

# REPORT FOR: **CABINET**

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<b>Date of Meeting:</b>	15 December 2010
<b>Subject:</b>	Single Equalities Scheme (SES)
<b>Key Decision:</b>	Yes
<b>Responsible Officer:</b>	Paul Najsarek, Corporate Director Adults and Housing Tom Whiting, Assistant Chief Executive
<b>Portfolio Holder:</b>	Councillor Graham Henson, Portfolio Holder for Performance, Customer Services and Corporate Services
<b>Exempt:</b>	No
<b>Decision subject to Call-in:</b>	Yes
<b>Enclosures:</b>	Appendix 1: Single Equalities Scheme (SES) Executive Summary with Action Plan Appendix 2 – Equality Impact Assessment

## **Section 1 – Summary and Recommendations**

This report updates Cabinet on the draft Single Equalities Scheme (SES) and the public consultation which informed the Scheme. The SES covers the Council's approach to taking forward the protected characteristics (Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation) under the Equality Act 2010 and working towards the excellent level of the new Equality Framework for Local Government (EFLG) with a view of achieving the excellent accreditation by March 2012. The Council's approach to equalities is to ensure equality considerations are embedded in all aspects of service development and decision making to improve our services and the customer experience.

**Recommendations:**

That Cabinet recommends to Council the SES including the changes made to the consultation draft as a result of the comments received (Executive Summary attached Appendix 1 full version available with the agenda papers on the website).

Cabinet are also asked to reaffirm the Councils commitment to working towards achieving the excellent accreditation under the EFLG by March 2012.

**Reason:** to ensure equalities is key to service development and decision making, our services are fair and equitable, improve our services, increase customer satisfaction and to comply with the Council's obligations under the Equalities legislation and Public Equality Duties.

## Section 2 – Report

The Council is currently consulting on a new vision and set of corporate priorities. The draft vision is:

Working Together: Our Harrow Our Community

This is underpinned by a draft set of Corporate Priorities:

- Keeping neighbourhoods clean, green and safe
- United and involved communities: A Council that listens and leads
- Supporting and protecting people who are most in need
- A Town Centre to be proud of: changing Harrow for the better

This vision and priorities position the Council as being a place where diverse and vibrant communities can flourish and live together, bound by a strong sense of belonging and community involvement. The vision is to build a community in which everyone can take part and take pride, and where people can have their say on issues that matter to them most.

Harrow is a borough with a very diverse population, particularly in terms of ethnicity and religion and belief, and this generates a range of needs and expectations all of which the Council needs to understand in order to provide appropriate services. As resources become scarcer, it is even more important to understand the community, their needs and aspirations and to be able to get services right first time and at the minimum cost. The Scheme provides a framework for helping to appreciate the characteristics of our community and, at the same time, addressing the various statutory public equality duties.

The Council developed and published its first Single Equalities Scheme (SES) in 2007, and it is now due to be reviewed and updated. At the same time, the new Equalities Act 2010 introduces additional statutory requirements. The advent of the new duties and the need to review our existing Scheme has prompted this SES. In addition, the SES will also assist the Council to achieve the excellent level under the EFLG.

The Scheme provides a context within which the detailed requirements of the various duties will be addressed. It sets the framework for the Council's equalities approach that, together with the programme of equality impact assessments and other specific actions, will fulfil the Council's responsibilities as well as engendering a positive and holistic response to equalities issues.

Cabinet received the draft SES in September this year (at the beginning of the second stage consultation on the draft) and this report brings to Cabinet's attention the analysis of the consultation and the key changes made to the draft as a result of this.

### **Key changes to the draft SES include:**

- The SES now reflects the Council's draft vision and corporate priorities which are currently being consulted upon;
- The SES reflects the new protected characteristics (equality strands) covered by the new Equality Act 2010;
- New workforce profile data to reflect latest annual equalities report;
- Amendments/new actions in the SES action plan;
- Revised corporate programme of EqlA's (Appendix 3 in SES)

### **Consultation**

The SES has been developed through comprehensive consultation and engagement with residents, service users, stakeholders, partners, elected members, unions and staff.

