

Wiltshire Council

Cabinet

17 September 2019

Subject: Wiltshire Council Equality & Inclusion Annual Report 2019 and Objectives 2019-22

Cabinet Member: Councillor Richard Clewer - Cabinet Member for Corporate Services, Heritage, Arts, Tourism, Housing and MCI

Key Decision: Key

Executive Summary

As a public body, Wiltshire Council is required to demonstrate its compliance with the Public Sector Equality Duty (PSED) (Equality Act 2010).

Since 2014, the council has published an annual equality and inclusion report. This provides evidence and case studies to demonstrate how the council meets its PSED each year. The Annual Report 2019 highlights the council's achievements in the last 12 months.

The annual report should be read alongside the 2017-18 Statutory Workforce Report, again published annually, which is ratified by the council's Staffing Policy Committee.

Wiltshire Council must also prepare and publish one or more objectives that it thinks it needs to achieve to further any of the aims of the general equality duty. This needed to be done for the first time by 6 April 2012 and at least every four years thereafter.

The previous objectives were published in 2015, therefore five new objectives for 2019-22 have been developed. These are:

- Equality considerations are embedded in the council's leadership, partnership and organisational commitment and complement the council's [equality vision](#) and [statutory duties](#)
- Build community resilience through understanding and listening to the voices and diversity of Wiltshire with regard to all protected characteristics, with a focus on strengthening engagement with previously under-represented groups, such as LGBT and BME* people.
- Embed an inclusive workplace for all employees, ensuring a skilled and committed workforce that is fit for the future

- Ensure equality considerations are built into the council's approach to customer access which will ensure that our Services are fully accessible for all our diverse communities and customers
- Ensure the Accessibility Strategy is implemented by engaging more schools and communities in robustly embedding their joint equality responsibilities and actions towards children and young people

*For the purposes of this action plan, when we refer to BME (Black and Minority Ethnic) residents, we have included Gypsy, Roma and Travellers and people of different religions who may experience discrimination.

Proposals

- For Cabinet to note the contents of the annual report and approve for publishing on the council's website.
- For Cabinet to note the action plan and approve the direction of travel for the council's diversity and inclusion agenda.
- For Cabinet to recommend the adoption of the Equality & Inclusion Objectives (The Corporate Equality Plan) at Full Council.
- To recommend to Cabinet that it encourages all elected members complete the Equality and Diversity e-learning module that is currently mandatory for staff.

Reason for Proposals

Wiltshire Council has a statutory duty to comply with the Equality Act 2010 and the Public Sector Equality Duty. The proposal ensures that Cabinet are aware of the work being done to achieve compliance and are in agreement with the direction of travel.

Terence Herbert - Executive Director, Children and Education

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Purpose of Report

1. This report provides evidence to Cabinet that Wiltshire Council is meeting its obligations under the Public Sector Equality duty (through the Annual Report 2019).
2. This report also shows Cabinet what Wiltshire Council needs to achieve to further the aims of the PSED (through the Objectives and Action Plan 2019-22).
3. This report asks Cabinet to note the achievements demonstrated in the Annual Report, and to recommend the new Equality Objectives 2019-22 to Full Council.
4. This report recommends to Cabinet that it encourages all elected members complete the Equality and Diversity e-learning module that is currently mandatory for staff.

Relevance to the Council's Business Plan

5. Protecting the vulnerable – the council's compliance with the Equality Act 2010 ensures that it pays due regard to eliminating discrimination of those who share any of the nine protected characteristics, who are by their very nature some of the most vulnerable in our communities.
6. Strong Communities – the new action plan puts an emphasis on the council understanding its communities and engaging with those who are traditionally difficult to engage with.
7. An innovative and effective council – the new action plan aims to improve understanding (training of staff and members), systems (Equality Impact Assessments) and relationships (collaboration with partners) to further the aims of the PSED.

Background

8. Paragraph 1.1 of Part 3 of the Constitution reserves to full Council adopting the *Corporate Equality Plan, pursuant to the Public Sector Equality Duty under s149 of the Equality Act 2010.*

9. As a public body, Wiltshire Council is required to demonstrate its compliance with the Public Sector Equality Duty (PSED) (Equality Act 2010).

10. The PSED places a **general duty** on the council to have due regard to:

- Eliminating discrimination, harassment and victimisation
- Advancing equality of opportunity
- Fostering good relations between people

11. And a specific duty on the council to;

A. Publish information to demonstrate its compliance with the general equality duty. This information must include, in particular, information relating to people who share a protected characteristic who are:

- Its employees, and
- People affected by its policies and practices.

(Since 2014, Wiltshire council has published an annual equality and inclusion report. This provides evidence and case studies to demonstrate how the council complies with the PSED with regard to people affected by its policies and practices. This report should be read alongside the 2017-18 Statutory Workforce Report, again published annually, which is ratified by the council's Staffing Policy Committee)

And:

B. prepare and publish one or more objectives that it thinks it needs to achieve to further any of the aims of the general equality duty. This needed to be done for the first time by 6 April 2012 and at least every four years thereafter.

(The previous objectives were published in 2015, therefore new objectives for 2019-22 have been developed.)

Main Considerations for the Council

Annual Report 2019

12. Since 2014, Wiltshire council has published an annual equality and inclusion report. This provides evidence and case studies to demonstrate how the council meets its Public Sector Equality Duty each year.

13. The format for the Annual Report 2019 (attached as appendix 1) has been refreshed to put the focus more on achievements over the last 12 months, as opposed to demographics and statistics, which have remained static since the 2011 National Census.

14. The report demonstrates good practice across a range of council services.

15. The Annual Report 2019 is aimed at the general public and will be published on the council's website.

Objectives and Action Plan 2019-22

16. Under the PSED, Wiltshire Council must identify and publish at least one objective that it thinks it needs to achieve to further any aims of the general equality duty.

