

# Report

**Subject** : Equality & Diversity  
**Report to** : The Cabinet  
**Date** : Wednesday 05 September 2007  
**Author** : Robin Townsend, Head of Community Initiatives  
**Cabinet Member for Community Initiatives** : Councillor Dalton

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1. Report Summary:

- 1.1. To bring Cabinet up to date with the work undertaken to give the council's work on equalities and diversity more force and direction, and;
- 1.2. To endorse the proposals that would enable the Council to be both provided with the necessary strategic and practical support as it seeks to lay the foundations for making sustainable progress in this vital area of work as well as being seen taking a lead in terms of raising the standards across the authority in preparation for the new unitary authority.

2. Introduction and Background:

- 2.1. In 2005 the Wiltshire Improvement Partnership successfully bid to the ODPM Capacity Building Fund for resources to support a programme of activity around Community Leadership. The bid grew out of work of the partnership, which included identification, review and analysis of common CPA weaknesses from inspection reports and the results of an Audit Commission Customer Focus Inspection in 2005
- 2.2. Equalities and Diversity was one of three related strands, the others being Members Development and Local Strategic Partnerships and performance management frame work
- 2.3. The areas of weakness identified in CPA reports and customer focus inspection report relating to Equality and Diversity indicated that:
  - Equality & Diversity issues have not been consistently mainstreamed across organisations, particularly in strategy, policies and service plans
  - In some areas application of equalities policies and procedure are not implemented consistently by all contractors working on behalf of councils
  - There is insufficient expertise, research and experience in individual authorities
  - The mix of members does not reflect their communities. Barriers may exist to widening participation of people in under-represented groups
- 2.4. The Outputs and Outcomes Sought centre around 5 key areas of work:
  - Improved access to services for minority hard to reach groups
  - E&D mainstreamed into strategies, policies and service plans
  - Improved understanding of the needs and requirements of minority hard to reach groups
  - Attraction of new members that reflect diversity in communities
  - Authorities to achieve level three of equalities standard for local government

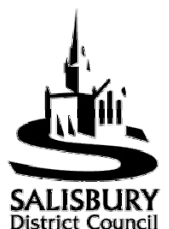


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- 2.5. To move towards achieving level three, the Wiltshire Improvement Partnership has set up a Equality & Diversity Project Team to lead on this area of work, made up of representatives from all five local authorities in Wiltshire who in turn have appointed consultants to progress the work on its behalf, concentrating their efforts around the following work streams:
- Develop a comprehensive Equality Impact Assessment Form and guidance notes for all authorities in Wiltshire that will be considered “Best Practice”.
  - Develop a robust training programme that will include workshops and ‘Train the Trainer’ courses to embed EIA into the organisations and enable a consistent format across the County.
  - Develop a comprehensive training programme for Councillors
  - Organise a ‘Best Practice’ event to showcase best examples of services from each authority, an example already being considered for Salisbury is the Performance Management System.
  - Produce advice on how to consult with H2R and BME groups.
  - Undertake a mapping exercise to list all the organisations that all five authorities engage with on E&D issues and the work that they are undertaking
  - The organisation of a seminar on Leadership
  - Produce guidance relating to Procurement

### **3. Salisbury District Council’s approach.**

3.1 To support the work being undertaken on a County-wide basis, Management Team assessed the progress that the Council has made in relation to Equality and Diversity. This assessment encompassed:

- A review of relevant documentation
- A meeting with some of those involved in the Corporate Equalities and Diversity Group
- One to one discussions with a number of other key contributors including Members; Service Unit Heads; Unison etc
- A quick review of best practice in other local authorities

3.2 Through the review it became evident that the Council was not as proficient in this area of work as it had presumed, despite assessing itself as having reached level two of the equalities standard there was little evidence to suggest that this was actually the case.

3.3 It was evident that there were a number of areas which the Council could improve the way in which it approached equality and diversity issues and in which more progress could be made, the main ones being:

- Whilst responsibility for E&D is written into the portfolios plans for three Cabinet members, in practice members have had a low profile in overseeing progress which seems to have sent negative messages about the importance that is attached politically to pursuing equality objectives. Overview and Scrutiny members appear to have carried out very little work that has contributed to the Council’s Equalities and Diversity Policy
- Those involved in the Corporate Equalities and Diversity Group have not always been sufficiently senior to be able to make change happen in their respective areas. A widely held view is that more senior managers need to be more involved in equalities work.
- There is very little knowledge beyond the people who have been involved in the Equality and Diversity Group on what is happening in relation to Equalities and Diversity issues- the work seems to be rather peripheral to the Council’s mainstream activities. A prime example of the lack of mainstreaming is the fact that the results of the equality impact assessments carried out by all service units last year have not been included in the Portfolio Plans.
- To date, the Council’s approach to equalities work appears to have been a fairly “technical” one with an emphasis being placed on processes and procedures rather than cultural change and “winning hearts and minds”
- The action plan that was drawn up to implement the agreed Equalities and Diversity Policy is now out of date. The actions that it contains have not been project managed, monitored, reviewed and updated for about nine months. As a result, many of the initiatives that it contains have not been implemented.

