

Equalities Diversity and Inclusion Policy

16 September 2020

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| Title | Equalities, Diversity and Inclusion Policy 2020-24 |
| Report of | Chairman of Community Leadership and Libraries Committee |
| Wards | All |
| Status | Public |
| Urgent | No |
| Key | No |
| Enclosures | Appendix 1: Equalities, Diversity and Inclusion Policy 2020-24 Appendix 2: Equalities, Diversity and Inclusion Action Plan 2020/21 |
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Summary

This report seeks approval for the council's draft Equalities, Diversity and Inclusion (EDI) policy for the financial year 2020-24 which demonstrates how the council will comply with the Public Sector Equality Duty in the Equality Act 2010. A publication of our EDI policy forms part of that process.

Promoting equality, diversity and inclusion both internally and externally is a top priority for the council and we are committed to building on the momentum for change. Just within the last few months BEA staff networks have been established, Members received training about equalities, and unconscious bias training for senior managers has taken place. The EDI action plan set out more ways in which we as a council are committed to improving our approach to equalities and diversity across the council.

This EDI policy looks at ways in which the council will approach its statutory responsibilities under The Equality Act and the Public Sector Equality Duty. It describes our approach to implementing our equalities policy and our Strategic Equalities Objective.

The policy incorporates legal duties as well as areas for improvement and best practice across the council. The policy will be incorporated into all work across the council and the action plan will be overseen by the council's cross-cutting steering group on Equalities, Diversity and Inclusion, chaired by CMT Sponsor for this agenda.

Officers Recommendations

- 1. That the Committee note that the draft Equalities, Diversity and Inclusion policy will be sent out for consultation**
- 2. That the consultation responses come back to the committee for consideration prior to the policy being approved**

1. WHY THIS REPORT IS NEEDED

- 1.1 The Public Sector Equality Duty requires public bodies and others carrying out public functions to have due regard to the need to eliminate discrimination, to advance equality of opportunities and foster good relations.
- 1.2 The council has a Strategic Equalities Objective (SEO) that states how it will meet the duty. The current SEO – that residents be treated equally, with understanding and

respect, and will have equal access to quality services - is set out in the current Corporate Plan: *Barnet 2024* which was published in March 2019.

- 1.3 The council produces an annual Equalities, Diversity and Inclusion Action plan which provides a detailed view of how the objective will be met. This report provides an update on the principles of how we will meet these actions.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The council is strengthening Equalities, Diversity and Inclusion agenda in order to demonstrate compliance with its legal duty, implement best practice and ensure our workforce reflects communities we serve.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 There are no alternative reporting options considered

4. POST DECISION IMPLEMENTATION

- 4.1 Once the Equalities, Diversity and Inclusion Policy has been approved by the Communities, Leadership and Libraries Committee, the policy will go to public consultation for six weeks.

- 4.2 Following this, the policy will return to this committee for final approval. The action plan however, will be a live document, with lead officers updating their areas and adding actions over the year. Progress against the 20/21 action plan will be reported in the Annual Equalities Report 20/21, brought to committee and published on the council website.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The current Corporate Plan: *Barnet 2024*, sets out the current SEO – that residents be treated equally, with understanding and respect, and will have equal access to quality services – which was published in March 2019.

- 5.1.2 A new Corporate Plan is in development and the new EDI policy and plan is designed to integrate equalities into all of the Corporate themes (Thriving, Healthy, Family Friendly, Clean, Safe and Well Run, The Way We Work and Prevention).

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 There are no resource implications as a result of this report.

5.3 Social Value

5.3.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. Before commencing a procurement process, commissioners should think about whether the services they are going to buy, or the way they are going to buy them, could secure these benefits for their area or stakeholders.

5.4 Legal and Constitutional References

5.4.1 The Equality act replaced and consolidated previous discrimination legislation and provides protection from discrimination in the workplace and in wider society. The council has statutory obligations under the Equality Act 2010 - and is subject to the Public Sector Equality Duty in s149 of the Act as a public body

5.4.2 General Public Sector Equality Duty

The Public Sector Equality Duty ('PSED') consists of a general duty, with three main aims. The general duty requires public bodies to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between people from different groups; and
- Foster good relations between people from different groups.

The Act sets out what due regard means for each aim.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular to the need to:

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to

- (a) tackle prejudice, and
- (b) promote understanding.

