

For General Release

REPORT TO:	CABINET 8 JUNE 2020
SUBJECT:	Equality Annual Report
LEAD OFFICER:	Jo Negrini, Chief Executive and Head of Paid Service Jacqueline Harris Baker Executive Director of Resources
CABINET MEMBER:	Councillor Hamida Ali Cabinet Member for Safer Croydon & Communities
WARDS:	All
CORPORATE PRIORITY/POLICY CONTEXT/AMBITIOUS FOR CROYDON: <i>Include here a brief statement on how the recommendations address one or more of the Council's Corporate Plan priorities:</i> <i>The recommendations of this report address the Corporate Plan for Croydon 2018-2022 outcome to abolish inequality in Croydon and work towards a place where all have equal opportunity to prosper</i>	
FINANCIAL IMPACT: There are no additional costs, savings or efficiencies associated with this report.	
KEY DECISION REFERENCE NO.: This is not a key decision The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below:	
1. RECOMMENDATIONS 1.1 Note the Equality and Inclusion Annual Report for 2019 1.2 Note the Equality Framework for Local Government (EFLG) Report 2019 1.3 Note the Stonewall Workplace Equality Index (WEI) Report 2019 1.4 Note the reports will be published on the Council's website 1.5 Note the work to develop an Equality Strategy	

2. EXECUTIVE SUMMARY

Equality and Inclusion Annual Report 2019

- 2.1 The Equality and Inclusion Annual Report 2019 provides an update on the progress made in implementing the statutory equality and inclusion priorities as set out in the Equality and Inclusion Policy 2016-20 agreed by Cabinet in April 2016 during the financial year 2018/19.

2.2 The Equality and Inclusion Annual Report 2019 supports the Council to demonstrate compliance with the Public Sector Equality Duty (PSED) set out in the Equality Act 2010. The PSED is made up of a general equality duty which is supported by specific duties.

The **specific duty** requires the council to:

- Annually publish information to demonstrate how it is complying with the Public Sector Equality Duty. This information must relate to people who are affected by the Councils policies and practices such as service users and employees
- Prepare and publish equality objectives at least every four years.

2.3 The Equality and Inclusion Annual Report 2019 is structured around the Council's current equality objectives:

- To increase the rate of employment for disabled people, young people, over 50s and lone parents who are furthest away from the job market.
- To reduce the rate of child poverty especially in the six most deprived wards.
- To improve attainment levels for white working class and Black Caribbean heritages, those in receipt of Free School Meals and Looked after Children, particularly at Key Stage 2 including those living in six most deprived wards.
- To increase the percentage of domestic violence sanctions.
- To increase the reporting and detection of the child sexual offences monitored.
- To reduce the number of young people who enter the youth justice system.
- To reduce social isolation amongst disabled people and older people.
- To improve the proportion of people from different backgrounds who get on well.
- To reduce differences in life expectancy between communities.

Each section of the report sets out the current equality and inclusion policy priorities (listed above 2.3) and a summary of the key activities and projects that the Council has focused on over the last year to deliver them.

It also contains examples of best practice - to provide an overview of how the Council has worked in partnership with our statutory, voluntary and community partners and engaged with our customers to deliver equality initiatives that support work on improving service outcomes for diverse communities in the borough.

2.4 The Council used the Opportunity and Fairness Commission's (OFC) final report recommendations and information on issues of deprivation and disadvantage that are highlighted in the Indices of Multiple Deprivation (2015) to set its statutory equality and objectives for 2016-20. These defined the boroughs longer term vision for fairness and set out the outcomes and performance measures that the Council focused on to address inequality.

Equality Framework for Local Government: Equality Peer Challenge

- 2.5 In November 2019, the Council asked the Local Government Association to conduct an Equality Peer Challenge against the “Achieving” level of the Equality Framework for Local Government (EFLG).

The process helped the Council to understand current activity around equality and evidence how those activities are helping us to further equality and inclusion outcomes as measured against the Achieving criteria.

- 2.6 The Council satisfied the criteria for the **Achieving** level of the EFLG, the level we agreed to be assessed. This assumes that we have key equalities policies and procedures and set up systems, to monitor delivery. The ‘Achieving’ level focuses on how well we implement these systems, policies and procedures in our practice.

The Local Government Association (LGA) made a number of recommendations to improve equality outcomes based upon the findings during the 3 day visit. These are summarised below:

Knowing Your Communities – Recommendations

- Ensure that any new systems capture all the protected characteristic data of service users and the community.
- Enable data teams to share equalities data with service teams so that there is a greater focus on equality impact and need in these discussions.
- Consider how to provide all staff with the skills and confidence to collect and interpret protected characteristic data and understand the importance of that data.

