

From: **Gary Cooke, Cabinet Member for Corporate & Democratic Services**

David Cockburn, Corporate Director of Strategic & Corporate Services

To: **Policy and Resources Committee, 11 December 2015**

Subject: **Annual Equality and Diversity Report 2014-15**

Summary:

This report sets out:

The Annual Equality and Diversity Report 2014-15, which is a statutory requirement under the Equality Act 2010, and also outlines the proposed approach to revising the KCC's equality statement and objectives for the period 2016-2020

Recommendation(s):

Policy and Resources Cabinet Committee is asked to:

- 1) **Approve** the Annual Equality and Diversity Report 2014-15, attached at Appendix 1, for publication on kent.gov.uk
- 2) **Note** and **comment** on the approach taken to revise KCCs equality statement and objectives for 2016-20

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:

- 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);
- d) publish an Annual Equality and Diversity Report by 31 January the following year.

1.2 This report therefore discharges the council's statutory duty to produce and publish an Annual Equality and Diversity Report.

2. ANNUAL REVIEW OF PERFORMANCE AGAINST EQUALITY OBJECTIVES:

2.1 The council published the existing equality objectives in 2011-12, which are:

- a) Working with all our partners to define and jointly address areas of inequality
- b) Promoting fair employment practices and creating an organisation that is aware of and committed to equality and diversity and delivers the PSED
- c) Improving the way KCC listens to and engages with its employees, communities and partners to develop, implement and review policy and to inform the commissioning of services
- d) Improving the quality, collection, monitoring and use of equality data as part of the evidence base to inform service design, delivery and policy decisions
- e) Providing inclusive and responsive customer services through;
- f) Understanding and responding to the impacts on people when KCC is doing its work.

2.2 Responsibility and accountability for the delivery of corporate equality objectives lies with KCC directorates and services, supported by a small corporate equality team providing advice and guidance to services, and which now sits within the new Strategy, Policy, Relationships and Corporate Assurance Division.

2.3 Given this, the agreed process for preparing the Annual Equality and Diversity Report is for each Directorate Management Team (DMT) to prepare their own report, which sets out the equality information for publication and progress against the corporate equality objectives, which is then agreed by their relevant Cabinet Committee in September. An executive summary of the directorate reports is then prepared and approved for the Policy & Resources Committee to approve in December, ahead of the 31 January publication deadline.

2.4 Directorate annual reports were considered at each of the Cabinet Committees throughout September this year, including:

- Education and Young People's Service Cabinet Committee – 18 September 2015
- Growth Environment and Transport Cabinet Committee – 6 September 2015
- Environment and Transport Cabinet Committee -15 September 2015
- Adult Social Care and Health Cabinet Committee – 11 September 2015
- Children's Social Care and Health Cabinet Committee – 8 September 2015

2.5 The draft executive summary report was considered by the Corporate Management Team (CMT) on 13 October 2015 and is attached as Appendix 1. In addition to this annual reporting through to Cabinet Committees, it should be noted that the Annual Workforce Profile Report is considered by Personnel Committee and is also published on kent.gov.uk.

3. AREAS FOR IMPROVEMENT:

3.1 Evidence provided through the directorate annual reports suggests that overall the council has made good progress against equality objectives and the

processes and procedures that are needed to mainstream equality activity into core business. They also highlight further actions which directorates intend to take over the forthcoming year to further improve their own systems and processes. However there are two areas which could be further improved at an organisation wide level.

3.2 Data collection and analysis - relevance and proportionality: A key enabler to identifying and addressing equality outcomes is both the quality of data available and the quality of analysis. There is good quality data and information available across the authority through data and analysis provided by the Strategic Business Development & Intelligence Division and through data and information collected as part of service delivery and performance management on a day-to-day basis. This data and analysis should be increasingly evidenced in decision-making by services and commissioners to show compliance with the PSED in a way that is relevant and proportionate, and which does not unnecessarily increase the bureaucratic burden on the authority.

3.3 Governance arrangements: In 2012 an internal audit report recommended that all decisions should be based on completed Equality Impact Assessments (EqIA) and to date there has been wide compliance with this recommendation. However, there are still some gaps in coverage and quality which could potentially open the authority to challenge. Reporting arrangements are being further strengthened to ensure that all decisions have the outcomes of an EqIA embedded within the relevant decision report and an EqIA is available as an appendix to the decision report.

