



Committee and date

Cabinet

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SHROPSHIRE COUNCIL EQUALITY OBJECTIVES ACTION PLAN 2016/2020

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1. Summary

- 1.1 This report outlines the corporate approach of Shropshire Council towards continuing compliance with its Public Sector Equality Duty (PSED), as set out in the Equality Act 2010, including the requirement to publish a corporate Equality Objectives Action Plan for the period 2016/2020.
- 1.2 Corporate Equality Objectives Action Plans are required to be published by local authorities at a minimum of four yearly intervals. Approval is accordingly sought for the 2016/2020 draft document attached as appendix to this report.
- 1.3 Progress being made by Shropshire Council builds upon the first Equality Objectives Action Plan 2012/2016, endorsed by Cabinet in 2012. This was updated in 2014, following a mid-cycle stocktake of compliance with the PSED, with the inclusion of actions to publish more visibly, collect and analyse more proactively, and work more jointly on equality-related issues.
- 1.4 Emphasis subsequently placed upon such actions is aiding the Council to meet its general equality duty under the PSED. This may be described as the duty on a public authority, when carrying out its functions, to have what is called *due regard* to three equality aims.
- 1.5 These are:
 - Eliminating discrimination, harassment and victimisation;
 - Advancing equality of opportunity;
 - Fostering good relations.
- 1.6 The Equality Objectives Action Plan 2016/2020 will enable up to date positioning of the Council to assist in efforts to meet its PSED, seek to demonstrate good practice in so doing, and facilitate timely links with other corporate policy and strategy development, utilising the core value of Equality and Inclusion as set out in the Council's draft Corporate Plan 2016/2017.

- 1.7 This value is defined as: *“Treating everyone as equal regardless of their circumstances and backgrounds, and identifying and helping people who may need support”*. The Equality Objectives Action Plan for 2016/2020 accordingly sets out ways in which the Council may demonstrate application of this and other corporate values, and ongoing progress towards achieving the national equality aims.

2. Recommendations

- 2.1 Cabinet agrees to the publication of Shropshire Council’s Equality Objectives Action Plan for 2016 to 2020, in line with the Public Sector Equality Duty.
- 2.2 Cabinet notes the progress made in this policy arena and the necessary and optimum linkages to be made between this document, the Corporate Plan 2016 to 2017, and associated corporate and partnership documentation, as part of good practice approaches towards meeting the needs of the diverse communities served by the Council and partners.
- 2.3 Cabinet agrees to receive a progress report on equality developments at local, regional and national level at a timely future date, at which point further recommendations may be tabled.

REPORT

3.0 Risk Assessment and Opportunities Appraisal

3.1 Risk Management

- 3.1.1 The Equality Act 2010 legislation states that a listed authority must comply with both a general equality duty and with specific duties, as set out in the Act and described as the Public Sector Equality Duty (PSED).
- 3.1.2 To demonstrate full compliance with the general duty, we are required to publish annual information about our workforce diversity and service user diversity. In order to demonstrate full compliance with the specific duties, we are required to publish one or more equality objectives which we think we should achieve. The frequency for these is a minimum of every four years.
- 3.1.3 The regulations also specify that a listed authority must publish its equality information and equality objectives in a manner which is accessible to the public and may publish this information within another published document. Diversity reports are therefore on the Council website, along with the equality objectives action plan 2012/2016 and the stocktake report published in 2015.
- 3.1.4 If the Council did not publish an action plan for the period 2016/2020, it would not be in a position to readily demonstrate compliance with the PSED. This would represent a major risk, not least in reputational terms, as it would involve breach of legal obligation, affect more than one group of stakeholders,

attract medium-term attention of legislative or regulatory bodies and potentially attract significant adverse media interest.

- 3.1.5 Publication of the Equality Objectives Action Plan for 2016 to 2020 will allow the Council to further collaborate with communities and partners at a local level, with stakeholders at a local and sub-regional level, and with Government at a national level, in order to maximise the opportunities for the County to realise its policy intentions as per the core corporate value, of: “Treating everyone as equal regardless of their circumstances and backgrounds, and identifying and helping people who may need support”
- 3.1.6 One risk of not taking this opportunity to be up to date and compliant is that it could weaken the efforts we make to influence sub-regional and national policy, where we have for example been proactive in leading social inclusion efforts through the Shropshire Voluntary and Community Sector Assembly and the Marches LEP, and to parliamentary select committee inquiries, where we have engaged in dialogue on Holocaust Memorial Day and ensured inclusion of digital and social inclusion issues in responses made to committee inquiries on productivity and economy.
- 3.1.4 Another risk is that it could be seen as ignoring the needs of the vulnerable and those at risk of social exclusion, despite the fact that such individuals form wider groupings of people who need to be identified and who may need support either as individuals or as groupings.

