

Report for: Cabinet

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| Date of Meeting: | 11 th November 2020 |
| Subject: | Council's response to Black Lives Matter |
| Key Decision: | Yes |
| Responsible Officer: | Sean Harriss - Chief Executive |
| Portfolio Holder: | Cllr Graham Henson – Leader of the Council and Portfolio Holder for Strategy, Partnerships, Devolution and Customer Services |
| Exempt: | No |
| Decision subject to Call-in: | Yes |
| Wards affected: | All |
| Enclosures: | Appendix 1 - Equalities, Diversity and Inclusion Strategic Framework |

Section 1 – Summary and Recommendations

This report sets out the Council’s response to the issues highlighted by the Black Lives Matters movement and the strategic framework for the Equalities, Diversity and Inclusion agenda that will underpin our work.

Recommendations:

Cabinet is requested to:

- 1) To endorse the Equalities, Diversity and Inclusion Strategic Framework
- 2) To note the action to date in responding to the issues raised by Black Lives Matter

Reason: (for recommendations)

To respond to the issues highlighted by Black Lives Matter and address the racial disproportionality experienced by people of black heritage as a first step in a new approach to equality diversity and inclusion in Harrow.

Section 2 – Report

Introductory paragraph

The Borough Plan update report sets out three new corporate equality objectives. The EDI Strategic Framework outlined in this report sets out in more detail the high-level objectives under each of the three strands and our approach and principles behind how we will work. The objectives are to:

1. *Address inequality in life outcomes*
Using the Borough Plan, a comprehensive medium-term strategic vision, we have developed with partners and in consultation with the people of Harrow to ensure that our borough is a place where everyone, regardless of background, can reach their full potential.
2. *Review our services*
Senior leadership will head a thorough review of the way we provide our services. We’ll speak to service users and examine issues of cultural sensitivity, accessibility and any unconscious bias that may affect outcomes for different groups.
3. *Take action as an employer*
To ensure senior management is representative of our communities, examine pay gap issues, put programmes in place to nurture black and minority ethnic talent and review our internal HR policies and practices to ensure they are fair and equitable.

Our overarching ambition for this work is that it will support all protected characteristics. However, in light of the murder of George Floyd, and the Black Lives Matter protests, coupled with the Public Health England report evidencing the disproportionate impact of Covid-19 on people from a BAME background, we will focus our work initially on race and ethnicity to support

the council in its on-going commitment to being an anti-racism organisation. The programme of work will be enhanced through working closely with a range of local agencies, statutory partners and the voluntary and community sector.

Options considered

The Equalities, Diversity and Inclusion strategy being developed will have an initial focus on responding to the issues raised by the Black Lives Matter agenda and is intended to set the foundations for improving the experiences of all our residents and staff. Therefore, no other options have been considered.

Background

Harrow prides itself in being one of the most ethnically and religiously diverse Boroughs in the country with people of many different backgrounds and life experiences living side by side. However, we recognise that the Council can do more to enhance the lived experience and better outcomes for all staff, service users and communities.

Our goal is to address the issues of disproportionality experienced by all protected characteristics. But we are specifically starting with a focus on the disproportionality experienced by those of black heritage as this is where the greatest injustices are currently felt.

Current situation

The current situation is that¹:

- Black people are nearly 10 times more likely to be stopped and searched by police than white people
- Not a single police force in England or Wales registered an arrest rate of less than 20 for every 1,000 black people, by contrast not a single police force registered an arrest rate of more than 20 for every 1,000 white people
- Police forces were 7 times more likely to fine BAME people during lockdown
- White British people have higher than average home ownership rates – nearly double that of black Caribbean people and more than treble that of black African people
- White British students are more than three times as likely to achieve high grades at A-level than black Caribbean students
- Levels of unemployment are at least double for Black people than they are for white people
- Black people are also paid less on average than white people with the average hourly pay for black people being between £9.91- £10.80 and £10.58 - £11.87 for white people

¹ Ethnicity facts and figures service: <https://www.ethnicity-facts-figures.service.gov.uk/>

- People from BAME backgrounds were up to twice as likely to die from Covid than people of white ethnicity.
- In Harrow, you are 7.5 times more likely to be homeless if you are black, than any other ethnic group.²
- Council data shows there is an overrepresentation of Black ethnicity in lower pay bands
- Council data also tell us that absence and exclusions of children of black heritage in Harrow schools are above the national average.

