

WIRRAL COUNCIL

CABINET – 16 August 2007

REPORT OF THE DIRECTOR OF ADULT SOCIAL SERVICES

NEW EQUALITY AND DIVERSITY POLICY AND STRATEGY

1. Executive Summary

- 1.1. The purpose of this report is to provide members with an update on progress in tackling the equality and diversity agenda and to seek approval for the combined equality policy and strategy. Equality and diversity has an impact on how we deliver our services. Understanding this area of work is important for us as it will help us to shape our services in a way that shows that the local authority is a good corporate citizen. The equality and diversity agenda will also help us to lead the way forward in developing sustainable communities.

2. Background

- 2.1. It is important to note that there have been some recent legislative changes in this area, including the requirement to create a gender equality scheme and increased expectations in tackling discrimination on the grounds of faith, disability, age and sexuality.
- 2.2. The legislation has also brought in the requirement to not only tackle discrimination but to actively promote diversity. This is a significant change to our responsibilities and one that will require us to act in different ways.
- 2.3. The equality and diversity agenda cuts across all of the work that we do and is now included in all major inspections including corporate assessment, service specific key lines of enquiry and other inspectorate regimes such as Commission for Social Care Inspectorate (CSCI). A poor judgment within this area can impact on our performance rating. Another key risk to consider is that non-compliance could result in legal action.
- 2.4. The equality standard has five levels and we are currently at level two. In order to meet the requirements of the standard at level two we have developed the following new documents: combined equality and diversity policy, equality and diversity strategy, and a corporate equality plan.
- 2.5. These documents have been circulated widely to staff and stakeholders within the borough. There has been a good return of consultation slips and the responses have been very positive.

3. Recent progress

- 3.1. The council has made considerable recent progress in understanding and addressing the equality and diversity agenda across all services. Key achievements include:

- Achievement of level two of the equality standard
- Creation of the new corporate equality and inclusion group under the leadership of Director of Adult Social Services on behalf of COMT (this merged the working of corporate equality working group and social inclusion group)
- Every department now has a senior officer lead and a departmental equality group
- Development of employee focus groups for disabled workers and women
- Further equality impact assessment training (all departments now trained)
- Development of detailed programme of equality impact assessments for all departments
- Re-designation of a post to create full time corporate equality and diversity officer
- Successful publication of the disability equality scheme
- Multi-agency stakeholder event to prepare for gender equality duty (held on Jan 17)

3.2. However, the council is still only at level two of the standard and there remains a great deal of work to be done to meet new legislative requirements. Other authorities across Merseyside are either at the same level or higher than Wirral – e.g. Liverpool is already at level four and Knowsley will shortly reach level four.

3.3. The council will also need to address the issue of attracting and retaining a diverse workforce at all levels, particularly supervisory positions and senior management. For example, the authority has few staff with a disability generally and very few at senior grades. Of the 35 or so staff at chief officer and head of service level, only five are women and none come from ethnic minorities. This is not reflective of Wirral's population and we have a responsibility not only to ensure our recruitment policies do not discriminate, but also that we actively promote diversity.

3.4. As mentioned above, one of the other significant areas of work has been around establishing a combined equality policy and strategy for the authority and the associated action plans. These documents are explained in more detail in the following section.

4. Equality and Diversity Policy

4.1. This new policy covers all six pillars of the equality standard, these are:

- Age
- Disability
- Ethnicity
- Faith/Belief
- Gender
- Sexuality

4.2. The policy draws together in one document the following: the legislative process, our service delivery commitment, employment commitment and the council's policy statements in relation to these six areas.

5. Equality and Diversity Strategy

- 5.1. The purpose of the strategy is to provide a framework in which the council can meet the challenges of this growing agenda of work. The strategy recognises that there are distinct drivers within the equality and diversity agenda. The national context is an important driver and it is useful to understand this context fully. Britain is changing fast: demographics; globalisation and migration are making us more aware of different identities, cultures, religions and beliefs. There are changing relationships between men and women, new family patterns and the needs of the labour market and public services.
- 5.2. There are new frameworks and organisations being developed to challenge persistent patterns of discrimination and inequality, and to protect diversity, promote good relations and human rights. However, discrimination and inequality are still widespread in many areas of society.
- 5.3. The new Commission for Equality and Human Rights will inherit the powers of the three existing commissions whose focus is on equality relating to gender, race and rights for disabled people.
- 5.4. The local context is also important for us to understand, Wirral has a relatively small and dispersed Black and Minority Ethnic (BME) community, however their groups have a substantial membership on the Wirral Voluntary and Community Sectors Network, within its multicultural sub-group. This group, with the support of the network, held a series of meetings which culminated in the publication of a report entitled 'your views matter'. This report highlighted a number of concerns about the level of engagement and the extent to which the views, needs and aspirations of the BME community are met.
- 5.5. The equality and diversity strategy addresses how we engage with the following; national and local context, training and organisational development, performance management, management practice, organisational culture, and community engagement. The strategy represents the progress made to date in embedding equality and diversity. However it will need to be updated as we continue to make progress in this area. The head of policy, as corporate operational lead on equality, has been tasked with updating the strategy and a report will be presented to members on a regular basis.

