

Report to Cabinet

Subject: Equality and Diversity Policy and Equality Framework Action Plan

Date: 7 October 2021

Author: Director of Corporate Resources and s.151 Officer

Wards Affected

All wards

Purpose

To update Members following the public consultation on the draft Equality and Diversity Policy (Policy) and Equality Framework and Action Plan (Action Plan), and to seek approval for their adoption.

Key Decision

This is a key decision as the Equality and Diversity Policy is likely to be significant in terms of its effect on communities living or working in an area comprising two or more wards of the Borough.

Recommendation

THAT Cabinet:

- 1) Notes the responses to the public consultation on the Equality and Diversity Policy and Equality Framework and Action Plan.
- 2) Approves the adoption of the Equality and Diversity Policy and Equality Framework and Action Plan (at Appendix 2 and 3 respectively), as detailed in this report.

1 Background

- 1.1 In November 2020, Cabinet considered a report which outlined the Council's public sector equality duty and responsibilities under the Equality Act 2010 (EA2010), detailed the Council's current Equality objectives as published in the Gedling Plan, and updated on the work

undertaken by the Portfolio Holder and the Policy Advisor for Young People and Equalities with the Equality Review Group comprising key officers, which included the preparation of a draft Equality and Diversity Policy (Policy) and Equality Framework and Action Plan (Action Plan) to be approved for a period of public consultation.

- 1.2 The report highlighted the specific equalities objectives contained within the current Gedling Plan including:

Priority	Objectives
Cohesive, Diverse and Safe Communities	<ul style="list-style-type: none">• Reduce poverty and inequality and provide support to the most vulnerable• Improve social mobility and life chances
Health Lifestyles	<ul style="list-style-type: none">• Improved health and well-being and reduce health inequalities• Reduce levels of loneliness and isolation

- 1.3 The Action Plan was developed taking into account the Local Government Association Equality Framework for Local Government 2020 (EFLG). The Action Plan, sets out the measures the Council already has in place to deliver good equality outcomes and the activity the Council needs to progress to secure further improvement.

- 1.4 The Policy, sets out clearly the commitment that the Council has to promote equality and diversity both within the organisation and through service delivery. The policy highlights the legislative requirement to comply with the EA2010 and sets out how we will demonstrate our commitment and compliance with the legislation across four areas:

- Developing plans, policies, practices and decision making
- Providing Services
- Employment
- Partnership, procurement and commissioning

- 1.5 At the November meeting, Cabinet approved a period of public consultation on the Policy and Action Plan. Members also approved the formation of a corporate Strategic Equalities and Diversity Group made of the Leader, Deputy Leader, Portfolio holder for Young People and Equalities, Policy Advisor for Young People and Equalities, one representative from each of the opposition groups, the Chief Executive, the Director with lead responsibility for equality and diversity and any

other Cabinet Member who may wish to attend. The group are responsible for the following:

- Providing leadership and acting as ambassadors for equality and diversity issues, leading by example and encouraging the integration and embedment of equality and diversity in all of the council's functions. This may involve setting up and overseeing the work of sub-groups (Diversity Action Groups) as required;
- Oversee, support and monitor progress of the Equality Framework and Action Plan;
- Consult and seek representation from staff, Members, user groups, service users, residents, businesses and partners.

1.6 The period of public consultation on the Action Plan and Policy ran from 11 November 2020 to 22 December 2020. The main aim of this consultation was to capture resident and community views that would help shape the Council's Policy and Action Plan and explore the public's suggestions in relation to the Council's commitment to further develop its work in relation to equality and diversity in general. The consultation was conducted online and hard copies of the documents were available on request. The promotional activities for the consultation survey involved inviting local community groups to complete the survey, publicising the survey on Facebook, Twitter and GovDelivery, as well as on the Council's website. The survey was advertised in the Christmas Community E Newsletter and Health and Wellbeing newsletter which has a combined circulation of over 10,000 health and wellbeing contacts including community groups and voluntary organisations, individuals who have signed up to keep me posted and partner organisations who have signed up for the newsletter. The survey was also promoted to the Gedling Youth Council, Seniors Council, advertised through Councillor contacts and circulated to local sports clubs. The survey was sent out to all those signed up to Keep me posted through the latest news bulletins which advertise all live consultations, and was sent out to all local media outlets and parish councils through a press release.