The first stage of consultation took place for 8 weeks from 15<sup>th</sup> February 2010 to 11<sup>th</sup> April 2010 and this included an online questionnaire for residents, service users, stakeholders, partners, elected members, unions and all staff. In addition, two focus groups were held for members of staff in the Civic Centre and two for members of the public and service users. One at the offices of Harrow Association of Disabled People on the 8<sup>th</sup> April 2010 for all disability charities and groups within the Borough and the other on the 15<sup>th</sup> April 2020 at the offices of Harrow Association of Voluntary Services (HAVS) for all other community and voluntary groups in Harrow. The consultation was publicised through a press release, The Grapevine, Members Information Bulletin, directorate newsletters, the council's website and intranet, posters in libraries and community notice boards and emails to voluntary and community groups. The consultation was also publicised on the HAVS website and an

email with a link was sent to all the voluntary and community groups on HAVS database.

The Policy Officer for Equalities and Diversity also attended a number of meetings to consult and raise awareness on the SES. Some of the groups consulted include Harrow Council's Black Workers Group, Staff Lesbian Gay Bisexual Transgender (LGBT) Group, Harrow Council Disabled Workers Group, Staff Carers Forum, Harrow Lesbian Gay Bisexual Transgender Forum, Harrow Association of Disabled People, Harrow Interfaith Council, Harrow Disability Forum, Harrow Youth Parliament and the Older Peoples Reference Group.

The second stage consultation took place for an eight week period from 6<sup>th</sup> September 2010 – 31<sup>st</sup> October 2010 which included an online questionnaire with hard copies available on request. The consultation was open to all residents, service users, stakeholders, partners, elected members, unions and staff and was publicised extensively through a press release, staff newsletters, The Grapevine, Equality Matters (corporate Equalities newsletter), directorate newsletters, community groups mailing lists, Members Information Bulletin and public meetings.

The analysis below summarises the feedback received through both stages of the consultation which helped to inform and develop our Single Equalities Scheme.

## **Stage 1**

### **What do you see as the Council's main strengths in relation to equality and diversity?**

- Employment of Disability Advisor from HAD and Equalities Officer is positive;
- Under One Sky is a brilliant way of celebrating our borough's diversity;
- A workforce that is generally representative of the borough;
- The council is pro-active in promoting equality and diversity and celebrating cultural events;
- Support to staff forums e.g. Black Workers Group is good;
- Corporate Equalities Group is open and transparent;
- Generally, the Council as a whole has good practices and policy in these areas and it is important that it continues to do;
- Community cohesion is strong;
- The Council is good at monitoring and reporting on statistics relating to employees;
- The council is committed to equality and diversity and willing to consult and implement new ideas

### **What do you see as the Council's areas for improvement or development in relation to equality and diversity?**

No	Feedback from employees	Response
1	Equality and diversity are important and need to be mainstreamed across the council	The SES and the action plan aims to achieve this aspiration.
2	Equalities should be central to our recruitment process	The Council agrees and tries its best to ensure its recruitment and selection policies and process is fair and equitable, however we will be reviewing our recruitment and selection toolkit and undertaking an Equality Impact Assessment on this in Dec 2011.
3	<p>Further equality and diversity training is needed for all (especially frontline) staff, especially on LGBT and cultural awareness</p> <p>There should be mandatory equality and diversity training for all managers</p>	<p>We will ensure all middle managers undertake the online EqIA training</p> <p>We will develop and implement a suite of Equality and Diversity e-learning training for all employees as part of Learning Pool</p> <p>We are committed to delivering a mandatory 'Customer First' (Equality and Diversity) training to all front line employees across the council by Dec 2013</p> <p>In order to increase awareness of our Equality and Diversity policies, Public Equality Duties, equalities legislation and their implications on the council, we will produce a 'Diversity at Work' handbook and disseminate to all employees and elected members,</p>
4	The workforce and members are largely representative but need to improve representation across all levels	<p>To improve representative of BAME employees in senior positions, we will develop and implement programmes to support minority employees into senior positions</p> <p>To improve LGBT representation of employees, we will consider signing up to Stonewalls Diversity Champions programme</p>
5	There should be more consultation and engagement with staff on the development of policies and services	The council supports employee support groups such as Harrow Council's Black Workers Group and the Disabled Workers Group who are part of the Corporate Equalities Group and are consulted on major policies,
6	Equality monitoring should be extended to all diversity strands	This has already been identified through the Corporate Equalities Group (CEG) and we are hoping to extend our equality

