

From: Mark Dance, Cabinet Member for Economic Development
Mike Hill, Cabinet Member for Community and Regulatory Services
Mike Whiting, Cabinet Member for Planning, Highways, Transport and Waste
Barbara Cooper, Corporate Director, Growth, Environment and Transport

To: Growth, Economic Development and Communities Cabinet Committee – 26 June 2019

Subject: 2018/19 Growth, Environment and Transport Directorate Equality Review

Classification: Unrestricted

Past Pathway of Paper: N/A

Future Pathway of Paper: Environment and Transport Cabinet Committee
16 July 2019; Policy and Resources Committee (date tbc)

Electoral Division: All

Summary: This report sets out a position statement for the Growth, Environment and Transport (GET) Directorate in 2018//19 regarding the embedding of equality and diversity within work programmes and organisational development.

Recommendation: The Cabinet Committee is asked to note current performance, provide any comment, and agree to receive this report annually in order to comply with the Public Sector Equality Duty 2010.

1. Introduction

- 1.1 Publication of equality and diversity information is compulsory in England for all public authorities, as stipulated in the Public Sector Equality Duty 2010. Proactive publication of equality and diversity information ensures not only compliance with the legal requirements, but also transparency for the public in how this Directorate ensures equality and diversity considerations are part of every stage of our programmes and projects.
- 1.2 GET firmly places our approach to equality and diversity within our Customer Service Programme. The Duty for us is about understanding and responding to our customers and non-customers' needs, data-led across all ten protected characteristics. Everybody has protected characteristics.

1.3 The Equality and Human Rights Commission (EHRC) has identified six domains which reflect the capabilities or areas of life that are important to people and that enable them to flourish. The six domains are work, living standards, education, justice and personal security, participation and health.

1.4 KCC corporately is moving to measure all services' progress against the Equality Duty 2010 by utilising these EHRC domains. This report therefore looks to do the same. Section 4 reports the detail of GET's performance against corporate equality and diversity objectives. Section 5 reports on projects that do not directly relate to the corporate equality and diversity objectives identified in Section 4 of this report but do align to EHRC domains.

2. Financial Implications

2.1 There are no financial implications in producing an annual review of progress against the Equality Duty 2010.

3. Policy Framework

3.1 This report relates to the KCC Equality and Human Rights Policy 2016 – 2020.

4. GET progress against KCC Equality and Diversity Objectives

4.1 **KCC Human Rights and Equality Policy Objective:**
“Protected characteristics will be considered within all highways and transport schemes identified within Local Transport Plan 4, as well as the schemes' potential to advance equality of opportunity.”

Domain – Education

4.1.1 **Highways, Transport & Wastes (HTW) Driver Improvement Booking Programme.** This service provides all the driver education programmes through a Memorandum of Understanding with Kent Police which is licensed by NDORS (National Driver Offender Retraining Scheme) and audited bi-annually. The course offers are based on driver behaviours so there is no equality statement as the courses are only offered to those who have offended and met the criteria for a course (i.e. dependant on the extent of the offence). Whilst equality data is not collected due to GDPR and NDORS constraints, the service presents good practice with reasonable adjustments made for protected characteristics when they arise. These included in 18/19: one to one courses for autistic customers; allowance of a separate space (whilst continuing training) for breast feeding mothers; translators for those not proficient in English ; and signers for those who use British Sign Language.

