

Meeting:	Executive
Meeting date:	14 th December 2023
Report of:	Director of Customer & Communities
Portfolio of:	Executive Members for Finance, Performance, Major Projects and Equalities, and Housing, Planning and Safer Communities

Decision Report: City of York Council Actions in Response to the York Anti-Racism and Inclusion Strategy

Subject of Report

1. This report provides a plan of action as the City of York Council's (CYC) response to the Five Year Anti-Racism and Inclusion Strategy which was presented to and approved by Executive and full Council in July 2023. A commitment was made to provide a further report to Executive in response to the strategy, *making recommendations for change where actions can be implemented in the short term and also identifying medium and longer-term measures.*
2. The council also agreed to sign up to the city's anti-racism pledge and is committed to provide city leadership on this issue, working hard with all partners to do the same in declaring that structural and systemic racism is unacceptable and committing to a clear route to making the actions a reality.

Benefits and Challenges

3. York has long been recognised as a City of Sanctuary and Human Rights City and the work that partners do every day to demonstrate

this in respect of for example work with migrant communities in particular is very evident.

4. CYC acknowledges that however in terms of casual, institutional and structural racism there is a long way to go within the council, and lessons and improvement actions need to be learnt from the experiences of employees and users of the council's services.
5. This work sits alongside the current self assessment work ongoing in the council to meet the requirements of the Equalities Framework for Local Government (EFLG) which will feed into a full review of related employee and customer facing policies and procedures, and importantly an Equalities, Diversity & Inclusion (EDI) Strategy 2024-2027.

Policy Basis for Decision

6. Demonstrating the council's commitment to becoming an anti-racist and inclusive city is consistent with the Council Plan One City, For all 2023-2027 around addressing all inequalities in the City.
7. This work will contribute to the council's core commitments around:
 - a. **Equalities & Human Rights** – this report focuses not only people of colour, those from ethnic minority backgrounds but also intersectional representation and multi complex needs – see Equalities Impact Assessment attached.
 - b. **Affordability** – systemic and institutional racism can impact on access to jobs, skills development and economic opportunity and so any improvements made will have direct benefits of the financial and economic wellbeing of the community
 - c. **Climate & Environment**– there are no likely direct impacts on the Environment of this report although celebration of culture and the city's black and ethnic history will bring a positive contribution to our community places and spaces.
 - d. **Health** – there are known health disparities for people of colour and ethnic minority groups, both nationally and seen

in data on the health of people in York, and any improvement in opportunity impacting on health and wellbeing will have a positive impact on the community.

8. Specific related priorities in the Council Plan are:

Equalities and Human Rights - Equality of opportunity

We will create opportunities for all, providing equal opportunity and balancing the human rights of everyone to ensure residents and visitors alike can benefit from the city and its strengths. We will stand up to hate and work hard to champion our communities.

With specific priorities:

- *Celebrate being a Human Rights City with an Anti-Racism Action Plan*
- *Be recognised by LGA as “excellent” in Equalities, Diversity and Inclusion.*

9. The impact of structural inequalities and racism, however will have an impact on every element of the Council Plan and associated policies.

Financial Strategy Implications

10. The costs relating to this report will be contained within existing budgets. Some elements of workforce monitoring may be limited or otherwise by the nature and capability of systems in use and data available which require further investment as part of ICT development plans. Resources within the Communities Team are being reviewed to create some capacity to support EDI and Human Rights work corporately. The work across all directorates could be considerable in terms of meeting statutory equalities and human rights responsibilities, including the need for additional training resources to support the delivery of these responsibilities.
11. In light of the Council’s current financial challenge, funding any growth in this area of work will require compensatory savings to be identified elsewhere across the Council.

Recommendation and Reasons

12. Executive is asked to approve the initial CYC Anti-Racism Action Plan attached at Annex A including:

- Actioning the output from a workforce race equality impact assessment which will inform further plans;
- Reviewing further the Anti Racism and Equality Strategy findings and recommendations relating to Housing, Schools and Social Care and work with directorate management teams on dedicated responses;
- Continue to engage with the council's Black, Asian and Racially Minoritised Communities (BARMC) staff group and wider workforce to inform strategy, policy and process change; and
- Work with city partners and IERUK 3.0 on city wide solutions.

Reason: To demonstrate the City of York Council's commitment to eradicating racism and working with partners to become an Anti-Racist City.

Background

13. In line with a full Council resolution approved on 21st October 2021 to aspire to make York an Anti-Racist and Inclusive City, on 13 July 2023 the Executive received the city-wide strategy and action plan from the independent and cross-sectional working group led by Inclusive Equal Rights UK 3.0 (IERUK 3.0), and confirmed approval of the council's response and next steps. Full Council also gave the Strategy its full support and approval on 20 July 2023.