3.2 *Equalities, Human Rights and Community*

- 3.2.1 An Equality, Social Inclusion and Impact Assessment (ESIIA) has been completed with regard to the draft Equality Objectives Action Plan for 2016 to 2020 and is attached to this report.
- 3.2.2 ESIIAs need to be reviewed on a regular basis and modified to reflect increasing depth of evidence from customers and communities about positive or negative impact of service changes on people in Protected Characteristics groupings, and people at risk of social exclusion. Failure to have considered and undertaken a robust ESIIA could potentially result in proceedings being taken against us for failing to have considered equalities and social inclusion.

4.0 Financial Implications

- 4.1 For 2016/2017 and future years, it is anticipated that the specialist staffing resource will be met from within existing commissioning unit budgets, and that staff time within service areas including Human Resources will be the main cost item for the Council.

5.0 Background

5.1 Equality

- 5.1.1 Organisations are expected by national and international governments and bodies to have policies and practices that address equality and diversity

effectively, and that place these matters at the heart of all decision making processes. For Shropshire Council, equality is about using national laws and policies alongside local commitments to protect human rights and to remove unfairness and discrimination.

5.1.2 In order to demonstrate proactive commitment to equality, the Council needs to be able to:

- Understand the social, economic and environmental context in which it operates;
- Forecast likely changes and challenges to any or all of the above;
- Ensure that the Council is equipped to continue to deliver on national and international equality aims and local policy drivers.

5.1.3 In so doing, the Council is mindful of **national and international policy and legislation**, including the Equality Act 2010. The Equality Act 2010, together with the Human Rights Act 1998 and the UN Convention on the Rights of the Child, forms a robust framework of protection for equality, diversity, social inclusion and human rights.

5.1.4 In complying with the Act, and in seeking to be proactive, we show that we meet what is called the **Public Sector Equality Duty (PSED)**. This legislation states that a listed authority must comply with both a general equality duty and with specific duties, as set out in the Act.

5.1.5 The **general equality duty** may be described as the duty on a public authority, when carrying out its functions, to have what is called **due regard** to the three equality aims.

These are:

- Eliminating discrimination, harassment and victimisation;
- Advancing equality of opportunity;
- Fostering good relations.

5.1.6 To demonstrate full compliance with the **specific duties**, the Council is required to publish:

- information about workforce diversity and about service user diversity, to demonstrate compliance with the general duty. The frequency for this is annual, with effect from 31st January 2012. The published information *“...must include, in particular, information relating to persons who share a protected characteristic who are: its employees (for listed authorities who employ 150 or more staff); and other persons affected by its policies and practices (for example, service users”*) (“Technical Guidance on Public Sector Equality Duty for England”; Equality and Human Rights Commission, 2013; ISBN 978 1 84206 475 7; p.68, paragraph 6.7)

- one or more equality objectives which the Council thinks should be achieved to help with any of the things mentioned in the general equality duty. The frequency for these is a minimum of every four years, with effect from 6th April 2012.

5.2 Social Inclusion

5.2.1 Equal opportunities form a core element of good policy making around healthy, resilient and prosperous communities. This is partly in recognition that greater economic activity by all groups in society contributes to and boosts the local economy as well as aiding individual prosperity and wellbeing. A society in which everyone feels valued, and where their skills and talents are used to the full, is a productive and resourceful society. It is also about social inclusion. A society in which everyone feels they have a part to play, and in which people respect the views of other people, is a resilient and caring society.

5.2.2 When we talk about **society**, we are talking about the individuals and about the various or diverse groups who collectively make up society. This includes what we may call the vulnerable and those in need, as well as groups who happen to have something in common such as their age or their gender.

5.2.3 When we talk about **social inclusion**, the groups that we are thinking of in particular are: families and friends with caring responsibilities; people with health inequalities; households in poverty; refugees and asylum seekers; rural communities; and people considered to be vulnerable.

5.2.4 When we talk about people who are **vulnerable**, the definition that we are using to describe a vulnerable person is:

“An individual who is identified as having complex needs and/or requires additional support to enable them to access services and support”

5.2.5 **Complex needs** may be described as difficult personal circumstances and/or life events that affect individuals. The following list of circumstances and events is intended to be illustrative rather than exhaustive: alcohol and/or drug dependency; bereavements; adopted from care or leaving care; indebtedness; divorcing or terminating a civil partnership; experiencing redundancy, retirement or unemployment; experiencing homelessness; leaving the armed forces; leaving hospital; people who are victims of crime including domestic violence; people with one or more of the nine national Protected Characteristics.