Involving Your Communities – Recommendations

- Ensure all consultations have an Equality Impact Assessment and communities and service users are informed of the outcomes of consultations.
- Develop links with smaller communities in the borough to provide better understanding of their needs when developing services.
- Develop some criteria for what community budgets should be spent on to ensure that projects are contributing to the Council’s own strategies and meeting the most need in the borough.

Responsive Services and Customer Care – Recommendations

- Increase the focus on the equality outcomes of service delivery. Services should not lose sight of the outcomes and the difference that is actually being made.
- Consider auditing access to services across the borough to ensure that those outside the areas where services have been prioritised are enjoying the levels of access they require. This would include the south of the borough.
- Enhance opportunities for greater communication between staff in different departments. This would allow for more sharing of and access to information, (within the boundaries of GDPR) to improve the customer experience.

Leadership, Partnership and Organisational Commitment – Recommendations

- Consider establishing a service level steering group (constituted with Directors) to ensure that services have equality at the forefront of their work when developing and delivering their service plans.
- Review the level of resourcing for the corporate equality function to provide some support for the one equality officer. Increased organisational capacity would also help to improve EIA monitoring within services.
- Strengthen scrutiny on equality more generally by making one of the existing scrutiny committees responsible for monitoring the outcomes of the equality strategy and achievement of its objectives.
- Consider how the council can assess outcomes for contracts in excess of £100,000 using equality metrics as well as contract monitoring in relation to collecting equality information and providing equality training for staff. There is a need for consistency across the organisation and support to ensure this is happening.

A skilled and committed workforce – Recommendations

- Undertake further investigation into the reasons why black male employees are still not progressing in the organisation at the same rate as their female counterparts and why BAME staff are over represented in the lowest quadrants of the appraisal results.
- Address the inconsistencies in the way HR policies such as sickness, lateness, training opportunities, performance management and reasonable adjustments are being applied by some managers across the organisation.
- Consider ways to increase staff awareness of the council's equality objectives

The Council has accepted these recommendations and it is proposed that actions to address the recommendations will be incorporated in the upcoming Equality Strategy and underpinning action plan. This will help the Council move from 'Achieving' towards 'Excellence' at reaccreditation in 3 - 4 years.

The full report highlights the below and has been included in *appendix 2*

- examples of notable or innovative practices
- significant areas of concern
- suggested action points based upon the findings
- proposals for additional support and/or links to other LGA projects and programmes that may be of assistance

Stonewall 2019/20 Workplace Equality Index

- 2.7 Croydon Council has been a Stonewall Diversity Champion since 2014. In September 2019, Croydon participated in the Stonewall Workplace Equality Index. This process assesses the Council's progress on lesbian, gay, bi and trans inclusion in the workplace.
- 2.8 Croydon ranked 148th in 2019/20 out of over 500 organisations that took part. The Council were ranked in fifteenth place in the local government sector

It is proposed that the feedback from the Stonewall Index 2019/20 be addressed as part of a new Equality Strategy and underpinning action plan that is currently being developed. This will help the Council move towards becoming one of the top 100 best employers for LGBT people, and support ongoing work towards the aspiration of an 'Excellent' rating for the Equality Peer challenge.

The full report has been included in *appendix 3*

Equality Strategy 2020 – 2024

- 2.9 Under the Equality Act 2010 (Specific Duties) Regulations 2011, councils employing more than 150 people will have to produce "equality objectives" at least once every four years. Our current equality objectives come to an end this year.
- 2.10 The Council is undertaking a process of developing an Equality Strategy and accompanying action plan for 2020-2024. The Strategy will set out the Council's vision to abolish inequality in Croydon and work towards a place where all have an equal opportunity to prosper as set out in its Corporate Plan 2018 -2022.
- 2.11 Part of this process will also consist of developing refreshed equality objectives which will help the Council meet its requirements under the Equality Act 2010.
- 2.12 The overall process of developing the strategy will consist of the below:
- **Refreshed equality objectives**
The Council with stakeholder input will develop a new set of equality objectives. This will consist of reviewing our existing objectives, examining existing national and local data to ensure the process is data and intelligence led, examining the health and socio-economic inequalities resulting from the current pandemic (see below) and consulting with a range of internal and external stakeholders to help us identify where our priorities should lie.

