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To: Corporate Policy Overview Committee 14th January 2009

Subject: Equality Standard for Local Government (ESLG) – KCC
assessment and action plan

1. Introduction

This report formally confirms KCC's successful achievement of Level 3 against the existing Equality Standard makes it one of only 12 County Councils to hit this mark (with none at Level 4).

This report identifies the key actions needed to consolidate this achievement and the challenges to be addressed in reaching the 'Excellent' level of the proposed Equalities Framework for Local Government (EFLG)

- A summary of the key elements of the new draft Equality Framework is attached as Appendix 1 of this report

2. Consolidating performance at Level 3 of ESLG - the 'Achieving' level of the new EFLG

The assessment report recognised that over the past 2 years a great deal of work has been undertaken by the KCC to secure achievements in equality areas; that KCC has made detailed public commitments to equality improvement and in many ways has made good progress in setting a wide range of equality objectives for both employment and service delivery.

In general and taking account of the evidence presented by the Council, the assessors felt that KCC should set out a programme of work that addresses the improvements that it needs to make for ensuring that level 3 of the Standard is fully embedded. Whilst the assessors acknowledged the progress made by the Council, it was felt that there were a number of areas requiring considerable improvement.

The assessment report offers a series of suggested actions to ensure that achievement at Level 3 of the current standard is consolidated. These are -

- i. The Chief Officer Group and elected Members need to continue to encourage and lead a culture across the organisation which ensures that strategies and actions are implemented that eliminate discrimination and promote equality of opportunity.
- ii. The Impact assessment process needs to be strengthened. Currently the focus has been primarily on initial screenings with limited analysis. Even where full impact assessments have been conducted they appear

to lack the necessary rigor to challenge institutional discrimination and secure meaningful outcomes. Attention should be paid to impact assessment team membership (to include sufficient 'challenge' in the process); the quality and breadth of data used including that which derives from consultation and engagement exercises; as well as the various types of data available from partners, surveys and from direct equality monitoring

- iii. The Business Planning Guidance should in future ask each service to set equality objectives and targets flowing from the equality impact assessments that have been conducted within the framework of Business Plans. This would then provide the 'golden thread' in terms of mainstreaming equalities
- iv. Similarly, in the area of employment, there is need to conduct robust equality impact assessments (with sufficient challenge, meaningful data and proper analysis) to better understand the reasons for lack of success in recruitment and retention of some equality groups, for example in the retention of disabled people. This would contribute to achieving the council's ambition of having a workforce that is more closely representative of the communities served.
- v. Equality monitoring should be a feature of the general systems for performance managing service delivery in each business unit, not a separate mechanism.
- vi. The same applies to the processes adopted by service units for awarding and monitoring contracts with organisations that supply goods and services to the Council.
- vii. The Council needs to improve the processes for involving a much more broad range of external groups in commenting on policy and procedures in order to improve the opportunity for dialogue and external challenge from equality communities and interest groups
- viii. There is a need to consolidate the recent initiatives introduced as part of meeting Level 3 requirements to ensure that they are effective in achieving key objectives, for example, the Blank Sheet consultation (see previous bullet point), Positive Action training programmes and initiatives to recruit and retain staff from key equality groups

3. Achieving EFLG 'Excellent' by 2010/11

To achieve an EFLG rating of 'Excellent by the end of 2010/11, the Council will have to show that it has consolidated its ESLG Level 3 achievements and achieved significant progress against the new Framework. Much of this new Framework cross-refers to the new national Customer Service Excellence standards and to the evidence base for the Comprehensive Area Assessment.

The authority should set itself a realistic time-frame for achieving this and follow up with a self-assessment as described below. Kent County Council should continue its progress towards the 'Excellent' standard, and is well placed to achieve this, given the resources and high level of commitment identified throughout the Council, allied to the improved engagement of stakeholders set out in para 2 vii above.

