



# NATIONAL GALLERIES OF SCOTLAND

## GENDER EQUALITY SCHEME

JUNE 2007

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## **Foreword**

I am pleased to introduce the National Galleries of Scotland Gender Equality Scheme. The Scheme aims to offer support and greater understanding of gender equality issues and ensure that we do not discriminate.

We are committed to gender equality and we endeavour to demonstrate that commitment through our policies and practices for both staff and visitors to the collection. We will regularly monitor, review and develop the Scheme in line with best practice and feedback from staff and visitors.

John Leighton  
Director-General

## Introduction to National Galleries

The National Galleries of Scotland (NGS) has five magnificent buildings across three sites in Edinburgh, each home to different parts of the national collection of fine art and also to special temporary exhibitions. Admission to the collection is free to the public and we are open daily. Our collection is among the best in the world. Some of the artworks are accessible online at [www.nationalgalleries.org/collections](http://www.nationalgalleries.org/collections).

Our three galleries are:

- **The National Gallery Complex**

Situated on the Mound in the heart of Edinburgh, this complex comprises the National Gallery of Scotland, home to works from the early Renaissance to the early 19th century. It is also home to a comprehensive collection of Scottish Art. The second major part of the complex is the Royal Scottish Academy Building, the venue for exciting temporary exhibitions held by both the NGS and other exhibitors. The final part of the complex is the Weston Link, which is accessible from and interconnects both galleries, and is home to a range of visitor services, as well as state of the art spaces for a host of educational activities.

- **The Scottish National Portrait Gallery**

Sited on Queen Street in the city centre, the Scottish National Portrait Gallery (SNPG) provides a unique visual history of Scotland, told through the portraits of those who shaped it, and was the first purpose built portrait gallery in the world. It is also home to the national collection of photography and regular temporary exhibitions are held there.

- **Modern Art Galleries**

Home to Scotland's outstanding national collection of modern and contemporary art, the Modern Art Galleries include the Gallery of Modern Art and the nearby Dean Gallery. The Scottish National Gallery of Modern Art shows special exhibitions and works from c.1900 to the present day, while the Dean Gallery shows works from the Gallery's internationally renowned Dada and Surrealist collection alongside pieces by Eduardo Paolozzi, as well as major exhibitions.

We also operate an accessible art store which is open to the public by appointment at Granton, and work in partnership with Historic Scotland and Aberdeenshire Council to operate Duff House in Banff, and with Paxton House near Berwick upon Tweed.

NGS is a non-departmental public body primarily funded by the Scottish Executive and managed on its behalf by a Board of Trustees, appointed by the Minister for Europe, External Affairs and Culture.

The purpose of NGS as set out in the governing legislation (the National Heritage Act (Scotland) 1985) is to:

- to care for, preserve and add to the objects in their collections;

- to ensure that the objects are exhibited to the public;
- to ensure that the objects are available to persons seeking to inspect them in connection with study or research; and generally to promote the public's enjoyment and understanding of the Fine Arts both by means of the Board's collections and by such other means as they consider appropriate;
- for those purposes to provide education, instruction and advice and to carry out research.

## **Our Mission**

*The National Galleries of Scotland cares for, develops, researches and displays the national collection of Scottish and international fine art and, with a lively and innovative programme of exhibitions, education and publications, aims to engage, inform and inspire the broadest possible public.*

Our core values as outlined in our Corporate Plan 2007-10 are excellence, innovation, inspiration, service, creativity and integrity, all of which contribute directly to the Gender Equality Scheme.

# Introduction to Gender Equality

## The Legal Background

The Gender Equality Duty is expected to signify the biggest change in sex equality legislation since the Equal Pay Act (EPA) 1970 and the Sex Discrimination Act (SDA) 1975 (as amended in 1999 and 2003).

The SDA made discrimination unlawful on the grounds of sex, marital status and gender reassignment. Protection under the SDA begins from day one of employment and also applies to vocational training, promotion and other terms and conditions of work.

The EPA also regulates discrimination by implying an equality clause into contracts of employment.