Examining impact of Covid-19 on equality and groups that share a protected characteristic

The impact of the coronavirus is far reaching. The pandemic has exposed and amplified current underlying inequalities in society and made us aware of new dimensions. This will have a combined and unprecedented impact on the local economy, both on businesses and the workforce and some parts of our communities who will be disproportionately impacted for the short, medium and long term.

The Council has been acutely aware of the disproportionate impact that the virus and lock down will have on particular demographics, such as older residents and those with pre-existing health conditions.

The lock down has already had a disproportionate impact on certain population groups. In addition to residents that were already struggling for a variety of reasons (health, financial, housing), other groups became vulnerable (or more vulnerable). These include shielded residents, furloughed workers, keyworkers and those who are homeless.

There has been emerging data to suggest that BAME residents are disproportionately affected by Covid-19. The government has launched a review, led by the NHS and Public Health England

We will need to examine the health, socio-economic and new dimensions of inequalities. This will include examining qualitative and quantitative data looking

at how different groups in the Borough have been affected by this period and work towards reducing these inequalities.

- **Equality Action Plan**

The action plan will be based on the below;

- LGA recommendations on our Equality Framework for Local Government (EFLG) peer challenge
- Stonewall Workplace Equality Index Recommendations
- recommendations from the Women and Equalities Committee inquiry into the different and disproportionate impact that the Coronavirus is having on people with protected characteristics
- recommendations from the government review into disproportionate impact on BAME communities
- key actions the Council will take to meet its equality objectives.

- **Consultation**

It is proposed that the Council will consult on the current equality objectives with the view to find out what internal and external stakeholders views about them and give them the opportunity to inform us about what they feel is missing. We will use this feedback to develop draft equality objectives and follow this with a formal consultation with internal and external stakeholders where we will seek their views on the emerging refreshed objectives and test out the final objectives with them. Objectives will also be further tested against data from the Croydon Observatory, services and localities.

The Council has already started working on reviewing our current equality objectives and taking feedback from the equality peer challenge, Stonewall Recommendations, impact of Covid-19 and initial discussions with some Members and senior management into account.

Some emerging issues that the Council will focus on are listed below;

- Reducing poverty and deprivation and its impact on vulnerable and protected groups
- Reducing health and socio-economic inequalities
- Jobs, the economy and opportunity
- Supporting vulnerable groups and households
- Strengthening and building our evidence base/equality information in order to gain holistic picture
- Equality information and services that are tailored to people's needs
- Building a cohesive and inclusive Borough
- Improving workforce equality, diversity and inclusion

Implementing the strategy – Key Milestones /High Level Plan

Q4 2019/20	Establish project team
	Propose structure and governance
	Agree equalities approach
	Stakeholder mapping
Q1 2020/21	Agree governance structure
	Partner, resident and VCS engagement begins
	Staff consultation begins
	Resident and partner consultation begins
	Locality data gathering begins
	Locality data gathering completed
	Service data analysis begins
Service data analysis ends	
Q2 2020/21	Consultation outcome & feedback
	Equality objectives and measures tested with Members, residents, partners, VCS and colleagues
	Draft Strategy created
Q3 2020/21	Strategy adopted

3. BACKGROUND

3.1 The Equality Act 2010 (the Act), contains the Public Sector Equality Duty (PSED) in section 149 of the Act that came into force on 5 April 2011. The duty applies to public bodies and others carrying out public functions.

The general equality duty requires the Council, in the exercise of functions, to have “due regard” to the need to:

- 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 those who do not share
- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act.

3.2 The Act and PSED support good decision-making by ensuring public bodies consider how different people will be affected by their activities, helping them to deliver policies and services which are efficient and effective; accessible to all; and which meet different people’s needs.

3.3 The Council is also required to publish information to demonstrate their compliance with the general equality duty.

3.4 This information must relate to people who are:

- The Council's employees
- Affected by its policies and practices (for example, service users).

3.5 The Council, like most public sector organisations, publishes an annual report setting out the progress it makes implementing the equality objectives and its arrangements for publishing information. At **appendix 1** is the Council's Equality and Inclusion Annual Report 2019.

3.6 The information included in this report is drawn from a range of sources from across the Council.

3.7 It has also involved identifying activities that demonstrate good practice on equality and working with activity leads to gather more detailed information on how these initiatives have delivered positive outcomes for local people, particularly those that are most vulnerable and may experience exclusion.

