

LEICESTERSHIRE COUNTY COUNCIL

RACE EQUALITY SCHEME

FOREWORD

Leicestershire County Council is committed to acting positively to tackle inequality and discrimination building on our existing approach to equal opportunities in service delivery and employment. The legal requirement to prepare and publish this Race Equality Scheme provides a welcome opportunity, in consultation both inside and outside the County Council, to review and improve our performance on race equality and to promote equality of opportunity for all people in Leicestershire.

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Leicestershire County Council

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INTRODUCTION

The County Context

- 1.1 The County Council operates in a County rich in history and economic heritage. The County's population is 611,200 (year 2000 estimate). It is expected that there will be an increase in the population of 3% in the next 10 years. The ethnic minority population at the 1991 census was 3.4%. The boroughs of Charnwood (6.2%) and Oadby and Wigston (8.7%) have higher ethnic minority populations. The ethnic minority population is expected to increase further in the future. Non-white pupils now make up 8% of the Leicestershire school population and 5.8% of pupils have English as a second language.
- 1.2 The main County centres of population are its market towns, but the population is split between a few, geographically small urban areas, extensive suburban areas and a range of rural settlements. Each area has its distinctive economic and social issues and challenges, which we seek to address in an informed way. Increasingly, our response to these issues is through partnership working.
- 1.3 Leicestershire is an area of contrasts and diversity. Three wards in the County (Greenhill in North West Leicestershire District and Woodthorpe and Hastings both in Charnwood Borough) fall into the most deprived 20% of wards defined using the Index of Multiple Deprivation 2000 for England. A total of over 17,000 people live in these wards, about 3% of the County's population. The geographical access to services element of the Index shows that 24 wards in Leicestershire, mostly in rural areas, fall into the most deprived 20% of wards in the country. Over 47,500 people live in these wards, almost 8% of the County's population.
- 1.4 The Best Value User Satisfaction Survey carried out in 2000 gave an overall rating of public satisfaction with the services provided by the County Council of 63.3%. Overall satisfaction with County Council services among ethnic minority respondents to this survey was 62.8%.

The Race Relations (Amendment) Act 2000

- 1.5 The Race Relations (Amendment) Act gives the County Council general and specific duties to promote race equality in respect of our public service functions. Under the general duty we must aim to:
 - eliminate unlawful racial discrimination;
 - promote equality of opportunity; and
 - promote good relations between people of different racial groups.

- 1.6 The specific duties under the Act require us to:
- produce this Race Equality Scheme; and
 - put in place arrangements to monitor and report on race equality issues in relation to County Council employment and training.
- 1.7 The Act also places duties on school governing bodies and the County Council as the local education authority.
- 1.8 The aim of the duties is to make race equality a central part of the way we work, by putting it at the centre of policy making, service delivery (whether through in-house, private or voluntary sector providers), employment practice, regulation and employment. This is an opportunity and a challenge. We recognise that developing a comprehensive and systematic equalities practice will improve public services for the community of Leicestershire as a whole and welcome this opportunity to develop our approach to equal opportunities and diversity .

DEVELOPING THE RACE EQUALITY SCHEME

Audit of Services

2.1 In 2001 we carried out an audit of our services against the then Commission for Racial Equality Standards for local government. The audit was based on the internal structure of the ten departments which existed at that time. The audit showed that six departments were at level 1 of the Standard and four were at level 2/3. Across the Council the broad position against the separate elements of the Standard was:

Area 1	Policy and Planning	Level 1
Area 2	Service & Customer Care	Level 1
Area 3	Community Development	Level 1
Area 4a	Employment (Recruitment & Selection)	Level 2
Area 4b	Employment (Development & Retaining Staff)	Level 2
Area 5	Marketing & Corporate Image	Level 2/3

2.2 General issues to emerge from the audit were:

- We are 'performing' better in race equality terms in the areas of employment and corporate image issues than in other areas;
- departments which have a close relationship with the public, through a mixture of choice and necessity, have moved further forward in terms of service delivery and policy planning;
- the Council as a whole does not have a Race Equality Policy;
- our equal opportunities policy should be strengthened to include a statement on Racial Equality which meets the new statutory duties;
- good practice in some areas needs to be built on to produce a more consistent approach across all services.

2.3 These issues need to be taken forward in the preparation of the Race Equality Scheme and linked to the new Equality Standard for local government and the restructuring of County Council departments. They also need to be challenged through consultation internally and externally.

2.4 We will carry out consultation on the Race Equality Scheme until November 2002 with the Leicester Race Equality Council, other voluntary and community organisations, ethnic minority individuals and communities, faith communities, employees, elected members, service users, partners and contractors.