		monitoring to all diversity strands by Dec 2011 and is an action in the SES Action Plan
7	<p>Vitality profiles need to be shared and publicised widely</p> <p>Improved mapping of communities will improve understanding of the needs of people living here</p>	<p>We will publicise and share Harrow Vitality Reports amongst directorates and partners to assist in service development and agreeing equality objectives</p> <p>We will establish a central point on the council's website (a local intelligence database) to share ward profiles and demographic data with partners to utilise when developing policies, services and agreeing objectives.</p>
8	There should be improved communication and raised awareness of equalities and diversity across the council	<p>We have developed and published Equality and Diversity web pages on the Council's website as well as the HUB (intranet).</p> <p>We have launched 'Equality Matters' which is a corporate Equality and Diversity newsletter for all employees and elected members</p>
9	There needs to be full commitment from all senior managers, staff and members	<p>The SES is a corporate document which will be agreed / adopted by the Corporate Strategy Board (CSB) and Cabinet and sets out the commitment and ownership from all employees, senior management and elected members.</p> <p>The Corporate Equalities Group and Directorate Equalities Task groups will be responsible for implementing the SES action plan thus taking ownership.</p>
10	We need to visit more organisations and schools to talk about what we do at the council, so all people can see and hear	Noted – we will work with Children's Services to establish how we can take this forward
<b>No</b>	<b>Feedback from our communities</b>	<b>Response</b>
11	The Council should be honest and transparent and show full commitment to equalities and diversity	Our SES sets out our three year action plan for equalities which will be published on the Council's website. The annual progress reports will be circulated to the CEG, CSB and Overview and Scrutiny as well as Harrow equalities Centre to monitor our progress and achievements against the action plan.
12	There needs to be a focus on outcomes and reducing inequality	The Council has adopted the Equality Framework for Local Government which focuses on outcomes and reducing inequalities and our SES is based on this framework to assist us in doing this.

13	The Council should work towards a representative workforce at all levels	See number 4 above
14	Ensure equality and diversity training is compulsory for all staff and elected members  Frontline staff should receive specific training to understand needs of service users e.g. Disability and Cultural Awareness	See number 3 above
15	Work with the voluntary sector to deliver equality and diversity training for staff	We already have a contract with HAD who deliver Disability Awareness training for employees and managers; however we will explore this with other organisations too, which is an action in the SES Action Plan.
16	The Council should celebrate diversity with more community events e.g. International Day of Disabled People, LGBT History Month	The Council has a corporate calendar of diversity events which it celebrates in collaboration with the voluntary and community sector. In 2010 we marked International Women's Day, International Day Against Homophobia, Black History Month and are in the process of organising events to mark International day of Disabled People.  The Council also supported celebrations to mark Diwali (the Hindu Festival of lights) and a staff Eid event.
17	The Council should improve communication and engagement with communities	The Council launched the Let's Talk campaign in November to improve engagement with the community. It consists of a series of road shows and open days to listen to the public about their priorities and where the council should be concentrating its resources. The council is determined to listen and lead and Let's Talk is the start of this new process.
18	Extend Hate Crime reporting to all areas of the borough and raise awareness amongst staff, members and communities	We are in the process of extending Hate Crime to cover all diversity strands as well as developing an internal policy and reporting process for employees.
19	Council should develop a community engagement strategy and move away from paper exercises	Noted – The Council is working towards this.
<b>No</b>	<b>Feedback from Partners / Stakeholders</b>	<b>Response</b>
20	We should work in partnership to reduce inequalities across the borough	One of our cross cutting objectives for the SES is reducing inequalities through partnership working and the action plan includes a number of actions which will help us to achieve this.
21	We should develop a central point for data sharing on our communities to set	See number 7 above

	joint equality objectives	
22	We need to raise awareness around equality monitoring and data collation	Noted - we will develop a corporate policy and guidance document on Equality Monitoring for employees and service users.
23	We need clear and concise equality and diversity objectives and policies to be published	Our SES including our Equality objectives for the next three years will be published and available to all. The action plan will be monitored and reported on an annual basis.
24	More research is required around LGBT needs and requirements within the borough	The Council is part of Harrow LGBT Forum and will work with this organisation in researching the needs and requirements of LGBT people and how we can cater for these.
25	There should be more diverse events at Harrow Arts Centre	The Council is working with HAD to host an event to mark International day of Disabled People at the arts centre.