This information has been used to produce some best practice stories that describe the positive impact of some of the equality and inclusion initiatives the Council implemented during the year.

3.8 **Equality Framework for Local Government: Equality Peer Challenge**

The ELFG is a national benchmarking and assessment tool that helps local authorities to identify what they do well and where they can make improvements to, and deliver better equality outcomes for staff, residents and service users.

In November 2019, the Council asked the Local Government Association to conduct an Equality Peer Challenge against the "Achieving" level of the Equality Framework for Local Government (EFLG). It undertook a self-assessment against five performance criteria.

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

The Council satisfied the criteria for the Achieving level of the EFLG, the level we agreed to be assessed. The Local Government Association (LGA) made a number of recommendations to improve equality outcomes based upon the findings during the 3 day visit.

The full report has been included in appendix 2.

3.9 **Stonewall 2019/20 Workplace Equality Index**

Croydon Council has been a Stonewall Diversity Champion since 2014. In September 2019, Croydon participated in the Stonewall Workplace Equality Index. This process assesses the Council's progress on lesbian, gay, bi and trans inclusion in the workplace.

The process allowed the Council to demonstrate its work in the following ten areas of employment policy and practice:

- Policies and benefits
- The employee lifecycle
- LGBT employee network group
- Allies and role models
- Senior leadership
- Monitoring
- Procurement
- Community engagement
- Clients, customers and service users
- Additional work

Croydon was ranked 148 out of over 500 organisations that took part. Stonewall made a number of recommendations to improve inclusion for lesbian, gay, bi and trans employees in the workplace.

The full report has been included in *appendix 3*

3.10 **Disability Confident Employer**

The Council is a Disability Confident Employer (Level 2). To achieve this level, the Council carried out a self-assessment, against a set of statements about employing disabled people. The self-assessment is grouped into 2 themes:

- Theme 1 – getting the right people for your business
- Theme 2 – keeping and developing your people

The Disability Confident scheme supports employers to make the most of the talents disabled people can bring to the workplace.

The scheme helps employers recruit and retain great people, and:

- draw from the widest possible pool of talent
- secure high quality staff who are skilled, loyal and hard working
- improve employee morale and commitment by demonstrating that you treat all employees fairly

It also helps customers and other businesses identify those employers who are committed to equality in the workplace.

3.11 **Timewise Council**

Croydon Council is also Timewise accredited. This means it is driving transformational change through flexible working practices. In practice, as an employer it embeds flexibility into its wider improvement plans, fostering a culture of learning and continual improvement that aligns the benefits to its employees with improvements in workplace efficiency.

3.12 Equality Strategy 2020 – 2024

The Council is required to be transparent about how it responds to the Equality Duty, as required by the Equality Act 2010 (Specific Duties) Regulations 2011. This stipulates that councils employing more than 150 people will have to produce "equality objectives" at least once every four years. Our current equality objectives come to an end this year.

The Council is undertaking a process of developing an Equality Strategy and accompanying action plan for 2020-2024. The Strategy will set out the Council's vision to abolish inequality in Croydon and work towards a place where all have an equal opportunity to prosper as set out in its Corporate Plan 2018 -2022.

The overall process of developing the strategy will consist of the below:

- Examining impact of Covid-19 on equality and groups that share a protected characteristic
- Developing refreshed equality objectives
- Developing an Equality Action Plan

4. CONSULTATION

- 4.1 The information included in the annual report is drawn from a range of sources from across the Council.

It has also involved identifying activities that demonstrate best practice on equality and working with activity leads to gather more detailed information on how these initiatives have delivered positive outcomes for local people, particularly those that are most vulnerable and may experience exclusion

5 PRE-DECISION SCRUTINY

- 5.1 The report is due to go to a future Scrutiny meeting as part of the consultation process for a pre-decision debate. Any relevant information on the outcome of the discussion will be incorporated in the Equality Strategy report due to go to cabinet in the Autumn.

6 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 6.1 The Council's Equality and Inclusion Annual Report 2019 incorporates the council's public sector equality duties as well as the national equality service improvement framework. It demonstrates the Council's compliance with the current legal framework. There are no direct financial implications arising from this report.

Failure to implement and annually report on the Council's Equality and Inclusion priorities and actions will expose the Council to risk of claims for breach of statutory duty. Failing to implement actions identified in the equality analysis conducted to support decision-making or compliance with the public sector

equality duties will also expose the Council to risk.

The Equality and Inclusion Annual Report is published in an electronic format and does not incur a publication cost to the Council.

