

**CABINET – 19 APRIL 2016****DRAFT EQUALITY STRATEGY 2016-20 AND PROGRESS
REPORT FOR 2013-2016****REPORT OF THE CHIEF EXECUTIVE****PART A****Purpose of the Report**

1. The purpose of this report is to advise the Cabinet of the progress made in respect of equality, diversity, community cohesion and human rights against the Council's 2014-16 Equality Action Plan, which supported the 2013-16 Equality Strategy, and to seek approval to commence consultation on the revised draft Equality Strategy for the period 2016-2020.
2. The Equality Strategy provides a framework for the Council's equality, diversity, community cohesion and human rights activity, and is supported by annual Action Plans. A report on the progress against the Equality Action Plan for 2014-16 is attached as Appendix A to this report and the draft Equality Strategy for 2016-20 is attached as Appendix B.

Recommendations

3. It is recommended that -
 - (a) The progress made in promoting equality, diversity, community cohesion and human rights, and in particular the work done to achieve the nine corporate equalities objectives which were agreed in 2012 and which formed the basis of the Equality Strategy 2013-16 be noted;
 - (b) The Council's draft Equality Strategy 2016-2020 and the associated draft Action Plan for 2016/17 be approved for consultation;
 - (c) The Council's commitment to the current equality objectives is re-stated in the meantime;
 - (d) A further report is submitted to the Cabinet at its meeting on 17 June 2016.

Reasons for Recommendations

4. To note the progress that has been made with regard to the equality, diversity, community cohesion and human rights work of the Council.

5. To enable formal consultation to be undertaken with a wide range of stakeholders via a range of consultation and engagement mechanisms.
6. To ensure that the Council continues to meet its Public Sector Equality Duty whilst preparing and consulting on revised objectives for 2016-2020.
7. To inform the Cabinet of the results of the consultation and changes made to the Strategy and Action Plan arising as a result.

Timetable for Decisions

8. The draft Equality Strategy 2016-2020 and the draft Equality Action Plan will be considered by the Scrutiny Commission on 15th June 2016 and its comments will be reported to the Cabinet on 17th June 2016. It is intended that the final draft will be submitted to the County Council for approval at its meeting on 29th June 2016.
9. Consultation with Council staff and the public will take place from 25 April to 27 May, in the form of lunchtime events and consultation on the County Council website. An all-Member Briefing which will be held in June (the date to be confirmed).

Policy Framework and Previous Decisions

10. The Equality Act received royal assent on 6 April 2010 but many of its provisions were brought into effect through the Public Sector Equality Duty in April 2011. The Act outlines three core duties which require public bodies to have due regard to the need to:
 - i. Eliminate discrimination, harassment and victimisation;
 - ii. Advance equality of opportunity between people who share a protected characteristic and those who do not;
 - iii. Foster good relations between people who share a protected characteristic and those who do not.
11. The Council is required to produce an Equality Strategy to demonstrate how it is meeting its statutory duties regarding equality and diversity. Various equality strategies, schemes and plans have previously been approved by the Cabinet. The current Equality Strategy was approved by the County Council in 2013. This revised Strategy builds upon each of these and also strengthens the Council's approach to using evidence to identify areas of need. This is to ensure that the work it does can be prioritised and people with different protected characteristics can be best helped in the most cost effective way.

Resource Implications

12. There are no immediate resource implications arising from this report. In the short term the Strategy will be progressed utilising existing resources.

Circulation under the Local Issues Alert Procedure

13. The report has been circulated to all members of the County Council via the Members' News in Brief Service.

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PART B

Background

14. As explained in paragraph 10 above, the Equality Act sets out three core duties for public bodies. The County Council is required to produce an Equality Strategy to evidence how it is meeting its statutory duties regarding equality and diversity.
15. Under the Equality Act 2010 (Specific Duties) Regulations 2011 local authorities must also:
 - Prepare and publish one or more objectives they think they should achieve to do any of the things mentioned in the aims of the general equality duty by 6 April 2012, and at least every four years thereafter (by April 2016).
 - Ensure that those objectives are specific and measurable.
 - Publish those objectives in such a manner that they are accessible to the public.
16. The Council intends to re-state its commitment to the current equality objectives, where relevant, whilst it is preparing and consulting on revised objectives for 2016-2020 in order to fulfil this requirement and, as indicated above, intends to have renewed equality objectives agreed and published by mid-July 2016.
17. The current objectives are as follows:
 - **Objective 1:** Understanding the employees of Leicestershire County Council so that it can instigate actions that ensure fairness and equality of opportunity for all
 - **Objective 2:** Demonstrating equality in pay at Leicestershire County Council
 - **Objective 3:** Ensuring that equality analysis is undertaken on all new and significantly changed policies, functions, procedures and services to mitigate adverse impact
 - **Objective 4:** Promoting equality and diversity at all levels within Leicestershire County Council
 - **Objective 5:** Reduce the number of hate incidents and increase levels of hate incident reporting across the County
 - **Objective 6:** Encourage and empower underrepresented groups and individuals to participate– in society, their community and at work
 - **Objective 7:** Encouraging engagement and communication with people in the most appropriate and accessible ways