Why a change is needed

The death of George Floyd at the hands of the police in Minnesota, USA has highlighted deep inequalities and systemic racism that still exists in this country and other countries around the world and has left many of our staff and residents feeling hurt, scared and angry. It also comes at a time when we know that Harrow and people from Black, Asian and Multi Ethnic (BAME) groups have been disproportionately impacted by Covid-19. We have reflected on the findings set out in the Public Health England report on the disproportionate impact of Covid-19 in the UK and discussed with trade unions, members and staff about how best to go forward.

Progress to date

We have already undertaken the following actions to date:

Address inequality in life outcomes

- Our proposals to address this include a review of the Borough Plan and the inclusion of an additional theme for Equalities, Diversity and Inclusion. Details of this proposal are set out in Borough Plan Cabinet Report;
- Appointed an Executive Sponsor for race, this is the CEO;
- Appointment of a temporary senior policy officer from the Policy Team to undertake work on this agenda on a full-time basis;
- Established cross-party members' group to provide political insight and strategic direction for our response to the issues raised through Black Lives Matter and the broader Equality, Diversity and Inclusion Strategy for the Council;
- Review corporate equalities groups and processes to inform new working arrangements;
- Development of an Equalities, Diversity and Inclusion Strategic Framework to inform the EDI Action Plan;

² Runnymede Trust 2016

- Some initial work has already begun with the VCS and key stakeholders in response to BLM and to address disproportionality in early intervention services for young people.

Service Reviews

- The process to conduct Service Reviews has begun and the framework for this work will involve:
 - Researching and agreeing a methodology for Service Reviews, which includes the principles of self assessment and independent peer challenge; and in doing so establishing specific Service Review Working Groups to work in partnership with departments and key stakeholders to examine cultural sensitivities and unconscious bias;
 - Undertaking an evidence gathering desk-based research exercise to identify the need to review specific service areas that may disproportionality impact service users or staff from within the BAME community;
 - Initially run a pilot in an area where we can integrate the service review methodology into existing work; for example, a review of our current process in the youth offending service, housing needs, examining our current procurement processes with suppliers and contractors, and a review of the equalities impacts process around restructures.
 - Exploring options on how to improve service delivery and remedial action and proposing an overarching outcome that includes a series of challenging but achievable short term targets over 12 months that can be reviewed quarterly to check for impact and progress against the outcome;
 - Annual reporting of service review against measures of success.

Action as an employer

- Appointed an independent consultant to undertake engagement work with all staff which will result in a recommendations paper that will be presented to CSB;
- The Independent Race Advisor has already introduced himself to the staff base and will undertake a number of staff focus groups in the coming weeks;
- Signed up to the Race at Work Charter;
- Launch of a newly established Black Lives Matter Staff Group, which has been sponsored by the CEO and has already started to undertake

reverse mentoring for Corporate Strategic Board members as well as more recently a series of educational webinars for staff as part of Black History Month (webinars have included Patrick Vernon OBE, Rob Neil OBE, Kim Smith, and the Rt Hon Stuart Lawrence).

- Examining our workforce profile, which has been expanded to include trends in recruitment, internal promotions and 'acting up', and blockages for progression;
- Undertaking work with an external consultant to launch a Race Survey to gather evidence on the experiences of current and former staff (those who left the council less than 6 months ago);
- Signed up to the Business In The Community Mentoring Scheme, specifically aimed at staff from BAME communities;
- Working with London Councils on the categorisation of the terminology of BAME, and consulting on a term that reflects Harrow's diverse population

Implications of the Recommendation

Resources, costs

Currently £100,000 has been allocated for this work; so far the following allocations have been proposed from the budget (where the cost is known):

- Independent race consultant - £50k
- Race survey - £10k
- Mentoring programme - £11k
- BLM Staff Group - £5k
- Business in the Community membership – TBC
- Organisational Development programme – TBC
- Development programme for BAME staff – TBC
- Frontline staff programme – TBC

Staffing/workforce

This work is being sponsored by the Chief Executive and is being formulated by a sub-group of council officers, which includes the Director for HR and the Director for Strategy and Partnerships. On temporary senior policy officer has been appointed from the Policy Team to undertake work on this agenda on a full-time basis.