2.5 We will need to consider carefully the necessary resource implications (in terms of people, time and money) to ensure that the Race Equality Scheme is developed effectively, implemented, monitored and reviewed. We will report progress each year and update the whole scheme at least every three years. Elements of this approach will be used to tackle other issues of equality and diversity identified in the County.

Race Equality Policy

2.6 The overall objectives of our race equality policy within the equal opportunities policy will be:

- to create an equal opportunities culture in service delivery, employment, community development, policy planning, procurement and partnership working;
- to support the delivery of our objectives and the overall equal opportunities policy;
- to create a culture in which racial harassment and discrimination are unacceptable and will be counteracted;
- to recognise different cultural traditions and to celebrate diversity;
- to recognise individual human rights;
- to ensure that the requirements and spirit of the duties to eliminate unlawful racial discrimination, to promote equality of opportunity and to promote good relations between people of different racial groups, spread through all our activities and become an integral part of equality performance indicators;
- to train and familiarise members and employees at all levels to consider equality issues, including race equality, as an integral part of service planning and delivery and to ensure good practice by organisations that deliver services on our behalf;
- to put in place a system of monitoring, scrutiny and review of equal opportunity issues.

2.7 The broad thrust of our race equality policy and action plan will be to:

- work initially towards achieving level 3 of the race elements of the Equality Standard by developing all our services and employment practices to provide race equality;
- develop our consultation and procurement arrangements to provide and promote race equality;
- recognise that our ultimate aim is to achieve level 5 of the race equality elements of the Equality Standard;
- progress towards achieving a workforce that is representative, at all levels, of the communities of Leicestershire;
- build equality outcomes into all our processes including statutory service planning, Best Value and fundamental service review. This will require regular equality monitoring and reporting on service delivery to ensure that services are accessible and delivered on a fair basis. This is a fundamental element of our Better Access to Better Services Initiative;
- review our race equality training in particular 'Racism awareness' and 'valuing diversity'. A programme of systematic training will be developed and implemented to support the implementation of our Race Equality Scheme;
- seek to form relationships and engage in dialogue with community group representatives through the Leicester Race Equality Council to improve

the planning and delivery of services, employment practices and monitoring of these;

- seek to identify and consult authorities and organisations to develop links and consultation procedures with bodies representing 'hard to reach' groups including those representing asylum seekers and refugee groups;
- work with existing and emerging partnerships, including particularly local strategic partnerships, to support and develop relationships with ethnic minority groups;
- develop a performance monitoring system which supports the requirement to report against Best Value performance indicators as well as other equality performance indicators that are developed within this or a future race equality scheme and action plan and to report annually on progress;
- to review the whole race equality scheme and action plan at least every three years.

Responsibility for the Race Equality Scheme

- 2.8 Statutory responsibility for the Race Equality Scheme rests with the Council. Operational responsibility rests with the Chief Executive and Chief Officers who will be responsible for ensuring that the Scheme is implemented corporately and within departments. Responsibility for equality issues will be assigned to a named Cabinet Lead Member. The Head of Human Resources currently has responsibility for promoting the County Council's commitment to equal opportunities in service and employment matters.
- 2.9 Key reports such as the Race Equality Scheme are discussed with the Chief Officers' Management Team and submitted to the Council's Cabinet for decision. The views of the relevant Scrutiny body will also be invited. Key action priorities arising from the Race Equality Scheme will be included in our Best Value Performance Plan for 2003/04 and subsequent years. We will produce an annual report on our progress in meeting our duty to promote race equality. The annual review will be submitted to the Cabinet and relevant Scrutiny body. Over time we will incorporate this annual review in our Best Value Performance Plan.
- 2.10 In 2001 we set up an ad hoc officer group containing representatives from each department to undertake the audit against the Commission for Racial Equality Standards for local government. An officer group has existed for some years on disability issues with dedicated officer support. During 2002 a restructuring of County Council department will be implemented alongside the introduction of a new job evaluation scheme. A draft corporate human resources strategy was prepared in preparation for the recruitment of the Head of Human Resources. Following successful recruitment to the post a revised draft strategy is being prepared. We will use these developments and the period of consultation on the Race Equality Scheme to consider the most appropriate organisational arrangements for ensuring we meet our responsibilities to promote race equality and our response to the new Equality Standard for local government. This will include confirmation of Cabinet Lead Member and Chief Officer accountabilities for equal opportunities matters.