- **Objective 8:** Enhance understanding of equality, diversity, human rights and community cohesion issues within all areas of Leicestershire County Council
- **Objective 9:** Empower communities across Leicestershire to have and develop high levels of cohesion, tolerance and resilience
- **Objective 10:** Strengthening and developing equalities bodies/structures and embedding equality and diversity within the Leicestershire Together integrated commissioning structure

Progress against the Equality Strategy 2013-2016

18. The progress towards actions identified in the 2014-2016 Equality Action Plan (which supports the existing Strategy) is broadly on track. The paragraphs below set out highlights and also identify some areas where the need for further work has been identified. A detailed progress report is attached as Appendix A.
19. **Highlights 2014-16:**
 - Leicestershire County Council has been ranked as the top Council in the Stonewall Workplace Equality Index and placed 7th out of over 400 organisations. Some of the outstanding work towards improvements in Lesbian, Gay, Bisexual (LGB) policy and practise over the course of the past year has included a good practise guide for managers on managing LGB staff, work with partners in the police, ambulance service and fire and rescue service to identify and celebrate Lesbian, Gay, Bisexual and Transgender (LGBT) role models across Leicestershire, and the publication of 'Monkey's Family', a picture book for young children who have been adopted by same-sex couples to explain the adoption process and why people might have two mums or two dads.
 - The 2015 Staff Survey shows 91.9% of staff agreed 'the Council is committed to Equality and Diversity'.
 - Equality and Human Rights Impact Assessments (EHRAs) - a process to consider how proposals, such as changes to service provision, might affect residents and employees - have been successfully embedded across the organisation.
 - An officer Consultation and Engagement Group has been established to look at high-risk EHRAs.
 - The adoption of innovative approaches such as equality and diversity actor workshops, which have received positive feedback.
 - An LGBT awareness briefing session for Members in 2015, which prompted some Members to express an interest in becoming 'straight allies'. A straight ally is a term used to describe a heterosexual person who believes that lesbian, gay and bisexual people should experience full equality in the work place.

- A new interpretation and translation service contract which allows the Council to meet better the needs of service users, and training has been provided to front line staff.
- The Council has held a number of Equality and Diversity related events, including conferences and commemorative events, for example, the LGBT Workers' Group Conference, the Black Workers Group Conference, International Women's Day Conferences and a Holocaust Memorial Day Event. The Council has also been involved in joint events, such as the LGBT flag raising event with Leicester City Council for LGBT history month.

20. Issues identified in progress report against 2014-16 Action Plan

- Self-declaration refers to employees providing details about a range of characteristics, such as gender, ethnicity, age, disability, religion and sexual orientation. Improving rates of self-declaration will mean that the Council can better understand the make-up of the work force. The rates of self-declaration by Council staff have remained fairly static throughout the period of the existing Strategy. The opportunity to strengthen future equal pay audits using the data held by the Authority on a range of protected characteristics is also largely dependent upon improving rates of self-declaration in the long term. This has been identified as an area for continued work under the Equality Action Plan 2016-17.
- Workforce Equalities information has been published quarterly as part of the Council's performance reporting mechanisms on the Customers and Corporate Health dashboard and annually as part of the Annual Performance Report on the Leicestershire Statistics and Research website. However, this information could benefit from being more clearly signposted and the presentation of equalities analysis could be improved to make it more accessible to the public.
- A revised approach to representative recruitment to include disabled and LGBT members of staff on recruitment panels was explored. However, this was untenable due to low interest in the expanded scheme. The approach to representative recruitment will be reviewed regularly; however, there is not sufficient interest currently to enable the Council to pursue this area of work.
- In order to promote effective monitoring of EHRIAs and improvement plans, it was agreed that a checklist would be developed and it is considered that further work to ensure consistent checklists are used across the organisation would be beneficial. Future work will also need to take into account how the Council can ensure effective quality assurance of all EHRIAs in addition to high-risk EHRIAs.
- The Council is currently unable to monitor accurately the uptake of equality and diversity training as the system does not take into account factors which will affect the statistics, such as number of leavers. A new Learning and Development System, 'The Hub', is being implemented in June 2016 which will improve monitoring.

