2.

The Act came into force in stages with the first being effective from 1 October 2010 and the Public Sector Equality duty effective during 2011.

3.3.

The principal aim of the Act is to replace the above protection for race, disability and gender equality with the nine “protected characteristics” of age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex and sexual orientation.

4. Single Equality Scheme 2025/26 - 2028/29

4.1.

The Board’s Single Equality Scheme 2025/26 – 2028/29 is shown in Appendix 1 and details the Equality Act 2010, Equal Pay, Positive Action, Public Sector Duties, Specific Equality Duties, Monitoring, Customer Consultation, Access to Premises and Information and Training.

4.2.

This is the beginning of a new three-year cycle of work required to meet the General Equality Duty. We will work collaboratively and individually over the following three years to achieve the Action Plan set out in section 11 of the Single Equality Scheme.

4.3.

Given there have been no significant legislative changes to take account of the substance of the Scheme is unchanged from the previous one.

5. Link to Board Plan

The matters referred to in this report contribute to the Board's strategic objectives detailed in the Corporate Plan 2023-2026 (Goal 3 – Sound Governance).

6. Financial Implications

There are no financial implications directly from this report. Any additional resources required to deliver the actions identified within the Scheme will result in additional costs to be met from the constituent authorities.

7. Governance Aspects

The content and implications of this report have been reviewed and, at this stage, it is deemed that the Board does not require external legal advice in consideration of the recommendations of this report.

8. Contact Officer

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9. Appendix

Appendix 1: Orkney and Shetland VJB Single Equality Scheme 2025/26 – 2028/29.



Orkney and Shetland Valuation Joint Board



Single Equality Scheme

2025/26 – 2028/29

Foreword

The Equalities Act 2010 provides an opportunity for The Orkney and Shetland Valuation Joint Board (the Board) to reaffirm its commitment to equality. This single Equality Scheme is the source of a positive equal opportunities agenda which includes the promotion of equality by the Board within both Orkney and Shetland.

I have a desire to continue to promote equal opportunities and this scheme forms part of the Board's wider equal opportunities policy.

Our performance in relation to the proposals contained in this scheme will be monitored and audited, and progress reported to elected members of the Board and to the people of Orkney and Shetland through the Board's website www.orkney-shetland-vjb.co.uk.

Robert Eunson,
Assessor and Electoral Registration Officer,
Orkney and Shetland Valuation Joint Board,
April 2025.

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1.0. Introduction

1.1. The Board

The Orkney and Shetland Valuation Joint Board was established as part of the 1996 reorganisation of local government in terms of the Valuation Joint Boards (Scotland) Order 1995, and its primary purpose is to discharge all the functions of its two constituent authorities, [Orkney Islands Council](#) and [Shetland Islands Council](#), as valuation authorities under the Valuation Acts. The Board is a separate public body from the two constituent authorities but draws its membership from them, each nominating 5 councillors to serve on the Board. With the agreement of each Islands Council the Board has appointed the Assessor to be the Electoral Registration Officer who is responsible for the preparation and maintenance of the Register of Electors. Most of Shetland Islands Council's policies have been adopted by the Board however many have to be adapted to cover the specific functions of the Board.

1.2. Service Mission and Vision

Who Are We

The Orkney and Shetland Valuation Joint Board is an independent local authority established under The Valuation Joint Boards (Scotland) Order 1995. Due to the Board's small size, up to March 2021 Shetland Islands Council acted as its lead authority and supplied the Board with Administrative Support, Financial Management and Human Resources. From April 2021 this support is provided by the lead authority Orkney Islands Council. Current staff terms and condition of employment have been revised from April 2021 when a new pay and grading model was introduced.

What We Do

We compile and maintain the Valuation Rolls, Council Tax Valuation Lists and Registers of Electors for the Orkney Islands and Shetland Islands Council areas.

Corporate & Service Plans detailing our mission and vision, what we do and how we do it are available on the Board's website.

Our Aims

We aim to provide high quality, effective and responsive services to all of our stakeholders

Commitments

We are committed to:

- Listening and responding to stakeholders needs.
- Valuing staff and providing them with opportunities to develop and contribute.
- Reacting innovatively to change.
- Treating all stakeholders in a fair, consistent manner and in accordance with equal opportunities requirements.
- Striving for continuous improvement in all aspects of service delivery.
- Ensuring that we are accessible and accountable to stakeholders.
- Pro-actively planning workloads and deploying resources.