1.7 There were only **13** responses to this consultation survey. This was a surprisingly low response rate to a borough wide consultation and as such they did not necessarily reflect a strong collective view on the Policy and Action Plan. The effectiveness of the consultation process was reviewed and consideration given to whether anything could be done to ensure that a more meaningful response could be achieved. In order to ensure compliance with our equality duty, the consultation should be accessible by as many as possible and in particular the views of those directly impacted by the Policy and Action Plan such as those within

protected characteristic groups should have the opportunity to engage. It was recognised that consultations in the usual way were challenging during Covid-19. Normally, in order to engage with harder to reach groups, face to face focus groups would be organised, however, these were not possible due to Covid and, efforts were made to target these groups through a community newsletter. The small number of responses could be a result of the fact that the respondents had to read an inevitably detailed document in order to write their responses. The consultation period was 4 weeks which is not unreasonable but it ran during a period where the County were coming out of national lockdown but unsure of which tier would ensue. There was a risk that the significance of the consultation was lost amongst other more pressing news.

- 1.8 In February 2021, following consideration of the outcome of the first consultation with the Portfolio Holder and Policy Advisor for Young People and Equalities, the Leader considered a report and approved a second consultation to run for a longer period of 6-8 weeks, to include more marketing of the consultation itself to ensure meaningful engagement with the residents and the community, including the direct targeting of specific groups and service users within the protected characteristic groups.
- 1.9 The second consultation was launched in June and was supported by a refreshed communications plan and the publication of a dedicated consultation document developed to highlight the Council's rationale for undertaking the survey and emphasising the significance of the documents to our customers and providing a summarised version of the Policy and Action Plan to try and make these detailed documents more readily accessible and understandable. The full Policy and Action Plan were also available alongside the consultation document.
- 1.10 Due to the ongoing Covid-19 pandemic the survey was available for completion on-line and each community group and partner organisation was sent a direct letter and follow-up reminder to bring their attention to the consultation and encourage participation. Over 200 individual leads from community and interfaith groups were contacted, with further reach achieved via the Community and Health and Wellbeing e-newsletter to over 10,000 contacts. Community groups and partners were asked to identify themselves in their completion of the questionnaire to enable any gaps in participation to be identified to inform future engagement plans for consultation, preferably to include face to face focus groups, as Covid related restrictions lift.
- 1.11 The second consultation survey captured four sets of comments relating to the following questions:

- Do you agree that our proposed policy and action plan will have a positive impact on the lives of the people of Gedling? If you disagree, please explain why.
- Are there any changes that you would suggest to the proposed policy?
- Are there any actions you would particularly like to see included in our detailed action plan?
- What other comments do you have about our proposed policy and action plan?

1.12 The consultation closed after 8 weeks and **80** responses have been received, 8 of which were from groups and partners. The responses have been analysed and the full report, including an analysis of the profile of respondents, is attached at Appendix 1. The main findings from these responses, taken together with the 13 responses to the initial consultation, are detailed in paragraph 1.13 below.

1.13 Main Findings (both consultations)

- 52% of respondents agree that the Council's Equality and Diversity Policy and Action Plan will have a positive impact on the lives of people of Gedling, 26% disagree that it will have a positive impact and 22% are neutral. In the main comments made by those 26% that disagreed that they would have a positive impact focused, firstly around a preference for the Council to use its resources on alternative services, and secondly, whilst generally supporting the Policy and Action Plan raising a concern that they would not effect any real changes or action in community that could be measured, as referenced in the bullet points below.
- Positive feedback relates to the Policy and Action Plan and is seen by some as demonstrating commitment 'a sign that making equality and diversity a focus will have a positive impact on the people of Gedling'.
- 'Actions should be more tangible and measurable (SMART), there should be robust and periodic reporting on the completion of those actions (e.g. to be reported to Cabinet), and these actions should be supported by metrics and focus on the needs of protected characteristic groups'. 'The council should put the adequate mechanisms in place in order to demonstrate 'We will' commitments to residents, such as clear targets and any other tools to measure

success’.