## Stage 2

No	Feedback from our communities	
1	There is discrimination in the Council, efforts are made to eradicate it but other corporate instances support e.g. There is a Black Workers Group in existence but no equivalent South East Asian Workers Group or White Workers Group - this is discrimination.	<p>The Council encourages worker support groups where staff feel that they are or may be subject to discrimination. The existing pattern of support groups has been in place for some years and appears to cater for staff needs as there have been no requests for changes.</p> <p>Any requests for additional or different support groups will be considered on the basis of evidence of demand, unfair treatment or adverse impact.</p>
2	Forcing equality will only cause tensions. Scheme lacks scrutiny and input from those with differing views	As a Local Authority we have a duty to promote equality of opportunity and tackle discrimination. The SES has been consulted on widely and to all equality groups who have had an opportunity to influence this.
3	The word "equality" is being used as a cover up for inequality against non "BAME" and non Muslim people. Harrow's policy is divisive. Special help for old and disabled people? Yes brilliant. Dividing people up along racial and religious lines to ensure they remain segregated in their own communities and do not integrate into British life? Absolutely disgusting.	The Council's Single Equality Scheme is designed to alleviate discrimination and disadvantage and applies to anyone and everyone who experiences it.
4	To be equal to everyone you need to consider everyone - this means NOT providing only Halal meat in schools -	The Council's Single Equality Scheme addresses the particular requirements of people according to the protected



	<p>only Muslims are required to eat Halal meat - if you feel you must offer it then you must also offer Kosher meat for Jewish children and 'regular' meat for everybody else - this is the only way to be equal to everyone. The only other acceptable option is to go back to how things used to be and only provide 'regular' meat as the meat option as we live in a Christian country - once you choose one religion to support over all others, aside from Christianity, you are alienating everybody else.</p>	<p>characteristics defined in the Equality Act 2010 which includes religion or belief. The Council will seek to ensure schools have relevant information on the needs of the diverse community in Harrow to enable them to make informed decisions which will best meet the needs of their school community and ensure that all children have access to a nutritional meal at lunchtime</p>
5	<p>Developing modern &amp; diverse workforce is inherently racist and unfair. Hiring practices should be based on MERIT not race. If there is a lack of qualifying minorities, they should be encouraged to pursue training and further education. Awarding a job to a minority to achieve a quota is insulting to them and robs a more qualified candidate of a job opportunity because they are not a minority (reverse discrimination)</p>	<p>The Council makes all appointments on merit. However, it also seeks to generate applications for employment from all sections of the community and has an ambition to have a workforce that reflects the community by gender, age and ethnicity. A workforce that reflects the community is best placed to understand that community and to best fulfil its needs.</p>
6	<p>Positive discrimination and targets to employ more "BAME" people is racist. Why are you so obsessed by skin colour!? Skin colour should not matter, a person's ability to do the job should! In addition it creates a culture of resentment amongst white people who will think a "BAME" person only got the job due to their skin colour.</p>	<p>See number 5 above</p>
<b>Feedback from our employees</b>		
7	<p>I think this is excellent and about time that this happened with in the Local Authority. As an ethnic minority myself I have not felt the promotion of equalities and diversity as a serious subject reflected in the day to day working. Working in another large organisation there was training in this diversity to all staff and also opportunities for positive action for people from the under represented community - such as recruitment and selection, internal promotion and further development. I personally do not feel that the Senior Management Team is represented by a diverse community and staff in the Council and that there could be more room for improvement - such as development opportunities, future</p>	<p>The 'Developing a Modern and Diverse Workforce' section of the action plan shows the actions we will take to address this.</p>