5.2.6 When we talk about the **nine 'protected characteristics' groups**, these are something that we look at as well as social inclusion when considering the PSED obligations. The groups are, in alphabetical order:

- Age;
- Disability;
- Gender reassignment;

- Marriage and civil partnership;
- Pregnancy and maternity;
- Race;
- Religion and belief;
- Sex;
- Sexual orientation.

5.2.7 A key Council role, endorsed by the wider community through views expressed in the 'Big Conversation', and supported by staff, is to look out for the groups described as having protected characteristics, and in particular for the vulnerable. By interacting with all our communities and groupings within them, we also understand their needs better and include them more in our strategic thoughts and actions.

5.2.8 As with all of our communities of place and interest, we aim to involve people in ways in which they may want to be involved, can be encouraged to do so, and are able to do so, in order to support and sustain them as resilient communities. Our focus on locality working relates directly to this aim.

5.2.9 Considering equality, diversity and social inclusion enables us to plan and deliver services that are responsive to the needs of our diverse communities, with a workforce that is representative of those communities and that is sensitive to the needs of those communities. We do this in partnership not only with other public sector bodies but also with the business sector and the voluntary and community sector. Where this involves organisations arranging and delivering services on our behalf, for example where we have commissioned a service, they are expected to demonstrate that equality and diversity are similarly at the core of their own strategic thoughts and actions

5.3 Publish more visibly

5.3.1 Good practice suggests that a visible and coherent suite of documentation around equality, diversity and social inclusion demonstrates openness and transparency. It also provides an accessible route to the information and actions contained therein. There is now a dedicated section on the external website, to aid in this endeavour. This may be found as follows: [Equality, diversity and social inclusion – Shropshire Council](#)

5.3.2 The Council sets out to visibly demonstrate equal treatment to people who are in Protected Characteristic groupings and people at risk of social exclusion, and to people who are not, through having what is termed 'due regard' to their needs and views when developing policy and strategy and when commissioning, procuring, arranging or delivering services.

5.3.3 In order to better understand the impact of policies and decisions on all issues relating to equality, and to do this in a consistent way across the Council, equality impact assessments are carried out. The assessments are completed using standard templates, referred to as **Equality and Social Inclusion Impact Assessments (ESIAs)**. They were revised in 2014 to include an emphasis on social inclusion, and to combine guidance and evidence into one document for ease of access and usage.

- 5.3.4 An online resource library of ESIIAs is published in one place on the website together with the refreshed guidance, in order to help internal and external audiences to understand what is expected and why, and in order to show use made of these impact assessments in decision making. In addition, steps are being taken to embed the ESIIA approach through one to one support to service area managers, in liaison with Human Resources Team. The online library is located as follows: [Equality and social inclusion impact assessments \(ESIIA\) – Shropshire Council](#)
- 5.3.5 The needs of rural communities are also factored into this process and into other ways in which we develop and assess policy and strategy, such as rural proofing of policies. This is in recognition of the fact that Shropshire is a large, predominantly rural and sparsely populated authority. There are therefore practical challenges and costs for the Council and partners in delivering services, and for communities in finding out about and accessing services.

5.4. Collect and analyse more proactively

- 5.4.1 The Council's Service User Diversity Report sets out to share information and statistics about the diversity of Shropshire Council's service users and communities. Published on an annual basis, the service user diversity report sets out to act as a complementary report to diversity information also required to be published on an annual basis about the workforce.
- 5.4.2 The majority of the equality and diversity information that the Council holds relating to service users is collected and monitored within service areas. They use such data in order to help develop and refine policy and strategy, design services, assess and improve performance, and make best use of resources.
- 5.4.3 The Council also makes efforts to collect demographic data on diversity of the population through use of a standard monitoring chart at public events. The Voluntary and Community Sector Assembly (VCSA) has kindly acted as a pilot in this regard, with two years of data now starting to add to corporate evidence bases on equality.
- 5.4.4 Alongside encouraging proactive and systematic collection of equality data at service area and partnership level, the Council also endeavours to influence national policy. This year, the Council made a detailed submission to ONS with regard to content being considered for the national 2021 Census. The Council shared this submission across the Marches Local Enterprise Partnership (LEP). A cohesive corporate response was submitted through the Performance, Intelligence and Policy Team.

5.5 Work more jointly

- 5.5.1 The Council collects and uses equality and diversity data as part of a range of partnership and corporate approaches towards meeting the needs of service users. These approaches involve consultation and engagement with current and potential service users, communities, and stakeholders such as housing developers, social care providers, the Marches LEP, and voluntary and community sector bodies.