The four priority areas that the ESLG Level 3 assessment report suggests that KCC focus on, fit directly into the new EFLG framework. They are -

3.1 Leadership and Corporate Commitment

- The Member development programme should be strengthened to cover key areas of the equality and diversity agenda. These include overview and scrutiny, customer insight in public policy making/review and improving advocacy. The programme should acknowledge and meet the needs of the differing Member roles, for example, front-line councillor, scrutineer and Cabinet Member.
- KCC should continue to revise and consolidate business planning processes to ensure effective action on equality is part of the process. This will enable the Council to track and learn from those service areas that are performing well and improve those areas that are lagging behind. Support will need to be given to service managers to meaningfully input equalities considerations into Business Plans
- KCC needs to put in place a clear and robust system for annual review, monitoring and reporting against the new EFLG standards across workforce and service delivery issues. This could take the form of a self assessment, but must include input from Diversity Staff groups and external organisations.
- KCC should establish and monitor targets for all diversity strands in service delivery, based on robust impact and needs assessment. This will enable the council to understand and take a more coherent approach to meeting the needs of the people of Kent and the challenges required by changing legislation.

3.2 Consultation and External Scrutiny

- The Council should improve its systems for review and scrutiny of service delivery and employment reports – particularly at middle management levels where evidence was somewhat patchy - by designated consultation and community groups.
- There is an urgent need to improve links with key external groups and designated forums across all diversity strands. At the same time groups that are currently under-represented within the existing

consultation structures need to be more pro-actively engaged in mainstream activities.

- It seemed to the assessor that some of the current relationships between the external groups and the Council may be quite fragile. Attendance at the arranged session was disappointing with a substantial number of participants not attending some of the sessions. The current 'Blank Sheet Consultation' should be reviewed to assess the extent to which it has resulted in the active engagement, participation and involvement of those groups that are currently under-represented and what new structures or mechanisms need to be in place to formalise these relationships.

3.3 Service Delivery and Customer Care

- Develop robust monitoring systems for all aspects of service delivery including those services delivered by other organisations on behalf of the Authority to record the involvement of and take-up by diversity groups. This also applies to monitoring of complaints/compliments to better understand the experiences of customers from different backgrounds.
- Service managers need to be fully involved in monitoring and review processes and in the setting of equality and diversity targets.
- Equality Impact Assessments should focus on access to services and the customer experience across all diversity strands.
- Additional effort is required to improve sophistication around equality monitoring in those areas where data is not readily available or currently collected. Local citizen "intelligence" and customer insight data could be developed further to feed the policymaking and scrutiny process.
- All monitoring reports should be published widely and shared with stakeholder groups

3.4 Employment and Training

- Address under-representation both in the wider workforce and at senior levels in the organisation through positive action particularly through review and scrutiny of recruitment and selection and talent management
- Priorities for action in terms of addressing the existing workforce demographic and future service need to be determined by reference to available data about the Kent community whenever possible.

- Generic and equality-specific training to be reviewed with the aim of enhancing the understanding of all staff on diversity and work and improving customer care standards
- Enhance KCC's people management capacity through the review of the equalities elements of management selection, induction, training and performance appraisal
- Actions resulting from impact assessment for employment policy to be made widely available to staff quarterly and assessments broadened to encompass the wider definition of policy.
- Explore potential for extending the staff group network to identify the potential for representation of under heard or represented groups within the workforce.
- Develop KCC's 'dignity at work' philosophy through the enhancement of support and reporting facilities and improvement in managerial handling and response to complaints from staff.
- Integrate the framework for equality in service delivery and employment within the Member development programme

3.5 Diversity Mapping

There fifth element of the new EFLG relates to 'Diversity Mapping', to ensure that an accurate picture is created of the differing needs and backgrounds of all Kent communities.

Further work is being developed on this to link it to the wider customer profiling work related to Access Kent and to the data held by KCC and public sector partners in projects such as the Public Health Observatory.

Progress on 'Mapping' will form part of future reports on progress toward the EFLG 'Excellent' standard.

4. Recommendations

Members are asked to note the actions at paras 2i to viii and agree the proposals at paras 3.1 to 3.5

Appendix 1

Extract and summary from the draft Equalities Framework for Local Government

1. The new Framework

The new Equality Framework for Local Government is constructed around five areas of change management. These reflect the four major areas of the Equality Standard for Local Government, but in addition relate more directly to the new performance framework and the new CAA.