	promotion schemes and seeing a more diverse workforce in the Management realms.	
8	Principles and values are irrelevant without a change in culture, actions and outcomes. Harrow always talks a good job but fails to deliver in relation to equalities. These things merely appear to paper exercises to keep the wolves from the door. There is a lack of will by senior managers which cascades down to lower tiers of management. This is how the culture is maintained, particularly in relation to race and ethnicity.	The Council has set an ambitious target of achieving Excellent status against the new Equalities Framework by March 2012. To achieve this will require the positive support of all employees.
9	Committed and dedicated leadership by senior managers. More transparency and scrutiny of processes and actions. Too often senior managers can 'spin away' their questionable actions without sanction. Moreover the scrutineers are generally 'cut from the same cloth' as the scrutinees and therefore the outcomes are predictable. I therefore propose a diverse panel of individuals made up of differing pay bands and disciplines (possibly including resident/voluntary groups) to be set up to act as scrutiny board.	See 8 above.  The Council has a Scrutiny process which has already considered the Single Equalities Scheme and will continue to examine progress against it. Achieving the Excellent Standard will require the independent verification of the Council's achievements through a Peer Review
10	The budget for making adjustments for those with disabilities should be held centrally. While this is not in Harrow, all equality measures required are done at the expense of other work or schemes. This discourages managers to respect equalities.	Noted – this will be raised at the Corporate Equalities Group for discussion
<b>Feedback from Local Businesses</b>		
11	I believe the document outlines in great detail the Council's objectives, having this in one document is a really good idea and shows the value Harrow put's in it's equality policies.	Noted
<b>Community Groups</b>		
12	With regard to the voluntary sector, perhaps it might be worth ensuring that all groups applying for funding should have policies on for example, LGBT equality and are able to demonstrate that they are reaching all BAME groups effectively (unless they are providing a service to a single community group only).	Organisations in receipt of grant funding for 2010/2011 were asked as part of the application process to confirm (and subsequently supply) a written statement of commitment to equal opportunities. Furthermore in their application organisations are asked to indicate which groups will benefit from their activities with responses requested for ethnic group, gender, age and disability. As part of the

		<p>monitoring process information is collected about Service Users/Beneficiaries under the following headings: ethnic groups, gender (male, female, trans male, trans female), age, sexual orientation, religion or belief. For some organisations information will not only be collected about beneficiaries, but will also include Management Committee members, Staff and Volunteers. Depending on the style of monitoring in place for the grant, organisations are also asked to comment on any changes/improvements made in equalities and access, particularly if recommendations were made in the previous monitoring visit.</p>
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### Consultation Feedback from HAD

Report content	feedback	Response
<p>Executive Summary page 2</p>	<p>Under what is Diversity? I'd have thought strictly speaking diversity simply means difference not valuing difference. I think it's better to state that it just means difference and that in Harrow that is seen positively, or is wanted to be seen positively, and to be valued.</p> <p>Also applies to page 11 of main report</p>	<p>The concept of diversity encompasses acceptance and respect. It means understanding that each individual is unique, and recognizing our individual differences, therefore it would be important to value differences such as race, age etc</p>
<p>Introduction Page 4-10</p>	<p>Clear and user friendly.</p> <p>Good borough stats used.</p> <p>However, on page 4 the second paragraph states 'the Council went beyond the legal requirement to develop and publish Equality Schemes....' this statement of going beyond the duty is a twisting of the truth. No follow up or action ever took place and those Duties were written at the last minute with almost no time for decent consultation, and were never used or updated as far as I can see. They merely decorated the website as far as I can see, for those who were ever able to find them in the first place. I</p>	<p>Noted – amendment made</p>

	<p>feel that this phrase is so disingenuous that it calls the real effort which I believe has gone into consultation and planning of this SES into doubt, if the comparison is the last one. Whilst I don't expect any boasting about not following up or not taking it seriously I don't think you should be implying good practice where there was more poor practice than good - best to just take out, I'd say.</p>	
<p>Page 16 &amp; 17</p>	<p>It's not easy to comment on staff issues as:</p> <ul style="list-style-type: none"> <li>a) many staff are not aware they are disabled,</li> <li>b) some don't want to be considered disabled, and</li> <li>c) some are scared about repercussions to their job security if they declare their disability - often with no reason, sometimes with good reason.</li> </ul> <p>In the role as DA, I came across all those situations and also many where manager and staff member wanted to put things right, but didn't know how, although when helped to recognise what could improve situation, all accepted support readily.</p> <p>From the recent DWG group meeting in October 2010 a query was made as to the content of the proposed Employee Self Service and as to who would have access to it. This service is hoped to provide an opportunity for people to update their status with regard to disability (as there is currently no other means for this after the initial information collection in the recruitment process) and the issue of who has access may well determine if people are willing to declare a disability and accordingly how well the needs of disabled staff can be met in the work place.</p>	<p>Noted</p>
<p>Page 19</p>	<p>It's hard to know what to recommend around the double tick - it may well attract some disabled people who are unaware of what this implies. The words on it are insulting 'positive about disabled people' -</p>	<p>We appreciate your feedback, however the Council would like to continue to be assessed against this national standard.</p>