Domain – Living Standards

- 4.1.2 **HTW’s Winter Service.** Each year HTW reviews the Council’s Winter Service Policy and the operational plan that supports it to reflect changes in national guidance and lessons learnt from the previous winter. Following 2017/18’s “Beast from the East”, further mitigations for elderly (Age characteristic) and disabled (Disability characteristic) customers have been put into place with local district plans and supply of a salt/sand mix to Parish Councils who can prioritise snow clearance for care homes, and around GP practices and hospitals for example.
- 4.1.3 **HTW’s A20 Harrietsham Highway Improvement Scheme.** This scheme is to reduce the speed and manage potential traffic growth whilst retaining the village feel of Harrietsham and aspiring to make public transport more appealing. During the scheme design, a consultation took place in the form of a questionnaire which specifically asked respondents of their requirements with regards to protected characteristics. In response, crossing points were provided in certain areas where demand was identified, and a toucan (two-can - designed for pedestrians and cyclists to use at the same time) crossing provided rather than a puffin crossing to assist with cyclists’ needs being accommodated at the same time as a wheelchair or pram user for example. (Age, Disability, Maternity and Carers characteristics).
- 4.1.4 **HTW’s The Big Conversation.** Consultation for future delivery model of rural bus services. This project identified a number of potential negative impacts in the equality screenings of the proposed models. The characteristics concerned were Age, Disability, Carers and Maternity and issues focused on size of vehicle, financial implications, and booking requirements. Widespread consultation with networks comprising these groups was identified as the key action in the Equality Impact Assessment (EqIA) action plan, to ensure negative impacts were avoided or appropriately mitigated.

Domain - Justice & Personal Security

- 4.1.5 **HTW’s Safer Roads Fund.** A252 Chilham to Charing. The Safer Road Fund project from the Department of Transport includes two eligible A roads in Kent. Working with the Road Safety Foundation and Amey who have been commissioned to design and construct the scheme, an initial Equality screening highlighted that for Age and Disability characteristics, a safety audit needed to be completed at the design and construction stage and form part of the equalities action plan. These actions included an accessible central refuge island in Charing and generally slower speeds increasing safety for all, especially those with Age, Disability, Maternity or Carer characteristics. Extending the central reservation width will improve road safety and reduce

road traffic casualties amongst less experienced and vulnerable drivers, including adolescent and elderly groups.

4.1.6 **HTW's Safer Roads Fund.** A290 Canterbury to Whitstable. As per the above, the need for this scheme has been identified through analysis of crashes between 2012 and 2014. Whilst funding has been secured, this project is on hold and not due to commence before March 2020. However, an initial Equality screening highlighted that for Age and Disability characteristics, a safety audit will be completed at the design and construction stage and form part of the equalities action plan.

4.2 **KCC Human Rights and Equality Policy Objective:**
"The Equality Duty will inform all services' efforts to maximise businesses' potential."

Domain – Education

4.2.1 **Economic Development's (ED) South East Business Boost.** In 2018/19, the South East Business Boost (SEBB) programme has identified other partners/bodies to work with which assist those with protected characteristics who were previously underrepresented in applying for grants, identifying or accessing the grants available through the SEBB programme, such as Kent Foundation (working with young business leaders) and the Women in Business Network. Data continues to be collected on some protected characteristics (Age, Sex, Ethnicity and Disability) but key now is the analysis of that data to inform the future and further reach of the SEBB .

4.2.2 **ED's Locate in Kent.** As funded under an EU Scheme, Locate in Kent also has a requirement to collect data on the same protected characteristics as the SEBB programme. They have reported a good return on Sex protected characteristic data but there was some reluctance by companies to provide the other requested data, usually owing to a misperception of why the data is sought and/or a reluctance of individuals to self-identify their own protected characteristics

Domain – Living Standards

4.2.3 **ED's Ashford Borough Council and Kent County Council District Deal Project.** Equalities impacts were noted from the sub-projects which will be undertaken as part of the District Deal, which will be pursued under each relevant project through EqIA screenings. Such sub-projects include: Chilmington Green (An urban development on the edge of Ashford town which includes up to 5,750 homes); Ashford International Station Spurs Project (The Ashford International Spurs scheme is essential to provide a

signalling solution to enable future interoperability for all international service providers); and Enabling the Jasmin Vardimon Dance Academy (The dance company wish to escalate the work already undertaken and establish the JVC International Dance Academy as a creative centre of excellence).

