

Slough Borough Council

Report To:	Cabinet
Date:	15 April 2024
Subject:	Slough Borough Council Equality Objectives, 2024-2028
Lead Member:	Councillor Dexter Smith, Leader of the Council
Chief Officer:	Stephen Brown, Chief Executive
Contact Officer:	Sarah Wilson, Assistant Director Legal and Governance
Ward(s):	All
Key Decision:	Yes
Exempt:	No
Decision Subject To Call In:	Yes
Appendices:	A - Consultation Results Summary B – Equality Impact Assessment

1. Summary and Recommendations

- 1.1 This report sets out the final 2024-2026 statutory equality objectives for Slough Borough Council, following the results of a public consultation (Appendix A) and in line with the Public Sector Equality Duty. The objectives cover both employment and service provision.

Recommendations:

Cabinet is recommended to:

- (a) agree the 2024-2026 equality objectives as set out in this report.
- (b) delegate authority to the Chief Executive, in consultation with the Leader of the Council, to agree performance measures for each objective.
- (c) note that reporting of progress on the workforce objectives will be to the Employment Committee.
- (d) agree to the commissioning of the LGA to undertake a peer review against the LGA Equality Framework, subject to budget being identified.

Reason

- 1.2 The council is fully committed to promoting equality in the provision of its services to Slough residents, and in its role as employer to its workforce.
- 1.3 Under Regulations made under the Equality Act 2010 the council is required to publish information to demonstrate its compliance with the duty imposed by

Section 149 (Public Sector Equality Duty/PSED). In addition, it is required to prepare and publish one or more equality objectives it thinks it should achieve to do any of the things mentioned in paragraph (a) to (c) of the PSED. Objectives are expected to be published at least every 4 years and must be specific and measurable.

- 1.4 In November 2023, Cabinet considered 5 draft equality objectives relating to workforce and service provision. It was agreed that the draft equality objectives be subject to public consultation and that a final report, to include the results of the consultation and details of systems in place to monitor any recommended objective, be brought to a future Cabinet for approval.
- 1.5 The proposed recommendations have been amended to take account of feedback from the Corporate Improvement Scrutiny Committee (CISC) and the public consultation. It is proposed to adopt the objectives for a 2 year period instead of 4 years, to allow for an LGA peer review to be commissioned and its findings taken into account in a formal review of the objectives.

Commissioner Review

This report has been reviewed by Commissioners and there are no specific comments to add.

2. Report

Introduction

- 2.1 The Council is committed to ensuring that reducing inequality is at the heart of our priorities as a council. We have refreshed the Corporate Plan to take account of the latest data and most recent Census information. This information can be viewed in the Slough Insights Pack, which includes a wide-ranging set of data that identifies equality and diversity issues within Slough across our residents and service users.
- 2.2 The Council is under statutory intervention of the Department for Levelling Up, Housing and Communities and there are directions relating to leadership and culture, governance and HR. Democratic governance is as much about the Council's relationship with its residents and re-building trust, as it is about the systems and processes in place. Members have regularly commented on the need for the Council to be more resident focused and to collect and monitor data to ensure that those more at need and most impacted and consulted and considered when decisions are made. The Council commissioned an LGA resident survey which understandably demonstrated the lost confidence of residents in the Council. Likewise, the Council conducted a staff survey, which demonstrates low morale. The Council needs to embed an approach to tackling inequality within our workforce, residents and service users as a key driver to demonstrating compliance with its best value duty.

Background

- 2.3 The Council originally proposed the following draft objectives as follows:

Residents and Service Users

Objective 1: Provide quality services for children and young people with SEND (Special Educational Needs or a Disability).

Objective 2: Improve outcomes for children and young people who are more likely to be disadvantaged based on their protected characteristic.

Objective 3: Work with partners to target health inequalities and well-being between those from different protected characteristic groups.

Workforce

Objective 4: Improve the collection of employees and applicant equalities data to ensure we are data-led in our actions to improve workforce inclusion and equality.

Objective 5: Recruit, retain and develop an inclusive workforce, where diversity is valued, and one that is more representative of our local communities.

Feedback from stakeholders

Scrutiny members (and general member feedback)

2.4 Scrutiny members reviewed the draft cabinet report in November 2023. The feedback was presented in a letter from the CISC Chair, which was a slightly unusual way of recommendations being presented and it is fair to say that asking scrutiny members to simply review a draft cabinet report was a possible lost opportunity for a more detailed discussion and debate on the Equality Act duties and the Council's approach to equalities.