Other relevant legislative provisions include the Employment Rights Act 1996, the Sex Discrimination (Gender Reassignment) Regulations 1999, the Maternity and Parental Leave Regulations 1999, the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, the Employment Equality (Sexual Orientation) Regulations 2003, the Gender Recognition Act 2004, the Employment Equality (Sex Discrimination) Regulations 2005, the Occupational Pensions Schemes (Equal Treatment) (Amendment) Regulations 2005 and the Equality Act 2006.

## The General and Specific Duties

The Gender Equality Duty means that public sector bodies will legally have to take into account, within their policies, practices and services:

- The need to eliminate unlawful sex discrimination and harassment, including against transsexual people
- The need to promote equality of opportunity between women and men

Most public authorities are covered by the **general duty** (as laid out above) which came into force on 06 April 2007. This includes any organisations which exercise some functions of a public nature. It applies to *all* their functions including employment, budget setting, procurement and setting the framework within which the organisation will deliver services.

In addition to the general duty, certain listed (in the legislation) public authorities are subject to **specific duties**. The purpose of the "specific duties" is to help public authorities to better perform the general duty. These duties require listed authorities:

- to publish a gender equality scheme by 29 June 2007;
- to review its scheme and prepare and publish a revised scheme every three years;

- to publish a report annually summarising the actions that the authority has taken towards the achievement of the objectives identified in their scheme.

In addition, listed public bodies with 150+ staff must also:

- publish an equal pay statement which outlines that authority's policy on equal pay between men and women by 28 September 2007 (see Appendix II);
- review its equal pay statement and publish a report on its equal pay policy every three years.

As NGS has around 300 employees, it must therefore meet both of these main requirements.

NGS like many other organisations, therefore has both general and specific duties in relation to the employment and other goods and services which it provides. NGS is committed to equality of opportunity for all people regardless of gender, in connection with the services it provides and has published this Gender Equality Scheme and action plan within, to set out the ways in which it will work over the next 3 years to fully meet these duties.

If you wish to learn more about these duties, please contact the:

Equal Opportunities Commission (pre October 07)

St Stephens House  
279 Bath Street  
Glasgow  
G2 4JL  
Tel: 0845 601 5901  
Email: [Scotland@eoc.org.uk](mailto:Scotland@eoc.org.uk)  
Fax: 0141 248 5834

Or the Commission for Equality and Human Rights (from October 07)

Kingsgate House  
66 – 74 Victoria Street  
London  
SW1E 6SW  
Tel: 0207 215 8415  
Fax: 0207 215 8225

## Consulting with our stakeholders and other interested parties

The key stakeholder groups for the NGS in terms of gender equality consist of staff and visitors to the Galleries.

### Staff

The NGS recognises three unions for the purposes of collective bargaining, consultation and information. They are

- PCS
- Prospect
- FDA

The NGS works closely with the unions on any new employment related policies and procedures they are introducing, and have consulted with the unions over any gender equality issues they are aware of on behalf of the staff. The NGS will continue to involve the unions in the development of new policies as part of the impact assessment process.

The NGS meets regularly with their internal trade union representatives and have discussed the issue with gender equality with them. The trade unions have had every opportunity to input into the development of the gender equality scheme.

### Visitors

The NGS has a vast collection of works in its permanent collection which represent different types of people and appeal to different types of visitor. In the Scottish National Portrait Gallery we try to ensure that we collect portraits which fairly represent Scotland's contemporary and historical figures. More recently, for example, we have actively sought portraits of women to complement the extensive collection of male historical figures, and overall we seek to ensure a good representation of female and male artists in the collection.

NGS delivers a varied exhibitions programme to ensure that we reach a wide range of visitors. The exhibitions not only reach people through day to day admission, but enable the Education Department to run (on and off site) discussion groups, lectures and workshops for different groups through its children, families, community groups and adult programmes. Those events take place at different times of the day and in different locations, which encourages a wide range of attendees. The NGS will continue to monitor the success of its outreach programme, and this is reflected in the action plan.

Through visits to the permanent collection and the exhibitions programme, visitors have the opportunity to engage with what we do and offer feedback through the regular market research surveys, annual open meetings and attendance at education events. There is also opportunity to give feedback on our collection and visitor services through the website [www.nationalgalleries.org](http://www.nationalgalleries.org).

