

From: Roger Gough, Leader of the Council
Amanda Beer, Interim Chief Executive

To: Policy and Resources Cabinet Committee, 22 November 2023

Subject: Annual Equality & Diversity Report 2022-23

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 six Equality Objectives, as set out within Framing Kent's Future, which is a statutory requirement under the Equality Act 2010.

Recommendation:

The Policy and Resources Cabinet Committee is asked to approve the Annual Equality & Diversity Report for 2022-23, 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. One or more 'equality objectives', at least every four years.
- b. Annual 'equality information' to demonstrate their compliance with the general duty.

1.3 The 'Annual Equality & Diversity' report appended to this paper discharges the council's statutory duty to produce and publish annual 'equality information'.

2. Equality Objectives

- 2.1 The 2022-23 Annual Equality & Diversity report is the first report to measure progress against KCC's 'new' equality objectives for 2022-26, as published in Framing Kent's Future. This was the first time that the Equality Objectives were integrated within the council's strategy, demonstrating a clear commitment to embedding equality within everything we do.
- 2.2 There are six Equality Objectives, four of which are primarily outward facing and two of which are inward looking, concerning our workforce. These are:
- Strengthen our equality data collection and analysis across our services to better understand people's needs and the cumulative impact of the council's actions on people with protected characteristics.
 - Promote equality, diversity and inclusion through our supply chains, including our trading companies.
 - Ensure council information and services are accessible for everyone including those who are digitally excluded.
 - Work with our strategic partnerships to understand and support the diverse needs of our communities.
 - Continue to be an inclusive employer which provides fair, open and equitable access to career progression and a trusted environment in which staff feel confident to call out discriminatory behaviour.
 - Attract and retain a diverse workforce at all levels of the organisation which reflects the communities that KCC serves.
- 2.3 The 2022-26 equality objectives mark a shift from the previous service-specific objectives to a broad, strategic and council-wide approach. As such, we have taken a different approach to the compilation and structure of the Annual Equality & Diversity report. To identify the potential mechanisms that could be used to evidence progress against the new objectives, colleagues in Strategy, Policy, Relationships & Corporate Assurance (SPRCA) developed a framework consisting of quantitative and qualitative data and information sources for each objective. The development of this framework was informed by engagement with KCC's Corporate Equality Group (CEG) and individuals and teams responsible for the data and information identified.
- 2.4 This data and information was used to compile the annual report and supplemented by information received from a call-out to the directorates asking for service examples that contributed to the objectives during the period. Directorates were asked to respond to each of the Equality Objectives where possible for their services, which has enabled the development of a cross-directorate picture of our performance.
- 2.5 The report has been structured to methodically assess performance against each of the equality objectives in turn, starting with the four outward-facing objectives, and finishing with the two workforce objectives.

3. Annual Review

- 3.1 Our new approach to the compilation of information for the 2022-23 Annual Equality & Diversity Report has provided comprehensive material from which to develop a picture of activity and progress against the objectives for their first year. Alongside analysis of quantitative data about our performance, there was a breadth of examples of where services have supported the delivery of our Equality Objectives. This included harnessing equality data collection opportunities; conducting detailed equality analysis to inform service delivery and procurement activity; attempts to mitigate barriers to access experienced by diverse groups and use of strategic partnerships to better understand the needs of communities. Within the Human Resources and Organisational Development (HR/OD) service, a range of measures were implemented in support of improved inclusivity and diversity, including improved support for KCC's staff groups, and targeted activity to promote disability inclusion and attract young people to the organisation. The key observations from this year's report are summarised below.
- 3.2 Data arising from the EqlA App Power BI dashboard underpins a substantial amount of the analysis on KCC's performance under the Equality Objective related to **equality data collection and analysis** (section 3). The dashboard tells us that in the period, 139 Equality Impact Assessments (EqlAs) were published, which is a significant increase on the 83 of the previous reporting period. This was accompanied by a gradual increase in the number of new users each quarter, demonstrating a steady growth in staff engagement with the EqlA process during the year and thereby providing an ever-improving picture of equality analysis across the council. This contributed to the identification of the potential underutilisation of national evidence/data within our equality analysis, with it being identified as a data source in only 59% of the EqlAs completed in the period. As this data source is potentially useful in understanding impacts on protected characteristics for which we might have less service user data available, further investigation and promotion of its use with officers will therefore be a key priority for future improvement.
- 3.3 Analysis for this Equality Objective also demonstrated a substantial improvement in the proportion of Key Decisions that were supported by EqlAs in 2022-23, at 66%. This had been identified as a priority area for improvement in the previous year's report, with only 25% Key Decisions in 2021-22 having an EqlA attached and 39% having an EqlA linked. Work was undertaken in the period to update our EqlA Policy to emphasise the requirement for EqlAs to be completed for Key Decisions and sustain progress in this area into the future. During 2023-24, monitoring will be undertaken of implementation of other policy provisions made in the updated EqlA Policy; this will include the completion of the associated e-Learning module by EqlA App users. Initial investigation has indicated that whilst App users were not required to complete this e-Learning during 2022-23 in advance of using the App, the module was completed at low levels (by 31% of Responsible Officers and 15% of Heads of Service). Data for 2023-24 has shown that this has begun to improve and may need to be supported by further action.
- 3.4 Section 5, which concerns the Equality Objective related to the **accessibility of council information and services and digital exclusion**, painted a very