COUNTY COUNCIL OBJECTIVES

Overall Objectives

3.1 The County Council's objectives are set out in the Medium Term Corporate Strategy approved by the Council in November 2001. These are:

- Working together to deliver quality services
- Achieving excellence in education and learning
- Meeting health and care needs
- Improving our transport system
- Caring for our environment
- Promoting economic well-being
- Supporting culture and leisure
- Making communities safer
- Managing waste effectively

3.2 Over-arching commitments are made in the Strategy:

- to provide community leadership for the County, including the preparation of a Community Strategy;
- to deliver services that provide value for money;
- to support a highly motivated, well trained workforce to deliver clearly defined service targets;
- to investigate innovative solutions to create improvement to service, including the use of information technology;
- to support effective partnerships that achieve real improvements in the way services are delivered;
- to work to bring services closer to where people live;
- to make services accessible to all groups in the community and responsive to people's needs;
- to act positively to tackle inequality and discrimination building on the Council's existing approach to equal opportunities;
- to use the multi-tier system of local government in Leicestershire to plan services strategically and to bring services closer to people.

3.3 Race equality and other aspects of equal opportunities and diversity are important for the achievement each of these objectives and commitments.

Equal Opportunities Policy and Objectives

3.4 Our existing equal opportunities policy is set out in Appendix 'I' to this Race Equality Scheme. Our audit against the Commission for Racial Equality Standards for local government indicated that, within this overall policy, we need to develop a more explicit race equality policy statement to meet the new statutory duties placed on the County Council. The consultation draft of this is set out in paragraphs 2.6 and 2.7 of this draft Scheme.

- 3.5 The Stephen Lawrence Inquiry Report adopted a definition of a “racist incident” as being “any incident which is perceived to be racist by the victim or any other person.” Our existing harassment policy and procedure uses an equivalent definition. We will not tolerate any form of discriminatory behaviour by our employees or by those using our services. We will take all external and internal complaints seriously and we will ensure that our procedures allow open, constructive and healthy challenge both from within and from outside the County Council. We will work to develop our approach to racist incident reporting.

MEETING THE GENERAL DUTY

Policy and Service Delivery – Identifying which functions and policies are relevant to race equality

- 4.1 We are considering which of our existing functions and policies are relevant to the general duty to promote race equality and prioritise them for mainstreaming as required by the Race Relations (Amendment) Act. The aim of this part of the duty is to bring race equality in from the margins and make it part of our everyday work. Functions and policies will be considered relevant if they have implications for or could affect race equality. Our first draft analysis is attached as Appendix '2'. This analysis needs to be set within the context that the overall objectives and commitments in our Medium Term Corporate Strategy all have implications for race equality and other aspects of equal opportunities.
- 4.2 The assessment in Appendix '2' has had regard to guidance from the Commission for Racial Equality which suggested that the assessment should be based on an analysis of:
- the relevance of each of the three elements of the general duty under the Act;
 - whether there is any evidence to believe that some racial groups could be differently affected;
 - degree of relevance to the general duty based on level of evidence and/or knowledge of public concern that functions or policies may be operated in a manner which may give rise to race discrimination.
- 4.3 However, we accept that such an assessment would involve a level of subjectivity, particularly in the absence of a detailed impact assessment for each service which should be carried out during the three years of the operation of the Race Equality Scheme itself.
- 4.4 It is important, therefore, that the assessment of relevant functions and priorities for action are the subject of discussion during the period of consultation on the Scheme and during the life of the Scheme.
- 4.5 We are proposing to review all of our relevant functions and policies over the three years of the Scheme to assess their impact on the elimination of discrimination, the promotion of equality of opportunity and the promotion of good race relations. Where relevant these assessments will be carried out with partner bodies. Priority will be given to those services in direct contact with the public. Actions identified as top priority will be addressed in years 1 and 2 of the Scheme. Actions identified as medium priority will be addressed from year 2 onwards and other priorities after that.