Analysis of the visitor survey information for 2006/07, produced in June 2007, has shown that for all the NGS Edinburgh sites as a whole, the gender profile of visitors shows a

predominance of women, with a 60% female 40% male split. The NGS will investigate ways to address this split and this is reflected in the action plan.

Staff are trained to treat all visitors equally, regardless of gender, age, disability, race, or social background.

## Achievements in Gender Equality to date

NGS is committed to equality of opportunity for all people regardless of gender, in connection with the services it provides, and listed below are key achievements to date towards gender equality:

- The NGS carries out regular equal pay audits. The last one was completed during April 2006 and no gender equality issues were identified.
- All posts within the NGS are allocated to a pay band, which is determined using an analytical and validated job evaluation scheme called JEGS. JEGS is designed to remove any gender bias when evaluating a post, and therefore gender is not taken into account when determining the appropriate pay band for any post.
- NGS is currently undertaking a review of its pay structure, as the existing structure no longer meets the needs of the business. The project is scheduled to be completed by July 2008, and equality, including gender equality, is a key principle that will be built into this.
- The NGS offers a very generous maternity package to female employees, which is significantly enhanced above the statutory provisions. This enables female employees to take an extended period of maternity leave following the birth of their baby. The NGS has carried out analysis of returners to work following a period of maternity leave and no issues were identified. NGS will continue to monitor this situation, in particular with reference to future changes to the law.
- The NGS offers paternity and adoption leave policies that offer enhanced pay over the statutory levels in these situations.
- The NGS has a flexible working policy, which supports requests for flexible working for a variety of reasons, not just those linked to the statutory reasons. The NGS will always seek to allow maternity returners to return to work on a flexible basis where possible, and has a very good track record in supporting this.
- The NGS offers a childcare voucher scheme, which supports parents in meeting the cost of childcare, and makes it more viable for women to return to work following the birth of their baby.
- The NGS is committed to engaging with audiences through their public programme of education events, such as:
  - The lunchtime lecture programme. It has been expanded to include evening and weekend events, more suited to people in full-time employment and education.
  - Tours and workshops for people with special needs.
  - The adult learning programme (eg creative writing and art history courses)
  - The outreach programme, working in partnership with other organisations across the country to share parts of our collection with people outwith Edinburgh.

- The NGS carries out regular market surveys to analyse, among other things, the gender breakdown of visitors. The results of these surveys are then utilised in the planning and development of future exhibitions to encourage a good visitor balance.
- The NGS collects gender related information on job applicants as part of its wider recruitment equal opportunities procedure. Further information on the development of this procedure is detailed in the NGS Gender Equality Action Plan.
- The NGS Gender Equality Action Plan lists further actions that the NGS will take e.g. with regard to gender equality awareness and training.

## **Our arrangements for the implementation of the scheme**

It is intended to hold an equality awareness seminar for the NGS Management Group, to ensure that there is awareness of gender equality issues at the most senior levels of management, and that gender equality will always be taken into account where appropriate.

The NGS will form an Action Plan (Appendix 1) to ensure that the NGS is developing practices and procedures which ensure that the needs of different genders are considered as a matter of course and to ensure that discrimination does not take place.

The plan will be monitored by John Leighton, Director-General, who will report progress to the NGS Management Group and Board of Trustees. A report will be produced annually to monitor progress, assess priorities and will include suggestions for the coming year. This will be published on the NGS website. The Plan is a working document, with achievable goals being set for the first period, moving on to longer term developments over time. The NGS recognises the need for continued development in this area, but notes that some areas will require more attention than others.

The Action Plan will be monitored by the NGS Audience Development Group, and any visitor initiatives will consider the impact of the Action Plan.

The Action Plan will also feed into and be fed by the NGS Learning and Access Policy.

Other monitoring will take the form of visitors' comments, feedback from trade unions and staff, and market research.

# Evaluating our scheme: Gender Impact Assessment Process

## Introduction

NGS wants our policies to be relevant to the lives that people live today and we are committed to providing our services in such a way that they are fully accessible to all of Scotland's citizens.

That means in planning our policies and services, we have to fully consider the impact they will have on the communities we serve. It is important that we can demonstrate that we have considered the issues thoroughly and acted where necessary.

When policies or procedures are put in place, they can affect people in different ways. Our commitment is to ensure that as we develop policies and procedures (including our Gender Equality Scheme) we measure the impact that they have on our employees, visitors, partners and other interested parties.