21. All areas of concern identified above are addressed in the draft Equality Action Plan for 2016-17.

Draft Equality Strategy 2016-2020

22. The draft Equality Strategy 2016-2020 provides a policy context for the County Council's activity around equality, diversity, community cohesion and human rights. It sets out how the Council will meet its legislative duty and the intention to develop equal and fair decision making processes, policies and services for all employees and residents.
23. The draft Strategy will be reviewed and refreshed in line with the Council's statutory duty to prepare and publish one or more equality objective/s at least every four years. Therefore, the draft Equality Strategy covers the period 2016-2020.
24. The draft Strategy takes into account the Equality Act 2010 and the County Council's legislative requirements under the Public Sector Equality Duty (PSED), developments in relation to the contents of the previous Strategy, and the Authority's equality-related work over the course of the last three years.

Draft Equality Action Plan 2016-2017

25. The draft Equality Action Plan 2016-17 supports the overarching aims of the draft Strategy. It will be reviewed and updated annually, however there are some areas of long-term work which are likely to continue in future action plans.
26. The draft Action Plan is largely based on areas of specific need which have been identified by, for example, workforce representation analysis, results of the Staff Survey 2015, feedback from the workers' groups, and demographic information about the population of Leicestershire.
27. The Council's aim is to strengthen an evidence based approach to identifying areas of work and specific actions, allowing it to target work where it is needed most and to monitor more effectively its progress in identified areas. By concentrating on areas of work where the equalities impact or risk is potentially higher, it can continue to maintain the highest standard of outcome in the most cost effective way.

Key areas covered by Draft Equality Action Plan 2016-2017

Equality monitoring

28. The Council has previously committed to annually reviewing workforce equality targets for age, disability, race, gender and sexual orientation with quarterly reporting of workforce representation targets to Chief Officers.
29. There are key improvements that can be made to the quality, accessibility, usefulness and comprehensiveness of the data available. The improved use of evidence to underpin Equalities policy work will ensure that any intervention,

positive action initiative or training can be targeted at areas where there is a demonstrated need. The overall aim is to increase the likelihood that targeted interventions are effective and make a significant difference.

30. In some areas, more detailed analysis may be required. For example, workforce representation analysis highlights where there is disproportionate representation, but does not give reasons for this (for example whether under representation is as a result of an issue in recruitment, opportunities for development, or retention). The Action Plan includes an on-going commitment to identify areas where more detailed analysis is needed and to respond to any issues that are identified.

Self-declaration

31. Without comprehensive data on the protected characteristics of the workforce, it is difficult to draw meaningful conclusions from workforce analysis. In order to improve such data the Council needs to improve rates of self-declaration, particularly for protected characteristics that has a low rate of declaration such as sexual orientation.
32. Engagement with the Workers' Groups highlighted the need to improve self-declaration rates as a priority. The three emerging themes identified were:
- The need to build trust, particularly in terms of confidentiality of information and how personal data is used.
 - That a stigma might still be attached to declaring particular protected characteristics.
 - A lack of understanding by staff as to why self-declaration is important.
33. The draft Action Plan identifies specific actions to respond to these concerns, for example, to develop and implement a communications plan and to develop a guidance and information sheet responding to the issues raised by the Workers' Groups in relation to self-declaration.

Gender Identity and Self Declaration

34. Currently, there is no workforce monitoring around gender identity. One of the areas of future work identified as part of Leicestershire County Council's 2015 Stonewall Equality Index submission was to increase levels of self-declaration around gender identity, a sensitive area of work which requires careful consideration. Therefore, the draft Action Plan commits to starting to build a foundation for addressing some of the inequalities faced by trans people (a trans person is a person whose gender identity does not match the biological sex that they were assigned at birth), by including gender identity as an option for self-declaration.

Supporting employees who have a disability

35. Evidence suggests that more support may be required to ensure that members of staff who have a disability feel equally valued. The Council plans to take an

approach which champions the benefits of a diverse workforce, with a focus on disability. This includes actions around recruitment, positive action initiatives, awareness raising and the review of relevant policies and procedures.