14. This included a strong commitment to include clear priorities in the new Council Plan and to deliver a detailed plan of delivery within 3 months. This plan is attached at Annex A.

15. The council also agreed to declare, pledge and provide city leadership on this issue and to work with all partners to do the same, in declaring that the failure reported through the strategy is unacceptable with a clear route needed to making the actions a reality.

16. The actions in the Action Plan are derived from three sources:

- a. actions from the Five Year Anti-Racism & Inclusion Strategy and Action Plan (IERUK 3.0);
 - b. actions from the City Wide Anti-Racism Pledge (July 2023); and
 - c. actions from the Equality Impact Assessments (from the July 2023 Executive/Council report and this report).
17. At the time of writing. A full self assessment was also being undertaken against the EFLG and the findings will inform and build on the recommendations in this report. An Equalities, Diversity & Inclusion (EDI) Strategy 2024-2027 will follow for Executive approval in Spring 2024.
18. The Action Plan at Annex A does not respond to the recommendations in the original Five Year Strategy which specifically relate to Schools, Social Care and Housing, as they all include non CYC providers. This will need further detailed work with and by leading teams within the council and therefore it is separately recommended that dedicated responses are developed by those services in partnership.
19. It also does not directly respond to recommendations made around councillor representation specifically around:
- a priority of recruiting BARMC candidates and consider establishing a Forum for BARMC members to give them a coherent voice;
 - identifying an Equality & Diversity Lead to work to work on improving community engagement and representation. In addition, sourcing effective diversity training for all councillors;
 - investing in positive action programmes to equip people from BARMC communities to participate in local politics and have a voice in party decision-making.

Whilst these are for political groups to consider, the Communities Team can support with this work in engaging with communities and their representatives.

Consultation Analysis

20. The respective Executive portfolio holders along with senior officers, including the Chief Operating Officer, met regularly during 2022 and 2023. They continue to meet with members of IERUK 3.0 to consider how best they can consult and engage with CYC staff, and other city partners.
21. The engagement and consultation undertaken by the group and York St John University is outlined in the full report at:
[30423+IERUK+Anti-Racism+Strategy+Document+WEB.pdf \(squarespace.com\)](#)
22. The council will continue to listen to those with lived experience through the continuing work of York St John University and any further work conducted by IERUK 3.0 and other partners in the city representing minority groups on anti-racism work.
23. To inform this report the author engaged with all CYC staff and the BARMC group as part of responding to the Strategy's recommendations. A summary of the key points raised are included in the EIA at Annex B and several members of staff expressed an interest in helping with the work going forward.
24. Key points they see as important in the Strategy:
 - investigate the reasons behind the low proportion of BARMC employees and take steps to actively increase diversity in the workforce, for example reviewing recruitment policies and practices to ensure they are inclusive and accessible to all;
 - explore whether BARMC individuals are concentrated in particular tasks or at particular levels within the workforce and take action to address any inequalities, including reviewing promotion and leaving issues.In addition:
 - BARMC staff members would like CYC to promote a more diverse leadership *and shape our workforce for all of our children coming through.*
 - a request that the Gypsy and Traveller community is fully considered in the anti-racism action plan.

Options Analysis and Evidential Basis

25. There is no other recommendation but to accept the plan given the previous Executive and full Council approval for the Plan to be developed.
26. In terms of the recommendations to continue to engage with BARMC group to inform strategy, policy and process change and work with city partners and IERUK 3.0 on city wide solutions, this is implicit and necessary for full delivery of the action plans.
27. The ancillary recommendation to review further the Anti Racism and Equality Strategy findings and recommendations relating to Housing, Schools and Social Care and work with directorate management teams on dedicated responses, is necessary to provide a wholistic council response to the Strategy working with partners and providers.

Organisational Impact and Implications

28.
 - **Financial** – The financial implications are described in paragraph 10 above and outline that, in light of the council's continued financial challenges, any additional costs will be managed by reprioritising existing budgets. Whilst the staffing costs incurred in doing this work will remain within existing budgets, further resources may be needed for training purposes across all equalities responsibilities. In light of the council's continued financial challenges, any additional costs will need to be managed by making compensatory budget cuts elsewhere within the Council or through reprioritising existing budgets.
 - **Human Resources** – An additional post will be created to lead EDI in the council taking forward the operational actions in the action plan. Human Rights and equalities training / awareness will be undertaken to embed actions into all aspects of everyday working at the council to further embed a positive anti -racism culture. Resources will be built into the Equalities, Access & Inclusion Team in the new financial year. HR will work alongside this team to review the outcome of the risk assessments and

resulting policy/process implications referred to in the report and the current self-assessment against the Equalities Framework for Local Government.