- Although there is no major resistance to tackling equality and diversity issues, understanding and commitment is not even across the council. While there are some real advocates for change and some people who have an in depth knowledge of what needs to be done, other people seem to have a lesser understanding and commitment. As a result progress appears to have been quite “patchy”.
- There is limited organisational capacity to pursue equalities and diversity work on a corporate basis. No one in the Council has provision in their job description for doing so which may account for the “start/stop” nature of progress to date and the disjointedness of initiatives mentioned above. The situation is not helped by the fact that, at present, Unison does not have a specific officer dealing with equalities issues.

3.4 A further example was highlighted in a recent ‘Customer Focus’ Audit Commission report which identified that:

*‘the Council needed to develop a robust understanding of the needs and requirements of all sections of the community through effective monitoring systems and by engaging with under represented groups; and to take positive steps to embed equality, diversity and customer-focused culture across the organisation.’*

- 3.5 Of more concern it has also emerged that the Council may not even be meeting its statutory requirements (e.g. in relation to the production of a Disability and Gender Equality Scheme).
- 3.6 There are however, some good examples of equality and diversity initiatives that are being pursued by officers in partnership with other key agencies in the area which are not being mainstreamed (most significantly the work that is being pursued under the auspices of the South Wiltshire Diversity Partnership).
- 3.7 Management Team brought the conclusions of the assessment to the cabinet who concurred with the view of Management Team that it was necessary to take urgent action to give its work on equalities and diversity more force and direction and that it could not wait for the outcome of the work being undertaken by the W.I.P.
- 3.8 Management Team also recognised that the Council do not have the capacity to carry out the work that needed to be undertaken and agreed that a consultant be appointed to assist the Council to move forward and to inject more momentum to the process.

#### **4. Consultants Brief**

4.1 The purpose of the consultancy support has been to:

- carry out urgent work to enable the Council to address gaps in relation to equality and diversity, including areas where the Council may not be meeting statutory requirements.
- put in place arrangements to launch a new approach to equality and diversity which places more emphasis on cultural change rather than concentrating on processes and systems.
- as the information has become available, to take the lead in responding to the findings of the audit of equality and diversity in the councils across Wiltshire, which are being undertaken under the auspices of the Wiltshire Improvement Programme.
- ensure that, by the end of the consultancy, a sustainable approach to equalities and diversity is in place through skills transfer, training, communication, etc.

4.2 The key tasks that the consultant has been employed to carry out are to:

- gather information on how the Council has responded to the statutory requirement to produce a Disability Equality Scheme and a Gender Equality Scheme and to take relevant action to address any gaps in the Council's approach.
- re-launch the Council's Corporate Equality and Diversity Group as the Strategic Equality and Diversity Group to oversee a new approach to the way in which the issues are to be approached and with the membership of the group changed to include:
  - Officers with the relevant expertise;
  - Senior officers who have the capacity to make change happen;
  - Elected members whose presence will give the change process more momentum;
  - Representatives from outside bodies who can provide external challenge

- review the Council's Equality and Diversity Action Plan assessing what progress has been achieved and actions that remain to be progressed. In the light of that analysis to:
  - make arrangements to ensure work is carried out where actions are outstanding;
  - expand the Action Plan to include more activities relating to raising awareness of equality and diversity issues and on service delivery issues;
  - reflect new legislative requirements;
  - encompass work which is currently being carried out but not yet included in the Action Plan.
- review the findings of the equality impact assessments that were carried out across the Council in 2005 and to produce a report on the themes and issues that emerged from the process and an action plan for the next steps that should be taken.
- work closely with the consultants appointed by the Wiltshire Improvement Partnership (WIP) to provide them with the information that they need to carry out their audit of the Council's work on equality and diversity and to enable the Council to respond speedily to their findings.
- work with the Council's Performance Manager to carry out an assessment of the Council's equality and diversity monitoring systems, including the ESAT system to determine how they might be better utilised, any training needs, etc.
- start the process of mainstreaming the Council's work on equalities and diversity (e.g. ensuring that equalities and diversity considerations are reflected in the Council's main plans and policies, and that work on equalities and diversity issues is linked to decision making processes, etc.).
- identify opportunities for more joint working on equalities and diversity issues with other councils in Wiltshire and with other partner agencies.
- develop the Council's evidence base to shape work on equalities and diversity issues (a detailed understanding of the make up of the Council's work force, a detailed understanding of the make up of the local population and the issues facing different groups, especially hard to reach groups).
- establish mechanisms for ensuring effective communication (both inside and outside the Council) on equalities and diversity issues.
- work with relevant officers to put in place robust systems for engaging with hard to reach groups.

