

**From:** Roger Gough, Leader of the Council  
David Cockburn, Corporate Director of Strategic and Corporate Services

**To:** Policy and Resources Cabinet Committee, 23 November 2022

**Subject:** Annual Equality and Diversity Report 2021-22

**Classification:** Unrestricted

**Past Pathway of report:** Corporate Management Team

**Future Pathway of report:** N/A

**Summary:**

This report sets out progress against Kent County Council's Equality and Human Rights Policy and Objectives, which is a statutory requirement under the Equality Act 2010.

**Recommendation:**

The Policy and Resources Cabinet Committee is asked to approve the Annual Equality and Diversity Report for 2021-22, attached as Appendix A

## 1. Introduction

- 1.1 Section 149 of the Equality Act 2010 introduced the Public Sector Equality Duty (PSED) which came into force in April 2011. It requires public bodies to have due regard to the need to:
- a. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act;
  - b. Advance equality of opportunity between people who share a protected characteristic and those who do not;
  - c. Foster good relations between people who share a protected characteristic and those who do not (the protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, marriage and civil partnership, sex and sexual orientation).
- 1.2 In addition, the Equality Act regulations require that public authorities publish:
- a. Equality objectives, at least every four years.
  - b. An Annual Equality and Diversity Report by 31 January the following year.
- 1.3 The report appended to this paper discharges the council's statutory duty to produce and publish an annual Equality and Diversity Report.

## 2. Annual Review

- 2.2 The annual report draws together the directorates' activity that contributed towards KCC's 2016-2020 equality objectives, which were extended until the close of the 2021-22 financial year due to the pandemic. As with previous years, the report aligns the objectives to the Equality and Human Rights Commission's six 'domains' that are important to people's quality of life:
- Work
  - Education
  - Living Standards
  - Health
  - Justice & Personal Security
  - Participation
- 2.3 As this is the last year of reporting against the 2016-2020 objectives, the compilation of the 2021-22 annual report followed the same approach as for the previous year, for the purpose of consistency. Therefore information was sought directly from KCC's services via the Corporate Equality Group's directorate representatives to inform the report, rather than requiring directorates to produce their own reports for their respective cabinet committees.
- 2.4 Review of KCC's annual report for 2021-22 demonstrates that through the recovery phase of the pandemic, services have continued to focus on understanding and delivering to the needs of people in Kent and within KCC's workforce who have protected characteristics. In the return to business-as-usual working, improvements have been made across the Council's services to drive equalities outcomes. This included the response to emerging equalities issues with the support provided to Afghan and Ukrainian refugees, as well as efforts to mitigate digital exclusion by the reintroduction of physical services, where appropriate.
- 2.5 In 2021-22 there has been an evident emphasis on engagement activity in the development and delivery of services. There have been examples across the directorates of engagement taking place with charitable organisations to develop the understanding and support offer for people from protected characteristic groups. Engagement activity undertaken by GET informed the further development of the permanent booking system at Household Waste Recycling Centres to help those with reduced mobility or chronic conditions. ASCH and CYPE have involved people with lived experience in the development of a number of their strategies and procurement activities, including the Learning Disability and Autism Strategy and the Young Carers Service. This engagement work has been able to shape these projects to ensure that they better reflect the needs and preferences of service users.
- 2.6 Services have taken a real focus on developing equality data collection and analysis, using this information to identify both underrepresented and overrepresented groups amongst their service user cohorts. This analysis has enabled services to better engage with underrepresented groups and where barriers to accessing services were identified, address these. A real success in this area was the GET project which engaged with the Nepalese community in Folkestone and Dover to celebrate the Nepalese Udhali Festival on the cliffs of Dover, encouraging older people in the community who do not usually leave

their residential area to enjoy the area of natural beauty. Workforce data collection and analysis has also expanded, with HR's utilisation of the inclusivity indicator to monitor inclusion and identify areas for improvement.

- 2.7 The report has indicated that there has been significant emphasis over 2021-22 on young people who may experience intersectional impact due to the combination of their age and other protected characteristics. In many cases, work in this area has been supported by The Education People's Equality, Diversity and Inclusion Team (EDIT), who offered support and training around young people who are gender diverse, trans or non-binary, have English as an additional language, have experienced racist incidents, or come from a Gypsy, Roma or Traveller background. Work has also been undertaken to support young people who have Special Educational Needs and Disabilities, with regard to their attaining supported employment, apprenticeship and training opportunities.
- 2.8 2021-22 has also demonstrated a significant strengthening and sharing of equalities expertise, with ASCH developing expertise around spirituality, communication needs, domestic abuse, male suicide and working with marginalised communities, which were shared at support sessions arranged by Practice Development Officers. EDIT has also provided guidance to teams across the Council in a number of areas, particularly with regard to the development of support offered to Ukrainian refugees.
- 2.9 A key part of demonstrating how KCC is upholding its PSED duties is evidencing that decision makers have considered equalities implications as part of the decision-making process. Analysis of committee papers during 2021-22 showed that 93% of committee papers mentioned equalities which is a slight decrease on last year, but still significantly higher than preceding years. There was also a fall in the number of reports that had an Equality Impact Assessment (EqIA) attached from 56% in 2020-21, to 39% in 2021-22, although the number that included a link to an EqIA increased from 14% to 25%. It is possible that these changes are attributable to the return to business-as-usual working post-pandemic. And it is worth noting that the majority of Key Decision reports in the last two years that do not have an EqIA linked or attached had still mentioned that an EqIA had been completed. Therefore, whilst it is reassuring to confirm that equality analysis is taking place, this indicates an area of improvement to be taken forward regarding governance.