2.0. The Equality Act 2010

The Equality Act 2010 repeals the Equal Pay Act 1970, the Sex Discrimination Acts 1975 and 1986, the Race Relations Act 1976, and the Disability Discrimination Act 1995 but consolidates and amends the provisions contained within the above legislation and extends these to cover additional areas of equality.

The Act came into force in stages with the first being effective from 1 October 2010 and the Public Sector Equality duty effective during 2011. Other areas of the Act may not be implemented.

The principal aim of the Act is to replace the above protection for race, disability and gender equality with the following nine “protected characteristics”:

2.1 “Protected Characteristics”

Age – relates either to a person or persons of similar age. The Act protects people of all ages. However, different treatment because of age is not unlawful if you can demonstrate that it is a proportionate means of meeting a legitimate aim. Age is the only protected characteristic that allows employers to justify direct discrimination.

Disability – a person or persons have a disability if they have a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out day to day activities which would include tasks like using a telephone, reading a book or using public transport. The Act includes a new protection from discrimination arising from disability. This states that it is discrimination to treat a disabled person unfavourably because of something connected with their disability (e.g. a tendency to make spelling mistakes arising from dyslexia). This type of incrimination is unlawful where the employer or other person acting for the employer knows, or could reasonably be expected to know, that the person has a disability. This type of discrimination is only justifiable if an employer can show that it is a proportionate means of achieving a legitimate aim. Additionally, indirect discrimination now covers disabled people. This means that a job applicant or employee could claim that a particular rule or requirement the Board has in place disadvantages people with the same disability. This is unlawful unless it can be justified. The Act also includes a new provision which makes it unlawful, except in certain circumstances, for employers to ask about a candidate’s health before offering them work.

Gender reassignment – a person or persons who are proposing to undergo, are undergoing or have undergone a process (or part of a process) for the purpose of reassigning the person’s sex by changing physiological or other attributes of sex. A reference to a transsexual person is a reference to a person who has the protected characteristic of gender reassignment. The Act no longer requires a person to be under medical supervision to be protected – so a woman who decides to live as a man but does not undergo any medical procedures would be covered.

Pregnancy and maternity – Breastfeeding mothers are protected against discrimination for the first six months. After six months a breastfeeding mother is protected through the sex discrimination provisions in the Equality Act. The additional protection for the crucial first six months after a woman has given birth is in recognition of the fact that she needs the strongest possible protection against discrimination that may occur in the early months when it is most important to the health of both mother and child.

Marriage and civil partnership – includes only a person or persons who are married or have civil partners.

Race – a person or persons referred to by colour, nationality and ethnic or national origins.

Religion or belief – a person or persons of any religion or of no religion at all. Also includes a person or persons of any religious or philosophical belief or no belief at all. Discrimination because of religion or belief can occur even where both the discriminator and recipient are of the same religion or belief.

Sex – a reference to a person is to a man or a woman while a group reference is to persons of the same sex.

Sexual Orientation – means a person's sexual orientation towards persons of the same sex, persons of the opposite sex or persons of either sex. A reference to a person is to a person of a particular sexual orientation while a group reference is to persons who are of the same sexual orientation.

The Act also makes explicit the concept of 'dual discrimination', where someone may be discriminated against or treated unfairly on the basis of a combination of two or more of the protected characteristics.

2.2. Discrimination Defined

Direct discrimination

Direct discrimination occurs when a person (including local authorities, trade unions, employment agencies, vocational training bodies etc) discriminates against another if, because of their protected characteristic they are treated less favourably than others.

Discrimination by association

Already applies to race, religion or belief and sexual orientation. Now extended to cover age, disability, gender reassignment and sex. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Perception discrimination

Already applies to age, race, religion or belief and sexual orientation. Now extended to cover disability, gender reassignment and sex. This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Indirect discrimination

The Act harmonises the different definitions of indirect discrimination and extends the definition to now include age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex, and sexual orientation.

Under the Act it is an offence to directly or indirectly discriminate against, harass or victimise a person because they have one or more protected characteristic, or because they are associated with someone who has a protected characteristic.

Indirect discrimination occurs when a policy or action appears neutral but its impact particularly disadvantages people with a protected characteristic, unless the person applying the provision can justify it as a proportionate means of achieving a legitimate aim.

