



SCRUTINY COMMISSION – 11TH MARCH 2020

**CONSULTATION ON THE EQUALITY STRATEGY 2020-24 AND
PROPOSED OUTCOMES**

REPORT OF THE CHIEF EXECUTIVE

Purpose of the report

1. The purpose of this report is to:
 - a. Present the methodology and summary of responses to the consultation exercise on the Council's draft Equality Strategy 2020-24 which ran from 11th November 2019 to 2nd February 2020;
 - b. Seek the views of the Commission on the changes made to the draft Equality Strategy 2020-24 and the principal actions proposed for the 2020-21 Action Plan which have been shaped by engagement and consultation;
 - c. To gain the views of the Commission to influence the final Equality Strategy and Action Plan to be considered for approval by the Cabinet at its meeting on 28th April 2020 and by the County Council at its meeting on 13th May 2020.

Policy Framework and Previous Decisions

2. Under the Equality Act 2010 and relevant secondary legislation, the Council is obliged to meet 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.
3. The current Equality Strategy 2016-20 was approved by the County Council on 29th June 2016 and will expire this year. A draft Equality Strategy 2020-24 has been developed and was approved for public consultation by the Cabinet on 22nd October 2019.

Background

4. The County Council has chosen to produce an Equality Strategy to provide evidence of how it is meeting its statutory duties regarding equalities and diversity. Under the Equality Act 2010 (Specific Duties) Regulations 2011, it must also:

- Prepare and publish one or more objectives it thinks it should achieve to do any of the things mentioned in the aims of the general equality duty by 6th April 2012, and at least every four years thereafter.
 - Ensure that those objectives are specific and measurable.
 - Publish those objectives in such a manner that they are accessible to the public.
5. The Equality Strategy 2020-24 provides a policy context for the 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. It reflects developments and progress over the course of the previous strategy as well as setting out key aims for equality-related work going forward.
 6. The Strategy will be reviewed and refreshed in line with the Council's statutory duty to periodically prepare and publish one or more Equality objectives. When the County Council is presented with the final Equality Strategy 2020-24, it will be asked to approve a delegated authority for the Chief Executive, in consultation with the Cabinet Lead member for Equalities, to produce annual equality action plans based on the strategy objectives. This enables progress to be monitored regularly and work adjusted as necessary in the light of changing circumstances.
 7. A detailed Equality Action Plan 2020-21 to support the first year of the Equality Strategy 2020-24 is being developed to be reported to the Equalities Board on 16th March 2020 and subsequently recommended for approval, alongside the Equality Strategy, to Cabinet and the County Council – see paragraph 50.

Progress against the Equality Strategy 2016-20

8. The principle followed by the Equality Strategy 2016-20 was to develop a more evidence and risk-based approach to the Council's equalities work so that people and groups with protected characteristics are helped in a proportionate and prioritised way to meet their needs. This provided greater clarity on meeting the Council's key ongoing equality responsibilities and enabled action planning to be more focussed on specific, identified equality issues and targets.
9. Specific progress over the current strategy has included:
 - Positive or stable indicators for the Council's Workforce Equalities Profile which shows the long-term trends for the proportion of Black and Minority Ethnic (BAME) and Disabled employees and those declaring their sexual orientation against overall headcount, management representation by BAME, Disabled and Female employees, and the Council's position in the annual Stonewall Workplace Equality Index. In the 2019 Staff Survey, 92.9% of the workforce agree the Council is committed to equality and diversity and 93.5% agree that the Council is a good employer.
 - Leicestershire County Council maintained a Top 100 placing in the Stonewall Workplace Equality Index for the eleventh consecutive year in 2020 as one of the top five councils represented in the Index. It also achieved the top county council

and local government organisation in 2017 as well as winning an award for the best LGBT+ staff network. The Council also gained its highest ever ranking of third in the Stonewall Education Index 2019 for its work in tackling anti-LGBT+ bullying in schools.

