

Report of the Assistant Director (Communities & Culture)
Portfolio of the Executive Member for Culture, Leisure and Communities

Refreshing the Council's Approach to Equalities

Summary

1. This paper provides an update on the Council's progress towards its equality objectives and sets out proposals to strengthen the Council's approach to equalities in key areas.

Recommendations

2. The Executive is asked to:
 - i. Note progress against the Council's equality objectives and agree that the current objectives remain in place,
 - ii. Agree the action plan set out in the Annex,
 - iii. Endorse the key elements of York's equalities system as set out in paragraph 31.
 - iv. Adopt the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism in Annex B

Reason: To strengthen the Council's approach to equalities.

Background

3. The key piece of legislation that underpins this report is the Equality Act 2010. The Act provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. It covers the following groups or "protected characteristics": Age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity.
4. The Equality Act includes the Public Sector Equality Duty which requires public bodies to consider all individuals when carrying out their day-to-day work – in shaping policy, in delivering services, and in relation to their own employees. It applies to all public sector bodies, as well as other organisations carrying out public functions, and requires them to:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010,
 - Advance equality of opportunity between people who share a protected characteristic and people who do not share it, and
 - Foster good relations between people who share a particular protected characteristic and those who do not.
5. Under the Equality Act, the Council is required to publish:
- Equality objectives - at least every four years,
 - Relevant information which demonstrates compliance with the Equality Duty - at least annually.
6. The current objectives are set out in the table below. These were set in October 2017 in light of the improvement areas identified for the Council against the Equalities Framework for Local Government.

Area of performance	Equality Objective
Knowing our communities	Better understand our diverse communities and their needs
Involving our communities	Strengthen community participation and influence in the decision-making process
Responsive services and customer care	Improve customer experience to respond to people's different needs
A skilled and committed workforce	Strengthen our position as an equal opportunities employer and service provider
Leadership, partnership and organisational commitment	Strengthen the Council's leadership role in developing and sharing good practice

7. The objectives remain relevant and, at this stage, it is not proposed that they should change.
8. A summary of recent progress against these objectives is set out in Annex A together with a revised action plan to take them forward.
9. Key development areas to note in this action plan are:

Knowing our communities:

10. A new role of Community Involvement Officer (Minority Communities) has now been created. This role will work with partners to seek an understanding of the various communities that are present in the city, and map who they are and what their needs, interests and perspectives are. Outcomes are likely to include:
 - An up-to-date database of key voluntary, community and faith groups operating in the area
 - Channels for community stakeholders and the council to exchange information, with mechanisms to ensure that issues raised are taken forward where possible
 - Intelligence provided to frontline services enabling them to have more effective conversations regarding service design and informing Equality Impact Assessments
 - Opportunities for encounters between residents of different backgrounds through a range of cultural, participation and public decision-making projects
 - Greater coordination between the work of existing organisations in the city such as YUMI (York Unifying Multicultural Initiative), RAY (Refugee Action York), YREN (York Racial Equality Network) and City of Sanctuary
 - A “community amplifiers” programme, with local residents acting as researchers, focusing on under-represented groups, to build relationships using participatory techniques aimed at appreciating different worldviews

Involving our communities:

11. Further budgets have been allocated to wards including a Safer Communities Fund and additional Highways / Capital funding to enhance citizens’ ability to make funding decisions in their local areas. More Community Involvement Officer capacity has also been provided within the Communities and Equalities Team to assist ward members in engaging their residents and increasing citizen involvement in local decision-making.
12. The **Community Voices** project, operated by the York Human Rights City Network with York CVS as the accountable body, has now been operating for 18 months. Recognising that the communities in York are changing and growing, it aims to:

- Embrace this diversity, bringing together people who perhaps wouldn't otherwise come together due to their cultural beliefs, religion, disability, vulnerability, need or experience.
 - Create an opportunity for them to be heard both individually and collectively and influence policy making.
 - Encourage meaningful participation by engaging with communities and individuals in ways that enabled those participants to set the agenda.
 - Engage with, and understand, the needs and priority issues for those who are not already connecting through community or voluntary organisations, i.e. those whose voices are not being heard already.
13. The major project undertaken in 18/19 involved hearing the voice of homeless people in York. The findings of this work are being fed into the Human Rights and Equalities Board's current project addressing the issue of homelessness. The current project concerns understanding York residents' experience with regard to hate crime.
14. There will be an opportunity in the future to align the Community Voices project more closely with the Council's Resident Engagement Strategy so that the project can assist the Council in engaging harder to reach groups around key issues that the Council is wanting to consult on.