Harassment

Harassment involves unwanted conduct which is related to a relevant protected characteristic and has the effect or purpose of violating an individual's dignity or creating a degrading, hostile, humiliating, intimidating, or offensive environment for the complainant. The Act also includes harassment based on perception and association.

Employees will now be able to complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristics themselves.

Third party harassment

Covers age, disability, gender, gender reassignment, race, religion or belief, and sexual orientation. The Act makes the Board liable for harassment of their employees by people (third parties), such as customers or clients, who are not employees of the Board. The Board is only liable when harassment has occurred on at least two previous occasions, the employer is aware that it has taken place, and has not taken reasonable steps to prevent it from happening again.

Victimisation

Occurs when a person subjects an individual to detriment because the individual has brought proceedings under the Act, the individual has given evidence or information in connection with proceedings under this Act, the individual has done any other thing for the purposes of or in connection with the Act, or the individual has made an allegation (express or otherwise) that the person or any other person has contravened the Act.

A person is not protected from victimisation if they have maliciously made or supported an untrue complaint.

The Board will, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment, victimisation, will advance equality of opportunity between persons who share a protected characteristic and persons who do not share it and will foster good relations between persons who share a protected characteristic and those who do not.

3.0. Equal Pay

The Equal Pay Act 1970 is replicated with only a few amendments. The long term objective for all organisations is to try to achieve equality in working contracts for women and men, and the Board is committed to this.

Through its adoption of the Collective Agreement between Shetland Islands Council, Orkney Islands Council and Unison, the implementation of a new pay and grading model was implemented from April 2021. Through this the Board seeks to achieve pay equality through the adoption of the new pay scheme. The Scheme is consistent with the principles of equal pay for work of equal value. The overall pay gap remains a concern but given that this results from the predominance of men in higher grades and women in lower grades, it is out with the scope of this report.

The Board will, through recruitment and promotion, attempt to remove any imbalance when appropriate opportunities arise. The Act allows an employee to bring a claim on pay discrimination even when no direct male or female comparator is employed.

The Board will publish salary information, ethnic employment rates, and disability employment rates.

4.0. Positive Action

Prior to the 2010 Act 'positive action' was permitted to allow employers to encourage applications for employment from under represented groups.

"Positive action" does not mean positive discrimination. Recruitment or promotion will still be based on merit. A person cannot be appointed just because he or she possesses a protected characteristic. That would be positive discrimination, which continues to be unlawful in the UK.

The Board will consider employing a person because of their protected characteristic(s) from a number of equally qualified candidates with other similar comparative merits.

The Board will take proportionate measures to overcome any perceived disadvantage or to meet specific needs for a person with a protected characteristic, much along the lines of providing facilities for disabled persons.

5.0. Public Sector Duties

The Act brings together the existing public sector equalities duties covering disability, gender and race under a new single duty which includes age, gender reassignment, pregnancy and maternity, religion and belief, and sexual orientation.

The Board when carrying out its functions will endeavour to:

- Eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act.
- Advance equality of opportunity between persons sharing a protected characteristic and persons who do not share it.
- Foster good relations between persons who share a protected characteristic and persons who do not share it.
- Consider the needs of all individuals in their day to day work, in developing policy, in delivering services, and in relation to their own employees.

6.0. Specific Equality Duties

The Act does not detail the specific duties but the Scottish Ministers will be able to impose specific duties on relevant Scottish bodies. These, in certain areas, may only apply to public bodies with over 20 employees.

7.0. Monitoring

Reports will be prepared and published on the Board's website to present statistics on the following:

- Staff profile by race/disability/gender.
- Employees by age.
- Recruitment by race/disability/gender.
- Leavers, resignations, retirements, and redundancies by race/disability/gender.
- Staff salaries (numbers and percentages) by race/disability/gender.

8.0. Customer Consultation

The Board issues, on a regular basis, Customer Consultation questionnaires which are statistically analysed to allow an annual report on stakeholder opinions on the service provided. This customer consultation examines the returns from all persons with, and without, protected characteristics.

The Board also operates a Customer Complaints Policy with a suggestion, comments and complaints forms available online.

