

<b>Report of:</b>	<b>Head of Governance and Corporate Services</b>
<b>Contact Officer:</b>	<b>Adrian Marklew</b>
<b>Telephone No:</b>	<b>01543 464 598</b>
<b>Portfolio Leaders:</b>	<b>Community Engagement, Health &amp; Wellbeing / Innovation and High Streets</b>
<b>Key Decision:</b>	<b>No</b>
<b>Report Track:</b>	<b>Cabinet: 31/03/22</b>

**Cabinet**  
**31 March 2022**  
**Progress on Equality and Diversity Objectives and Action Plan for 2022-23**

**1 Purpose of Report**

1.1 To provide Cabinet with:

- (i) An updated on the Council's progress on its equality objectives for the period 2019-2023.
- (ii) Details of further actions for 2022-23, and
- (iii) Details on the extent to which gender information is collected on residents, Council tenants and Council staff, in respect of a motion agreed by Council in November 2020 and the follow-up question received at Council on 20 October 2021.

**2 Recommendation(s)**

2.1 That Cabinet notes:

- (i) The progress made in achieving the Council's equality objectives for 2019-2023 (Appendix 2).
- (ii) How the Council collects data and information by gender and how this is used (Appendix 3), and
- (iii) The proposed actions set out in paragraphs 5.6 and 5.7, and Appendix 2.

### 3 Key Issues and Reasons for Recommendations

#### Key Issues

- 3.1 The Council adopted its current Policy and objectives in April 2019 which are for the period up to 2023.
- 3.2 The Council reviews its progress in delivering its objectives each year and updates as appropriate the actions for the coming year. This report reflects on the progress during 2021/22 and includes an updated set of actions for 2022/23.
- 3.3 The audit of gender data set out in Appendix 3 identified that it is collected only where there is a specific legal requirement to do so; this to avoid the collection of data that isn't necessary in line with GDPR guidance. However, this does mean that there is limited information available to services to make judgements on the impact of changes to services. It is proposed as part of the work for 2022/23 to review the collection of protected characteristic data with a view to collecting more information so as to better inform the impacts that Council policies have on different groups. Guidance will be developed on doing this only where it is appropriate to do so and in line with GDPR requirements; special category data safeguards will be built in.

#### Reasons for Recommendations

- 3.4 The Council is required to prepare and publish equality objectives every four years which address the three aims of the Equality Duty.

### 4 Relationship to Corporate Priorities

- 4.1 The equality objectives support the delivery of priorities set out in the authority's Corporate Plan. Equality and diversity is a consideration within all our key priorities and strategic objectives. The Equality and Diversity Policy and completion of Equality Impact Assessments ensures consistent and fair decision making when working towards our Corporate Priorities.

### 5 Report Detail

- 5.1 The Equality Act 2010 aims to protect the rights of individuals, advance opportunity for all and provides protection from discrimination for individuals on the basis of their protected characteristics. These are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including ethnic or national origins), colour or nationality, religion, or belief (including lack of belief), sex, sexual orientation.
- 5.2 The Act includes a Public Sector Duty (PSED), comprised of a general equality duty and supporting specific duties. In accordance with the General and Specific Equality Duties, the Council is required to prepare and publish equality objectives every four years which address the three aims of the Equality Duty as below:
  - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by or under the equality legislation.

- Advance equality of opportunity between people who share a protected characteristic and those who do not share it.
  - Foster good relations between people who share a protected characteristic and those who do not share it. As part of the general duty public bodies are expected to set and publish equality objectives for the organisation at least every four years.
- 5.3 The Council adopted its current Policy and objectives in April 2019 which are for the period up to 2023. The current equality and diversity objectives are:
- Objective 1: Continue to gather and publish data and information about our community to better inform decision making and improve access to Council services.
  - Objective 2: Consider how we identify and understand our customer groups and needs in order to offer a better customer service.
  - Objective 3: Ensure that all Members and employees undertake relevant equality and diversity training

The objectives and supporting actions are set out in Appendix 1.