Assessing and Consulting on Existing and Proposed Policies

- 4.6 We are proposing to develop an Race Equality Impact Assessment process for our existing functions and policies. This process will also be used to conduct assessments of proposed new or changes to existing functions or policies. We are determined to increase consideration of race equality in the policy-making process so that the likely implications for ethnic minority communities can be more fully assessed and addressed.
- 4.7 Our assessment will be based on evidence gathered in a variety of ways from diverse sources including some of the following:
- demographic data and other statistics;
 - research findings;
 - comparison between similar policies within the Council or other public authorities;
 - survey data;
 - complaints;
 - community views arising from community planning, village appraisal or other service consultation activity;
 - views of employees;
 - ethnic monitoring data;
 - data including casework data from groups and agencies directly in touch with ethnic minority people;
 - deprivation studies and appropriate indices including community profile work;
 - one-off data gathering exercises;
 - specially commissioned research including an assessment of qualitative research;
 - Best Value Reviews and major medium-term service plan preparation.
- 4.8 In accordance with the importance of mainstreaming race equality work, as far as possible impact assessments will be carried out as part of the preparation for fundamental service review within our overall review programme and as part of the review and roll-forward of key medium and long-term service planning activity.
- 4.9 A summary of the results of Equality Impact Assessments, and resultant action plans, and consultation exercises will be reported as part of the annual review of the Race Equality Scheme.
- 4.10 Our Constitution requires us to identify and publicise proposed 'key' decisions and the consultation intended in relation to those decisions. Reports to the Cabinet on these key decisions (and all other matters) require us to identify the consultation undertaken and consultation outcomes, together with the equal opportunities implications associated with those decisions. We will develop existing guidance on the format of reports to Cabinet and other bodies to ensure that consideration is given to the implications of the general and specific

duties under the Race Relations (Amendment) Act and that these are reported on alongside other equal opportunities implications of proposed key decisions.

Consultation

- 5.1 When consulting on our Race Equality Scheme we will work with employees, Black and Minority Ethnic Worker Groups, the Leicester Race Equality Council, minority ethnic groups/organisations, and individuals in order to identify how best to obtain their views. This may involve face-to-face meetings, focus groups, surveys, consultative forums, established user groups and other mechanisms identified as best practice. Guidance on this is set out in our Best Practice Guide to Consultation approved by the Council in 2000. This guide will be developed in 2002 to include additional guidance on consultation with hard to reach groups.
- 5.2 Wherever possible information will be made available on request in minority community languages to meet the needs of those who are not fluent in English.
- 5.3 The outcome of consultation exercises will be reported in specific reports on the issues involved (as outlined in paragraph 4.10 above) and summarised in our annual report on the Race Equality Scheme and in the Best Value Performance Plan. We will use the process of preparing the annual report and revision of the action plan to consult further internally and externally and provide information on race equality plans and activities.

Monitoring

- 6.1 In assessing the relevance of our functions and policies to the general duty there is evidence that some service areas are not undertaking equalities monitoring nor reporting on the results of monitoring. This information is valuable as it can be used to examine how well services are provided to ethnic minority communities. Of equal importance, monitoring information is often not published in a way which encourages challenge to existing arrangements for service delivery. This also applies to employment issues.
- 6.2 We intend to develop a more systematic approach to monitoring service delivery and particularly reporting on equality issues. Priority will be given to following up our audit against the Commission for Racial Equality Standards for local government to draw up a programme for the development of equalities monitoring across relevant service areas.
- 6.3 We propose over the three year period of the Race Equality Scheme to establish or improve systems to monitor the impact of functions/policies on the minority ethnic communities, and actively use the information to improve service delivery to all groups in the community. Establishing and improving monitoring systems will have to take into account resource implications. Wherever possible examples of successful existing systems will be replicated. We will work with ethnic minority communities to raise awareness of the importance of the collection of this information.

- 6.4 There are a number of other data sources that may be used for the purpose of monitoring including the 2001 Census (once available); DTLR Best Value User Satisfaction Survey, Labour Force Survey 2000; Pupil Level Annual School Census 2002.
- 6.5 We propose to develop a schedule of where data on ethnic minority take up of services is collected, this will be published as part of the annual review.

Publishing Results of Assessment, Consultation and Monitoring

- 7.1 We will publish the action plan arising from the Race Equality Scheme in the annual Best Value Performance Plan so that this action planning is integrated with the Council's forward planning priorities for the years ahead. The Scheme and action plan will be available in printed form and accessible formats and it will also be available on the Council's website.
- 7.2 We will inform the public and employees of the County Council about the availability of this material through 'Leicestershire Matters' and 'Newline'. We will also inform relevant voluntary organisations, community groups and representatives. We will also use existing consultation and communication arrangements with our employees.
- 7.3 We are currently reviewing the range of publications which are available in ethnic minority languages and other formats. We will consult on this as part of the consultation on the Race Equality Scheme.
- 7.4 Arrangements for reporting on the outcomes of assessment and consultation on specific proposals are set out elsewhere in this scheme.

Access to Services and Information

- 8.1 We intend that all of our services should become fully accessible to all parts of the community in order to meet the commitments in our Medium Term Corporate Strategy Race equality impact assessments should highlight any factors which indirectly discriminate by making a particular service less accessible to particular groups.
- 8.2 Most members of the public who make contact with the Council, do so by making a telephone call. The Council is currently looking to promote good practice in handling telephone contact as part of the Better Access to Better Services Initiative. Examination of good practice elsewhere will seek to identify ways in which telephone answering could encourage service take up by minority ethnic people or could promote their access to services information of the Council's function. In addition to the telephone, access is available in a number of ways including face to face, visiting buildings, by letter, e-mail, and using the internet. The initiative will also explore people's preferred method of contact with the Council on service matters and seek to identify and overcome barriers to access to services and information.