6. Training

- 6.1. It is recognised that our staff represent our biggest resource and the role that they play in delivering our services in a fair and equal way is a crucial element in ensuring that we are viewed as an organisation that takes equalities seriously.
- 6.2. A training needs analysis in this area has begun and it is already highlighting gaps in our training provision, for example in general knowledge and awareness, recent legislative changes and discrepancies in the training provided by different departments. The lead role that elected members play in the interface between the council and the public also requires us to review the training that is offered to our members to ensure that we offer training that is up to date. Staff from within the

organisational development and corporate policy teams have been exploring use of an online training tool to ensure we can reach all staff.

- 6.3. Training not only ensures that we have a skilled and informed workforce but it also helps to address any need for cultural change. The department of finance has been conducting training for customer facing staff and this work should be strengthened through the customer access strategy.

7. Leadership

- 7.1 The council recognises its unique role not only as the major employer in the borough, but also as the key service provider. In recognising this key role and the importance that culture plays within an organisation, the council is keen to ensure that leadership in this area is strong enough to communicate a corporate message that transcends all departments and helps to create a culture whereby equality and diversity becomes part of the mainstream planning and service provision process. The establishment of a lead role at Chief Officer level has been an important part of this process.
- 7.2 A strong political foundation will be crucial if we are to fully embed our approach to equality and diversity. Whilst every cabinet member has a responsibility in their portfolio around equality, there is no clear champion identified to take forward the approach to improving council services and employment regarding equality and diversity issues. This is also needed to achieve level three of the equality standard. The responsibilities for ensuring the organisation's equality of opportunity in employment and service delivery rests with Corporate Services. At the same time, the portfolio holder for Social Care and Inclusion includes responsibility for leadership and co-ordination of the 'Inclusion' agenda. Similarly, the portfolio holder for Children's Services and Lifelong Learning has responsibility to ensure 'Every Child Matters'. Cabinet are asked to affirm their shared commitment to this activity and consider the introduction of an elected member champion for Equality and Diversity.
- 7.3 With regard to scrutiny the Community and Customer Engagement Overview and Scrutiny Committee also has the responsibility for E&D within its terms of reference and has identified equality as a possible area for in depth scrutiny work this year. Cabinet is asked to identify which cabinet member it feels is most appropriate to act as the champion for equality and diversity.

8. Consultation

- 8.1. A great deal of work has been carried out by officers over the last few months to bring together the work of the five council for voluntary services organisations (CVS) and the network. This work has now reached the level whereby a new delivery plan has been developed and these organisations are working together. This plan will address the need for a community engagement strategy that supports the work of the community engagement toolkit, adopted by the local strategic partnership in December 2006. The delivery plan contains specific actions for the network about acting as a gateway for consultation on equality and diversity for the authority and our partners.
- 8.2. The network delivery plan addresses the need to develop specific consultation forums with stakeholders within the six strands of the equality standard. This has

also been strengthened through the proposals in the community and voluntary sector funding report, which seeks to identify a number of community and voluntary sector organisations that will provide the essential infrastructure in the areas of the six strands.