5.4.3 Obligations to publish information and set objectives

By the Equality Act 2010 (Specific Duties and Public Authorities) Regulations, SI 2017/353 the council is required to publish information to demonstrate its compliance with the Public Sector Equality Duty. The information must include information relating to persons who share a protected characteristic, who are its employees, or who are affected by the council's policies or practices. Publication is required annually. This information has been set out in each Annual Equalities Report published since 2014. Under the same regulations the council is also required to set and publish equality objectives to comply with the Public Sector Equality Duty, at least every 4 years.

5.4.4 Protected Characteristics

The 2010 Equality Act identifies the following protected characteristics:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

5.4.5 In addition to assessing the impact of proposals on the nine protected characteristics, the council also assess the impact on certain other groups, whenever possible, who may be considered disadvantaged and/or vulnerable. These additional groups include; carers, people on a low income, those who are unemployed, young people who are not in education employment or training (NEET), people with mental health issues and some families and lone parents.

5.5 **Risk Management**

5.5.1 Progress will be monitored against the council's Strategic Equalities Objective, to mitigate against a range of equalities risks, and to ensure that the council meets its statutory obligations under the Equality Act 2010 and the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017.

5.5.2 The Independent Government Review into PSED (September 2013) recommended that public sector bodies should take a proportionate approach to the requirement to pay due regard to equalities and not seek to 'gold plate'.

5.6 **Equalities and Diversity**

5.6.1 The legal requirements of the 2010 Equality Act are outlined above and describe the requirement for public bodies to pay due regard to equalities.

5.7 Corporate Parenting

- 5.7.1 In line with Children and Social Work Act 2017, the council has a duty to consider Corporate Parenting Principles in decision-making across the council. Age is a protected characteristic and Barnet's approach to Equalities is to ensure that the most vulnerable are protected.

5.8 Consultation and Engagement

- 5.8.1 Subject to approval by the Communities, Leadership and Libraries Committee (CLLC, the Equalities, Diversity and Inclusion Policy will go through a period of consultation and engagement with residents and other stakeholders before the final policy is recommended brought to CLL Committee later in 2020.
- 5.8.2 The consultation will be published as an online survey hosted on Engage Barnet and widely promoted via the Council's Residents' newsletter, Communities Together Network, the council's Website; local press; Twitter; and Facebook. Where possible we will hold discussion groups with residents and partner organisations.

5.9 Insight

- 5.9.1 A considerable amount of desk research has gone into producing the EDI Policy. The Strategy Team reviewed equalities policies from a number of other local authorities as well as speaking with their equalities leads

6. BACKGROUND PAPERS

- 6.1 September 2019 Policy and Resources Committee: Annual Equalities Report 2018/19
<https://barnet.moderngov.co.uk/documents/s52953/Annual%20Equalities%20Report%20201819.pdf>
- 6.2 December 2018 Policy and Resource Committee: Annual Equalities Report 2017/18
<http://barnet.moderngov.co.uk/documents/s50100/Annual%20Equalities%20Report%20201718.pdf>
- 6.3 June 2017 Policy and Resource Committee: Annual Equalities Report 2016/17
<https://barnet.moderngov.co.uk/documents/s40460/Annual%20Equalities%20Report%202016-17.pdf> .
- 6.4 June 2016 Policy and Resource Committee: Annual Equalities Report 2015/16
<https://barnet.moderngov.co.uk/documents/s32732/Annual%20Equalities%20Report%20201516.pdf> .
- 6.5 January 2015 Full council: Adoption of Equalities Policy
https://www.barnet.gov.uk/dam/jcr:45f49f6e-2d2f-4d0c-a35f-bd9a200def51/008627_Equalities_A4_Booklet_digital_.pdf
- 6.6 At the meeting on [24 June 2013](#), Cabinet Resources Committee approved the performance measures for monitoring progress against the council's Strategic Equality Objective, as set out in the Corporate Plan and required by the PSED.

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1. Our vision for Equalities, Diversity and Inclusion 2020 to 2024

- 1.1 The council is committed to building Barnet into a strong, cohesive organisation and community where diversity is celebrated, people have equal opportunities and where inequality is actively tackled.
- 1.2 A borough where every person can live, work and study in an environment free from harassment and discrimination. We want to create a borough where people support each other to take control of their own lives, optimise their independence and make a difference in their areas and local services. We recognise that we can only do this by working with our partners and communities to advance equality, promote community cohesion and tackle discrimination.
- 1.3 Discrimination and inequality mean that some people may not have had equal access to services; be that education, health, housing or employment. Therefore, we will use insight available and work with partners and communities to develop targeted support where needed. Furthermore, the disproportionate impact of Covid-19 on the BAME communities and spotlight on racial inequality means that our action plan will not only look at EDI but also its contribution specifically to reducing racial inequality.
- 1.4 This commitment extends to our workforce with our responsibility as an employer. We will ensure employees at all levels can see a pathway to progression, are empowered to pursue it and are supported on that journey.