17. To determine what the objectives should be, a self-assessment was carried out against the [Equality Framework for Local Government](#) (EFLG). This has five performance areas:

- Knowing your communities
- Leadership, partnership and organisational commitment
- Involving your communities
- Responsive services and customer care
- A skilled and committed workforce.

18. In addition, it has three levels of achievement, namely:

- 'Developing'
- 'Achieving'
- 'Excellent'

19. As the council is striving for excellence; five equality objectives have been identified based on areas where the council was assessed to be at the “developing” or “achieving” stage. The objectives are:

- Equality considerations are embedded in the council’s leadership, partnership and organisational commitment and complement the council’s [equality vision](#) and [statutory duties](#);
- Build community resilience through understanding and listening to the voices and diversity of Wiltshire with regard to all protected characteristics, with a focus on strengthening engagement with previously under-represented groups, such as LGBT and BME people;
- Embed an inclusive workplace for all employees, ensuring a skilled and committed workforce that is fit for the future;
- Ensure equality considerations are built into the council’s approach to customer access which will ensure that our Services are fully accessible for all our diverse communities and customers;
- Ensure the Accessibility Strategy is implemented by engaging more schools and communities in robustly embedding their joint equality responsibilities and actions towards children and young people.

20. The five objectives are underpinned by an action plan, the actions falling into three broad themes:

- Communities
- Service Users
- Staff

21. To deliver the plan there are three groups, each focused on one of the themes. Membership of these groups includes officers with appropriate influence and

knowledge to be able to implement the actions they are responsible for and represent a range of services across the organisation.

22. The Equality & Inclusion Objectives and Action Plan 2019-22 are attached to the report at appendix 2.
23. Priorities for year one of the plan are centred on Wiltshire council understanding its staff and communities, identifying the scale and scope of any gaps in meeting our PSED, and improving the knowledge of staff and members concerning their responsibilities regarding the Equality Act 2010.
24. To date, 4390 staff have completed the (mandatory) Equality and Diversity e-learning, and approximately one third of members have completed the same module. The e-learning is not mandatory for councilors.

Overview and Scrutiny Engagement

25. This report was discussed at the Overview and Scrutiny Management Committee meeting on 16 July 2019.
26. The full resolutions were:
- 1) To note the contents of the annual report
 - 2) To note the action plan and the direction of travel for the council's equality and inclusion agenda.
 - 3) To note that Cabinet will consider whether to recommend:
 - a) the adoption of the Equality & Inclusion Objectives (The Corporate Equality Plan) by Full Council; and
 - b) that all elected members complete the Equality and Diversity e-learning module that is currently mandatory for staff.
 - 4) To ask officers and Cabinet to consider whether there is evidence to support the second equality objective (bullet 2, page 17) *specifically* emphasising building resilient communities that represent the voices and diversity of Lesbian, Gay, Bisexual, BME and Trans communities in Wiltshire.

27. In response to resolution 4; the rationale for the focus on LGBT and BME communities lies in the knowledge that these groups do not have the same level of advocacy, support or activism as other groups in Wiltshire (e.g, through CIL, WSUN, Age UK, Wiltshire Parent Carer Council etc). As such, it is felt that there needs to be more of a focus on engaging these groups to ensure their voice is heard. Objective 2 has been reworded to clarify that no minority group is being excluded.

28. It should also be noted that for the purposes of the action plan, "BME" refers to Black and Minority Ethnic people including Gypsies, Roma and Travellers and people who may be discriminated against on the grounds of their religion.

Safeguarding Implications

29. There are no specific safeguarding implications as a result of this report

Public Health Implications

30. There are no specific Public Health implications as a result of this report

Procurement Implications

31. No procurement is expected as a result of this proposal

Equalities Impact of the Proposal

32. The purpose of this report is to help the council to achieve compliance with the public sector equality duty.

Environmental and Climate Change Considerations

33. There are no direct Environmental or Climate Change considerations as a result of this proposal.

Risks that may arise if the proposed decision and related work is not taken

34. If the related work is not taken then the council will be at risk of legal challenge under the Equality Act 2010 for non-compliance with the PSED.

35. Without clear objectives the council may be at risk of damaging its reputation if unable to be able to state how it is working to improve equality and inclusion.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

36. The council may still be at risk of challenge or damage to reputation unless all service areas buy in to the overarching objectives.

37. The action plan aims to mitigate this with continued training of staff and members, and increased awareness of equality and inclusion issues.

Financial Implications

38. No financial implications are expected as a result of this proposal – there is no identified budget for Equality and Inclusion.

Legal Implications

39. As previously stated, the proposal aims to ensure the council complies with the Equality Act 2010 and the related Public Sector Equality Duty.

Workforce Implications

40. The proposal includes additional training for staff to ensure their understanding of their responsibilities under the PSED.

41. The proposal aims to ensure equality of opportunity for staff who have one or more of the protected characteristics in the Equality Act 2010.

42. The demand for equality work in HR&OD has brought about the need to create capacity in other roles which has impacted on other work. The department are looking to formalise this by creating additional capacity that is wholly focused on Equality, Diversity & Inclusion. A Policy, Diversity and Inclusion Officer role is in the process of recruitment.

Options Considered

43. No other options considered, it is a legal requirement for the council to have a published set of equality objectives

Conclusions

44. The adoption of new equality and inclusion objectives is necessary to maintain compliance with the specific duties of the PSED.

Terence Herbert - Executive Director, Children and Education

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Appendices

E&I Annual Report 2019
E&I Objectives and Action Plan 2019-22

Background Papers

None