positive picture, including wider notions of accessibility and 'intangible' or 'hidden' impacts experienced by some protected characteristic groups. This was the case to the extent that we received more service examples for this objective than could be included within the report. As such, consideration needs to be given as to how we can utilise these examples of good practice to improve performance in other service areas (both for this Equality Objective, and others). Data collection for this Equality Objective has also enabled the establishment of a baseline for performance with regard to digital accessibility and the production of alternative formats and translations.

- 3.5 Whilst for the Equality Objectives relating to **commissioning, procurement and trading companies** (section 4), and **strategic partnerships** (section 6), analysis primarily demonstrated a need to improve mechanisms for monitoring and understanding our equality performance in these areas over the course of the following years, our services provided a range of successful examples. Improvement in these areas will form part of existing planned activity within the wider development of KCC's Commercial function, Commercial Services Group's evolving workforce equality ambitions, and the development of a Strategic Partnership register.
- 3.6 The **workforce objectives** discussed in section 7 and 8 demonstrate an overall positive picture in terms of KCC's inclusivity and the diversity of its workforce, however, there are some specific details to draw out for further consideration and/or action. That there were more trends identified within these areas is a legacy of the robust data collection in place within HR/OD. The impact of activity undertaken in 2022-23 to improve inclusivity and diversity will need to be reviewed alongside 2023-24 workforce data in the following year's report to determine areas where further action is required.

4. Looking Ahead

- 4.1 Looking ahead, we aim to harness examples of best practice to support developing approaches and spread learning opportunities across services; progress with the development of additional measurement mechanisms where required and, supported by CEG, work within services and directorates to drive improvement in priority areas. This will encapsulate a range of activity over the course of 2023-24 and into the future, however, as touched on in the previous section, some of the key activities will include:
- Further investigation into key trends emerging from the EqlA App Dashboard by CEG.
 - Continued review of the adoption of the updated EqlA policy's provisions, to include monitoring of the proportion of Key Decisions that are supported by an EqlA and the level of EqlA App users and approvers that have completed the Introduction to EqlAs e-learning.
 - Consideration of how best practice examples from 2022-23 can be used to standardise our approaches to equalities where possible, or where they can be used in support of learning opportunities and continuous improvement across services. This applies to successful examples across our objectives but is particularly relevant to the Equality Objective regarding accessibility of council information and services, which was our greatest area of strength in this year's report.

- Development of additional measurement mechanisms in support of an improved understanding of our equalities performance across the objectives, and in particular with regard to commissioning, procurement, trading companies and strategic partnerships.
- Monitoring the impact of HR/OD inclusion and diversity action taken in 2022-23 alongside new data arising from initiatives such as the CMT open doors events, the reverse mentoring programme and new Health & Safety Incident and Accident reporting form. This will support identification of where further action is required in the future.

5. Financial Implications

5.1 There are no financial implications.

6. Legal implications

6.1 Under the Public Sector Equality Duty (PSED) (Section 149 of the Equality Act 2010), the Council is required to publish 'equality information', detailing how it has met its general duties, and performance against its 'equality objectives' on an annual basis. This Annual Equality & Diversity report discharges these duties for 2022-23.

7. Equalities implications

7.1 The Annual Equality & Diversity report considers progress against KCC's Equality Objectives, which were designed to support our delivery of the PSED. As such, alongside the fulfilment of our statutory duties under the Equality Act 2010, this report will enable the identification of the council's priorities for improving its performance with the PSED over the coming years. As the report relates to performance monitoring of the previous year's work there is no requirement to undertake an EqIA.

8. Conclusions

8.1 Despite this being the first year that KCC has reported against the 2022-2026 Equality Objectives, the Annual Report for 2022-23 demonstrates that their key principles have already begun to be embedded across the council's services. This will continue to be built upon over the lifespan of the objectives.

8.2 The new Equality Objectives for 2022-2026 have required a more analytical and cross-council approach to the compilation of our Annual Equality & Diversity report. In turn, this has enabled the development of a more proactive and measurable approach to monitoring and steering KCC's equalities performance than in previous years, supported by a comprehensive framework of information and data. As detailed in this report, a number of key priorities have been identified for further investigation and development over the course of 2023-24 and into the future. This will be supported by continued work within directorates and with specific services. In addition, the report findings will be considered by CEG in order to formulate focused areas of action to be owned by the group for the remainder of 2023-24 and 2024-25.

9. Recommendation:

9.1 The Policy and Resources Cabinet Committee is asked to approve the Annual Equality and Diversity Report for 2022-23, attached as Appendix A.

10. Contact details

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