2.5 Scrutiny members' recommendations were as follows:

a. That a plan is developed and implemented with the objective to increase, over time, the data collected relating to the protected characteristics (PCs) of all service users/customers and residents.

Services (for data collection) should be prioritised on agreed criteria that includes:

The potential for inequality to affect access;

The impact on the individual;

The cost of data collection; and

The ease of data collection.

This will provide assurance that our services do not carry unconscious bias to the detriment of any individuals or communities of place, interest or association (including PCs as a priority). This should be reflected as an equality objective in the strategy; and b. That future reports on PSED offer greater emphasis/detail about objectives and work planned/carried out in relation to residents and services.

2.6 The first recommendation was not taken forward as a specific equality objective in the consultation. However, the general sense from the debate at CISC is that members are concerned that objectives are not focused on residents in general and decisions are not informed by good quality data.

2.7 At its extraordinary meeting in March, CISC considered the commissioners' 4th report and made a recommendation "That an Independent Review (or Race Equality Commission) be commissioned immediately into Equality and Diversity issues in Slough Borough Council".

2.8 The original service related objectives will undoubtedly improve the lives of specific groups of residents, however they do not pick up on the general concerns or

recommendations raised by CISC. In addition the committee are keen to see an external review of the Council's approach to equalities.

Public Consultation

2.9 In November 2023, Cabinet approved a 6-week public consultation (13 December – 02 February) to gather feedback on the draft equality objectives. This was run via the online consultation platform, Citizen Space. The consultation was promoted by the council via social media, and was shared with and promoted by a number of local groups, including:

- Slough Council for Voluntary Service
- Slough Poverty Forum
- Slough Co-Production Network
- Slough Residents Board
- Thames Vally Police community networks
- Youth Parliament
- Slough Borough Council Staff (via Insite, Right Council News and Staff Networks)

2.10 40 responses were received, which is a relatively low number of responses and therefore the weight given to these responses needs to be proportionate. The responses are summarised below. Details of responses to all consultation questions can be found in Appendix A, but the main findings were:

There was strong support for Objectives 1, 2 and 3 which focused on service users and residents.

- 90% of respondents strongly agreed or agreed with objective 1: Provide quality services for children and young people with SEND.
- 80% of respondents strongly agreed or agreed with objective 2: Improve outcomes for children and young people who are more likely to be disadvantaged based on their protected characteristic.
- 82.5% of respondents strongly agreed or agreed with objective 3: Work with partners to target health inequalities and wellbeing between those from different protected characteristic groups.

2.11 There were lower approval rates for Objectives 4 and 5, which focused on the SBC workforce:

- 65% of respondents strongly agreed or agreed with objective 4: Improve the collection of employee and applicant equalities data to ensure we are data-led in our actions to improve workforce inclusion and equality.
- 72.5% of respondents strongly agreed or agreed objective 5: Recruit, retain and develop an inclusive workforce, where diversity is valued, and one that is more representative of our local communities.

2.12 When asked to rank the objectives in order of priority, respondents placed the objectives in the following order of importance:

1. Provide quality services for children and young people with SEND.
2. Improve outcomes for children and young people who are more likely to be disadvantaged based on their protected characteristic.

3. Work with partners to target health inequalities and wellbeing between those from different protected characteristic groups.
4. Recruit, retain and develop an inclusive workforce, where diversity is valued, and one that is more representative of our local communities.
5. Improve the collection of employee and applicant equalities data to ensure we are data-led in our actions to improve workforce inclusion and equality.

2.13 Additionally, a number of comments were received (for details see Appendix B). The most recurring theme around the council workforce related to concerns about recruitment and retention, specifically how perceived inequity in job-grading and pay equality generally, could negatively impact on this. It should be noted that 50% of respondents were currently employed by Slough Borough Council.

2.14 A wider range of comments related to service-users: reducing inequalities for women in the Slough community generally was mentioned several times, as were concerns around certain groups being disproportionately impacted by crime. Several comments were also made around White residents being disadvantaged.

Learning from elsewhere

2.15 In 2021, the LGA developed the Equality Framework for Local Government. This is intended to help councils:

- Deliver accessible, inclusive and responsive services to customers and residents in their communities including those from under-represented groups.
- Employ a workforce that reflects the diversity of the area they are serving.
- Provide equality of opportunity for all staff.
- Meet the requirements of the Public Sector Equality Duty and support any aspirations to exceed these.

