

Equality, Diversity & Inclusion: Annual Report

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Lead Member/Relevant Portfolio Holder	Cllr Pat Cumbers , Portfolio Holder for Communities, Health and Wellbeing
Corporate Priority:	Relevant to all priorities
Wards Affected:	All
Date of consultation with Ward Member(s):	Not applicable
Exempt Information:	No

1 Summary

- 1.1 The purpose of the report is to provide Council with an update on how the Council continues to demonstrate compliance with the Public Sector Equality Duty, makes commitments to promote Equality, Diversity and Inclusion (ED&I) and seeks Council approval for the recommended objectives as part of a planned four-year review.
- 1.2 The objectives being proposed have been consulted upon and selected/co-produced through the well-established Corporate Equalities Group.
- 1.3 The progress on the previous action plan has been included (Appendix 1). This contains a key highlights section from the previous equalities plan, actions which will be continued through to the new plan as either ongoing or incomplete, and completed actions at the end.
- 1.4 The new action plan (Appendix 2) contains an updated Equality Statement. Actions that will continue into the new Plan have already been incorporated within this, but this will be a live document and further actions and workstreams may be identified and included as this work progresses.
- 1.5 Melton Borough Council also has an existing Equality Policy. It is considered that it would be good practice to use the opportunity as part of a planned review in 2024/25 to develop the policy from a largely inward looking document, to one which gives equal prominence to an external focus too. The refresh of the Council's Equality Policy would complement and support delivery of the equality statement and action plan.

2 Recommendations:

That Council:

- **Notes the progress made in meeting the Council's equalities duties and commitments as outlined in this report.**
- **Approves the revised objectives and action plan (2024-2028) to demonstrate the Council's continued commitment to Equality, Diversity & Inclusion (ED&I).**
- **Notes that a planned review of the Equality Policy will take place in 2024/25 and that this will incorporate both inward and outward facing commitments to ED&I, alongside the revised equality objectives and action plan.**

3 Reason for Recommendations

- 3.1 To provide assurance to Council that we continue to meet our Public Sector Equality Duty as required by equality legislation, including compliance with the Equality Act 2010, specifically the Public Sector Equality Duty, and the Human Rights Act 1998.
- 3.2 The previous Single Equality Scheme ran from 2020 to 2024 and our approach to ED&I should be reviewed every four years.
- 3.3 The proposed objectives aim to challenge us as an organisation to move beyond simply fulfilling a legal obligation, empower staff to embed the principles of ED&I and further incorporate its values into every aspect of our services, functions, and policies as a service provider, landlord, community leader and employer.
- 3.4 In line with this, the Council is also being asked to consider a separate report (on the same agenda) which proposes that the Council adopts a position of treating Experience of Care/Care Leavers as a Protected Characteristic.

4 Background

- 4.1 The Equality Act 2010 (Specific Duties) Regulations 2011 require public authorities to publish equality objectives, at least every four years and information to demonstrate their compliance with the Public Sector Equality Duty (PSED).
- 4.2 There is no prescribed process for recording compliance with the general duty. Previously the 7 District and Borough Councils in Leicestershire joined together and formed a partnership when the Equality Act 2010 first came into force. The partnership developed a single document which outlined the one Equality strategy agreed and adapted by all 7 of the councils to show how there were going to meet their duties under the new Act which amalgamated all previous equality law into a single Act. This was referred to as the 'Single Equality Scheme'. After the partnership dissolved, each District and Borough Council in Leicestershire developed their own plans and commitments based on what their local communities needed.
- 4.3 The Public Sector Equality Duty needs to be embedded throughout the Council - this is achieved by compliance to our policies and procedures. The Duty provides three key areas of focus. These are:

- 4.3.1 Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010.
- 4.3.2 Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.
- 4.3.3 Foster good relations between people who share a relevant protected characteristic and people who do not share it.
- 4.4 To ensure transparency, and to assist in the performance of this duty, the 2011 Regulations require public authorities to publish:
 - 4.4.1 Equality objectives, at least every four years.
 - 4.4.2 Information to demonstrate their compliance with the public sector equality duty.
- 4.5 The Council's Corporate Equalities Group has been long established to provide support and scrutiny and to promote ED&I projects and themes throughout the Council. The group consists of team members from across the Council, Portfolio Holder, Strategic Lead Connecting and Enabling Communities and the Assistant Director, Customer and Communities. We also receive specialist support and expertise from an ED&I officer who is employed by North-West Leicestershire District Council through a shared service arrangement.
- 4.6 Equality Impact Assessments (EIA's) help to demonstrate how the Council is meeting their statutory duties. As part of the process for completing an EIA, a Check and Challenge group is tasked with checking and challenging any part of the EIA form that requires further consideration in relation to Equality matters. This helps to ensure the Equality Duty is met and allows the Council to produce evidence, if required, that 'Due Regard' has been paid to the introduction of a new service, or changes to existing ones. The Check and challenge group is made up of officers from across directorates, and they provide invaluable feedback and challenge, so that a rigorous process is being followed as to any new/amended proposal, service provision, function or policy. Equality Impact Assessments are published to the Council's website.
- 4.7 Consideration is also given to equalities in reports to committees, cabinet or council with any specific considerations and links to relevant Equality Impact Assessments highlighted.
- 4.8 Melton Borough Council also has an existing Equality Policy. It is considered that it would be good practice to use the opportunity as part of a planned review in 2024/25 to have a greater focus on internal and outward facing commitments as it is currently largely inward-looking. The refresh of the Council's Equality Policy would complement and support delivery of the equality statement and action plan.