These process guidelines highlight the duties we have in developing and delivering services and developing policy in an open and transparent way. We have to ensure that what we do is fair, lawful and practical and we have to promote equal opportunities in its widest sense. To make sure we are doing this, we need to check all our policies and functions for any **adverse** or **differential** impact.

An **adverse** impact is one in which a group or individual experiences unfavourable or discriminatory treatment or level of service.

A **differential** impact is one which shows a difference in treatment or level of service, which may or may not be discriminatory.

We are required to ensure that all people, regardless of their gender, do not experience unfavourable prejudice, social exclusion and discrimination simply because they are a member of that group.

## The Process:

### Stage 1

#### Initial Screening

Stage 1 is the assessment of existing and new policies and /or services.

The purpose of this stage is to help us identify if there might be any differential/adverse impacts of our policy/service.

If we have identified any differential/adverse impacts of our policy/function and/or we do not have enough information to consider the differential impact we will move to Stage 2.

## **Stage 2**

### **Gathering data / researching information**

This will allow us to look at the risks and benefits of the policy or service in relation to differential impact and includes the opportunity to seek the views of experts/ our Advisory Panel / service and website users and other interested groups.

When there is little or insufficient information in a particular area, research or data collection may be needed to remedy this. In this case, completion of the process may have to await outcomes of the research.

Following any consultation exercise we will record views in an initial impact assessment report. We will now have an idea of the risks associated with the policy or service in relation to differential impact.

## **Stage 3**

### **Collation of Data**

Collation and analysis of data will allow us to assess whether there is an adverse impact on any groups of people in relation to their sex. The aim and purpose is to decide if there is different impact on the grounds of sex.

## **Stage 4**

### **Action Plan**

We will think about and put in place measures to reverse the impact, without impacting upon any other groups in an indirect way.

Finally, we will outline the action to be taken as a result of working through the Gender Equality Impact Assessment process.

## **Conclusion**

The implementation of an effective Gender Equality Impact Assessment process will result in an honest appraisal of the differences in the lives, experiences and requirements of staff and visitors. Through this process, we will recognise and acknowledge these differences and then develop a tailor made response in our policies, services and procedures. This will ensure that we do not allow these differences to contribute to unequal service provision.

## **Publishing and reporting on our scheme**

This is the first Gender Equality Scheme which NGS has produced. We published this at the end of June 2007 with an action plan up to June 2010. The action plan is expected to be a working document which it may be necessary to change over time if other needs or priorities in this area emerge.

The scheme is published on our web site [www.nationalgalleries.org](http://www.nationalgalleries.org) and is also available in hard copy format (or other format upon request) by contacting:

**Elaine Anderson**  
**Head of Secretariat**  
**The Dean Gallery**  
**73 Belford Road**  
**Edinburgh EH4 3DS**

**0131 624 6200**

We will report annually on the progress we have made in developing our Gender Equality Scheme.

**Gender Equality Action Plan: July 2007 – March 2010**

**Appendix I**

1. General – strategic implementation of the Gender Equality Scheme

Target	Action	Owner	Timescale for completion	Timescale for review
To ensure all members of senior management understand their roles and responsibilities with regard to gender equality	All members of management group to attend equality awareness seminar	Head of Secretariat/ Personnel Manager	September 2007	
To ensure Heads of Department and line managers understand their roles and responsibilities with regard to gender equality, and embed these into day to day working practices	Training for Heads of Departments on gender equality issues	Head of Secretariat/ Personnel Manager	December 2007	
To ensure gender equality is placed on business agendas from the outset	As above	Management Group	Ongoing	
To ensure that activities, policies and services are frequently audited and amended in the light of gender info and advice received from stakeholders and other interested parties	Continue consultation with stakeholders on a regular basis both informally and formally	Heads of Department	Ongoing	
To ensure all staff are aware of gender equality issues and NGS achievements in gender equality	GES briefed to all staff formally at next general staff briefing. Gender equality incorporated into induction sessions	Director General  Personnel Manager	TBC  Ongoing	
Produce an equal pay statement	Carry out an equal pay audit and produce equal pay statement	Head of Human Resources	1 September 2007	