- Measures to improve recruitment and satisfaction included refreshing and promoting the Council's representative panels policy scheme for BAME staff, and updating information, training and guidance for managers on supporting disabled staff. The Council has also worked with partners across the Leicester, Leicestershire and Rutland (LLR) region on personal and professional development opportunities for health and social care sector staff to improve service delivery and quality for protected characteristic groups. Other successful inclusion initiatives included hosting a disabled graduate internship under the Leonard Cheshire Disability 'Change 100' programme and arranging for British Sign Language taster training for two cohorts of staff to improve contact with Deaf service users and / or colleagues.
- Partnership working with the Leicester Shire Equalities Forum and the Leicester LGBT Centre to develop an LGBT+ Inclusion Award scheme which was launched in September 2019. This award provides visible recognition for organisations across the LLR region for their commitment to LGBT+ inclusive practices. It is particularly targeted at small local businesses and organisations who would be unlikely to participate in the Stonewall benchmarking processes.
- New face-to-face training has been delivered to help staff and elected members develop their understanding of the Equality and Human Rights Impact Assessment (EHRIA) process by which the Council demonstrates how its policies and decisions are compliant with equalities legislation. Ensuring that staff engage and are familiar with equalities processes remains a key area of ongoing work particularly in relation to informing decision makers, equality monitoring and meeting accessible information standards.
- The Leicestershire Equalities Challenge Group has provided support and challenge to significant service reviews such as Home to School Transport, the Early Help Review, Integrated Lifestyle Service proposals, Passenger Transport Policy and Strategy, the preparation of the Joint Strategic Needs Assessment and the Adult Social Care Fee Review.
- Publication of gender pay gap data showing a reduction of the mean gender pay gap (the difference between the mean hourly pay of full-time employees) between female and male employees from 18% in 2017, when gender pay gap reporting was introduced, to 12% in 2018 and 2019 and a reduction in the median gender pay gap (the difference between the median hourly rate of pay for full-time employees) from 20% in 2017 to 9% in 2018 and 7% in 2019.
- The Council's staff groups (LGBT+ Staff Network, Black Workers' Group, Disabled Workers' Group) held conferences and awareness events involving outside speakers to provide group members and other attending staff a different perspective on the event themes. This included a series of events throughout 2018-19 to specifically celebrate the LGBT+ Staff Network's 10th Anniversary and a conference to focus on the spectrum of hidden disabilities.

- Development of a Trans Equality Policy giving managers and Trans employees practical information on support processes available to them in the workplace as well as promoting Trans inclusivity and protection from discrimination generally for Trans residents and service users.
- Organisation of annual commemorative and public events including Member representation for Holocaust Memorial Day, Srebrenica Memorial Week (2017) and Raising the Rainbow Flag in LGBT+ History Month and on the International Day Against Homophobia, Transphobia and Biphobia.
- Holding Leicestershire Inter Faith Forum public events on the relationship between faith and community cohesion with Professor Ted Cantle, Founder of the iCoCo Foundation as keynote speaker (2017) and on faith, identity and belief in a changing world with the Bishop of Loughborough, Rt Rev Guli Francis-Dehqani as keynote speaker (2019).