	would you feel it necessary to tell the world you are 'positive about Asian women' or 'positive about black people'? Also the standards set by this are insultingly low, and prove nothing around an organisation's attitude except to raise concern amongst aware disabled people that you might be doing this because you seriously think it is positive, rather than just as a sales gesture, which I think people can understand.	
Page 20 & 21	<p>I think e-learning will be popular as it takes less time and no-one is challenged on their values, but values driven training should make a real difference in the way people approach their work, and it's hard to see how e courses generally can do that. Ones used by council in recent past certainly seemed non challenging and extremely limited in value, although have not looked at them for some months. People need to explore issues and I feel that real life training in one area of equality can help people develop more in other areas, as principles are similar, than lots of different strand e courses.</p> <p>I fear that e-learning misses out on what people can learn from interacting with each other and I suspect participants retain less compared to a live and interactive training session.</p>	We will also continue to provide classroom equality and diversity training; e-learning is just one element of the training programme and we will monitor its usage.
Page 22	It is great to have all EIA's published.	Noted
Page 23	The first and second paragraphs re level 4 - I think it would gain a lot of respect locally if it was admitted that the council's declaration of attaining level 4, notably through internal assessment, was a questionable decision to have made.	Level 4 of the old standard did not require an external assessment.
Page 23	Procurement - what steps are taken if contracted organisations do not comply with their equality commitments, what action is taken? Applies to all, but	The Council is in the process of reviewing its Procurement Strategy and we will ensure equalities is build into the monitoring process of all contracts. (See

	especially to large contracts and SLA's where figures evidenced are more meaningful.	Action is SES Action Plan)
Page 24 & 25	The point re increase from 51 to 56% in signage to accessible toilets is excellent news!	Noted
Page 26	States HAD Harrow Association FOR the Disabled - it needs to be changed to Harrow Association OF Disabled people	Amendment made
Page 27	The Disability Forum hardly meets and is not owned by disabled people, I think it needs to be on the action plan. The Disability Advisor Role has worked to support this group and is currently looking to promote it widely with a view to re-electing key roles within the group.	Noted – action included in the Action Plan
Page 28	I think instead of being on a list of accomplishments the HSP could maybe be on the action plan?	The Action Plan is primarily a Council one. However, if the Single Equality Scheme is adopted, it is intended to identify actions for the Partnership to consider to complement the Council's action.
Page 35	last bullet point - 'not refuse to fund a group or activity that they would otherwise fund simply because of ....' - should people be expected to share activities with others outside of their own group, even if the target group is specific, at least for social occasions where doing so would not put anyone vulnerable at risk?	This simply states that under the Employment Equality (Religion or Belief) Regulations 2003 we cannot refuse to fund a group or activity that we would otherwise fund simply because of the religion or belief of the group, or put barriers in their way because of their religion or belief.
Page 38	Paragraph 3 - academically the CE is the lead in that he is the lead for all council initiatives, even small ones he has never heard of, but actually I think in this case, this is just academic, and wonder if it would be more useful to name the lead for the Corporate Equality group?	The lead for the Corporate Equalities group is named in paragraph 5
SES Action Plan Page	Detailing the Action Plan - useful overview, it may be of interest to people to get more detail in certain areas, could they contact the responsible people?	Officers may leave / change and therefore people wanting further information can contact the Equalities Officer who could liaise with the relevant officer(s) and obtain

<p>40 on wards</p> <p>Page 50</p> <p>Feedback from DWG</p>	<p>Under the table heading – Reduce inequalities through corporate commitment and partnership working – the row detailing within the housing strategy and the Universal Advice Information Strategy - great to highlight the importance of user led organisations (in this case HAD is detailed), but other organisations are involved which have useful roles in this area and you could mention them.</p> <p>With reference to feedback from disabled staff members concern was expressed at there being no specific mention of issues that are of most importance to them. I make particular reference to how a disabled employee can negotiate with managers to get 'reasonable adjustments' within the workplace and how their disability related sickness is dealt with under the capability procedure. The Disability Advisor role is paramount in such situations in so far as is possible, bearing in mind some of the barriers to this process (as stated in the feedback on pages 16 &amp; 17). Employers are also to be encouraged to consult HR and the DA for support. The Capability Procedure is to have a major review in early 2010 and this will be an important time for consultation on its impact for disabled staff and an opportunity to use the new format EqIA.</p>	<p>the information required.</p> <p>Noted – we will ensure an EqIA is completed as part of this review and both staff and managers briefed on the support available.</p>
<p>Appendix 3</p>	<p>Good to have responsible names available, one of the things which stops equalities from being effective is how hard it is to get recognition of responsible people.</p>	<p>Noted</p>
<p>Appendix 5</p>	<p>The table is really useful, and appropriate.</p>	<p>Noted</p>
<p>Appendix 6</p>	<p>The glossary is excellent.</p>	<p>Noted</p>