2. Purpose

- 2.1 The people that live, work, and study in Barnet come from a wide range of backgrounds. The local population is projected to become even more diverse, with the proportion of Black, Asian and Minority Ethnic (BAME) people in the borough rising from 40.3% in 2020 to 42.8% in 2030. Furthermore, there are over 180 clearly defined languages, other than English, spoken as the first language by primary school pupils in Barnet.
- 2.2 Whilst to some extent the wider workforce of the council is reflective of the diversity of the borough we represent, the senior leadership team is under representative, particularly of managers and senior leaders with a BAME background. We are an anti-racist organisation and are currently reviewing how we can improve our ways of working to reflect this. The policy and action plan build on this work to identify specific actions that can be taken in order to improve.
- 2.3 The council will engage with our diverse communities to better understand their needs and will strive to make sure that those who are not always heard are able to be, and those who need extra help are able to access our services. We will ensure that the services we deliver are needs led, appropriate, and accessible to reflect the diversity of need at different stages of people's lives.
- 2.4 We will celebrate the diversity of our community, promote inclusivity, and ensure equal opportunities for all. The council has an important role in actively championing and

promoting equality in the borough, and we are committed to building a diverse and inclusive organisation that reflects the communities we serve.

- 2.5 The Equalities, Diversity and Inclusion Policy underpins our vision and approach to how we deliver our services, recruit and maintain our workforce, engage with residents, and address inequalities within our borough.
- 2.6 A strong approach to equalities and inclusivity benefits the organisation and the communities we serve, and we aim to go beyond our legal obligations as an organisation. Embedding equalities helps us to meet the diverse needs of our residents and staff. By considering equalities and inclusion in the way we operate, we ensure that decision making and policy development is better informed and more tailored to individual needs – leading to better outcomes.
- 2.7 By celebrating and promoting inclusivity and diversity, we will create a more cohesive borough, building a community in which people support each other and help tackle discrimination. A borough where people have equal opportunity regardless of their background will be a more prosperous, healthy borough, with a thriving civic life.
- 2.8 Within this policy we will:
- Set our legal obligations to protect people from discrimination and to promote equality of our residents and staff.
 - Lay out the underlying principles that will guide our approach to equalities and inclusion.
 - Show what we are doing or are going to do to achieve our vision, and how we will monitor our progress, and who is responsible for implementing this policy.

3. Legal Duties

3.1 Equality Act 2010

The Equality Act 2010 is designed to ensure that people are protected from discrimination in the workplace and wider society., and local authorities have an additional duty under the Public Sector Equality duty set out in s149 of the Act.

- 3.2 We must meet the obligations of the Equality Duty in relation to the following protected characteristics:
- Age
 - Disability
 - Gender reassignment
 - Marriage and civil partnership
 - Pregnancy and maternity
 - Race

- Religion and belief
- Sex
- Sexual orientation

3.3 The Public Sector Equality Duty has three aims, and requires Barnet Council to have due regard to the need to:

- Eliminate unlawful discrimination, harassment, and victimisation and other conduct prohibited by the 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 those who do not share it.

3.4 We must also:

- Publish information at least annually to show our compliance with the Equality Duty. Set and publish equality objectives at least every 4 years.

3.5 Having due regard to advancing equality means that we:

- Remove or minimise disadvantages suffered by people due to their protected characteristics.
- Take steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people.
- Encourage people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

3.6 **The Human Rights Act 1998**

The Human Rights Act 1998 sets universal standards that we must meet as a public authority. The Human Rights Act gives effect to the human rights set out in the European Convention on Human Rights. These rights are called Convention rights.

Examples of Convention or human rights include:

- the right to life
- the right to respect for private and family life
- the right to freedom of religion and belief.

3.7 **Strategic Equalities Objective (SEO)**

The council will meet its legal requirements to set an SEO and will monitor our progress towards achieving this. The SEO will provide our organisational objective towards equality.