Developing, delivering and reviewing services

36. The Council has maintained its commitment to EHRIAs as a means of identifying whether any new or significantly changed policies, practices, procedures, functions and services may have an adverse impact on a particular community or group of people and whether the human rights of individuals may be affected.
37. The Council values the basic human rights set out in the Human Rights Act 1998. A focus on human rights and key values, such as dignity and respect, can lead to better, more informed decisions. The Authority will continue to ensure that human rights are integral in the development, delivery and review of services, in particular when service reductions need to be considered.
38. The Human Rights Act 1988 sets out the fundamental rights and freedoms that individuals in the UK have access to. They include:
- right to life
 - freedom from torture and inhuman or degrading treatment
 - right to liberty and security
 - freedom from slavery and forced labour
 - right to a fair trial
 - no punishment without law
 - respect for your private and family life, home and correspondence
 - freedom of thought, belief and religion
 - freedom of expression
 - freedom of assembly and association
 - right to marry and start a family
 - protection from discrimination in respect of these rights and freedoms
 - right to peaceful enjoyment of your property
 - right to education
 - right to participate in free elections
39. There is an ever increasing emphasis being placed on the Human Rights agenda and its links to equality and diversity, with the expectation that authorities will be explicit as to how they are ensuring that people's human rights are being met. Human rights were a key component of the Equality Strategy 2013-2016 and the link between human rights agenda and equality and diversity has been strengthened with a human rights approach being embedded in the EHRIA process. The draft Action Plan re-states the Council's commitment to this.
40. The draft Action Plan also identifies the need to develop ways to support an understanding of and commitment to equality, diversity and human rights, where services which have previously been delivered by the Council have been taken on by voluntary community groups, for example libraries.

41. The Authority aims to strengthen its approach to scrutinising, signing off and quality assuring EHRIAs by identifying good practice within its departments and extending and embedding this across the organisation. A template for the review of improvement plans will be developed which will be based upon the best examples from departments.

Commissioning services

42. The Council has included specific and measurable actions in the draft Action Plan, in order to ensure that requirements are rigorously applied in the commissioning of services. One key action will be to develop a template for procurement which includes Equality and Human Rights requirements and is used consistently as part of the procurement process. The Authority will ensure that equalities monitoring data is collected consistently by commissioned service providers and tested against mitigation actions recorded in EHRIAs.

Access to information

43. An on-going area of work is to ensure that information about services continues to be accessible to all by providing information in a range of languages and formats and promoting the interpretation and translation service. The draft Action Plan identifies the need to ensure that the Deaf Community is included in this.

Community engagement

44. The draft Action Plan makes a continued commitment to engaging with communities, particularly those who may not typically choose or have the opportunity to engage, for example the gypsy and travelling community and the Deaf community.
45. The Council has an effective internal Communication Plan and is committed to replicating this externally. This may include opportunities for joint communications with 'shared hashtags' which would increase the social media reach of key messages.

Safe and cohesive communities

46. This section of the draft Action Plan links to other areas of the Council's work, for example hate incident reduction monitoring and the Prevent agenda, and these will continue to be supported.

Partnership working

47. The Council will continue to work collaboratively with partners to achieve shared aims.

Organisational structures and leadership

48. Actions relating to organisational structures and leadership are identified throughout the draft Action Plan. The overarching principle is that the Council

will demonstrate organisational leadership in all of its equalities work and has a strong commitment to the equalities and human rights agenda from staff at all levels throughout the organisation.

Consultation

49. Subject to agreement by the Cabinet, it is intended that the draft Equalities Strategy for 2016 – 2020 will be the subject of a 5-week consultation exercise, from 25th April to 27th May 2016. Although formal consultation will be on the draft Strategy document; there will be continued engagement on the draft Equality Action Plan.
50. As the consultation will be open to all, appropriate engagement mechanisms will be organised to involve a wide range of stakeholders, including staff members via the intranet and internal sessions, a member briefing for County Councillors, and engagement with the Leicestershire Equalities Challenge Group, in addition to consultation with the public on the County Council website.
51. The consultation will be promoted via a press release and on social media. Partners and external stakeholders such as the Leicestershire Equalities Forum (equalities leads from organisations across Leicestershire, such as the NHS, Universities, Police, and District Councils), Parish Councils, and specific community groups will be contacted for their comments. The draft Strategy will be provided in an easy read format and the opportunity to provide a short British Sign Language and audio video summary is being explored.

Background Papers

Leicestershire County Council Equality Strategy 2013 – 16
<http://ow.ly/108BqG>

Equality and Human Rights Commission 'The Essential Guide to the Public Sector Equality Duty'
<http://ow.ly/108Bvx>

Equality and Human Rights Implications

52. An Equality and Human Rights Impact Assessment Screening is attached as Appendix D). A full EHRIA was not required as it is anticipated that the Equality Strategy will have a positive impact as its purpose is to ensure that the County Council fulfils its general and specific duties under the various equalities legislation and meets the requirements to provide a consistent and coherent approach to achieving equality and diversity for each of the protected characteristics.
53. The County Council currently works with a number of partners across a variety of equality and diversity related activity. The Equality Strategy 2016-2020 will create opportunities to develop partnership working further around the equality, diversity, community cohesion, and human rights agenda.

Appendices

Appendix A: Progress Report on Equalities Action Plan 2014-16

Appendix B: Draft Leicestershire County Council Equality Strategy 2016-2020.

Appendix C: Draft Equality Action Plan 2016-2017

Appendix D: Equality and Human Rights Impact Assessment Screening