- 5.5.2 Good practice is also sought out in the field of equality and diversity policy from public sector bodies and other local authorities. Examples include Cornwall, Cumbria, Gloucestershire and Leicestershire local authorities, and Southend Borough Council, whose good practice we adopted in relation to the planting of cherry trees to mark Holocaust Memorial Day.
- 5.5.3 In this example, the Council is committed to helping children and young people to understand the messages of the Holocaust in ways that are age appropriate and useful. With this in mind, we have focussed on working with primary school children. After planting a first Holocaust Memorial Day cherry tree in 2015, with children from Mereside Church of England (CofE) Primary School in Shrewsbury, we are now starting to grow a cherry tree orchard of remembrance across Shropshire.
- 5.5.4 Mereside Primary School also produced a resource pack on the Holocaust, linking it with the Jewish tree festival of Tu B'Shevat. The resource pack was circulated to all primary schools across the county ahead of Holocaust Memorial Day. We went back to the school this year to see how the first tree was growing, and held an interfaith commemoration ceremony. A second HMD cherry tree was then planted in a further interfaith ceremony at Woodside Academy in Oswestry, in the north of the county. Our intention is for a third cherry tree, again a Black Oliver fruit tree local to the West Midlands, to be planted in the south of the county in 2017.

5.6 Next Steps for 2016/2020

- 5.6.1 We will continue to target our efforts at finding out where there are gaps in equality and diversity data, and in finding out where there may be barriers to accessing particular services, for people with one or more of the Protected Characteristics and for people who are at risk of social exclusion.
- 5.6.2 This will help us to demonstrate adherence to the Corporate Value for Equality and Inclusion: "Treating everyone as equal regardless of their circumstances and backgrounds, and identifying and helping people who may need support".
- 5.6.3 The draft Equality Objectives Action Plan 2016/2020 accordingly continues the policy imperatives to publish more visibly, collect and analyse data more proactively, and work more jointly, strengthened by the knowledge we are starting to gain to about our diverse communities and their diverse needs, to help us to make quality decisions about policies, strategies and service changes rooted in robust evidence.

6.0 Additional Information

- 6.1 The Council's draft Corporate Plan 2016/2017, also an agenda item to the 13th July 2016 Cabinet meeting, sets out the following core values in which equality and inclusion is explicitly defined as a core value and is implicit to the overall ethos and mission of Shropshire Council, which is:

“To be an excellent organisation working with partners to protect the vulnerable, create the conditions for economic growth, and support communities to be resilient.”

6.2 Our values drive our behaviour and demonstrate to our communities, our staff and our partners what we see as being important. These are in alphabetical order, because they are equally important:

Value	Description
Environment	Leading the way in protecting, enhancing and valuing our natural resources, and respecting our historic environment.
Equality and inclusion	Treating everyone as equal regardless of their circumstances and backgrounds, and identifying and helping people who may need support.
Excellence	Striving for excellence in every aspect of what we do, and using our resources wisely and responsibly in partnership with others to maximise their impact.
Fairness	Being fair, open and honest, acting with integrity, and expecting the same in others.
Innovation	Striving to improve, to learn from others, to encourage entrepreneurship and to explore new approaches with enthusiasm.
Listening	Demonstrating that we are listening and responding to communities, partners and staff, and treating views with respect.
Partnership	Working collaboratively with communities and partners to benefit the people of Shropshire.
Self-reliance	Encouraging people to be as independent and in control of their lives as possible, for as long as possible.

7.0 Conclusions

7.1 Having an up to date corporate Equality Objectives Action Plan in place will assist the Council to demonstrate compliance with its legal requirements under the Equality Act 2010, as well as enabling action on a range of strategic equality initiatives and activities across service areas of the Council, including joint projects, appropriate training and support to elected Members and officers, and service area equality and social inclusion impact assessments.

7.2 It will additionally aid efforts to continue to increase the depth, breadth and focus of the evidence base about the people who live and work in Shropshire. This helps the Council to maintain its strategic and service area level data in order to be positioned to meet future ambitions, challenges and changes such as public sector reform.

7.3 Endorsement of the Plan also affords this Council the chance to continue to work closely with communities, and strengthen collaborative working arrangements across all sectors, with partners including other local authorities and business leaders. This will not only aid achievement of local corporate

and partnership outcomes but also aid progress to continue to be made towards achieving national equality aims, ie:

- Eliminating discrimination, harassment and victimisation;
- Advancing equality of opportunity;
- Fostering good relations.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Equality Act 2010

Shropshire Council Draft Corporate Plan 2016/2017

Technical Guidance on Public Sector Equality Duty for England; Equality and Human Rights Commission, 2013; ISBN 978 1 84206 475

Cabinet Member (Portfolio Holder)

Cllr Cecilia Motley, Portfolio Holder for Rural Services and Communities

Local Member

All Members

Appendices

Appendix A: Shropshire Council Equality Objectives Action Plan 2016/2020: Draft

Appendix B: Equality and Social Inclusion Impact Assessment of the Draft

Shropshire Council Equality Objectives Action Plan 2016/2020