5 Main Considerations

5.1 The proposed strategic objectives for 2024 -2028 ED&I plan are as follows:

5.1.1 **Engage in appropriate, target driven ways that are always accessible:**

This objective is a continuation and adaptation of the previous objective "*Engage and communicate in appropriate and accessible ways*". It was felt that this is at the heart of what a Council should do naturally as a community leader, landlord, employer and service provider, but actions need to go further in focussing in on insight and data to drive targeted actions as well as doing more to assess equality impact at the start of undertaking a new project or service/policy review.

5.1.2 Develop and support a diverse workforce (being recognised as an employer of choice):

This objective is a continuation of the previous objective. It is acknowledged that the current HR system does not readily enable gathering of data for an accurate analysis of workforce diversity. Anecdotal evidence suggests that the Council workforce is largely representative of the area that it serves, but not very diverse. Recent work with the Census 2021 and initiatives to celebrate diversity within the community does highlight that there has been some progress outside of formal data gathering means. Staff awareness sessions such as the “Conversations Across Difference” workshops have led to open and honest discussions around differences in people and how to respect and learn from one another. As the Borough continues to evolve it is important we are able to attract new talent and fresh perspectives into the Council from further adjoining areas and changing communities.

5.1.3 The Council have publicly committed to reducing inequalities, strengthening community cohesion and challenging discrimination. Therefore, there needs to be active work to further raise the profile of ED&I within the Council:

This objective highlights the whole Council approach to embedding and promoting ED&I. It sits well alongside the inward facing objective to develop and support a diverse workforce, and the time is right to focus on both internal and external actions.

5.1.4 Ensure services are in place or commissioned which are inclusive, responsive and foster good relations with and within the community (understanding difference and celebrating diversity):

These sentiments are an essential pillar for any Council as its primary role is to serve the communities in which it is embedded. The council has a significant role as leader of place and as a landlord, partner and service provider. There may be a number of strands and/or workstreams relating to this objective as it will be dependent on evolving community demographics. For example, how engaged and inclusive do our rural communities or newly resettled communities feel; what lasting impact has the cost-of-living crisis had and how effective are the actions in place in addressing need; actions arising from the tenant profile project in the housing area and actions to demonstrate and embed good practice with the consumer regulations linked to the new housing regulatory framework.

5.2 These strategic objectives will be underpinned by actions and steps each year based on the current needs and demands of our communities, council tenants and as an organisation. It is right that an action plan such as this should be dynamic and should evolve to reflect needs and opportunities whilst having firm principles in place via the Equality statement.

5.3 The process for the creation of the proposed objectives has taken a rigorous approach. The first part of the process was to understand the previous objectives that were set and analyse the progress against the current objectives. Progress and monitoring of these has been overseen by the Corporate Equalities Group.

5.4 The group was consulted upon possible themes for the objectives and were able to offer insights into what they felt the new objectives should consist of. Each group member was then met with on an individual basis to consult with on a set of proposed draft objectives.

This ensured full collaboration with the wider Council and that the objectives were representative of their services and the communities they serve.

- 5.5 The Council's corporate priorities were also considered as part of the development. As the Corporate Strategy and priorities have recently been reviewed and reviewed, the proposed objectives were also reviewed to ensure they continued to align with the vision and principles of our corporate strategy.

6 Options Considered

- 6.1 The report is a statutory requirement and therefore if it was not provided the Council would be at risk of failing to demonstrate how it takes seriously and implements its statutory functions. The Council could also be open to legal challenge.
- 6.2 It is also important for councillors to be aware of ongoing developments to ensure they are able to represent their residents effectively and can support in embedding the principles in all that we do.