- 4.3 **KCC Human Rights and Equality Policy Objective:**
“The protected characteristics of all members of a community will be considered when investing in roads, facilities and utilities that are identified through the Growth and Infrastructure Framework, and delivered to meet the needs of Kent’s population changes”

Domain – Living Standards

- 4.3.1 **Environment, Planning and Enforcement’s (EPE) Digi-GIF.** This project aims to create and provide a digital platform for the Kent & Medway Growth & Infrastructure Framework. An initial screening has identified impacts on Age (older users are less likely to have the confidence and skills to access the GIF online), Disability (those with disabilities may have difficulty in using the website or its interactive features as well as reading the narrative and analysis provided) and Race (English will not be the first language of all users). Mitigating actions to be included in the project plan include: All functions and interactive capabilities of the Digi-GIF will be designed to meet the Government’s digital accessibility standards; Online help and guidance will be available; A digital accessibility audit will be undertaken during the development of the final platform and will also be included in tender documentation; Clear links and presentation of information will be made in plain English; Alternative formats and languages of the Digi-GIF platform will be made available.

- 4.4 **KCC Human Rights and Equality Policy Objective:**
“Irrespective of Age, Disability, Race or Religion and Belief, Kent residents should be able to access our county’s high-quality landscapes and environment”

Domain – Living Standards

- 4.4.1 **EPE’s Energy and Low Emissions Strategy.** The strategy will aim to identify and prioritise action to reduce harmful emissions that contribute to climate change and poor air quality leading to impacts on people’s health. This will particularly benefit certain protected groups including young people (Age. Maternity) and those with a Disability. The screening identified that there may be a perceived or real barrier to take up of electric vehicles by disabled people, and a key proposed action is to gather data to support or dispel this notion.

Domain – Participation

4.4.2 **EPE’s Public Rights of Way Improvement Plan.** This 18/19 project produced a new Countryside Access/Rights of Way Improvement Plan for Kent, for the period 2017 – 2027. The plan identifies action points to ensure a better experience for those with mobility limitations across Age, Disability, Maternity and Carers characteristics which include: maintenance of network; vegetation clearance; work with land owners to remove stiles; and ensure least restrictive access.

4.5 **KCC Human Rights and Equality Policy Objective:**
“The Libraries, Registration and Archives (LRA) Service in Kent will continue to understand its local communities’ needs, and tailor its services accordingly”

Domain – Participation

4.5.1 **LRA’s Website.** In 2018/19, a need was identified to improve the libraries service’s webpages. Ensuring the needs of customers with protected characteristics were met was an integral part of the goals for the project. For example, images to be used on the website were to show a broad range of ages, backgrounds, sex, race, and so on. A section on the website was also set up for customers who might not be able to come to the library due to disability, called Library Direct. Promotions are also advertised on the website, including LGBTQI (Lesbian, Gay, Bisexual, Transgender, Questioning, Intersex) resources and events.

4.5.2 **LRA’s Schools Service Review.** Libraries data was used to assess school engagement and attendance by adults with children, thus supporting the Age characteristic. In addition to this, focus groups were held as well as an online survey for schools. Following the feedback received, a revised offer was put forward, including removing the charge for library school card, aligning fees (fines and reservations) with the public offer and maintaining free introductory class visits to the library for children.

4.5.3 **LRA’s Bockhanger Library relocation project.** As part of relocation of Bockhanger library to the local Children’s Centre, customer data was collected from the library management system, Spydus, to inform on borrowing habits. This data informed the resultant EqIA. There were a number of positive outcomes from this including: height adjustable chairs (benefiting Age characteristic); promotion of eBooks and other online resources (benefiting housebound users who may be more likely to have Age, Disability, Maternity or Carer characteristics); and changes to the stock management system, Collection HQ, to ensure that the offering remains fresh and accessible to all.