Training

- 9.1 We have long-established arrangements in place for training employees on race issues. These include programmes on equal opportunities including race, fair and effective recruitment and selection processes and the operation of appraisal systems. The majority of this training is focused on line managers providing services direct to the public. We have a mandatory policy that any manager involved in recruitment and selection must attend appropriate training. Recording systems are in place to ensure that those who have attended these programmes can be clearly identified. Building on this base, we intend to review the way in which existing training is provided and re-align the contents to ensure that we meet the requirements in respect of general and specific duties.
- 9.2 This review will be targeted at three main groups of employees. Firstly, those responsible for managing and introducing Leicestershire's Race Equality Scheme; secondly, service managers responsible for delivery of services to the public, and thirdly, front line staff involved in delivering services. Elected members will also be familiarised with the requirements of the Act.
- 9.3 The review will clearly help in identifying the content of various programmes. It is likely that a number of themes will be covered by the training. This will include a general understanding of race awareness issues, how the Race Equality Scheme operates, the significance of the general and specific duties identified under the legislation, and consultation and monitoring arrangements in relation to service provision.
- 9.4 It is likely that some of the existing training will need to be modified to meet the new requirements while, as a result of the review, there will also be some new programmes established to ensure that we meet our duties under the legislation and in accordance with the Code of Practice.
- 9.5 The Chief Officers Management Team will review the impact of training provided on an annual basis. Similarly, the Personnel Steering Group will monitor the effectiveness of training from an employment perspective on a regular basis.
- 9.6 Additionally, we will seek feedback through our consultation arrangements to ensure that the training provided can be developed further.

How We Will Deal with Complaints

- 10.1 Complaints from members of the public that the County Council has failed to comply with its responsibilities under the Race Relations (Amendment) Act and this Scheme will be handled under the County Council's corporate complaints procedure.

- 10.2 We have grievance and disciplinary procedures in place and a policy on dealing with complaints of harassment relating to employees. We also have a 'whistleblowing' procedure. These procedures will be used as appropriate to investigate complaints relating to County Council employees in respect of responsibilities under the Race Relations (Amendment) Act and this Scheme.
- 10.2 The Members' Code of Conduct and Standards Committee provide the mechanisms to address complaints about the conduct of elected members.
- 10.3 We already use the procedures listed above as part of our arrangements for monitoring and acting on racist incidents. We will report annually as part of our monitoring of the Race Equality Scheme on complaints made and action taken.

Action Plan

- 11.1 Our draft Action Plan to implement this Race Equality Scheme is set out in Appendix '3'. We would particularly welcome comment on the content and priorities of this draft Action Plan. Our current race equality performance indicators and targets published in our Best Value Performance Plan are set out in Appendix '4'.

EMPLOYMENT

The Specific Duty

12.1 The Race Relations (Amendment) 2000 places specific duties on the County Council in relation to employment matters. Under the Act we must put in place, as soon as is reasonably practicable, arrangements to monitor by racial group:

- (a) the numbers of:
 - (i) employees in post;
 - (ii) applicants for employment, training and promotion; and
- (b) the numbers of employees who:
 - (i) receive training;
 - (ii) benefit or suffer detriment as a result of performance assessment procedures;
 - (iii) are involved in grievance procedures;
 - (iv) are the subject of disciplinary procedures or
 - (v) cease employment with the County Council.

12.2 We are also required to publish the results of this monitoring each year. We will publish this information, and a summary of action taken as a result of monitoring, in the annual report on the Race Equality Scheme.

Current Position

12.3 The 1991 census data showed that 3.4% of Leicestershire's population were from ethnic minorities. It is expected that the 2002 census will show an increase in the ethnic minority population with a further increase in the future. The most recent survey of the County Council's workforce indicates that we employ approximately 18,000 people (including teachers) of whom 3.3% are from ethnic minorities. The survey is based on self-assessment by employees.

12.4 We will be introducing a new human resources computer system during 2002/03. This will enable us to produce monitoring information against all the indicators referred to in Appendix '4'. However, information will only be available for part of the year in the first year of the Race Equality Scheme. The resource implications of introducing the new computer system have been budgeted for. The costs associated with collecting, collating and interpreting the data so that informed action can be taken will need to be assessed. We will use the first year monitoring information to identify, working with employee and management groups, areas for further investigation and action.