

	<h2>Policy and Resources Committee</h2> <h3>9 December 2021</h3>
<p style="text-align: right;">Title</p>	<h2>Annual Equalities Report 2020/21</h2>
<p style="text-align: right;">Report of</p>	<p>Chairman of Policy and Resources Committee</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Urgent</p>	<p>No</p>
<p style="text-align: right;">Key</p>	<p>No</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix 1: Annual Equalities Report 2020/21</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>William Cooper, Head of Strategy, Community Participation, and Engagement Tel: 020 8359 2236 William.Cooper@Barnet.gov.uk</p>

Summary

This report seeks approval for the council's Annual Equalities Report for the financial year 2020/21 which demonstrates how the council complies with the Public Sector Equality Duty in the Equality Act 2010. The publication of the Annual Equalities Report (AER) forms part of that process.

This AER looks back over the previous financial year and details how the council has approached its statutory responsibilities under The Equality Act and the Public Sector Equality Duty; our approach to implementing our equalities policy; and our progress against our Strategic Equalities Objective. The report covers key achievements and case studies from across the council.

Officers Recommendations

1. That the Committee approve the Annual Equalities Report 2020/21 for publication on the council website.

1. WHY THIS REPORT IS NEEDED

- 1.1 Publishing an annual equalities report is part of the Council's Public Sector Equality Duty. The Public Sector Equality Duty (PSED) 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 purpose of the report attached in Appendix 1 is to highlight the progress made over the past 12 months towards our PSED, as well as outlining some next steps. The report covers key achievements and examples from across the council in terms of delivering our EDI agenda and meeting our PSED duty. during 2020/21.
- 1.3 It has been an exceptional year, with the council's focus being on responding to and starting to recover from COVID-19. The pandemic has exacerbated existing inequalities, with the most disadvantaged communities being hit the hardest, and has also uncovered where there is vulnerability within our communities. Throughout the response to the pandemic, equalities has remained an important priority for the council, and this will continue to be a priority as the borough moves into recovery.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The council is strengthening Equalities, Diversity, and Inclusion agenda in order to demonstrate its legal duty, implement best practice and ensure our workforce reflects communities we serve.
- 2.2 Furthermore, in order to transparently monitor performance against the SEO, an Annual Equalities Report is produced by the council and published on the council website.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 There are no alternative reporting options considered.

4. POST DECISION IMPLEMENTATION

- 4.1 Once the Annual Equalities Report has been considered and approved by Policy and Resources Committee, it will be published on the equalities pages of the council's website. The priority actions identified in the Equalities, Diversity and Inclusion Action Plan for the financial year 2020/21 set out in a separate document, will be implemented.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The council's Barnet Plan 2021-2025 was adopted in March 2021 and makes a commitment to consider equalities in all that we do and to ensure the borough is a strong cohesive community, where diversity is celebrated, and everyone has equal opportunity

regardless of their background place with fantastic facilities for all ages, enabling people to live happy and healthy lives.

5.1.2 The new EDI Policy Action Plan is designed to integrate equalities into all the Barnet Plan themes (Thriving, Healthy, Family Friendly, Clean, Safe and Well Run). The new action plan was approved Community Leadership and Libraries Committee in September 2020.

5.1.3 The council's consulted on its new Equalities, Diversity and Inclusion Policy in 2020 and has updated its Strategic Equalities Objective (SEO) to:

All our communities will be treated equally, with understanding and respect. Both our council and our borough will be places where diversity is celebrated, and inequality is actively tackled; where people have equal opportunities and equal access to quality services.

5.1.4 To transparently monitor performance against the SEO, an Annual Equalities Report is publicly reported to council. The report details how the council has approached its statutory responsibilities under The Equality Act 2010 and Public Sector Equality Duty (the report is included at Appendix 1 of this report).

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.

5.3.2 Social value can be used to further equalities, diversity, and inclusion. The council is in the process of developing a menu of social value outcomes that commercial suppliers can contribute to. These will include targets for ensuring equal opportunities in employment and activities that benefit disadvantaged groups.

5.4 **Legal and Constitutional References**

5.4.1 Article 7 of the Council's Constitution sets out the terms of reference of the Policy and Resources Committee which include responsibility for Equalities

5.4.2 The council has statutory obligations under the Equality Act 2010 - and s149 which sets out the Public Sector Equality Duty (PSED) - which came into force on 5 April 2011.

Decision makers should have due regard to the public sector equality duty in making their decisions. The equalities duties are continuing duties they are not duties to secure a particular outcome. The equalities impact will be revisited on each of the proposals as they are developed. Consideration of the duties should precede the decision. It is important that the council has regard to the statutory grounds in the light of all available material such as

consultation responses. The statutory grounds of the public sector equality duty are found at section 149 of the Equality Act 2010 and are as follows:

5.4.3 A public authority must, in the exercise of its functions, have due regard to the need to:

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

5.4.4 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:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
- 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;
- 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.