Consultation and engagement on a refreshed Equality Strategy for 2020-24

10. The draft Equality Strategy 2020-24 was the subject of a 12-week consultation exercise which took place from 11th November 2019 to 2nd February 2020. The consultation was open to anyone who wished to comment on the Strategy. Both ahead of the public consultation and during it, face-to-face meetings and presentations were arranged with a range of interested parties and interested groups. These included Age UK, the Gypsy and Traveller Engagement Project, Healthwatch, the Leicester LGBT Centre, Voluntary Action Leicestershire, the County Youth Council for Leicestershire and the Leicestershire Partnership Trust.
11. Similar engagement took place with communities of interest / practice within the Council including young people's services, the local area coordinators, the Learning Disabilities Partnership Board, all departmental senior management teams and local equalities groups and Trade Union equalities representatives who were encouraged to promote the consultation within their membership.
12. The external engagement asked participants whether the aims and objectives around workforce, services and communities in the Council's Equality Strategy 2016-20 were still relevant, what outcomes should be prioritised in the new Strategy, what barriers or opportunities existed to achieving those outcomes, and if the Council could be made aware of up-to-date or best practice to inform the development of the new Strategy and associated action plans.
13. Participants were generally supportive of the general aims and direction of the new Strategy in relation to the circumstances that the Council now operates in compared to four years ago. Other points made were:
 - As the County Council tightens eligibility criteria, as a result of reducing resources, there is a risk that service users who are no longer eligible will feel discriminated against.
 - The need to ensure that, as services are increasingly provided digitally, the Council considers accessibility issues and recognises that a 'one size fits all' technological solution is not always appropriate.

- Doing more work to remove barriers to stigmatised or stereotyped groups.
- Not being over-reliant on the expertise and guidance from a single source or group representing a protected characteristic but taking a more holistic or bespoke approach to the understanding of the needs of that group.
- Strengthening awareness amongst service providers of their responsibilities regarding equality and diversity.
- The need to improve accessibility of the Council's information, advice and guidance (using Plain English as a minimum by everyone) and be more open and inclusive to promote dialogue with residents and stakeholders.

14. Positive suggestions made by participants included:

- Promoting positive stories of diversity, equality and inclusion to “show people good work, not lecture them”.
- Designing and delivering services with service users and empowering them to achieve positive change using their own knowledge, skills and lived experience of the issues they encounter in their own lives.
- Improving the County Council's awareness of and response to the needs that specific individuals or groups with protected characteristic may have – this can include a greater emphasis on empowerment and self-development to complement (or as an alternative to) direct support.
- Strengthening networks and other support and advocacy processes, including through elected members.
- Offering the Council advice and information about particular groups which will complement the Council's current knowledge and understanding.
- Showing leadership for equalities and working closely with partners, e.g. health, to make this a priority.

Consultation methodology

15. A questionnaire was available to respondents online through the 'Have Your Say' consultation pages on the Council's main website, accompanied by the draft Equality Strategy 2020-24 document and an 'easy read' version of the draft Strategy and consultation questionnaire.
16. There was also a link on the Council's 'Have Your Say' consultation pages to a British Sign Language Video explaining the main aims of the draft Equality Strategy 2020-24. All the documents (draft Strategy, easy read version and consultation questionnaire) were available in different formats and languages upon request. One direct request for a hard copy of the draft Strategy was made by a resident and hard copies of the main and easy read Strategy documents were provided to the Home Library Service for personal distribution through volunteers to service users known not to have IT access. A poster was also produced for public display in the managed

and community libraries to make users aware of the consultation and how they could respond.

17. The consultation was promoted on social media through the Council's main Twitter and Facebook feeds, reaching 385,100 and 5,500 users respectively, as well as through sharing on service area accounts for appropriate audiences including adult social care, SEND local offer and libraries services. This activity included regular prompts and reminders as the consultation progressed to encourage feedback and contributions through the online questionnaire and resulted in a surge of 29 responses in the final week of the consultation.
18. Internally, the consultation was promoted to all County Councillors through an item in Members' Digest, to all managers through an item in Managers' Digest, at departmental level through an email to all staff from chief officers, and across the Council through Yammer posts and key networks including the Council's Equalities Board, Departmental Equality Groups and the Workers' Groups / staff networks. Specific service areas also shared the consultation with relevant external networks and contacts including through lead commissioning / contract management teams.
19. Representative and umbrella groups directly notified by email to take part in the consultation included the Leicester Shire Equalities Forum, Leicestershire Equalities Challenge Group (LECG), Leicestershire Inter Faith Forum, voluntary and community sector organisations, town and parish councils, and local and national charitable bodies representing disability and other protected characteristic groups. The opportunity was also taken for the Lead Member for Equalities to promote the consultation at appropriate events.
20. As already noted in paragraphs 10 to 12, alongside the public consultation, there was targeted face-to-face engagement with a range of internal and external stakeholders from or representing protected characteristic groups to explore any specific issues, concerns or comments on the proposed aims and objectives of the draft Strategy as well as to facilitate responses made directly through the consultation. The strategy has also been considered by a Task and Finish Group of the LECG.