<p>General points</p>	<p>I think this is really well written, and I am delighted with the focus on action planning and responsibilities. It would be good to be linked in some way to continued departmental work, which is where the actions start to be more meaningful.</p> <p>I'd like to see a bit more about the new HEC.</p> <p>Also I think an important issue for the future will be dealing with issues where there are conflicts of interests between different equality strands. I think that needs some attention.</p>	<p>Noted – the SES was drafted before the HEC was established, however there is now more information on the HEC and their role in monitoring and reviewing completed EqIA's and the SES Action Plan.</p>
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### **Equality Framework for Local Government (EFLG)**

The SES has been developed against the EFLG and will also assist the Council to achieve the highest (excellent) level of the framework.

The EFLG superseded the Equality Standard for Local Government (ESLG) and is a performance and improvement framework to enable local authorities to embed and mainstream equalities across the organisation. It builds on and develops the work councils have done on the old ESLG. It also:

- focuses more on outcomes and service improvements rather than processes;
- will enable authorities to take account of local needs and circumstances;
- integrates the public duties of race, disability and gender;
- highlights the role of local authorities and partners in challenging inequality in their communities;

### **Our progress**

The Council is currently at level 4 of the old ESLG. Level 4 of the old standard translates to the 'Achieving' level of the new framework. The Council has now set itself a target of achieving the 'Excellent' level of the new framework by March 2012.

An internal assessment against the requirements of the 'Excellent' level was undertaken to establish our position as well as identifying gaps. This included a workshop with members of the Corporate Equalities Group (CEG) and evidence templates submitted by the key corporate areas reflecting the performance areas under the Framework. Each directorate was also asked to assess their areas against the excellent criteria to establish potential areas for improvement and identify actions to incorporate in SES Action Plan.



The findings from these assessments and the feedback and comments received from the consultation have informed the draft SES and the proposed cross cutting objectives of the Scheme, which are to:

- Develop a modern and diverse workforce to reflect the community we serve;
- Improve the data the council has on its residents and service users so all decisions can be taken and services developed in light of strong intelligence;
- Ensure that residents, service users and staff can influence decisions through effective communication and engagement;
- Deliver responsive services, improve customer care and increase customer satisfaction;
- Reduce inequalities through corporate commitment and partnership working;
- Promote diversity and community cohesion both within the council and the borough.

The SES has been based around the five performance areas of the EFLG to assist the Council to achieve the 'Excellent' level of the Framework.

### **Benefits of achieving excellence**

Achieving 'excellence' will not only support the council's vision and embed equalities in the Better Deal for Residents Programme, but will also have many other benefits, which include:

- Ensuring we have an in depth knowledge and understanding of our communities and their specific needs so our services are tailored around the needs and requirements of our service users;
- Helping to demonstrate that unavoidable spending reductions have been determined as fairly as possible;
- Ensuring our services for both staff and service users are fair, equal and accessible;
- Contributing significantly to delivering efficient and improved services;
- Embedding Equality Impact Assessments in service development and the council's transformation programme, resulting in improved and accessible services;
- Working in partnership to tackle inequalities within the borough resulting in better life chances for all;
- Enhancing the council's reputation for being recognised as championing equality and diversity and promoting community cohesion;
- Contributing towards other performance frameworks;
- Increasing satisfaction levels of our staff, residents and service users;
- Increasing satisfaction for staff and members as being part of a reputable organisation championing equality and diversity;
- Fulfilling legal requirements.

The purpose of the EFLG is to mainstream and embed equalities in all our functions and services. This will also support our BDFR Programme to ensure

we understand our communities and their needs; consult and engage with our service users and deliver responsive services and customer care more effectively and efficiently.

## **Options considered**

The Council could have separate schemes for each Equality Strand. This was the pattern for addressing equalities issues prior to 2007 when the view was taken that bringing the strands together made a greater impact as well as making it easier to access the Council's equalities policies and proposals for action. These arguments still hold and a SES has again been prepared.