3.8 The council's Strategic Equalities Objective (SEO) is: that citizens will be treated equally, with understanding and respect, and will have equal access to quality services. The SEO was updated in 2018 and will be reviewed and updated in the review of the Corporate Plan. The 2018 plan outlines how we will work together with residents and businesses to achieve the following outcomes for the borough:

- A pleasant and well-maintained borough that we protect and invest in
- Our residents live happy healthy and independent lives with the most vulnerable protected
- Safe and strong communities where people get along well

3.9 This policy sets out our approach to meeting our legal obligations. However, we want to go beyond our legal obligations to meet our vision for an equal and inclusive borough. We will seek to eliminate inequality where it exists in the borough, including, when possible, where it exists outside of the nine protected characteristics.

4. Monitoring

4.1 It is important that we monitor, analyse, and report our progress in achieving the aims set out in this policy. This will allow us to adapt our approach to ensure we're achieving the outcomes we've agreed on.

- We will publish an Annual Equalities Report for our Community Leadership and Libraries Committee. This will provide an update on what we have been doing to achieve our objectives, and our progress towards meeting them. Delivering it to the committee will mean politicians can keep the organisation accountable to our EDI policy.
- We will report against our previous Equalities Action Plan which include five Key Performance Indicators (KPIs) relating to equalities in our quarterly Council Performance Report. These are:
 - Percentage of staff providing social identity information.
 - Cumulative Equality Impact Assessments carried out for relevant policies and programmes (Annual).
 - Community Together Network (CTN) Bulletin circulated to voluntary and faith communities.
 - Publishing the Equality Impact Assessments (EqIAs) in a central place on our website
 - All new standard contracts include equality standards
- We will also develop new, meaningful KPIs based on what our residents tell us they care about during the consultation period of this policy.
- Our EDI Action Plan has been completely revised for 2020 and is divided into the six themes from the council's new overarching strategy – The Barnet Plan. The EDI Action Plan will be closely monitored by the steering group who will meet monthly to scrutinise progress against its objectives.
- Under the theme 'The Way We Work', the action plan will set out the council's ambitions to increase diversity in our workforce and ensure our recruitment processes are as inclusive as possible.

- Our Strategic Equalities Objective will also be renewed in line with the Barnet Plan and a new set of KPIs built into our corporate performance plan, in order to monitoring our progress in achieving it.
- All new partners will have equalities performance indicators embedded within their contracts.
- We will continue to update and publish our JSNA
- We will share best practice and achievements with our partners so that we can collaborate, learn from others, and improve.
- The Equalities and Inclusion Policy will be reviewed and updated every 4 years.