2.16 This provides a framework for an LGA Equality peer challenge.

2.17 The framework covers four modules:

Understanding and working with your communities

- collecting and sharing information
- analysing and using data and information
- effective community engagement
- fostering good community relations
- participation in public life.

Leadership, partnership and organisational commitment

political and officer leadership

- priorities and working in partnership
- using equality impact assessment
- performance monitoring and scrutiny.

Responsive services and customer care

- commissioning and procuring services

- integration of equality objectives into planned service outcomes
- service design and delivery.

Diverse and engaged workforce

- workforce diversity and inclusion
- inclusive strategies and policies
- collecting, analysing and publishing workforce data
- learning, development and progression
- health and wellbeing.

2.18 For each module there are three levels: developing, achieving and excellent.

Somerset Council

2.20 As a relatively newly formed council, Somerset Council asked the LGA to complete a peer challenge in May 2023. The Council asked the peers to focus on three areas:

- The level of ownership there is throughout the organisation by officers and Members of equality, diversity and inclusion.
- An understanding of the commitment to equality, diversity and inclusion by officers and Members across the organisation.
- How effectively 'Due Regard' is embedded within all stages of the decision-making process to inform the direction we take.

2.21 To support the peer challenge, the Council completed a self-assessment that identified areas of good practice, areas for development and potential actions. Following the review, the Council produced a detailed two-year action plan.

Bristol City Council

2.22 The Deputy Leader has been in contact with Bristol City Council to learn from its approach to equalities. This Council had an independent review in 2018 and an LGA peer review in 2021. It publishes its policies, external reviews, action plans and updates demonstrating a commitment to transparency and continuous improvement.

Response to stakeholder feedback and proposed objectives

2.23 It is proposed to ask Cabinet to agree the following objectives on the basis these will be in place for up to 2 years:

Objective 1: Improve outcomes for children and young people who are more likely to be disadvantaged based on their protected characteristic, including SEND.

2.24 This merges the previous objectives 1 and 2, as consultees rightly flagged that if outcomes were improved for children and young people more likely to be disadvantaged by the protected characteristic of disability, this will include children with SEND.

Objective 2: Work with partners, including housing providers, to target health inequalities and well-being between those from different protected characteristic groups.

2.25 This has been amended to make explicit reference to housing providers, which would include the Council's housing department, registered providers and private sector landlords. This reflects data showing that a higher proportion of residents in Slough live

in private rented accommodation compared to the general population or population in the South East and also responds to consultation feedback that there is a correlation between housing and health inequality.

Objective 3: Work with partners to improve community safety, in particular focusing on violence experienced by women and girls.

2.26 This picks up on feedback that the objectives do not focus on community safety and risks to females are not covered. It should be noted that reducing risk and threat of violence to women and girls would cover work with alleged perpetrators and impact those living in a household where they witness domestic abuse, thereby benefitting a wider group of residents.

Objective 4: The Council uses a robust and comprehensive set of employment data to inform its workforce strategy and management practice, as well as benchmarking and sharing good practice.

2.27 This has been updated to reflect the excellent category in the LGA Equality Framework. The Council already has systems in place to collect employee and applicant data and has already published both its gender pay gap and ethnicity pay gap in previous years. The Council now needs to encourage wider completion of monitoring data and analyse data in relation to training opportunities and appraisal ratings, as well as understanding the effects of its employment policy and practice on its workforce.

Objective 5: The Council actively ensures that the profile of its workforce (including the profile of major providers of commissioned services) broadly reflect the community it serves/local labour market.

2.28 This has been amended to reflect LGA Equality Framework excellent category. The new objective captures commissioned services and the LGA criteria reflects that if there are differences, there is a reasonable explanation for gaps. It expects good use to be made of flexible working arrangements and targeted career pathway initiatives to address potential barriers and under representation.

Objective 6: Political and executive leaders demonstrate personal knowledge and understanding of local communities and continue to show commitment to reducing inequality.

2.29 This is a proposed additional objective and reflects the LGA Equality Framework achieving category for political and officer leadership. The objective would require a demonstrable commitment to equality in decision making, evidence that equality considerations inform decision making, an understanding of the value and impact good communications can have and ensuring that publications, websites and other communications channels are as diverse as possible. There should be a positive narrative around equality and good relations across the whole community, demonstrable influence in wider communities and partnerships, on a range of cohesion issues such as countering far right extremism. Consideration is given to adopting policies of the socio-economic duty when taking decisions and there should be examples of the Council and partners taking unpopular decisions, evidencing how it has involved the community in reaching the decision. The organisation should demonstrate the cultural competence and confidence to have difficult conversations around equality, diversity and inclusion issues and take steps to counter negative stereotypes or dispel myths.