The **five** areas of change management are:

- a) Knowing your community – equality mapping**
- b) Place shaping, leadership, partnership and organisational commitment**
- c) Community engagement and satisfaction**
- d) Responsive services and customer care**
- e) A modern and diverse workforce**

a) Knowing your community - equality mapping

Understanding the profile of your communities and the life chances and opportunities of different groups will be a crucial in identifying priority outcomes that can shape strategic planning and service delivery.

Equality mapping is the term used for collecting information about communities and individuals. This information is used throughout the equality process. It is collected on the basis of not only people's race, gender, disability, religion or belief, sexual orientation and age, but also other relevant demographics, such as socio-economic, health and education status, the availability of transport and whether communities live in a rural or urban setting. It will identify people's needs, not just the equality strands or background. The data has to be understood and analysed not just collected. This will lead to integration with and provide an important evidence base for plans such as the Sustainable Community Strategy (SCS), Local Development Framework (LDF) and the LAA (local Area Agreement).

b) Place shaping, leadership, partnership and organisational commitment

The new performance framework is designed to give local authorities, and their partners, greater freedom to determine local priorities and shape the future of an area.

We know that strategic leadership is key to improving equality outcomes and that it needs to be

- expressed in the local vision of place and strategic plan as well as the SCS

- central to the delivery of priorities that impact on inequality.

It is increasingly important for authorities to work in partnership with other public service providers and the voluntary sector to identify inequality and work together to achieve equality outcomes.

c) Community engagement and satisfaction

Most local authorities recognise the importance of community engagement and participation and have moved far beyond simple consultation exercises, important as they can be, to find innovative ways of involving communities. However, communities of place are not always synonymous with communities of interest, and it remains important to have structures in place that involve the latter in corporate decision making, service planning and workforce planning.

The CAA will put the experiences of citizens, people who use services and local taxpayers at the centre of the new local assessment framework, with a particular focus on the needs of those whose circumstances make them most vulnerable.

d) Responsive services and customer care

Service provision remains a central function of local authorities. The Framework will help authorities personalise services to meet the needs of people from different backgrounds. This requires:

- greater cultural understanding on the part of service providers
- using Equality Impact Assessments (EIA) to ensure that authorities understand the impact of service provision on different communities.

e) A modern and diverse workforce

The ability to deliver responsive, personalised services will depend in a large part on the skills, understanding and commitment of the workforce. The Equality Framework therefore looks at ensuring:

- fair employment practices that comply with the legislation, including equal pay legislation
- training on equality issues, including Equality Impact Assessments
- ensuring that the workforce profile reflects the diversity of the community and that measures are in place to monitor diversity and promote equality of opportunity.

2. Smarter working: the relationship with other frameworks

The new Equality Framework for Local Government is also designed to complement other frameworks. Resources are limited, so there is a premium on reducing duplication.

Legal obligations – the public duties

The obligations of local authorities are set out in the **Race** Equality Duty, the **Gender** Equality Duty and the **Disability** Equality Duty. Over time new obligations may arise.

The new framework helps local authorities to meet their obligations under the law and to minimise duplication. . To achieve **Emerging** status authorities also need to be compliant with the legal duties.

Community cohesion

As the Commission on Integration and Cohesion recognised, there is a strong relationship between equality, social justice and community cohesion. The EFLG is therefore designed to dovetail with the Community Cohesion Framework being developed by Communities and Local Government and the migration good practice guidance being developed by IDeA and CLG.

Customer service excellence

The Government wants public services accessible for all, that are efficient, effective, excellent, equitable and empowering. With this in mind it has developed ‘Customer Service Excellence’¹ as a practical tool for driving customer-focused change within organisations.

Comprehensive Area Assessments

The experience of citizens, people who use services and the need to reduce inequalities and improve accessibility will be at the centre of the new local assessment framework, the CAA.