- 5.4 Progress in delivering the actions during 2021/22 relating to the current objectives is set out in the table in Appendix 2.
- 5.5 In light of the work undertaken to date, the actions for each of the three objectives have been updated for 2022/23 and these are set out in the table in Appendix 2.
- 5.6 An audit of gender data was undertaken as part of the actions relating to objective 1. The exercise was refreshed following the motion regarding gender self-identification and the collection of the gender data. The results of the audit are set out in Appendix 3. The audit identified that gender data is collected only where there is a specific legal requirement to do so; this to avoid the collection of data that isn't necessary in line with GDPR guidance. However, this does mean that there is limited information available to services to make judgements on the impact of changes to services. It is proposed as part of the work for 2022/23 to review the collection of protected characteristic data with a view to collecting more information so as to better inform the impacts that Council policies have on different groups. Guidance will be developed on doing this only where it is appropriate to do so and in line with GDPR requirements; special category data safeguards will be built in.
- 5.7 The equality objectives need to be reviewed in time for these to be adopted in 2023 for the following four years. It is proposed to undertake a self-assessment against the Local Government Association Equalities Framework to inform the setting of new objectives.
- 5.8 Data from the Census of Population 2021 will be released from late Spring 2022 and will provide a once in a decade up to date detailed profile of the population of the District, including the numbers of people who are in protected characteristic groups. The information from the Census will be analysed in order to identify

changes in the local population and will be shared with Members and Officers and to inform decision making.

## **6 Implications**

### **6.1 Financial**

Any costs associated with the actions set out in this report will be met from within existing staff and revenue budgets.

### **6.2 Legal**

The Equality Act aims to protect the rights of individuals, advance opportunity for all and provides protection from discrimination for individuals on the basis of their protected characteristics. The Act includes a Public Sector Duty (PSED), comprised of a general equality duty and supporting specific duties. As part of the general duty public bodies are expected to set and publish Equality Objectives for the organisation at least every four years.

### **6.3 Human Resources**

There is a specific requirement in the act that employers report their Gender Pay Gap. All Officers are required to undertake Equality Awareness training as part of their employment induction.

### **6.4 Risk Management**

Failure to comply with Equality Legislation would expose the authority to risks of legal challenge.

### **6.5 Equality & Diversity**

The current Equality Objectives and Action Plan sets out specific priority development areas and sits alongside the Council's Equality and Diversity Policy.

### **6.6 Climate Change**

There are no direct implications for the challenge of climate change.

## **7 Appendices to the Report**

Appendix 1: Equality Objectives 2019-2023

Appendix 2: Action Plan 2019-2023 - including progress notes.

Appendix 3: Details of gender data collected by service area

### **Previous Consideration**

None

### **Background Papers**

None

### **Equality Objectives 2019-2023**

The specific duties within the Act require public bodies to prepare and publish one or more Equality Objectives. Objectives should be specific, measurable and above all help to further the three aims of the Equality Duty outlined above.

The Council's Equality Objectives and associated Action Plan for 2019-2023 are set out below. These objectives have been developed through a gap analysis of the Council's current work within equality and diversity and using data and information collected from local and national sources.

**Objective 1: Continue to gather and publish data and information about our community to better inform decision making and improve access to Council services.**

By collecting robust data in our interactions with our workforce and our service users in the community, we will generate detailed equality information ensuring our services are well balanced and advance equality. We will use this data when making decisions to inform how our proposals may impact those with a particular protected characteristic.

**Objective 2: Consider how we identify and understand our customer groups and needs in order to offer a better customer service.**

The Council will look at its customer service function and how it can better identify customers who may need to be communicated with differently, in order to meet their needs.

**Objective 3: Ensure that all Members and employees undertake relevant equality and diversity training**

Providing training to all Members and Council employees will mean that all those representing the Council will have a clear understanding of the behaviours expected of them with respect to equality and diversity. This will include training on behaviours, language and terminology that should and should not be used and awareness of potential discriminatory matters which may arise in the workplace.

## Action Plan 2019-2023

Action	Responsibility	Timescale	Measurable outcome	Progress end 2021	Updated Actions for 2022/23
<b>Equality Objective 1:</b> Continue to gather and publish data and information about our community to better inform decision making and improve access to Council services.					
Report on Gender Pay Gap	HR	Annually	Defined analysis of the gender pay gap within the Council, in line with reporting requirements	An annual report is submitted as required by law.	
Undertake an audit of all services to identify what equality monitoring data is collected of our customers protected characteristics and assess how this is used to inform decision making in the development of policies and the delivery of services.	Policy Team All service areas	March 2020	Indication of services where a particular characteristic may be (dis)advantaged over another. Remedy policy or services to reflect required changes.	The audit of the collection of equality characteristics data and the more recent review of gender specific data identified that it is collected only where there is a specific legal requirement to do so - this to avoid the collection of data that isn't necessary in line with GDPR guidance.	Determine when it is necessary to collect protected characteristic data and to standardise the data collected. Guidance will be developed, and this will incorporate GDPR with special category data safeguards built in.  Review of the Equality Impact Assessment process