- 4.5.4 **LRA's Libraries Extra project.** In 2018/19, Libraries, Registration and Archives piloted technology-assisted opening hours at three libraries to enable customers to access library services outside of normal opening hours with no staff presence. Customer data was collected and as a result, the emergency exit at Higham Library was improved for accessibility (Disability, Age, Carers and Maternity characteristics).
- 4.5.5 **LRA's proposed strategy.** Two full EqlAs were produced for the Libraries, Registration and Archives proposed three year strategy. One for the overarching strategy and one for the proposed library tiering model (which proposed reduced library hours). A 10-week consultation took place with 20 drop-in events for the public to talk to the library staff across the county during the 10 week period. Based on protected characteristic data of likely impacted library users, versions of the consultation were produced in Easy Read and Nepalese. Specific data on protected characteristics were collated, and all Equality feedback was analysed separately. An adjusted proposed tiering proposal as a result of using more up-to date data, resulted in the the original 20% reduction in opening hours reducing to 18% and therefore the impacts identified with respect to equality and diversity were similarly lessened.
- 4.5.6 **LRA's Banning Policy.** This policy and its associated procedures were revised in 2018/19. Through an initial equality impact screening, whilst there were no negative impacts on protected characteristics, it was identified that the existing banning letters were written in such a way that they were not easily understandable due to the complex language used. The mitigating action resulted in a simple, plain English version and other accessible formats in order to meet potential requirements of those with protected characteristics associated with Age, Disability and Race.
- 4.5.7 **LRA's Bearsted Temporary Location project.** The library in Bearsted had to be temporarily housed in an alternative location in 18/19. Customer data from Spydus and local staff knowledge was used to identify the needs of the users in Bearsted and as a result flexible moveable shelving was put in place to enable access for existing groups including those with protected characteristics such as Disability and Maternity.
- 4.5.8 **LRA's Faversham Good Day Programme at Faversham Library**
As part of making better use of KCC buildings a space was identified at Faversham Library that could be used by the Faversham Good Day Programme (GDP). GDP has been running since 2008 and develops community-based day opportunities for people with learning disabilities. As part of this project, a new 'Changing Places' toilet will be built so that anyone who needs assistance with their personal care can benefit from this asset. As well as the toilet, the scheme involves a library refurbishment and reconfiguration. As part of the refurbishment, customers were consulted on what items of stock they would like to see added, or particular areas

developed, which included books and resources on disabilities. Existing groups such as Talk Time (comprising generally older customers), were relocated temporarily during the refurbishment process.

5. Additional projects delivered in 2018/19 that align to ECHR domains.

Domain – Education

- 5.1 **EPE's Trading Standards Life Skills.** This public protection educational toolkit has been developed for young people under 18 years old in special schools, secondary schools and youth groups. It will help prepare them for the challenges of adult life and encourages safe, independent living to reduce the risk of financial harm in the future. From an equality perspective, actions identified include: use of plain English; accessible formats (e.g. audio) for those with a visual impairments or dyslexia. (Age, Disability and Race characteristics).

Domain – Work

- 5.2 **LRA's Lone Working Policy.** In many library venues, a system of lone working is operated. The associated policy and procedures were revised in 2018. An equality impact screening identified a potential issue for staff with a disability working alone. Mitigating action has been written into the policy which stipulates that any staff self-identified within this group will have a personal risk assessment completed to ensure any reasonable adjustments are put in place (which may include only team working).
- 5.3 **HTW's Technical & Environment Service Contract tender.** The Technical and Environment Services Contract (TESC) was implemented in April 2018/19 and provides (amongst others) the following services: Highway design; Traffic modelling; Site supervision; and Environmental advice. Whilst no negative impacts for protected characteristics were identified through an EqlA, the contractor Amey have their own robust approach to equalities. Examples include: working with Kent Supported Employment to provide disabled people work experience within the Highways contracts – with a view to full time employment; and partnering with The Prince's Trust to provide career advice and guidance to young care leavers. (Disability and Age characteristics)

Domain – Living Standards

- 5.4 **HTW's TW Public Realm Phase 2.** Working with Amey and Tunbridge Wells Borough Council, the scheme has been designed to provide a more pedestrian focussed Tunbridge Wells town centre allowing better pedestrian movement, cycling, access to buses, improved lighting and air quality

improvements. Data was collected via a customer survey, pedestrian counts, traffic movement data and two exhibitions which has informed equalities improvements to the scheme including tactile paving to assist road crossing for visually impaired users (Disability characteristic).