## **5. Work to date**

5.1 Abbeville Associates, who were appointed to undertake the consultancy work and have been working to a cross council project board, and a substantial amount of work has been progressed over the last six months, namely;

- Inputting to, helping to shape and responding to the work of the W.I.P. consultants
- Carried out a review of a vast array of paper work; met with a number of key stakeholders; sat on interviews undertaken by W.I.P. etc to gather information on E&D in Salisbury in order to produce a gap analysis and assessment of whether the Council is meeting its legal requirements
- Meetings have been held with all Service Unit Heads senior Team Leaders to support them in identifying actions
- Proposals have been developed to set up a new Corporate Equalities and Diversity Group
- Started to develop proposals on raising members and officer awareness of equality and diversity issues and a corporate programme of training and development
- Working with W.I.P. to review our approach to Equality Impact Assessments and their impact on the day to day operation of the council and achieving outcomes for local people

5.2 The consultants have produced a detailed report setting out the way ahead as well as providing a comprehensive 3 stage approach for assessing and planning improvements. This will enable the Council to build on existing strengths and work to date, whilst at the same time providing clarity about what is required to make necessary progress to the next level.

5.3 The framework is based on the following progressive stages, which incorporate the legal requirements in equality legislation<sup>1</sup> and relevant elements of the Audit Commission CPA Key Lines of Enquiry (KLOE's )

- Stage 1 Laying the Foundations – ensuring legal compliance, meeting Audit Commission Level 2 KLOEs [and responding to need]
- Stage 2 Making Progress –developing strategy/ building sustainable approaches (Level 3 KLOE's)
- Stage 3 Leading the Way - demonstrating corporate best practice/delivering excellence consistently (Level 4 KLOE's)

5.4 The Consultants detailed report setting out the way ahead has identified the following key areas that require immediate action:

- Steps to ensure compliances with legal duties in the Race Relations (Amendment) Act 2000, the Disability Act 2005, and the Equality Act 2006
- Production of Disability and Gender Schemes
- Related outcome focused Action Plans
- Involvement of Disabled people, men and women in the above
- Prioritised plans to conduct / Review Equality Impact Assessments in each service area
- Prioritisation of further work required e.g. evidence gathering / monitoring

5.5 The consultants are also identified the following areas of work that would need to be undertaken in conjunction with WIP, Members and key officers:

- support a greater understanding of equalities issues, and development of the necessary leadership skills
- identify and agree Council wide and Service related priorities to promote equality
- Facilitate the development of shared frameworks for use across the Council to map and monitor progress
- Agree membership, TOR's and arrangements for a new corporate E&D group, together with structures to support and link it to Cabinet, Performance Management and Service Areas

5.6 It is also perceived that further work should be undertaken by key officers through the auspices of the Local Area Agreement, namely to:

- Develop consultation/involvement arrangements for key Council policies and decisions e.g. Corporate Plan, Community and Service Plans etc
- Identify specific priority issues for equality groups in Salisbury

5.7 A comprehensive training package has also been developed. The sessions will enable all Councillors and officers to receive specific training relating to their roles and responsibilities within the council. There will be specific targeted training for Members of the Cabinet as well as Extended Management Team; Team Leaders; Front Line staff.

5.8 A further training package has been developed to role out the revised Equality Impact Assessment that W.I.P. are currently developing and to support staff to complete the assessments for specific service areas.

## **6. The Way Forward**

5.1 It is essential that any developments in the field of Equality and Diversity undertaken at the District level are considered in the context of the work being undertaken by W.I.P. There are already close links with the WIP E&D Project Team and these need to be continued to ensure there is no duplication or additional work being undertaken unnecessarily

5.2 Members have an essential role to play in this group providing leadership and accountability for the council's approach to equality and diversity. A strong political lead is vital if the Council is to successfully imbed Equality and Diversity into the authority and really pursue equality objectives.