- ‘Further work is needed to create a more diverse workforce within the council, including more non-white and disabled members of staff and a higher representation women in higher positions. This will inspire residents of the borough and give them reassurance that the council is committed to the work relating to equalities and equal opportunities in the local communities as well’. ‘The council needs to make sure that the diversity in the workplace and particularly in senior positions is present because that will ‘drive Equality and Diversity more generally throughout the borough’.
- Common concerns expressed by respondents are that a lot of meetings and training don’t lead to any real achievements or actions within the community, that minority groups are seen and treated as homogenous without any specifically identified needs to a particular group and that the equalities-related work becomes a tick box exercise. The council should engage with the local residents and groups when carrying out Equality Impact Assessment on both policy and in service development and take their views into account.

Other findings to note include:

- Some wording in the policy should be changed to ensure accuracy and in order to demonstrate a stronger commitment;
- Ensure published documentation is presented in an accessible and inclusive way;
- Be transparent with reporting progress of the action plan delivery to demonstrate real change (‘actions not words are the key’, ‘more than lip service’, ‘be aware of tick box’) and offer easy routes to report equalities issues and ascertain public views;
- The council should have a clear stand that any kind of discrimination will not be tolerated (e.g. homophobia, transphobia, racism etc.);

The profile of respondents analysed by protected characteristics provides some statistical data to inform whether the consultation reached a representative group and where further efforts may be required to improve future engagement activity. The profiles appears to be broadly in line with our borough profile but there are some gaps (which is also clear in the number of group respondents) and given the numbers responding overall indicates that the face to face focus groups detailed in paragraph 1.10 will be a valuable part of this action plan.

Conclusion

- 1.14 The second consultation has generated an improved response rate and provides constructive comments to inform the final Policy and Action Plan. It also provides valuable information with regard to the profile of respondents, including groups, to inform future engagement work.
- 1.15 In the main the comments received relate to issues that are already addressed within the draft Policy and Action Plan but there are some minor areas of improvement or clarification which are now proposed for inclusion in the Policy and Action and are included as track changes for clarity in Appendices 2 and 3:
- Minor wording changed in the Policy and Action Plan to ensure accuracy and in order to demonstrate a stronger commitment.
 - Action Plan Section - Leadership and Organisational Commitment - A new action to review the equalities related objectives and actions in the Gedling Plan to ensure targets successfully measure intended outcomes.
 - Action Plan Section – Understanding and Working with Your Communities - To clarify that the existing action *to consider the development of an engagement strategy* should ensure the different needs of each protected group are fully understood and reflected in service development.
 - Action Plan Section – Understanding and Working with Your Communities – To clarify that the existing action *to Create and Implement a Communications Strategy* will adopt appropriate equalities related standards to ensure accessibility and inclusion.
 - Action Plan Section – Responsive Services and Customer Care – to clarify that the existing action *to consider the further development of mechanisms to consult service users* to identify appropriate service improvements actions for protected groups.
- 1.16 With regards to the suggestion that residents should be consulted to determine the adequacy of equality impact assessments, it is already general practice that EIAs are completed on projects or decisions where appropriate prior to public consultation on those particular decisions/projects. As such, the public would have an opportunity to comment on EIAs as part of the larger consultation on a particular matter in any event. It is already recognised as part of the proposed Action Plan that better collection and use of Equality Data is an action which will facilitate better engagement with residents within protected groups and

better consultation and engagement with those groups.