The EFLG will provide useful evidence when preparing for the CAA, since it will enable local authorities to demonstrate that they have understood and acted on the needs of the communities they serve. As mentioned, local authorities have legal duties, both general and specific, relating to race, gender and disability and wider duties under legislation, such as the Children Act.

When the final CAA Guidance is published we will highlight those actions in the Framework that are relevant to CAA.

3. Simplification

The original Equality Standard consisted of five levels:

- Level 1** Commitment to a Comprehensive Equality Policy
- Level 2** Assessment and community engagement
- Level 3** Setting equality objectives and targets
- Level 4** Information systems and monitoring against targets
- Level 5** Achieving and reviewing outcomes

These have now been consolidated into three levels:

- Level 1 Emerging**
- Level 2 Achieving**
- Level 3 Excellent**

At each level authorities will be assessed on the five change management areas. The EFLG sets out the key achievements for each level and then provides a more detailed check list for self-assessment at each level.

4. Migrating achievements under the Equality Standard

We want to ensure that the achievements of authorities under the ESLG are recognised. Authorities who have reached levels 1 and 2 will be classified as **Emerging**. Those that have achieved level 3 will be treated as **Achieving**. Authorities at level 4 will be classified as **Moving towards excellence** and those at level 5 as **Excellent**.

Levels 1 and 2	→	Emerging
Level 3	→	Achieving
Level 4	→	Moving towards excellence
Level 5	→	Excellent

To recognise the achievements of authorities who have achieved level 4 of the ESLG, but would not qualify as **Excellent** under the new framework. The **Moving towards excellence** classification is intended to recognise achievements of level 4, but is not a level under the new framework. We hope that authorities at level 4 will strive for **Excellent** status in the new framework.

An Excellent Authority has the following characteristics:

- members and officers have a reputation for championing equality issues and ensure that the equality issues relevant to their communities are embedded in strategic plans, LAAs and local delivery plans
- the local authority works with all strategic partners and the third sector to achieve defined equality outcomes
- it has good evidence of the equalities profile of the community based on national and local data that is regularly reviewed
- it is measuring progress on equality outcomes, is able to disaggregate data on relevant performance indicators and can demonstrate real outcomes that have improved equality in services and employment
- it identifies the changing nature of its communities and their expectations and then prioritises its activities and explains its decisions
- it provides good customer care by ensuring that services are provided by knowledgeable and well-trained staff, who are equipped to cater to particular needs of clients where necessary
- it has improving satisfaction and perception indicators from all sections of the community
- it uses Equality Impact Assessments to review all major new changes in policy and regularly conducts service Equality Impact Assessments
- all relevant data on service access is monitored against the equality strands
- equality groups are integrally involved in community engagement programmes
- there are forums for all equality stakeholders to share experiences and evaluate the authority's progress
- all parts of the authority can show tangible progress towards achieving outcomes which address persistent inequalities
- members, officers, key stakeholders and community members are confident about equality issues and their relevance for the authority and their own responsibilities
- the authority has implemented action for equal pay outcomes and demonstrates progress on under representation, flexible working, access to training and development and promotes an inclusive working culture based on respect
- it reviews its equality strategy and public duty equality schemes every three years and seeks innovative, improvement challenges
- through its achievements it is an exemplar of good practice for other local authorities and agencies and works with others to share best practice

Table 1. The 10 dimensions of equality

Longevity	including avoiding premature mortality
Physical security	including freedom from violence and physical and sexual abuse
Health	including both well-being and access to high quality healthcare
Education	including both being able to be creative, to acquire skills and qualifications and having access to training and life-long learning
Standard of living	including being able to live with independence and security; and covering nutrition, clothing, housing, warmth, utilities, social services and transport
Productive and valued activities	such as access to employment, a positive experience in the workplace, work/life balance, and being able to care for others
Individual, family and social life	including self-development, having independence and equality in relationships and marriage
Participation, influence and voice	including participation in decision-making and democratic life
Identity, expression and self-respect	including freedom of belief and religion
Legal security	including equality and non-discrimination before the law and equal treatment within the criminal justice system