- **Legal:**
 - Executive needs to take into account the Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions).
 - Under the Human Rights Act 1998 it is unlawful for a public authority to act in a way which is incompatible with the rights set out in the Convention for the Protection of Human Rights and Fundamental Freedoms, agreed by the Council of Europe at Rome on 4th November 1950 ("the Convention"). In particular, the enjoyment of the rights and freedoms set out in the Convention must be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

The report gives an update on how the council is seeking to meet its obligations under Equalities and Human Rights Acts with regard to race.

- **Procurement** - There are no direct procurement impacts contained in this report. However, protected characteristics under the Equalities Act can be focused on when considering social value in procurement.
- **Health and Wellbeing** - Health implications are covered in the EIA at Annex B but also in paragraph 7d above included as one of the council's core commitments.
- **Environment and Climate action** - There are no direct climate implications of the report, although implications for the city's spaces are covered in paragraph 7c above. Implementing the action plan will create stronger links and

inclusivity between the environment and the Black, Asian and Racially Minoritised Communities.

- **Affordability** - As described in the EIA and paragraph 7 b above systemic and institutional racism can impact on access to jobs, skills development and economic opportunity and so any improvements made as a result of this report will have direct benefits of the financial and economic wellbeing of the community.
- **Equalities and Human Rights:**
 - Whilst the recommendations within this report will have a favourable impact on people of colour and other ethnic minority and intersectional groups, there will be a need to ensure resources are dedicated to all equalities work across all protected characteristics under the Equalities Act. An Equalities Impact Assessment (EIA) has been carried out and is attached to this report at Annex B.
 - Whilst not changing the overall recommendations in this report, the identified actions from the EIA have been built into the final section of the Action Plan at Annex A which are:
 - Ensure ongoing engagement with those with lived experience of racism to seek joint development of solutions;
 - Provide specific guidance on to how to handle and respond to racism in council policies
 - Create a mechanism for all institutions and partners in the city to take joint action in reducing racism and promoting active inclusion.
- **Data Protection and Privacy,** - As there is no personal data, special categories of personal data or criminal offence data being processed, there is no requirement to complete a DPIA. This is evidenced by completion of DPIA screening questions AD-01633.
- **Communications** - Equalities and human rights is one of the four core commitments in our Council Plan- One City, for all. Communications support will be needed as we seek to deliver the anti-racism action plan. The publication of the initial report and action plan from IERUK received significant media attention. In this report, action 8 in the action plan is to raise awareness of the signing of the pledge internally and externally. Progressing the anti-racism strategy will require communications support to highlight the pledge the council has made and also to provide updates on the steps it is taking to make the city more inclusive.

- **Economy-** Similar to the Affordability implications the report will have positive implications access to jobs, skills development and economic opportunity if structural and systemic racism is eradicated in the city.

Risks and Mitigations

29. Should the actions in this report and action plan not be delivered, institutional, structural and systemic racism will not be seen to be taken seriously or eradicated, and the council will remain unrepresentative of its communities, nor seen as a fair and inclusive employer.
30. Impacts for the city as a whole could be significant, impacting on the city's reputation as a welcoming and safe city in which to live, work, visit and do business. The actions in this report will seek to support the hard work of partners and council teams in relation to its City of Sanctuary and Human Rights City work (see accompanying report on this Executive's agenda).

Wards Impacted

All wards

Contact details

For further information please contact the authors of this Decision Report.

Author

Name:	Pauline Stuchfield
Job Title:	Director of Customer & Communities
Service Area:	Customer & Communities
Report approved:	Yes
Date:	29/11/2023

Background papers

Executive 13th July 2023: Minute 18 – Anti-Racism & Inclusion Strategy & Action Plan:

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MId=13919&Ver=4>

Full Council 20th July 2023 Minute 20 – Anti-Racism & Inclusion Strategy & Action Plan:

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=331&MId=13925&Ver=4>

Annexes

- Annex A: City Of York Council Anti Racism Action Plan 2023
- Annex B: Equalities Impact Assessment (EIA)

Abbreviations

AD	Assistant Director
BHM	Black History Month
BARMC	Black, Asian and Racially Minoritised Communities
CYC	City of York Council
EDI	Equality, Diversity & Inclusion
EFLG	Equalities Framework for Local Government
EIA	Equalities Impact Assessment
HREA	Human Rights and Equalities Analysis (Tool)
HREB	Human Rights and Equalities Board
ICT	Information, Communications & Technology Services
IERUK 3.0	Inclusive Equal Rights UK 3.0
LGA	Local Government Association
OD	Organisational Development
PDRs	Personal Development Review