- 1.17 With regard to comments made through the consultation in relation to equality in the workplace, as indicated at the November Cabinet meeting, work was already underway in relation to a revised inward facing equality policy in respect of staff and employment. Following a period of consultation the final Equality Policy (Employment) was approved by Appointment and Conditions of Service Committee on 17 March 2021 and it came into effect from 1 April 2021. This policy and associated HR service plan actions includes all of the tasks identified in the Action Plan, including the development of a Workforce Strategy (which has now also be approved and implementation has commenced), which includes a specific action relating to those protected groups which are not fully represented in the workforce.
- 1.18 There were also comments from the consultation about including more specific detailed references to certain protected groups within the policy such as specific actions, for example, around disability, age discrimination, homophobia and anti-racism. The Policy aims to encompass all protected characteristics and provides a broad commitment in respect of the Council's stance on equality. In practice, it is through the Action Plan that specific actions will evolve.

2 Proposal

- 2.1 It is proposed that Cabinet note the responses to the consultation on the Equality and Diversity Policy and the Equality Framework and Action Plan which are set out in Appendix 1 to this report and summarised within this report.
- 2.2 It is proposed that Cabinet adopt the Equality and Diversity Policy and the Equality Framework and Action Plan to include the proposed amendments following consultation, as set out in Appendices 2 and 3 respectively.
- 2.3 It should be noted that whilst the public consultation process has been ongoing the delivery of the Action Plan has commenced, for example, the actions detailed in the section on Diverse and Engaged Workforce are fully embedded in the HR, Performance and Service Planning service plans and as detailed in paragraph 1.17 progress is being made. The Gedling Plan operational actions will be reviewed to ensure the Action Plan is fully embedded in service delivery in accordance with timescales set out i.e. over the period up to March 2023. The delivery to date has been impacted by Covid-19 and the ongoing consultation process and there is a risk that timescales will need to be reviewed in line with capacity levels.

- 2.4 The first meeting of the Strategic Equalities and Diversity Group will now be arranged in accordance with the Policy to provide leadership and oversight to the current action plan delivery to ensure outcomes are secured, and to develop the future vision for equalities and diversity in the borough for the next term of the Gedling Plan.

3 Alternative Options

- 3.1 Members could choose not to approve the documents and require further consultation but this may delay the delivery of the strategic actions in the Gedling Plan. Further engagement with the community and service users will be an ongoing feature of equalities related activity which is embedded in the Action Plan.

4 Financial Implications

- 4.1 To fully support the commitment to delivering the Action Plan within the timescales and further improvements in respect of equalities and diversity, and embedding it across the Council, additional officer resource may be required. This will be identified through the normal service planning process.

5 Legal Implications

- 5.1 As detailed in the report, the Council has a statutory duty to comply with the requirements of the EA2010. The Equality Framework and Action Plan, draft Equality and Diversity Policy, Equality Policy (Employment) and all other work detailed in the report demonstrates how the Council seeks to comply with its responsibilities under the EA2010. Whilst consultation on the draft Equality and Diversity Policy was not statutorily required, it is best practice, and is in line with the public sector equality duty. The government has produced guidance on effective consultations which sets out a number of principles. In particular consultations should be targeted, should be clear and concise, should take account of the groups being consulted and should allow adequate time for responding.

6 Equalities Implications

- 6.1 By its nature the work undertaken within this area is aimed to strengthen equality of access to services for all residents and staff. As part of the consultation exercise, engagement was sought with community groups to ensure wherever possible that those within protected characteristics were contacted as part of the consultation.

7 Carbon Reduction/Sustainability Implications

- 7.1 There are no direct Carbon Reduction/Sustainability Implications arising from this report.

8 Appendices

- 8.1 Appendix 1 – Consultation Results 2021
Appendix 2 – Equality and Diversity Policy (including proposed track changes)
Appendix 3 – Equality Framework and Action Plan (including proposed track changes)
Appendix 4 – Equality Impact Assessment

9 Background Papers

- 9.1 Local Government Association Equality Framework for Local Government 2020 (EFLG)

10 Reasons for Recommendations

- 10.1 To ensure members consider the consultation responses and ongoing work to comply with the Council's public sector equality duty and equality obligations.
- 10.2 To support the achievement of Gedling Plan equalities related objectives.

Statutory Officer approval

Approved by Chief Financial Officer

Date: 17 September 2021

Approved by: Monitoring Officer

Date: 20 September 2021