Consultation results

21. There were 213 responses to the consultation comprising 210 responses to the online questionnaire and three 'easy read' responses posted as hard copies to the Freepost facility provided. Of these, 67% (142 people) responded in the role of an employee of Leicestershire County Council, 23% (48) responded as a member of the public, 3% (7) as a representative of a voluntary sector organisation, charity or community group, 2% (5) as a representative of a business, 2% (5) as a councillor at any level, while 2% (4) chose 'Other' including a supplier of services to the council, a former employee and an academy student.
22. The main part of the questionnaire consisted of a range of multiple-choice and open-ended questions enabling respondents to respectively indicate the degree to which they supported (or not) the Council's proposed aims and objectives; and to provide reasons for their answer in each case.
23. The two aims of the draft Equality Strategy were:

- a. **Leicestershire County Council will continue to be recognised for its leadership and high performance in advancing equality of opportunity and celebrating diversity and inclusion and**
- b. **The Council wants Leicestershire to be a place where there is equality of opportunity and good relations with and within its communities.**

24. The draft aims of the Equality Strategy 2020-24 were supported by the great majority of respondents. However, some respondents interpreted the wording of the first aim to imply that the Council was more concerned with the appearance of working towards equality outcomes rather than delivering them, while other respondents questioned by what standards the Council wished to be recognised.
25. Several respondents suggested that the second aim should go further than stating that “The council wants” to make a more positive commitment to equality of opportunity and good relations with and within the community.
26. The consultation also sought views on five proposed equality objectives:
 - The council will improve our understanding of the people we serve to make informed, evidence-based decisions which deliver the best outcomes for all;
 - The council will foster good relations with and within our communities, inform and involve our citizens to increase participation, particularly of under-represented groups;
 - The council will deliver inclusive and responsive services to improve equality of outcomes and satisfaction amongst the people we serve;
 - The council will show leadership, work with others and celebrate and promote our success;
 - The council will develop a skilled and committed workforce that reflects our communities.
27. Three-quarters of all respondents supported these objectives. Some of the accompanying commentary raised a number of issues and queried the meaning of the questions.
28. The common themes raised in the comments include:
 - a. The practical effect of the strategy and objectives (especially against a backdrop of funding and resourcing pressures) on citizens, service users and members of specific protected characteristic groups;
 - b. How progress and outcomes will be defined, measured and communicated;
 - c. Actual or perceived gaps in current structure, evidence, practice and delivery that could inhibit achieving the objectives.
29. Respondents were asked to offer suggestions on other relevant equality objectives or workstreams that the Council should consider. A number of responses reinforced areas and issues that the Council is already aware of or working towards including:

- a) Reviewing specific policies and practices to ensure that they effectively support employees in a range of circumstances;
 - b) The promotion, operation and visibility of the Workers' Groups;
 - c) The use of other forms of equality and staff satisfaction benchmarking;
 - d) Follow-up analysis of workforce data both for the established target groups and under or unrepresented groups (for example, to identify secondary forms of discrimination);
 - e) Providing new or improved interventions for particular conditions or types of disadvantage;
 - f) Clearer and simpler communication and information provision;
 - g) More emphasis on celebrating diversity and community cohesion;
 - h) More inclusive and accessible engagement and consultation by the Council.
30. There were some specific actions proposed by respondents either in this section of the questionnaire or as a general comment including raising awareness and support for breastfeeding services / groups, people who rely on assistance dogs, improved service provision to people in rural communities, greater proactivity on ensuring inclusive education, preventive work around mental health advocacy for residents, and a greater consideration of equity (as opposed to equality) outcomes especially in relation to employment.
31. Respondents were offered the opportunity to comment on how the Council could improve its communication to people about its equalities work. There was a high level of support for a wide range of methods particularly online, through social media, hard copy newsletters (Leicestershire Matters) and engagement with community groups either directly or through specific events. Greater use of radio was cited as an alternative method for reaching some groups (such as older people).
32. A small number of general comments were received on the presentation of the draft Equality Strategy 2020-24 document, mostly in relation to a need to include more detail about actions and progress against past strategies to show that the Council's equalities work is ongoing and effective. One respondent stated that the strategy showed political bias by suggesting that there could be adverse impacts arising from Brexit (this has been rectified in the revised Strategy).
33. A few respondents took an extremely negative view of the purpose of the consultation and specific aspects of the Council's approach to equalities work and its provision, for example: "you need to do more than have a few tokenistic groups", "It's all a sham", "My concern lies in the disconnect between aim and practice".

Changes made to the Equality Strategy 2020-24 as a result of the consultation

34. In light of the consultation responses, the aims have been redrafted to reflect the popular themes within the comments as:

- a) Leicestershire County Council has high levels of leadership and works to continually improve its performance in advancing equality of opportunity and celebrating diversity and inclusion through its operations.
 - b) Leicestershire is a place where there is equality of opportunity and good relations with and within its communities
35. Two of the objectives have been slightly revised (changes in **bold** and strikethrough) to reflect the responses that called for the council to be more open to all, especially those who the council must work harder to reach and for the council to encourage other to follow its lead on equalities.
36. The two revised objectives are:
- a. The council will foster good relations with and within our communities, inform and involve our citizens to increase participation **across all groups, addressing barriers** to participation of under-represented groups;
 - b. The council will show leadership **for equality**, work with others and celebrate and promote ~~our~~ success.

Key areas to be covered by the Equality Action Plan 2020-21

37. The approach proposed to drafting the Equality Action Plan 2020-21 is that it should reflect five key issues that have emerged both through the public consultation, internal and external stakeholder engagement and also through an Action Planning Workshop held with Council employees and representative groups on 17th January 2020. These issues are:

Improving equalities evidence and its application

38. As a result of work under the previous Equality Strategy 2016-20, the Council now has a significantly better capability to obtain, report and communicate equalities data to help meet corresponding objectives. This includes showing that it can attract, retain, support and develop a representative workforce, that it can identify protected characteristic groups likely to be adversely or positively impacted by the Council's decisions or changes in service delivery, and that such decisions and changes are made on a relevant and proportionate basis. The availability of data using Tableau dashboards, in particular to managers, supervisory / delivery boards and more widely to staff including through Yammer, provides users with clear, simple information about equalities-related issues and trends.
39. Going forward, there is a need to build on this by ensuring that a range of equalities data is available to and used more often and more consistently across the organisation. In this way, not only is there a higher likelihood that the risk of a service having a negative impact on equalities can be addressed through a stronger knowledge of service users to inform interventions but also that positive action, training and development initiatives for Council employees can respond more effectively to areas of need. Refreshing the corporate Equality Monitoring Policy in conjunction with a renewed emphasis on self-declaration as Fit for the Future is rolled out will be major elements of the Action Plan.

40. The Action Plan will also make clear that appropriate further analysis will take place where data indicates that this is required.

BAME staff progression

41. Workforce representation trends, Staff Survey results over the duration of the Equality Strategy 2016-20 and some consultation responses indicate a need to review the pathways and opportunities for BAME staff to progress within the Council. Analysis of supporting data including application rates show that the Council is an attractive employer to BAME people in relation to the targets set against the local labour market, which includes other key public sector organisations, and some work has been initiated in the current Equality Action Plan 2019-20 to understand why this does not translate into a higher BAME intake into the Council despite the availability of measures including unconscious bias training (which is mandatory for interview panel chairs) and representative recruitment panels. Further, more specific, actions will be identified and incorporated into the Equality Action Plan 2020-21.