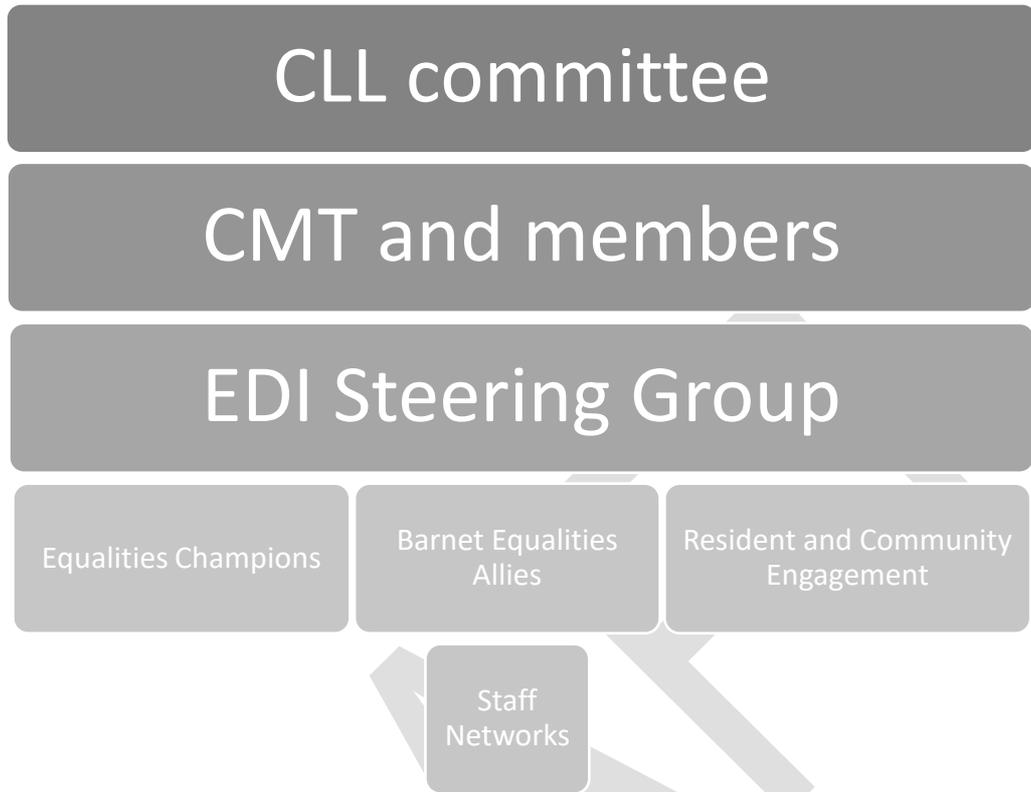
5. Responsibilities & Governance

5.1 Everyone has a part in embedding Equalities, Diversity and Inclusion in Barnet. We will work with our staff, unions, partners, residents, and service users to ensure we deliver our duties and ambitions for meeting the diverse needs of Barnet's population, to create a more cohesive and inclusive borough.

5.2 Specific responsibilities include:

- Members play a vital part in setting the strategic direction and ensuring the council has an EDI policy that is adhered to when setting policy and making decisions. They champion inclusion and equalities in the borough and celebrate our diversity.
- The nominated CMT Lead for Equalities and Diversity is responsible for informing the council's strategic direction in relation to equalities and diversity, and for ensuring organisational alignment.
- The Strategy Team will be responsible for maintaining the EDI policy, action plan and annual report. They will also work to engage and build our relationship with Barnet's communities.
- Human Resources team will be responsible for promoting and embedding organisational aspects of EDI in the workforce and workplace.
- The EDI Steering Group and Equalities Champions help us to embed equalities into the way we work as an organisation.
- Equalities champions will be 'service matter experts' on different elements of the protected characteristics of The Equality Duty and support the organisation in considering implications on any particular group.
- Barnet Equalities Allies are a staff led network providing a safe space for staff and a voice on EDI matters. They provide insight into the workforce and work with the EDI steering group to promote, collaborate and challenge the work of and the organisation.
- All council officers are responsible for ensuring that we think about equalities in the way we deliver our services, and for reporting discrimination and harassment where they encounter it.
- We will work with the voluntary and community sector to promote community cohesion, and to gather data and insight.

5.3 Proposed governance structure:



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6. Equalities Action Plan

- 6.1 The Equalities Diversity and Inclusion Action Plan 2020 is included as Appendix 1. It sets out in detail how we deliver the aims of this policy. To ensure that EDI is embedded in the work we do across the whole organisation, the action plan has been arranged into our six corporate priorities:

Thriving: *Building a Barnet fit for the future, where all residents benefit from improved infrastructure and opportunity; Widescale Town Centres Programme underway focussed on responding to the short-term impacts of COVID and to developing a longer-term vision that is inclusive of all groups.*

Family Friendly: *A great place to grow up, with excellent schools, family home and children's service; ensure children from BAME backgrounds are included and involved in user feedback and co-production activities.*

Healthy: *A place with fantastic facilities for all age, enabling people to live happy and healthy lives; Health & Wellbeing Strategy 21-25 to include extensive community engagement with a particular focus on addressing health inequalities and BAME views on how to improve access to interventions and services locally.*

Clean, Safe and Well Run: *Investing in our environment, ensuring streets are clean and residents feel safe, underpinned by excellent customer services; all new contracts will have performance measures built in to ensure equality issues are addressed - both at commission and throughout delivery.*

The Way We Work: *Investment in our workforce and IT to focus on how we work ensuring residents and communities are at the heart of service delivery; the action plan sets out the council's ambitions to increase diversity in our workforce and ensure our recruitment processes are as inclusive as possible.*

Prevention: *A holistic approach to prevention to ensure health, social and economic issues are identified and mitigated before they arise; understanding the need to build stronger relationships and more dialogue with community groups that represent BAME communities in the borough.*

- 6.2 To further encourage organisational ownership of the policy and action plan, each member of the council's management team of senior directors (CMT) will nominate a lead from their directorate to champion each of the nine protected characteristics in the Equality Act and to take responsibility for the corresponding actions in the action plan.