1. General – strategic implementation of the Gender Equality Scheme (cont)

Target	Action	Owner	Timescale completion for	Timescale for review
External suppliers aware of NGS standards and requirements with regards to gender equality	Training of external suppliers to include GES e.g. freelance education workers, external exhibitors, volunteers	Head of Owner Department	Ongoing	
Policy impact assessment	All policies to undergo impact assessment as part of development stage	Head of Owner Department	Ongoing	
Effective reporting on gender equality	Report annually on progress made with meeting the actions set out in the action plan	Head of Secretariat	TBC	

## 2. Continual improvement of our engagement processes with our stakeholders and other interested parties

Target	Action	Owner	Timescale completion	for	Timescale for review
Obtain up to date gender information on staff	Conduct equal opportunities audit across all staff and report annually	Head of Human Resources	December 07 and ongoing		
Ensure all new staff are aware of gender equality issues	Induction training to include gender equality awareness	Head of Human Resources	December 07 and ongoing		
Ensure visitors continue to have the opportunity to input on gender equality issues through regular market research surveys	Investigate the possibility of expanding visitor surveys to address gender equality more directly	Head of Marketing	Ongoing		
Ensure knowledge and best practice is shared amongst similar institutions	Creating a structure to share knowledge and best practice with other organisations and institutions	Heads of Departments	Ongoing		
Ensure that the trade unions continue to feed into the gender equality process	Regularly place gender equality on the agenda for trade union working group meetings	Head of Human Resources	Ongoing		
Ensure staff have the opportunity to input on gender equality issues	Issue staff questionnaire on gender equality	Head of Human Resources	December 2007		

### 3. Delivering the scheme

Target	Action	Owner	Timescale completion	for	Timescale for review
Ensure all staff are aware of NGS policy with regards to equality, including gender equality	Develop equal opportunities framework and communicate effectively to staff	Head of Human Resources	December 07		
Ensure all managers involved in the recruitment process are fully trained	Carrying out training for all managers involved in recruitment	Head of Human Resources	December 07		
Ensure transgender issues are fully taken into account within the NGS	Develop a supportive policy for transgender people	Head of Human Resources	December 07		
Ensure no equal pay issues within the NGS	Regularly carrying out equal pay audits	Head of Human Resources	Every two years		

#### 4. Gathering and using information to assess the effectiveness of our Gender Equality Scheme

Target	Action	Owner	Timescale for completion	Timescale for review
	Annual reporting of staff gender breakdown	Head of Human Resources	Annually	
Ensure gender equality action take place.	Analyse progress and actions and report annually	Director-General	Annually	
Continue to ensure gender equality in the recruitment process	Continue to analyse applicants and successful candidates by gender	Personnel Manager	Ongoing	
Continue to ensure gender equality in the application of family friendly policies	Continue to monitor the application of maternity and other family friendly policies	Personnel Manager	Annually	
Continue to ensure gender equality in outreach programme	Continue to monitor effectiveness of outreach programme	Head of Education	Annually	
Ensure equality in the gender breakdown of visitors to the NGS	Look into ways of promoting male visitors to the NGS	Head of Marketing	Ongoing	

**National Galleries of Scotland  
Equal Pay Policy**

The National Galleries of Scotland is committed to the principle of equal pay, and we aim to eliminate any bias on the grounds of gender, ethnicity, disability or age from our pay systems.

It is in the best interests of the NGS to ensure we have a fair and just pay system. It is important that employees have confidence in the process of eliminating bias and we are therefore committed to working with the recognised trade unions to take action to ensure that we provide equal pay.

Our objectives are to:

- Eliminate any unfair, unjust or unlawful practices that impact on pay.
- Take appropriate remedial action.

We will:

- Implement an equal pay review in line with EOC guidance for employees on the payroll at the time of the audit.
- Plan and implement actions in conjunction with trade unions.
- Provide training and guidance for those involved in determining pay.
- Inform employees of how these practices work and how their own pay is being determined.
- Respond to any grievances on equal pay as a priority.
- In conjunction with trade unions, monitor pay statistics annually.

As a listed public body, NGS has specific Gender Equality duties (please refer to NGS Gender Equality Scheme for more information) and will therefore report on its progress in this area, every 3 years.