- 5.5 **EPE's Flood and Water management strategy.** KCC has a duty to develop, maintain, apply and monitor a strategy for local flood risk management in Kent under the Flood and Water Management Act 2010. The strategy sets out how local flooding will be managed in the county with one of the objectives being to support and improve the safety and wellbeing of Kent's residents and the economy of Kent through appropriate flood risk management. For the protected characteristics of Age and Disability, an equality impact screening in 18/19 identified mitigating actions for those who may have difficulty reading material published to advise about flood risk and mitigation measures or reporting flood events. Accessible alternative reading materials have been made available. (Disability and Race characteristics).

Domain – Health

- 5.6 **EPE's Coroners' Body Removal and Transfer Contract.** This project covers the renewal of contracts (1) for the removal of deceased from place of death to designated hospital mortuaries in Kent and Medway, and (2) for the transfer of deceased between designated mortuaries in Kent and Medway, and other specialist mortuaries outside of Kent. The service's EqIA identified that considerations for unaccompanied and vulnerable older or younger people (Age) and Disabled people present at a sudden death would be given by other services on the scene such as the Police. Under the protected characteristic of Race, translation can be provided for those who do not speak English as a first language, and equally the leaflet given on behalf of the Coroner 'Where a death is referred to the Coroner' which explains why the deceased is being removed, can be provided in alternative languages. Should any Religion or Belief characteristic requirements arise with regards to the removal and transportation of the deceased to the designated mortuary, the contracted Funeral Director will call the Coroners' Office for guidance. The Coroner has discretion to agree to any such requests provided that they do not compromise the preservation of the body of the deceased as evidence for the Coroners' enquiries.

Domain – Participation

- 5.7 **EPE's Kent Sport Equality and Diversity Statement.** This statement of the Kent Sport and Physical Activity Service and the Kent & Medway Sports Board is part of the requirement to comply with the highest level (Tier 3) of Sport England's Sports Governance Code as Sport England provides Kent

Sport with funding. It is published online and accompanied with a Board diversity action plan. Although there was no adverse impact identified from the screening, some specific areas were highlighted for consideration in the EqIA action plan to ensure that protected groups are not negatively affected by work undertaken. For the protected characteristics of Age, Sex, Disability and Race, it was identified that promotional material may not be representative or accessible to those groups and therefore imagery and accessible formats were annotated in the action plan. For the protected characteristics of Gender Identity, Sexual Orientation and Race it was considered that engagement with these groups would need to be addressed by considering new partners, networks for promotion of opportunities and consultation.

5.8 **ED's Village Halls.** Village Hall grants support communities' village halls which have a purpose to enable an environment that is based on inclusiveness, where all users and potential users, can benefit from the facility. For example, a key activity in support of village halls and other community venues has been the investment in facilities for groups of Disabled people and improved access, further benefiting Age, Maternity and Carers characteristics. Its support for improved central heating and insulation in such venues also opens up their use to wider numbers of people with certain protected characteristics. By improving the fabric of community venues, it has improved their usability.

6. Conclusions

- 6.1 GET continues to improve its compliance with the Equality Duty by improving year on year the volume, depth and underpinning data of completed equality impact assessments.
- 6.2 The Directorate's approach to equality and diversity is carefully positioned to underpin the Directorate's approach to customer insight and customer service.

7. Recommendation(s)

Recommendation: The Cabinet Committee is asked to note current performance, provide any comment, and agree to receive this report annually in order to comply with the Public Sector Equality Duty 2010

8. Background Documents

Background Documents

KCC Human Rights and Equality Strategy 2016 – 2020:

http://www.kent.gov.uk/_data/assets/pdf_file/0007/67075/Executive-summary-of-our-annual-equality-and-diversity-report-2016-2020.pdf

9. Contact details

Report Author

- Sarah Bedingfield
- 03000 414417
- sarah.bedingfield@kent.gov.uk

Relevant Director:

- Stephanie Holt-Castle
- 03000 412064
- Stephanie.holt-castle@kent.gov.uk