

SCRUTINY COMMISSION – 30TH AUGUST 2006

RACE EQUALITY SCHEME AND CORPORATE EQUALITY PLAN

REPORT OF THE CHIEF EXECUTIVE

Purpose of Report

1. The purpose of this report is to inform the Commission of:
 - a) progress on the implementation of the Race Equality Scheme 2005-07 and Corporate Equality Plan 2005-07;
 - b) the outcome of the assessment of the Council's progress against the Equality Standard for Local Government.

Policy Framework and Previous Decisions

2. Under the Race Relations (Amendment) Act 2000, public bodies, including the County Council are required in carrying out their functions to have due regard to the need to promote racial equality, to eliminate unlawful racial discrimination and to promote equality of opportunity and good relations between persons of different racial groups.
3. A number of public bodies, including the County Council, are subject to specific duties in addition to the general duty. The specific duties require the County Council to produce a Race Equality Scheme. The County Council approved a revised Race Equality Scheme in January 2005, which included a three year action plan.
4. The County Council adopted the Equality Standard in April 2004 to help it to progress its equalities work in the areas of race, disability and gender. Following consultation the Cabinet approved a Corporate Equality Plan in March 2005, which enabled the authority to achieve Level 1 of the Standard.

Corporate Equality Plan 2005 - 2007 (CEP)

5. The Cabinet approved the CEP in March 2005. Approval of the CEP, including a comprehensive equality policy and the commitments made by members, Corporate Management Team and departments allowed the Council to state that it had achieved Level 1 of the Equality Standard for Local Government.

Equality Standard - Self-assessment

6. The main purpose of the Equality Standard framework is to assist Councils to embed equality requirements within their performance management systems. There is evidence of significant development since the establishment of the Council's Equalities Board in November 2003. Officers have carried out an assessment of the Council's performance against the Equality Standard, which has concluded that Level 2 has been achieved.
7. An Audit and Validation Group of external partners was set up to secure an external opinion about the self-assessment informed by the specialist knowledge and expertise of the organisations concerned in the fields of disability, gender, age, race and sexuality.
8. The Audit and Validation Group judged that there was sufficient evidence in the Council's self-assessment to support the conclusion that it has achieved Level 2 of the Equality Standard. The Group applauded the Council's overall approach to equality and diversity and noted the range of evidence of good practice.
9. It identified some equality issues not being mainstreamed yet and noted that action needs to be sustained to ensure that equality is delivered consistently across all service areas. The Group made a number of helpful and constructive recommendations for the Council to address as it takes forward its work on equality and diversity.
10. The conclusions of the Audit and Validation Group were broadly similar to the self-assessment by the Council, emphasising the need to ensure consistency and comprehensiveness of approach. Corporate Management Team has agreed a proposal for the introduction of a performance management framework on equalities to be introduced in all departments.

Race Equality Scheme 2005 - 2007 (RES)

11. The Cabinet approved the RES in January 2005. Good progress has been made on implementing the first year action plan, including:
 - a) 23 Equality Impact Assessments have been completed;
 - b) The Black and Ethnic Minority Citizens' Jury was successfully delivered on 15 and 16 November 2005. The final report of the Jury

and a summary of the draft action plan was presented to and approved by the Leicestershire Together Board at its meeting on 3 July;

- c) A corporate interpretation and translation policy has been produced covering services for people whose first language is not English and people who have additional communication needs because of disability;
 - d) Significant improvements in the level of recording of the ethnicity employees;
 - e) Delivery of a highly successful pilot mentoring scheme for black and minority ethnic staff and for disabled staff. Following a formal evaluation, the scheme is to be rolled out across the Council as one of a range of initiatives to promote the recruitment, retention and development of black employees and disabled employees;
 - f) Continued support for the Racist Incidents Monitoring Scheme, which is to be extended to include the reporting of Hate crime.
12. Employment monitoring information relating to race has been collated for each of the three years 2003-04, 2004-05 and 2005-06. Key issues arising from the monitoring data are:
- a) The number of black and minority ethnic staff has risen from 363 on 31 March 2004 to 511 on 31 March 2006. Minority ethnic community staff as a percentage of the total workforce is a Best Value Performance Indicator. For 2005-06 the figure was 4.03%, which compares with a figure of 5.3% of the economically active population in the county being from ethnic minority communities. The target for employment of ethnic minority staff in 2006-07 is 4.5%.
 - b) The percentage of the top 5% of earners employed by the Council (excluding schools) who were minority ethnic staff is a Best Value Performance Indicator. In 2005-06 it was 2.58%. The target for 2006-07 is 2.75%.
 - c) A lower success rate of minority ethnic applicants in being short-listed and appointed to posts compared to white applicants.
13. Comparison of the data with neighbouring local authorities suggests that they have similar employment issues. A temporary post has been established in Corporate Human Resources to investigate and recommend action in relation to the apparently lower percentage of black applicants shortlisted for interview and appointed compared to white applicants. The post will also develop a number of positive action measures designed to increase the representation of minority ethnic staff in senior posts.