4. KCC'S CORPORATE EQUALITIES OBJECTIVES FOR 2016-2020:

4.1 In October 2011 the Government Equality Office (GEO) issued guidance stating that public authorities must publish their first equality objectives under the Equality Act by 6 April 2012, with revised objectives published at least every four years thereafter. As such, it is necessary for KCC to prepare a revised set of equality objectives for the period 2016-2020.

4.2 The existing objectives focused on establishing core equality practices which would help services to understand the equality requirements within their services and respond to equality needs in a proportionate and relevant manner. Most of all the objectives helped to define accountability for the delivery of equality outcomes through the decisions taken by the council as an employer, procurer and commissioner of goods and services.

4.3 However, there is considerable scope for public authorities to define their own equality objectives. Last year's annual report proposed that the authority further align equality objectives to the new Strategic Statement and the new Commissioning Framework, as these two documents will set out the KCC's priorities and approach to delivering outcomes for the period 2015-20. This follows similar practice adopted by a number of other county councils to further embed and align equalities objectives into existing strategies and plans.

4.4 Working through the Corporate Equality Group, a review of the existing equality objectives concluded that:

- KCC should continue to have a positive position on equality

- Equality objectives should continue to support effective decision-making
- Training and support should be focussed on improving compliance across all directorates and services
- Objectives and statement need to be simpler and clearer
- KCC should look to use the existing corporate outcomes as our new equality objectives

4.5 As such, the latest draft revised equality statement and objectives can be found at Appendix 2. Further work will focus on refining the statement and objectives, including evidencing that the supporting outcomes cover equalities needs of groups with protected characteristics. To support this, it is proposed that further pre-consultation work is carried out through protected characteristic based focus groups prior to a full public 12-week consultation, which is anticipated to start in March 2016.

5. FINANCIAL IMPLICATIONS:

5.1 There are no financial implications as a consequence of producing an Annual Equality and Diversity Report and any financial costs to support pre and public consultation on the revised equality statement and objectives will be met from within existing budgets.

6. LEGAL IMPLICATIONS AND RISK MANAGEMENT:

6.1 Under the 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.

7. EQUALITY IMPACT ASSESSMENT:

7.1 As the annual equality and diversity report relates to performance monitoring on the previous years' work there is no requirement to undertake an EqIA. An EqIA has been drafted for the refresh of the corporate equality objectives (available on request) and this will be updated as work continues. It will be published as part of the key decision to adopt revised equality objectives later in 2016.

8. APPENDICIES:

- Appendix 1: Draft Executive Summary – Annual Equality & Diversity Report 2014-15
- Appendix 2: Draft Equality Policy Statement and Objectives

9. BACKGROUND DOCUMENTS:

- Annual Equality and Diversity Report for Education and Young People's Services 2014-15, Education and Young People's Services Cabinet Committee – 18 September 2015, <https://democracy.kent.gov.uk/documents/s59621/Item%20D1%20-%20Annual%20Equality%20and%20Diversity%20Report%20for%20Education%20and%20Young%20Peoples%20Services%202014-15.pdf>

- Annual Equality and Diversity Report 2014-15, Growth, Economic Development and Communities Cabinet Committee – 15 September 2015, <https://democracy.kent.gov.uk/documents/s59551/Item%20D2%20-%20Annual%20Equality%20and%20Diversity%20Report.pdf>
- Annual Equality and Diversity Report 2014-15, Environment and Transport Cabinet Committee - 16 September 2015, <https://democracy.kent.gov.uk/documents/s59559/Item%20D2%20-%20Equality%20report.pdf>
- Annual Equality and Diversity Report 2014-2015, Adult Social Care and Health Cabinet Committee - 11 September 2015, <https://democracy.kent.gov.uk/documents/s59516/D3%20-%20Adults%20Annual%20Equality%20Report%20-%20Final.pdf>
- Annual Equality and Diversity Report 2014-15, Children's Social Care and Health Cabinet Committee – 8 September 2015 <https://democracy.kent.gov.uk/documents/s59417/D1%20-%20Annual%20Equality%20Report%202014%20-%202015%20-%20Final.pdf>
- Equalities and Human Rights Commission: Assessment of the performance of public authorities on the specific duty to publish equality information (England) <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/news-and-updates-on-the-equality-duty/>

10. AUTHOR CONTACT DETAILS:

Lead Officer:

Akua Agyepong
 Corporate Lead - Equality & Diversity
 03000 415 762
akua.agyepong@kent.gov.uk

Relevant Director:

David Whittle
 Director of Strategy, Policy, Relationships & Corporate Assurance
 03000 416 883
david.Whittle@kent.gov.uk