Publication of the Equality and inclusion Annual Report will incur production costs. The Annual report must be accessible and therefore made available in different formats, in summary and electronically - on the Council's website and intranet. Provision for this is available from existing budgets available to the Resources Department.

6.1 Revenue and Capital consequences of report recommendations

The cost of producing the Equality and Inclusion Annual Report 2019 is found from existing budgets.

6.2 The effect of the decision

The approval of the Equality and Inclusion Annual Report will have no effect on the current financial situation. Action has been delivered in accordance with the risk management process.

6.3 Risks

The approval of the Equality and Inclusion Annual Report will have no effect on the current financial situation.

6.4 Future savings/efficiencies

There are no savings or efficiencies associated with the approval of this report.

Approved by Ian Geary, Head of Finance, Resources & Accountancy

7 LEGAL CONSIDERATIONS

7.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Law and Governance that the Equality Act 2010 (Specific Duties) Regulations 2011 sets out that the Council must publish information to demonstrate its compliance with the duty imposed by section 149(1) of the Equality Act 2010, not later than 31st January 2012; and subsequently at intervals of not greater than one year beginning with the date of last publication. The information which the Council publishes must include, in particular, information relating to persons who share a relevant protected characteristic who are—

- (a) its employees;
- (b) other persons affected by its policies and practices.

7.2 Section 149(1) (a) to (c) sets out the public sector equality duty with which the Council is required to comply. A public authority must, in the exercise of its functions, have due regard to the need to—

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 7.3 In addition, the Council is required to publish one or more objectives it thinks it should achieve to do any of the things mentioned in paragraphs (a) to (c) of subsection (1) of section 149 of the Act referenced above.
- 7.4 The objectives must be published—not later than 6th April 2012; and subsequently at intervals of not greater than four years beginning with the date of last publication.
- 7.5 An objective published by a public authority in compliance with paragraph (1) must be specific and measurable and must be published in such a manner that the information is accessible to the public.

Approved by: Sandra Herbert, Head of Litigation and Corporate Law on behalf of the Director of Law and Governance and Deputy Monitoring Officer

8. HUMAN RESOURCES IMPACT

- 8.1 Equality is integral to our workforce processes, policies and practices, including becoming an employer of choice. We continue to make positive progress towards having a workforce that reflects its community and where inclusivity is embedded in our practice, though it is recognised that there is more to do.

Approved by: Sue Moorman, Director of Human Resources

9. EQUALITIES IMPACT

- 9.1 Consultation was carried out when drafting the Equality and Inclusion Policy. Please see Cabinet Reports, 25 April 2016, Item A44/16 for further details.

The Opportunity and Fairness Plan 2016-2020 aims to make Croydon ‘a stronger, fairer borough where no community is held back.

The Opportunity and Fairness Plan sets out the Council’s Equality objectives 2016-2020. This information is from the Borough Profile, Index of Multiple Deprivation, as well as the views of 3000 people including staff, residents, local businesses, community and voluntary organisations all of whom contributed to the Opportunity and Fairness Commission’s final report published in January 2016.

The work of the Opportunity and Fairness Commission is essentially an extensive analysis of equality and inclusion issues in the borough.

- 9.2 Further information about thematic inequalities will be found in borough-wide documents such as the annual health report, crime analysis or workforce profile that can be accessed through that can be accessed through <http://www.croydonobservatory.org/>

Approved by: Yvonne Okiyo, Equalities Manager

10. ENVIRONMENTAL IMPACT

10.1 There will be no environmental impact arising out of the issues raised in this report

11. CRIME AND DISORDER REDUCTION IMPACT

11.1 The proposed change will help the Council work towards building a cohesive and inclusive Borough

12. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

12.1 To support the Council to demonstrate its transparency and fairness in its operations as well as compliance with its public sector equality general duty and specific duties as defined by the Equality Act 2010.

13. OPTIONS CONSIDERED AND REJECTED

13.1 None

14. DATA PROTECTION IMPLICATIONS

14.1 **WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?**

NO

The Director of Policy and Partnerships comments that there will be no data protection implications arising out of this report

Approved by: Gavin Handford, Director of Policy and Partnerships

CONTACT OFFICER:

Yvonne Okiyo, Equalities Manager

APPENDICES TO THIS REPORT:

Appendix 1 – Equality Annual Report
Appendix 2 – Equality Framework for Local Government Report
Appendix 3 – Stonewall Workplace Equality Index Report

BACKGROUND PAPERS:

None