Disability Equality

14. The programme of work on disability equality has continued. Elsewhere on the agenda is a report that deals the preparation of a Disability Equality Scheme. In addition:
 - a) The programme of Access Audits has continued and the capacity to carry out the work has been strengthened by the appointment of an Access Auditor in Property Services. Use of the Capital Programme allocation of £150k was agreed with the Lead Member for Equalities in July 2005 following consultation with district based access groups and the same process is being followed this year.
 - b) There was regional and national success at the ninth Remploy “Leading the Way” Awards at which the County Council won the best large employer category for its work to employ disabled people

Training

15. As part of the Corporate Equality and Diversity Training Strategy training has been provided or is planned:
 - The duty to promote race equality and the wider requirements of the Equality Standard and other equalities legislation - provided to all managers and other staff on grade 13
 - Equality Impact Assessment (EIA) – provided to managers who are responsible for EIAs
 - Equality Standard - initial training is to be offered to all members in the Autumn as part of the Council's Member Development Strategy.
16. An equality audit of current training and future needs is nearing completion and will be used to inform the next stage of development of the Equality and Diversity Training Strategy.

Forthcoming Requirements

17. During the next two years the Council will need to respond to a number of new statutory duties to promote equality and eliminate discrimination in the following areas:
 - equality between men and women including the publication of a Gender Equality Scheme by April 2007;
 - new regulations coming into force in October 2006 making age discrimination in employment unlawful
 - provisions in the Equality Act 2006 in relation to sexual orientation and religion or belief
18. In June 2005 the Employers Organisation commissioned a review of the Equality Standard. The review found that:

“There is a strong consensus that the Standard is a ‘good thing’ and there is overwhelming support for the ethos behind it and also for its

continuation. However, there were also strong concerns, among other things, about ease of use, terminology and language”.

19. In response to the review the Employers Organisation will be modifying the guidance on the Equality Standard and expects to publish this in the summer. In addition to dealing with the findings of the review, provisions will be added relating to sexual orientation, religion and belief plus the proposals for the public duties on gender and disability and age discrimination legislation.
20. User focus and diversity will be a core element of future corporate assessments and will have a strong focus in service assessments. They will look more closely at how well a council understands and takes account of the needs and diversity of its local communities.
21. It will be important to use the time before the Council’s next CPA assessment in 2007 to ensure that corporate led initiatives clearly demonstrate the council’s approach to consulting with all sections of the community and showing how this has influenced service delivery.

Conclusions

22. A self-assessment, that has been independently audited and validated, has concluded that the Council has achieved Level 2 of the Equality Standard.
23. Level 3 of the Equality Standard is about setting objectives and targets for employment and service delivery based on the outcomes of the assessment and consultation processes that are the core of Level 2. During the next year, it will be necessary for all parts of the Council to consolidate the practices and procedures at Level 2 and to begin the process of formulating equality objectives and targets.

Resource Implications

24. It is expected that the costs of developing and implementing the Equality Standard will be contained within the resources already allocated, but that additional requirements are likely to arise as the Council takes forward its work to promote equality. Other costs may arise from the duties under the Disability Discrimination Act 1995. In the 2006-07 capital budget the sum of £150k has been allocated to continue the work programme arising from disability access audits.
25. If and when additional resource requirements are identified they will be fed into the budget planning process. The Director of Resources has been consulted in the preparation of this report.

Equal Opportunities Implications

26. The purpose of the Corporate Equality Plan and Race Equality Scheme is to develop the County Council's approach to promoting equality and eliminating discrimination.

Recommendations

27. That the Commission notes:
- a) the progress made implementing the Race Equality Scheme and the Corporate Equality Plan;
 - b) that the Council has achieved Level 2 of the Equality Standard for Local Government.

Circulation under Sensitive Issues Procedure

None.

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Background papers

Race Equality Scheme 2005 – 07, Leicestershire County Council
January 2005
Corporate Equality Plan 2005 – 07, Leicestershire County Council
March 2005