### **3. Looking Ahead**

- 3.1 As reporting against the 2016-2020 objectives comes to a close, the Council's services can utilise the successes and learning opportunities of the past year to successfully deliver on the new organisation-wide objectives. These corporate equality objectives were published in May 2022 as part of the new Council Strategy 'Framing Kent's Future'. This is the first time we have integrated equality objectives into the council's strategy, thereby making a clear commitment to embedding equality in everything we do.
- 3.2 Looking ahead, our focus will be on the development of a council-wide framework to achieve and monitor these objectives over the next four years.

Many of the areas of success of 2021-22 can be utilised in the development of this framework for the delivery of improved data collection and analysis, targeting digital exclusion, and delivering equalities outcomes through supply chains, as well as working with our strategic partnerships to do so. Alongside utilising our learning opportunities, the release of the 2021 census information later in 2022 will offer the opportunity to further develop the Council's understanding of its residents and service users, and their needs arising from their protected characteristics, which can be used to shape service development and delivery.

- 3.3 KCC's EqlA App and dashboard also constitutes a useful analytical tool in the development of the monitoring framework and improvement of council-wide equalities outcomes going forward. The App was launched in June 2021 in order to streamline the process of completing an EqlA and was confirmed to have been well received in a user survey conducted in summer 2022. EqlA information collected by the App feeds into an automated Dashboard which can be used to identify trends in equality analysis and impacts across the Council. The Dashboard indicates that during the first year of operation (June 2021 to March 2022), 84 EqlAs were published via the App, and provides insight into aspects such as which protected characteristics were being impacted and through which types of council activity. Going forward, the Dashboard will be developed further as a tool to assist in the monitoring of the Council's equalities analysis, inform the delivery of the new corporate equality objectives, and highlight areas of focus with a regular report to be produced to feed conversations at the Corporate Equality Group and Corporate Management Team.

## **4. Financial Implications**

- 4.1 There are no financial implications.

## **5. Legal implications**

- 5.1 Under the Public Sector Equality Duty (PSED) (Section 149 of the Equality Act 2010), the Council is required to publish an Annual Equality and Diversity Report by 31 January the following year.

## **6. Equalities implications**

- 6.1 As the Annual Equality and Diversity Report relates to performance monitoring on the previous year's work there is no requirement to undertake an EqlA, however it is anticipated that learnings from the report will have a positive impact for all protected characteristic groups. The report highlights some specific opportunities for improvement in equalities outcomes that the Council began to take forward outside of the reporting period. These included:
- The Lessons Learned review and subsequent actions regarding the changes made to the SEND Transport arrangements.
  - Review and amendment to the Council's strategy for supporting Staff Groups.

- Introduction of a number of HR activities in response to the results of the Inclusivity Indicator.
- Continuing development of the EqIA App Dashboard and introduction of process improvements to ensure all Key Decision reports attach an EqIA.

## 7. Conclusions

7.1 The Annual Report for 2021-22 highlights that KCC's services have kept equalities and protected characteristics central in the return to business-as-usual post-pandemic, with the year's successes and learning opportunities putting the Council in a good position to take forward the new corporate equality objectives for 2022-2026. The report shows that services' understanding of the protected characteristics of actual and potential service users continues to develop, and alongside evolving equalities expertise and engagement, services have been able to make a real difference in delivering equalities outcomes. Alongside a focus on mitigating digital exclusion and reintroducing physical service provision, services were also able to respond to emerging issues, with work being undertaken cross-directorate to: support Afghan and Ukrainian refugees in their new communities, tackle prejudice amongst children in schools, and promote/improve the accessibility of KCC services. Identified areas for improvement constitute useful learning opportunities to be taken forward, alongside the other opportunities available to the Council over the coming year. These include the awaited Census information that will give an updated picture of the people we serve, and the EqIA App Dashboard tool, both of which will allow for greater understanding and analysis of protected characteristics and equalities outcomes and direct the Council to future areas for focus.

## 8. Recommendation(s):

8.1 **Cabinet Committee** - The Policy and Resources Cabinet Committee is asked to approve the Annual Equality and Diversity Report for 2021-22, attached as Appendix A.

## 9. Contact details

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