5.3 A Corporate Equality and Diversity Group is being established, draft terms of reference are attached (annex A). The group will be to ensure that the current momentum is continued, give a genuine corporate lead on this very important area of work and oversee a new approach to the way in which the issues are to be approached. The group will be comprised of:

- Elected members whose presence will give the change process momentum and leadership
- Senior officers who have the capacity to make change happen

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<sup>1</sup> Race Relations (Amendment) Act 2000, Disability Discrimination Act 2005, Equality Act 2006

- Officers with relevant experience
- Representatives from outside bodies who can provide external challenge

5.4 The Group will develop, monitor and oversee the implementation of a corporate Equality and Diversity Plan. The work currently being undertaken by the consultants referred to in section 5 of this report will once complete require Cabinet endorsement.

5.5 To support the group, it is proposed that Abbeville Associates are retained to give E&D support for 3 days a month for a further 12 months beginning 10 September, funding for this work will be provided from the Corporate Initiatives Budget. This work will enable the Council to be provided with strategic and practical support as it seeks to lay the foundations for making sustainable progress in this vital area of work and to embed E&D Best Practice which will be at the forefront of the new Unitary Authority.

5.6 The work would cover the following areas, in addition to new areas arising as the E&D Strategy and action plan is rolled out:

- Supporting the work of the Corporate Equality and Diversity Steering Group by:
  - preparing for the launch of the group
  - advising on priorities
  - supporting progress on priority agenda items (e.g. monitoring / Equality Impact Assessments)
  - providing specialist advice and guidance as required
- Supporting the Council, through Extended Management Team to lay foundations for progress to:
  - ensuring legal compliance
  - have meaningful and strategic action plans
  - have a workforce that is able to deliver E&D priorities through service delivery, policy making and within the Council.
- Working closely with the Corporate equality lead to:
  - develop and take forward strategy
  - develop and support plans to build E&D capacity in the Council at Member and officer levels
- Building on existing County wide links to ensure that:
  - E&D procedures, structures and policies are consistent with those in Wiltshire CC
  - Best Practice, guidance and approaches across Wiltshire are adopted in SDC were appropriate
  - Salisbury District Council is at the forefront of E&D thinking and practice in the County.

5 Recommendations:

(1) To note the report

- endorse the proposals to enable the Council to be provided with the necessary strategic and practical support as it seeks to lay the foundations for making sustainable progress in this vital area of work and to embed Equality and Diversity Best Practices within the authority
- agree to an extension of the appointment of Abbeville Associates to 09.10.2008 and the consequent waiver of contract standing orders

6 Implications:

**Key decision: no**

Financial: The cost for the additional consultancy work will be funded from within the Corporate Initiatives Budget

Legal: the Council has a variety of legal responsibilities it is required to meet under equalities legislation and thereby minimise the any claims of unlawful discrimination in carrying out its functions, in the provision of goods facilities and services and in the management and disposal of premises.

Personnel: None at this stage

Community Safety: None at this stage

Environmental: None at this stage

Human Rights: article 14 [prohibition of discrimination] is potentially engaged whenever any other human right is engaged

Equality and Diversity: Included in the report

Ward(s) Affected: Potentially all within the SDC area.

Core Values - Fairness & Equality, Progressive employer, Open Learning Council & Willing Partner, Communicating with the Public, Supporting the Disadvantaged, Excellent Service, Thriving Economy;

**Draft terms of reference for corporate equality and diversity group**

1. Provide leadership and accountability for the Council's approach to equality and diversity and promote awareness
2. Keep relevant legislation under review and advise Management Team and Cabinet on any risks relating to non-compliance with legal requirements, damage to the reputation of the Council, or the achievement of the Council's equality and diversity objectives.
3. Develop and oversee and monitor the implementation of a corporate plan (including a single equality scheme and action plan) to implement the Council's equality and diversity objectives.
4. Regularly review the impact and outcomes of the Corporate Equalities and Diversity Plan including being pro-active in encouraging internal and external scrutiny of the Council's achievements.
5. Oversee, and monitor the implementation of effective Council wide arrangements for Equality Impact Assessments, and regularly review issues arising and outcomes achieved, identifying any further actions required at corporate or service unit level.
6. Ensure that there is involvement of a representative range of community and workforce groups in developing and taking forward the Council's business priorities and in assessing impact of policies and services
7. Report on progress on the implementation of the Corporate Equalities and Diversity Plan to the Council's cabinet and to the South Wiltshire Strategic Alliance.
8. Ensure that effective systems and processes are in place to ensure the effective implementation of the Corporate Equalities and Diversity Plan.
9. Provide support and guidance for those working on the implementation of the Corporate Equalities and Diversity Plan including the work of the "equality and Diversity Champions".
10. Maintain an overview of the skills and resources available within the Council for achieving the Council's objectives and ensuring that the relevant training and development opportunities are provided.
11. Maintaining a comprehensive evidence base in relation to equality and diversity issues.
12. Maintaining effective and relevant links with external bodies on equality and diversity issues.