2.30 To pick up on the feedback that some residents within a White ethnic group are disadvantaged, it is recommended that the Council refrain from using the term BAME (Black, Asian and Minority Ethnic) or BME (Black and Minority Ethnic). The Government has ceased using these terms following a review by the Commission on Race and Ethnic Disparities found that the aggregate term is no longer helpful and advocating a focus on understanding disparities and outcomes for specific ethnic groups. This is particularly relevant given the super diversity in Slough.

Next Steps

2.31 It is proposed that delegated authority is sought for officers to work on an action plan and set of measures for each objective, with an annual report brought back to Cabinet on Objectives 1-3 and regularly reporting brought to the Employment Committee on Objectives 4 and 5. These latter objectives will be the focus of the new Director of HR. Delegated authority will allow measures to be changed over time to respond to data and analysis.

2.32 It is also proposed that the Council should ask LGA to conduct an Equality Framework review with a view to the results of this informing updated equality objectives. This picks up on the recommendation from CISC to conduct an external review in relation to race inequality, but will allow a wider review of the Council's approach to equality and addressing disadvantage and inequality. The Council's Diversity and Inclusion lead will identify the key areas of focus for this review.

3 Implications of the Recommendation

Financial implications

3.1 Any actions arising from the recommendations will need to be funded from within approved budgets. This may include allocating resources for initiatives aimed at achieving the equality objectives, such as training programmes, data collection and analysis systems, recruitment drives, and measures to improve workforce inclusion and diversity. It is essential for the council to ensure that adequate financial resources are allocated to support the implementation of these objectives effectively, thereby demonstrating the council's commitment to promoting equality and fulfilling its obligations under the Equality Act 2010.

3.2 The Council has identified public health grant which could be utilised for this, subject to the review being commissioned before the end of September 2023. As health inequality is a key focus, the review strongly aligns with this priority.

Legal implications

3.3 Section 149 of the Equality Act 2010 imposes additional duties on relevant public authorities, known as the Public Sector Equality Duty. This duty applies to the relevant protected characteristics' – age, disability, gender reassignment, pregnancy and maternity, race, religion and belief, sex, and sexual orientation and marriage, and civil partnership. There is both a general and specific duty.

The general duty requires all listed authorities, when exercising public functions, to have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Equality Act 2010.

- 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.

3.4 The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 require public authorities to:

- a) Publish gender pay gap information on their employees.
- b) Publish information to demonstrate their compliance with the general equality duty ('equality information').
- c) Prepare and publish of one or more equality objectives which it thinks it should achieve to do any of the things mentioned in the general equality duty ('equality objectives').

The Council reports its gender pay gap to the Employment Committee and has also recently started reporting a wider range of workforce data. The Council also includes details of the equality implications of any recommended decision to be decided at a member level.

Risk management implications

3.5 Failure to comply with the Equality Act duties increases the risk of legal challenges to decision-making.

Environmental Implications

3.6 There are no direct environmental implications as a result of the recommendations contained in this report.

Equality implications

3.7 The Equality Act 2010 contains various provisions to promote equality and eliminate discrimination. This includes, but is not limited to, the public sector equality duty, the duty to have up to date equality objectives and to publish equality information, details of which are contained in the legal implications section above. An updated equality impact assessment is included as Appendix B.

3.8 In summary, the objectives are intended to have positive impacts on all groups. Objective 1 focuses on children and young people. Both SEND and disadvantaged children have some groups with protected characteristics over-represented in them and by focusing on these groups it is intended to support better equalities outcomes for these groups. Objectives 2 and 3 focus on health and community safety inequalities, responding to feedback. For employees and job applicants, the workforce objectives (4 & 5) will have a particularly positive impact on those groups currently under-represented in the council's workforce, including some ethnic minority groups, and those with disabilities. It will also allow the Council to hold its contractors and commissioned service providers to account for compliance with the Equality Act duties in terms of workforce. Objective 6 requires a commitment from political and officer leadership to understanding local communities and ensuring a positive approach to compliance with equality duties.

Procurement implications

3.9 There are no direct procurement implications as a result of the recommendations contained in this report.

Workforce implications

3.10 The council is committed to being an inclusive employer where diversity is valued. There are two equality objectives that relate specifically to the workforce.

Property implications

3.11 There are no direct property implications as a result of the recommendations contained in this report.

4 Background Papers

None.