Equality and Human Rights Assessments (EHRIA)

42. The Council's current EHRIA template, which was last revised in 2014 to specifically include the Articles under the Human Rights Act 1998 and related conventions, has enabled robust evidence to be captured of potential and actual impacts arising from any of the Council's activities and functions, whether positive, negative or neutral. However, there is a general consensus across the organisation that the process, template and information for decision makers could be improved. Measures in the Equality Action Plan 2020-21 will include a review of the EHRIA template and guidance to strengthen awareness and application of the process and new elements to enable cumulative impact across the organisation to be more effectively considered

Accessible Information

43. The consistency and communication of information about the Council, its services, activities and the support available to help protected or disadvantaged groups is a strong theme amongst the consultation responses. These cover not just the availability of information in accessible formats in response to individual preferences but also that such information is accessible in a wider sense of being clearly and easily understood.
44. It is proposed that a review of current practice and recommendations for new policy and guidance on Making Information Accessible to Everyone is included in the 2020-21 Action Plan.

Leadership and celebrating success

45. Throughout the engagement and consultation, comments reinforced the importance of celebrating diversity, championing equality and promoting acceptance and inclusion through strong leadership and highly visible communications and campaigns. This is considered to be a key area of work that needs to be included in every action plan for the 2020-24 period.

Draft Equality Action Plan 2020-21

46. The draft Equality Action Plan 2020-21 reflecting the key issues identified through the consultation and engagement on the draft Equality Strategy 2020-24 is attached at **Appendix B**. It sets out the primary actions, responsibilities and timescales for each of the proposed equality objectives that are led at corporate level by the relevant services. The final plan informs, and is supplemented by, local action plans that are developed within departments to reflect more bespoke equalities work and priorities.

Resource Implications

47. Implementation of the Council's Equality Strategy and associated annual plans is met within existing resources. The work is led by a dedicated Policy Officer within the Chief Executive's Department.

Timetable for Decisions

48. The final Equality Strategy 2020-24 and the first Equality Action Plan 2020-21 to support its delivery will be reported to the corporate Equalities Board and to Chief Officers in March 2020.
49. The final documents will be brought back to the Commission at its meeting on 8th April so that members can see how their comments have been taken into account.
50. The Commission's views will subsequently be reported to the Cabinet at its meeting on 28th April 2020 at which the Cabinet will be asked to recommend that the final Equality Strategy 2020-24 should be approved by the County Council at its meeting on 13th May 2020.

Conclusions

51. The Commission is asked to note and comment on this report.

Background papers

Leicestershire County Council Equality Strategy 2016-20

<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2017/1/30/equality-strategy2016-2020.pdf>

Equality and Human Rights Commission 'The Essential Guide to the Public Sector Equality Duty'

<https://www.equalityhumanrights.com/en/publication-download/essential-guide-public-sector-equality-duty>

Circulation under the Local Issues Alert Procedure

52. None.

Equality and Human Rights Implications

53. An Equality and Human Rights Assessment screening is attached as **Appendix C**. A full EHRIA was not required as it is anticipated that the Equality Strategy will have a positive effect as its purpose is to ensure that the 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.

Other Relevant Impact Assessments

54. The Council works with partners across a variety of equality and diversity-related activity across the city, borough and district councils, health and other strategic service delivery organisations. The Equality Strategy 2020-24 reflects opportunities to continue to develop partnership working around the equality, diversity, community cohesion, and human rights agenda.

Appendices

Appendix A: Leicestershire County Council Equality Strategy 2020-24

Appendix B: Draft Equality Action Plan 2020-21

Appendix C: Equality and Human Rights Impact Assessment Screening

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