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

5.4.6 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:

- tackle prejudice, and
- promote understanding.

5.4.7 Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act. The relevant protected characteristics are:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race,
- Religion or belief
- Sex
- Sexual orientation
- Marriage and Civil partnership

5.4.8 Equality assessments were undertaken for the budget proposals.

5.4.9 Obligations to publish information and set out 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 four years.

5.4.10 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 council's 2014 Equalities Policy outlines how the council works with partners to ensure that our obligations under the Equality Act 2010 are understood and implemented. In 2020 the policy was updated in consultation with the rest of the organisation, partners, and residents. This has included a refresh of Strategic Equalities Objective, the final policy was approved and updated by Policy and Resources Committee in June 2021.

5.5.3 We collaborate across the organisation and work in partnership with other organisations to ensure that we have processes in place to meet our obligations under the Equality Act 2010. Equalities impact assessments are required as part of contractual agreements. The Strategy Team has supported officers from across the council during 2020/21 to ensure that equalities considerations are embedded into the decisions the council and partners make, and into business and financial planning processes. This shared responsibility across the team, which has been supported by Equality Champions since September 2018.

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.

5.6.2 This Annual Equalities Report responds to the requirement to publish information to show compliance with the Equality Duty at least annually.

5.6.3 Equality and diversity issues are a mandatory consideration in the decision making of the Council. Decision makers should have due regard to the public sector equality duty in making their decisions. The Equality Act 2010 and the Public-Sector Equality Duty require

elected Members to satisfy themselves that equality considerations are integrated into day-to-day business and that all proposals emerging from the business planning process have taken into consideration the impact, if any, on any protected group and what mitigating factors can be put in place. The equalities duties are continuing duties they are not duties to secure a particular outcome. The statutory grounds of the public sector equality duty are found at section 149 of the Equality Act 2010 and are as follows:

5.6.4 A public authority must, in the exercise of its functions, have due regard to the need to:

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

5.6.5 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:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- 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;
- 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.

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- Tackle prejudice, and
- Promote understanding.

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- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation
- Marriage and Civil partnership

5.6.9 This is set out in the Council's Equalities Policy together with our strategic Equalities Objective - as set out in the Corporate Plan - that citizens will be treated equally with understanding and respect; have equal opportunities and receive quality services provided to best value principles.

5.6.10 Progress against the performance measures we use is published on our website at: www.barnet.gov.uk/info/200041/equality_and_diversity/224/equality_and_diversity

5.6.11 Individual proposals underpinning the savings and income generation proposals will need to ensure an Equalities Impact Assessment is undertaken and considered ahead of implementation of proposals.

5.6.12

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 It is not considered necessary to consult on the Annual Equalities Report. The Annual Equalities Report will be published on the council's website.

5.9 Insight

5.9.1 This report demonstrates how Equality and Diversity Data is used by the council to meet it's PSED, including the Joint Strategic Needs Assessment.

6. BACKGROUND PAPERS

6.1 September 2020 Communities, Leadership and Libraries Committee: Annual Equalities Report 2019/20
https://barnet.moderngov.co.uk/documents/s60112/Annual%20Equalities%20Report%2019-20%20CLL%20publication%20080920_.pdf

6.2 September 2020 Communities, Leadership and Libraries Committee approved the new lay out of the Equalities, Diversity Inclusion Policy Action Plan new layout themed by Barnet Plan priorities
<https://barnet.moderngov.co.uk/documents/b35495/EDI%20Action%20Plan%20amended%20layout%2016th-Sep-2020%2019.00%20Community%20Leadership%20and%20Libraries%20Committee.pdf>

6.3 September 2020 Communities, Leadership and Libraries Committee approved to consult on the new Equalities, Diversity and Inclusion Policy 2021 -2025
<https://barnet.moderngov.co.uk/documents/b35488/Equalities%20Policy%20Draft%20Consultation%2016th-Sep-2020%2019.00%20Community%20Leadership%20and%20Libraries%20Commit.pdf>.

6.4 The new policy was approved and adopted at Policy and Resources Committee on 14 June 2021 -

<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MId=10888&Ver=4>

- 6.5 June 2019 Policy and Resources Committee: Annual Equalities Report 2018/19
<https://barnet.moderngov.co.uk/documents/s52953/Annual%20Equalities%20Report%20201819.pdf>
- 6.6 December 2018 Policy and Resource Committee: Annual Equalities Report 2017/18
<http://barnet.moderngov.co.uk/documents/s50100/Annual%20Equalities%20Report%20201718.pdf>
- 6.7 June 2017 Policy and Resource Committee: Annual Equalities Report 2016/17
<https://barnet.moderngov.co.uk/documents/s40460/Annual%20Equalities%20Report%202016-17.pdf> .
- 6.8 June 2016 Policy and Resource Committee: Annual Equalities Report 2015/16
<https://barnet.moderngov.co.uk/documents/s32732/Annual%20Equalities%20Report%20201516.pdf> .
- 6.9 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
- 6.10 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.