Action	Responsibility	Timescale	Measurable outcome	Progress end 2021	Updated Actions for 2022/23
<b>Equality Objective 2:</b> Consider how we identify and understand our customer groups and needs in order to offer a better customer service					
Analyse systems within the Council to understand how we may identify / flag customers whose protected characteristics mean we adapt our style of communication to suit their needs.	Customer and Support Services Manager	December 2019	That all staff dealing with customers are able to identify customers with a particular need to enable them to effectively communicate with the Council	<p>Key customer facing services - specifically Housing and Revenues and Benefits - identify and respond to customers with specific communications needs.</p> <p>Reception and Contact Centre staff respond to any communication needs as they arise.</p> <p>While colleagues are dealing effectively with needs as they arise, there is scope for improvement and consistency.</p>	A Customer Sub-Group has been established as part of the Council's organisational reshaping work post the pandemic. Its work plan includes looking at how we serve our customers who, for example, may be deaf, have a disability or whose first language is not English. This will look at our obligations, assess data collected and customer needs; with a view to making recommendations for service improvement.
<b>Equality Objective 3:</b> Ensure that all Members and employees undertake relevant equality and diversity training					
All Council employees and Members to complete equality and diversity training	Policy Team HR	December 2019	All employees and Members to have completed training	Face-to-face training was completed by employees and Members in late 2019 / early 2020 with an online option being made available for new starters as part of their induction programme.	Review Equality duty training options for Members and Staff which could include on-line or face to face training. The work on data standards and Equality Impact Assessment referred to under Objective 1 will also require training for relevant staff.

## Details of Gender Data Collected by Service Area

Service	Gender Data Collected	Gender Data Not Collected
<b>Head of Housing &amp; Partnerships</b>		
Housing (Tenancy Records)	Gender information and sexual orientation is collected and held on the Housing Database.	
Housing Strategy	Consultants do ask M/F during “STAR” surveys, and an overall M/F split for the main tenant was reported.	Housing tenants are not asked their gender during satisfaction surveys.
Homelessness	Gender information is collected on all homelessness applications – MHCLG requirement	
Housing Property Services		X
Community Safety, CCTV & Partnerships		X
<b>Head of Environment and Healthy Lifestyles</b>		
Parks and Open Spaces	Parks and Open Spaces collect Gender info on park usage.	
Bereavement Services	Bereavement Services BACAS system requests M/F for each interment. Interment forms do not request gender or sexual orientation.	
Waste & Engineering Services	Gender information is not collated specifically for the services we provide, however title is as part of a form structure within the CRM system, although it is not mandatory requirement.	
Environmental Protection		X
<b>Head of Economic Prosperity</b>		
Economic Development		X
Planning & Development Control	Gender data is not collected for the planning application process. Some anonymous data is captured as part of the Local Plan policy development process to better understand the demographic profile of the local community. This is not collected by the team but by contractors commissioned to provide studies to inform aspects of the Local Plan.	



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Service	Gender Data Collected	Gender Data Not Collected
Property Services (inc. Markets)		X
Building Control	Gender information isn't specifically collected. "Title" is a section on both the local forms and those on the Government portal application system, but these are not mandatory. The title is used in correspondence if provided.	
Environmental Health	Forms for these services include "title"	
<b>Head of Finance</b>		
Finance		X
Revenues & Benefits	Collect gender (M/F) information for identification and assessing benefits (e.g., affected by pension-based benefits / different retirement ages).	
<b>Head of Governance &amp; Corporate Services</b>		
Democratic Services	Information on Councillors on the website is gender neutral.	
Electoral Services	A "title" 'Mr/Mrs/Miss/ Ms/Dr/Other' field is required / specified in law for candidates at elections, but this information is not used. Gender is not recorded on the Electoral Register, nor is it included on ballot papers.	
Internal Audit & Risk	Health and Safety record M / F on accident reporting form – this is a HSE form.	
Policy & Communications	Surveys undertaken sometimes ask for respondents' gender.	
Customer & Support Services	Customer Services – the telephony system has a "M/F/Not specified" field – not mandatory nor analysed.	
Land Charges		X
<b>SBC Led Shared Services</b>		
Human Resources	Record "M / F / non-specific. The main purpose of this is to do the statutory gender pay gap reporting.	
Legal Services		X
Technology services		X