7 Consultation

- 7.1 The consultation process took place with internal stakeholders within the organisation through the Corporate Equalities Group. The group consists of staff members from across the organisation and the portfolio holder for communities.

8 Next Steps – Implementation and Communication

- 8.1 Once approved, the refreshed objectives, along with the Equalities Statement will be published on the Council's website.
- 8.2 Working with corporate and HR colleagues, the current Equality Policy will need to be reviewed and this will be added to the work plan for the Corporate Equalities Group.
- 8.3 The Corporate Equalities Group will continue to oversee and monitor the progress of the Action plan.

9 Financial Implications

- 9.1 The Equalities agenda is largely managed via existing resources and a cross-directorate approach, overseen by the Assistant Director for Customer and Communities. There is a budget of £5,240 which is used towards procuring the services of an ED&I Officer through a successful shared services approach with North-West Leicestershire District Council.

Financial Implications reviewed by: Director for Corporate Services

10 Legal and Governance Implications

- 10.1 The Equality Act 2010 (Specific Duties) Regulations 2011 require public authorities to publish equality objectives, at least every four years along with information demonstrating their compliance with the Public Sector Equality Duty (PSED). The publication must be in such a manner that the information is accessible to the public.

- 10.2 There is no prescribed process for recording compliance with the PSED but the Duty should be embedded throughout the Council - this is achieved by compliance with our various policies and procedures. The Duty provides three key areas of focus. These are:
- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the 2010 Act.
 - Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.
 - Foster good relations between people who share a relevant protected characteristic and people who do not share it.
- 10.3 To ensure transparency, and assist in the performance of this duty, the 2011 Regulations require public authorities to publish their equality objectives at least every four years alongside information to demonstrate their compliance with the public sector equality duty.
- 10.4 This report addresses that requirement.

Legal Implications reviewed by: Monitoring Officer

11 Equality and Safeguarding Implications

- 11.1 Under the equality duty (set out in the Equality Act 2010), public authorities must have 'due regard' to the need to eliminate unlawful discrimination and consider the potential impact decisions and actions on each of the protected characteristics.
- 11.2 This report is focused on how the Council meets its legal (statutory) and moral obligations in relation to Equalities. It also sets out a plan for the next four years and the associated operational and governance arrangements in place.

12 Data Protection Implications (Mandatory)

A Data Protection Impact Assessments (DPIA) has not been completed as this report does not directly relate to processing or technology resulting in a high risk to individuals.

13 Community Safety Implications

- 13.1 Vulnerabilities arising from inequalities (social or systemic) can be a cause and effect of crime and anti-social behaviour. The Strategic Lead for Safer Communities is part of the Corporate Equalities Group and has key actions to support the achievements of our objectives around engagement and fostering good relations. The Tenancy services Manager is also part of the Corporate Equalities group and works closely with the Safer Communities Team in this regard.

14 Environmental and Climate Change Implications

- 14.1 Equalities affects all aspects of our services and the impact of ineffective policies in relation to the environment and climate can have a disproportionate impact on the most vulnerable in our communities. A robust EIA process and early consideration of equalities impacts during the development of policies mitigates against any adverse impacts.

15 Other Implications (where significant)

- 15.1 Wider determinants of health are often interlinked. Some groups and communities are more likely to experience inequalities in accessing services and consequentially poorer health. This is why the commitment to Equality, Diversity & Inclusion needs to be valued and embedded as part of the culture and operating arrangements across the Council.

16 Risk & Mitigation

Risk No	Risk Description	Likelihood	Impact	Risk
1	The Council fails to meet its equality obligations by failing to demonstrate 'due regard' to equality considerations during operational or policy developments.	Very Low	Critical	
2	Hearts and minds are not won, and ED&I is simply a tick box for the Council which is detrimental to customer experience and to community cohesion and wellbeing.	Low	Critical	

		Impact / Consequences			
		Negligible	Marginal	Critical	Catastrophic
Likelihood	Score/ definition	1	2	3	4
	6 Very High				
	5 High				
	4 Significant				
	3 Low			2	
	2 Very Low			1	
	1 Almost impossible				

Risk No	Mitigation
1	The Corporate Equalities Group oversees the development, progress and monitoring of our Equality Obligations through the Action Plan. The Equality Impact Assessment and Check & Challenge Process is also robust and is firmly embedded into policy/service development and reviews.
2	Equality, Equity, Diversity and Inclusion is championed regularly from bottom up to top down through open conversations and shared learning. It is taken seriously at a corporate level, overseen by a senior leader and portfolio holder.

17 Background Papers

Equalities Policy February 2018 (scheduled for review)

18 Appendices

18.1 Appendix 1 Action Plan to February 2024

18.2 Appendix 2 New Action Plan 2024-2028