Performance Issues

There are no performance issues from the proposed recommendations.

Environmental Implications

There are no environmental implications from the proposed recommendations.

Data Protection Implications

There are no data protection implications from the proposed recommendations.

Risk Management Implications

Risk included on Directorate risk register? No
Separate risk register in place? No

Inequalities in Harrow has been a growing concern, and the Black Lives Matter movement has further heightened the need to create a robust response which will lead to improved outcomes for our residents and staff. This strategic framework sets out the high-level commitments that will drive the EDI agenda. There are some risks around community and staff resilience, especially in light of the growing disproportionality of Covid cases within BAME communities.

Procurement Implications

There are no direct procurement implications arising from the recommendations of this report. Any procurement that is required as a result of these recommendations will be undertaken compliant with the Public Procurement Regulations 2015 and the Council Procurement Procedures.

Legal Implications

The Equalities, Diversity and Inclusion agenda is underpinned by the Equality Act, which contains a range of rights, powers and obligations to help the advancement of equality.

Decision makers should have due regard to the public sector equality duty in making their decisions. The equalities duties are continuing duties they are not duties to secure a particular outcome. The statutory grounds of the public sector equality duty are found at section 149 of the Equality Act 2010 and are as follows:

13.2 A public authority must, in the exercise of its functions, have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- Tackle prejudice, and
- Promote understanding.

The relevant protected characteristics are:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race,
- Religion or belief
- Sex
- Sexual orientation
- Marriage and Civil partnership

By the Equality Act 2010 (Specific Duties and Public Authorities) Regulations, SI 2017/ 353 the council is required to publish information to demonstrate its compliance with the Public Sector Equality Duty. The information must include information relating to persons who share a protected characteristic, who are its employees, or who are affected by the council's policies or practices. Publication is required annually.

Under the same regulations the council is also required to set and publish one or more equality objectives to comply with the Public Sector Equality Duty, at least every 4 years.

(1) Each public authority listed in Schedule 2 to these Regulations must prepare and publish one or more objectives it thinks it should achieve to do any of the things mentioned in paragraphs (a) to (c) of section 149(1) of the Act.

(2) The objectives must be published—

(a) not later than 30th March 2018 (subject to regulation 9(2)); and

(b) subsequently at intervals of not greater than four years beginning with the date of last publication.

(3) An objective published by a public authority in compliance with paragraph (1) must be specific and measurable.

Financial Implications

Currently £100,000 has been allocated for this work; so far the following allocations have been proposed from the budget (where the cost is known):

- Independent race consultant - £50k
- Race survey - £10k
- Mentoring programme - £11k
- BLM Staff Group - £5k
- Business in the Community membership – TBC
- Organisational Development programme – TBC
- Development programme for BAME staff – TBC
- Frontline staff programme – TBC

Equalities implications / Public Sector Equality Duty

Where activities are proposals and final business cases are still being developed, EQIAs will be developed to support these.

Council Priorities

This Report contributes towards all Council priorities.

Section 3 - Statutory Officer Clearance

Statutory Officer: Dawn Calvert

Signed by the Chief Financial Officer

Date: 30th October 2020

Statutory Officer: Jessica Farmer

Signed on behalf of the Monitoring Officer

Date: 30th October 2020

Statutory Officer: Nimesh Mehta
Signed on by the Head of Procurement

Date: 3rd November 2020

Statutory Officer: Alex Dewsnap
Signed by the Corporate Director

Date: 2nd November 2020

Mandatory Checks

Ward Councillors notified: NO, as it impacts on all Wards

EqlA carried out: NO

Specific activities, proposals and final business cases are still being developed, once these are confirmed EQIAs will be developed to support these.

Section 4 - Contact Details and Background Papers

Contact: Shumaila Dar shumaila.dar@harrow.gov.uk 020 8424 1820

Background Papers: None

Call-in waived by the Chair of Overview and Scrutiny Committee

NO