Responsive services and customer care:

15. A key element in ensuring that services are responsive to communities' needs is consistently to undertake impact assessments based on a sound understanding of the needs of people from the various "protected characteristics". Impact assessments assess whether a policy or initiative has a disproportionate impact on people with protected characteristics. They represent a positive opportunity to:
- Ensure that the Council makes better decisions based on robust evidence
 - Ensure that decision-making includes a consideration of the actions that would help to avoid or mitigate any negative impacts on particular protected groups
 - Make sure that decisions are based on evidence
 - Make decision-making processes more transparent

16. The Council's vehicle for carrying out impact assessments is the Better Decision-Making Tool (BDMT). This combines equality impact assessment with human rights considerations (as well as consideration of environmental impact). It is proposed to carry out periodic analysis of the Better Decision Making Tool returns to analyse any emerging themes or issues affecting particular communities of interest in the city. Impact assessment using the BDMT should be carried out at an early stage and before any report is developed for member decision. Confirmation that impact assessment has been carried out will be required before an item is accepted onto the Council's forward plan. This is the primary means by which members take account of equalities issues in making their decision. A summary of the key findings of the equality impact section of the BDMT should be included in the implications section of reports to members.
17. The BDMT will continue to be developed to reflect the new Council Plan and will be reissued with updated guidance for managers.

A skilled and committed workforce:

18. The key actions in this area concern continuing work to ensure that mandatory staff and manager training includes equalities, diversity and human rights training, and that training in the use of the Better Decision Making Tool is accessed by all necessary managers.
19. Guidance has recently been introduced on setting strong personal and service level equalities targets within both service planning and Personal Development Review (PDR) processes.
20. The importance of members of staff reporting their protected characteristic information within iTrent will be promoted.

Leadership, partnership and organisational commitment:

21. The **Human Rights and Equalities Board**, which is led by the Council, brings together partners from across the city to take action on priorities identified in the York Human Rights Indicator Report. It aims to take a distinctive rights-based approach, to draw partners into taking a whole-city approach to tackling issues, and to complement, rather than duplicate, existing work.
22. The board's first project, which was concerned with young people who are not in Education, Employment or Training (NEET), has now been completed. Its recommendations, aimed at reducing the number of young people in the city who are NEET, will now be promoted with key partners. The report starts from the voice and

experience of young people, highlighting issues that are different from those generally emphasised by professionals and practitioners. In particular, many young people who are NEET report that school did not meet their needs. The Council's response to the report will lie principally in:

- Working with schools to developing new approaches to inclusion that better meet the needs of this cohort of young people
- Developing a 14+ curriculum pathway in partnership with York College and local employers

23. The board's next projects were selected in the light of this year's Indicator Report (see: https://www.yorkhumanrights.org/wp-content/uploads/2019/02/43502_Applied-Human-Rights-Booklet-LR3.pdf). As well as reporting on all five rights, the report includes additional information and recommendations around the right to housing, placing a focus on:

- The lived experience of those who sleep rough within the city, the stigma and marginalisation they face, and their perceptions of provision
- The pathways offered to homeless people within the city, including the Housing First and resettlement pathways
- The need for close engagement with marginalised communities as well as collaborative work to ensure that the city's strategies address unmet housing rights

24. The board has established a task group to address these issues with a work plan, complementing the work of the Council and other agencies, and concerned with:

- Housing First: Looking at how this model is applied across the country
- Understanding provision of housing-related services in the city and how these interlink (or don't)
- Developing approaches to enabling joined up, high quality, responses to issues around homelessness, through cross-sectoral, multiagency and multidisciplinary working
- Prevention: Developing improved responses to the risk of homelessness

25. In addition to these projects, the board will work with the Council to consider how it might improve its practice as a human rights

organisation. This is likely to involve drawing on best practice identified by the Local Government Association. The aim will be for the Council to be an exemplar amongst local employers.

26. **An exemplar authority:** The Council also continues to work towards being an exemplar in equalities practice. We are, for example, members of the Stonewall Diversity Champions programme. Under this programme we have taken part in 'Networking Masterclass' training; we have established a new LGBT staff network, which will be meeting for the first time next month; and Stonewall are helping us with ongoing review of our HR policies, in particular supporting us to create a Trans policy for the first time and putting us in contact with other organisations that we can usefully learn from. There is future potential for the Council to aim for inclusion in the *Stonewall Top 100 Employers list*. This is compiled from Stonewall's *Workplace Equality Index*, a benchmarking tool for LGBT inclusion in the workplace, which enables employers to measure, verify and improve their inclusion practice.
27. **Events and Initiatives:** The Council remains committed to playing a leadership role in events and initiatives in the city that promote inclusion. There are many examples of this such as the extensive programme run with partners commemorating Holocaust Memorial Day commencing in January and culminating with the commemoration at Clifford's Tower in March. New initiatives planned for 2020 include developing a public events programme for the first time next June for Gypsy and Traveller History Month. The Council will also be supporting the International Disabled People's Week in York.
28. The Secretary of State for Housing, Communities and Local Government has written to local authorities asking them to adopt the International Holocaust Remembrance Alliance working definition of antisemitism (attached at Annex B). This is not designed to be legally binding, but to be a tool for public bodies to understand how antisemitism manifests itself and to demonstrate a commitment to engaging with the experiences of Jewish communities and supporting them against the contemporary challenges they face. It is proposed that the Council adopts the working definition.
29. The Council continues to develop its action plan through the York Armed Forces Community Covenant to ensure that no member of the armed forces community is disadvantaged.