The EFLG is no longer a statutory requirement and the Council can decide not to be externally assessed against it. However, adopting the EFLG will not only assist the Council in embedding and mainstreaming equalities in all our services but will also safeguard us against four key risks:

- Reputation – delivering poor services to those who are discriminated against or whose dependence upon services is great can lead to a loss of reputation as can discriminatory workforce practices.
- Financial – managing complaints, ombudsman cases, redress, judicial reviews, employment tribunals and court cases are hugely costly even before any costs are awarded. The long-term costs of not providing adequate services for people in need and in discriminating against people can be huge. Properly focused preventative services can reduce the need for costly intensive support.
- Democratic – with an increasingly diverse electorate there is increasing pressure for equitable outcomes. Poor outcomes can lead to a loss of confidence in public bodies.
- Legal – the Council as a public body has statutory duties in relation to equality issues. If the Council is successfully challenged for failing to adhere to these duties, the Court can set aside the decision and mandate an alternative course of action, as well as award damages.

## **Legal Implications**

In relation to Race, Disability and Gender equality the Council is legally required to publish an equality scheme. Regulations set out certain matters which must be included in such a scheme. Failure to publish such a scheme can lead to enforcement action by the relevant commission (Equality and Human Rights Commission).

The Equality Act 2010 received royal assent in April 2010. However, not all aspects of the new legislation have yet been brought into force. With regard to the existing duties in relation to race, disability and gender, the basic framework of protection against direct and indirect discrimination, harassment and victimisation in public services and functions was brought into force on 1 October 2010. However, the new Public Sector Duty, which widens the

overarching duties in relation to race, disability and gender to include age, religion or belief and sexual orientation (and makes clear that it also covers pregnancy and maternity and gender reassignment which were implied under the Equality Act 2006), is currently being consulted on and is expected to come into force in 2011. The Government has announced that the proposed duty in relation to socio-economic disadvantage will not be brought into force.

## **Equalities implications**

A full Equality Impact Assessment (Appendix 3) has been undertaken for the SES which has not highlighted any potential adverse impact but the SES and the action plans will not only meet the specific requirements of the Public Equality Duties but ensure our services are fair and equitable and improve our services.

## **Financial Implications**

The proposed actions contained within the SES form part of current or developing Directorate Service Plans which are the basis for budget preparation. The SES action plan has been developed through Service Improvement Plans and contributions from directorates. The financial costs will be contained within existing budgets.

## **Performance Issues**

The principle measure of performance in equalities will be the level that the Council achieves against the new equalities framework for local government. There are three levels - emerging, achieving and excellent – and the Council is committed to seeking to achieve excellence by March 2012.

The action plan within the SES will contribute to achieving this target. To monitor performance and implementation of the SES, an annual progress report on the SES action plan will be submitted to the Corporate Equalities Group (CEG), CSB, the Overview and Scrutiny Committee and Cabinet.

## **Environmental Impact**

There are no direct environmental impacts of this decision, but the extension of the duties to include socio-economic deprivation is relevant to work associated with affordable warmth and fuel poverty.

## **Risk Management Implications**

There are no direct risk management implications of this decision.

## Corporate Priorities

The SES will support our corporate priorities by improving support for vulnerable people and building stronger communities by demonstrating our services are fair, equitable and accessible and where possible enhance and adapt our services to cater for people with special needs such as a disability.

### Section 3 - Statutory Officer Clearance

Name: Steve Tingle	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 1 December 2010		
Name: Sarah Wilson	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 2 December 2010		

### Section 4 – Performance Officer Clearance

Name: Alex Dewsnap	<input checked="" type="checkbox"/>	on behalf of the Divisional Director Partnership, Development and Performance
Date: 2 December 2010		

### Section 5 – Environmental Impact Officer Clearance

Name: John Edwards	<input checked="" type="checkbox"/>	Divisional Director (Environmental Services)
Date: 1 December 2010		

## **Section 6 - Contact Details and Background Papers**

**Contact:** Mohammed Ilyas, Policy Officer, Equalities and Diversity  
Tel: 020 8424 2322

### **Background Papers:**

Equality Act 2010

**Call-In Waived by the  
Chairman of Overview  
and Scrutiny  
Committee**

**NOT APPLICABLE**