- 8.3. As mentioned in the achievements section, two staff focus groups have been created to support the corporate equality and inclusion group (disability diversity forum and the women's diversity forum). Attendance at these groups is purely voluntary and their purpose is twofold. Firstly, they provide a mechanism for identifying and understanding the challenges and barriers facing staff of the authority. Secondly they will be able to develop guidance and procedures to support the development of a fair and diverse workforce. For example, the disability diversity forum is developing guidance for staff with a disability that explains the law and what treatment they can reasonably expect as well as companion guidance for managers of staff with a disability on the same issues, but from a management perspective.
- 8.4. These two groups represent part of the six pillars of the equality standard, and it is hoped that staff members who identify with other elements of the six pillars will come forward to create other groups. It is vital that we commit to allowing staff time to attend these groups (which will only take 1-2 hours every couple of months) and that we allow them to develop their own agenda, whilst being given some guidance from the corporate equality and inclusion group.
- 8.5. To facilitate the operation of these groups, it is suggested that a small budget be established for each group (approximately £1k per group, per annum). This budget will be to pay for meeting booking and travelling expenses, courses etc. and will be initially found from within existing resources. Good practice from other organisations is to allow groups some independence in booking meetings to help ensure confidentiality of group members, which can be a problem for groups representing lesbian, gay and bisexual staff. It is proposed that the corporate policy team manage these budgets until the groups have created the necessary structure to manage themselves. Overall budgetary responsibility for authorisation will rest with the head of policy.

9. Risk Management

- 9.1. As mentioned at the start of the report, we have already come under criticism for a lack of progress by the Audit Commission in our last corporate assessment and will be likely to be criticised in any future inspections. The recent housing inspection praised the emerging corporate approach to equality and diversity, but comments that the pace needs to be accelerated.
- 9.2. In addition, recent legislative changes mean that unless we review our primary policies and functions, the authority is potentially at risk of litigation from either staff or customers. Ignorance is no defence in the eyes of the law and we are under obligation to ensure our policies are effective and that our members and staff are aware of their duties under the various acts.

10. Next Steps

- 10.1. The council is still only at level two of the equality standard and, whilst good progress has been made in recent months, there remains a great deal of work to be done to ensure we can both inhibit discrimination and actively promote a diverse workforce and population. If we are serious as an organisation about this agenda, we will need to both make public our commitment and then ensure that our actions reflect it.
- 10.2. To this end, the council proposes to raise the profile of this work within the community by holding a launch event for our equality and diversity policy. The core element of this event will be to showcase our new policy, strategy and plan and to use the event as a platform for examples of best practice from within our services.
- 10.3. The proposed event would take place in the autumn and would provide an opportunity to meet the groups who fall into the six strands of the standard and develop our working relationship with them. The event could be hosted at Wallasey town hall and ideally would be led by the cabinet member champion (but all members of the cabinet would be invited).
- 10.4. The corporate equality and inclusion group will continue to champion and manage progress through the equality standard and will report back to cabinet on a regular basis.

11. Conclusion

- 11.1. There is much work to do and achieving level two of the standard is only the start of the work. The equality standard is an important tool in helping us shape our response to this agenda, how we train staff and elected members is another. Developing our relationships within the voluntary and community sectors is also a key element of how we progress. These three areas will require considerable development and a corporate and political appetite to engage with the equality and diversity agenda is crucial to our progress.

12. Financial and Staffing Implications

- 12.1. There will be some small costs associated with the launch event and these can be met from within the corporate policy team budget. The small budget suggested for the staff focus groups can be initially found from within corporate services' budgets.
- 12.2. There are no direct staffing implications arising from this report.

13. Equal Opportunities Implications

- 13.1. The implementation of the equality and diversity policy, strategy and equality plan will clearly be critical in ensuring that the council is promoting equality and diversity.

14. Human Rights Implications

- 14.1. The Human Rights Act 1998 provides that no public authority may breach a person's human rights as provided in the European convention on Human Rights and

fundamental freedoms (“the Convention”). The Convention protects key freedoms including the right to respect for a persons private and family life, their home and correspondence, freedom of thought, conscience, expression and religion and the right of freedom of assembly and to found and be a member of a trade union, amongst others. Article 14 of the Convention provides that no person should be discrimination against on any grounds in relation to their rights under the Convention.

14.2. The equality and diversity policy, strategy and equality plan aims to ensure that people who work for the council or use its services are not discriminated against in their work or in their access to those services.

15. Local agenda 21, community safety, poverty, social inclusion and planning Implications

15.1. There will be implications in these areas and they will be identified as part of the overall review of services.

16. Recommendations

That

(1) the equality and diversity policy and strategy be approved and adopted;

(2) the specific cabinet member to be the council’s equality and diversity champion be confirmed;

(3) the launch event for the new corporate equality policy be approved;

(4) the Community and Customer Engagement Overview and Scrutiny Committee be asked to take a lead in reviewing the authority’s approach to equality and diversity; and

(5) a commitment be made to allow staff members time to attend focus groups.

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