30. **Schools:** All schools must have an equality policy in place as a statutory requirement. The School Effectiveness and Achievement team monitor compliance by checking that this has been posted on school websites. In terms of promoting equalities the Council does this by reminding schools about their statutory duties. There is a range of good work that takes place across schools in York, e.g. we have secondary schools that are Stonewall champions (York High and Fulford). Schools are also provided with advice and support through the Council's SEN specialist services and the Local Area Teams.

York's Equalities System

31. It is proposed that the essential elements of York's approach to equalities will be:
- Regular review and monitoring of the Council's equalities objectives
 - Collating and analysing themes emerging from use of the BDMT as set out above
 - Collating information gained from the multiple channels of engagement with citizens and staff in use by the Council in order to identify key issues / themes
 - Reporting on key equalities data
 - Continuing to develop the Council's role in addressing the priorities highlighted in the Human Rights City Indicator Report and its practice as a human rights organisation
 - Ensuring that the Council's approach to equalities is applied to its procurement processes, in any use of the Council's land and buildings, and whenever and wherever any other type of council assets is deployed

The aim will be to make York, an equal, inclusive and welcoming city where people have access to the things they need to thrive as individuals and communities, tackling inequality, hate crime and any other barriers we encounter to people being able to access opportunities and realise their aspirations.

Equalities Data:

32. Authorities are required to publish information relating to people who share a relevant protected characteristic and who are:
- employees
 - people affected by its policies and practices, e.g. service users

The information must be published annually in a manner that is accessible to the public. The Council already has a “transparency” section as part of the Open data platform and information is currently published here, with relevant links from the main council website to the platform in place.

33. Further work will be undertaken by the Council Business Intelligence Unit to:
 - Benchmark the data, for example against other local authorities
 - Look at the classification categories in our core systems to ensure that they match up and align with national categorisations for protected characteristics.
34. Officers have recently reviewed the information currently provided and are currently undertaking a project to fill gaps identified in published data concerning:
 - a. Information about occupational segregation
 - b. Staff survey information, analysed by protected characteristic
 - c. Details of policies and programmes that have been put into place to address equality concerns raised by staff and trade unions
 - d. Success rates of job applicants
 - e. Success rates in applications for promotion
35. Further categories of information will be developed as reviews of specific policy areas are undertaken.
36. In addition to making available information through York Open Data it is proposed to make an annual report on the data to CMT and also to take a report to Customer and Corporate Scrutiny Committee as part of the year-end finance and performance update.

Options and Analysis

37. It is open to the Executive to amend the Equality Objectives proposed and to make any additions or alterations to the action plan in order to enhance the Council’s approach to delivering on the objectives.

Council Plan

38. The equality objectives set out in this report underpin all of the Council Plan objectives.

Implications

39. Following through York's approach to equalities will have implications across all areas of the Council's business including Finance, HR, Equalities, Legal, and so on. These implications will need to be assessed through use of the BDMT as members take individual decisions.

Risk Management

40. In compliance with the Council's risk management strategy the main risks that have been identified associated with the proposals contained in this report are those which could lead to the inability to meet business objectives and to deliver services, leading to damage to the Council's reputation and failure to meet stakeholders' expectations, as well as legal and regulatory risks arising from failure to comply with laws and regulations. The level of risk is assessed as "Medium". This is acceptable but means that regular active monitoring is required of the operation of the new arrangements.

Annexes:

- A. Progress against Equality Objectives
- B. International Holocaust Remembrance Alliance Working Definition of Antisemitism

Author:	Chief Officer responsible for the report:				
Charlie Croft Assistant Director (Communities & Culture)	Amanda Hatton Corporate Director of Children, Education and Communities				
	Report Approved:	✓	Date:	12.11.19.	
Wards Affected:				All	✓

Background papers: The Human Rights and Equalities Board Investigation into Young People in York who are Not in Education, Employment and Training