9.0. Access to the Board's premises and Information

The Disability Equality Scheme published in December 2009 highlighted the fact that the Board's premises now comply with the Discrimination Act 1995 (as amended). However, we now have an issue with disabled access to our Shetland Offices due to moving to smaller premises. There is now insufficient space to have a private interview room suitable for wheelchair access. An arrangement whereby any persons requiring privacy will be taken to Shetland Island Council's Main HQ which is approximately 100 yards away. Suitable interview rooms are available in this building at short notice. The staff in the Shetland Office have been briefed to offer a private interview room to any disabled person as a first call. The disabled access to the Board's Orkney office has similar problems with an automated disabled entrance and ground floor accommodation accessible to disabled persons. A disabled or infirm person would still have to press a bell for assistance before being ushered into a utility room on the ground floor. The Board are aware of the need to find accommodation in Orkney for the long term that would allow fuller unimpeded access for disabled persons.

Those publications made on paper will also be made available, on request, in different languages, in Braille, audio tapes and other similar mediums. Most forms issued will in future provide details of how to obtain these alternative formats.

10.0. Training

The Board has identified and put in place arrangements for training its staff in relation to its duties to promote equality. The Board is committed to ensuring that the Assessor's staff receives adequate training in these areas.

The Board considers it important that its own members receive training in its obligations with regard to disability equality, and will ensure that current and future members participate in training programmes provided by its constituent authorities.

A statement of commitment to Equality is included in staff Induction packs. All new staff, through the induction procedures, are made aware of all relevant Equality issues and retraining of all staff takes place when required.

11.0. Action Plan

This section outlines our strategy to ensure compliance with both the general and specific duties required by the equality legislation.

The Board is committed to making equality a central part of the way it works and to achieve this it will, for each of the three functions below:

- Meet the requirements of the Equality Act 2010.
- Ensure implementation of this Scheme.
- Identify managers' responsibilities in relation to the Act.
- Continue to provide training to update all staff the new duties and responsibilities as required by the Equality Act 2010.
- Continue to monitor all staffing issues.
- Continue to review Board policies to enhance equality of opportunity.
- Improve accessibility, availability and appropriateness of our service to stakeholders.
- Evaluate the needs/ views of all persons with protected characteristics and introduce consultation procedures as required.
- Maintain monitoring within the customer consultation procedures.
- Continue to publish the results of consultations, monitoring and assessments annually.
- Maintain a positive ethos towards those persons who have a protected characteristic.
- Review this Policy three yearly or as required.
- Review the Action Plan annually.

It should be noted that meeting these duties forms part of the Board's equality strategy which aims to mainstream equal opportunities into the framework of service planning, monitoring and delivery. It is also our intention that all our services including employment will not simply conform to equal opportunities legal requirements but will be proactive in promoting equality.

1. **Electoral Registration** – This service is responsible for the compilation and maintenance of the Electoral Register. The Electoral Register is used at all elections and only persons who appear on the Register can vote. Electoral Registration forms are issued every year to all properties that are residences. This Service therefore reaches every member of the community who is aged 14 years or over. Currently there is no mention on any of the forms relating to Electoral Registration, postal or proxy voting to say that a translation of the document would be available on request. If a member of the public requested a form in another language, the Electoral Registration Officer would consult his colleagues to see if a form would be available from another office. All forms available electronically can be translated into 65 languages using [Google Translate](#) which is freely available on the web. It is unknown how accurate such a translation would be, however, if it is available on the web, it is likely to be sufficient for translating web pages and forms to allow someone to understand what the electoral process is about.

2. **Valuation** – This service is responsible for the compilation and maintenance of the Valuation Roll. The Valuation Roll is used by the Directors of Finance of the Board's constituent Councils to bill occupiers/owners for non-domestic rates. Statements to the effect that forms and documents relating to the Valuation Roll are available on request in other languages or in larger fonts may be considered for future years.

3. **Council Tax** – This service is responsible for the compilation and maintenance of the Council Tax List. The List is used by the Directors of Finance of the Board's constituent Councils to bill occupiers/owners for Council Tax payments. Council Tax Banding Notices are issued to new dwellings, and certain altered dwellings. This Service reaches all Council Taxpayers in Orkney and Shetland. Statements to the effect that forms and documents relating to the Valuation Roll are available on request in other languages or in larger fonts may be considered for future years.

Robert Eunson,
Assessor and Electoral Registration Officer,
April 2025.