

# **THE ROYAL BOROUGH'S APPROACH TO THE DEVELOPMENT OF TARGETED EQUALITY OBJECTIVES: A CONSULTATION PAPER**

## **1. Introduction**

1.1. This paper sets out proposals for the way in which the Council should comply with a new legal duty to prepare and publish equalities objectives. It also explains the reasoning behind the proposals.

1.2. Council managers and staff, councillors, voluntary organisations and residents' groups are invited to comment on the proposed approach, by no later than [30 November 2011]. The Council will consider the responses and then finalise and publicise the approach it will take to the new duty.

## **2. An outline of the new duty**

2.1. In September 2011 public bodies (including the Council) were placed under a new legal duty to publish one or more objectives that they think they should achieve in order to

- (a) eliminate discrimination, harassment, victimisation
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

2.2. The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; and (in relation to discrimination) marriage and civil partnership. Objective must be published no later than 6 April 2012 and subsequently at intervals of not greater than four years beginning with the date of last publication. The objectives must be specific and measurable. Further details of the new duty and associated legislation can be found in Annex A.

## **3. The Council's continuing commitment to equality and diversity**

3.1. The Council delivers or supports a diverse range of services. Some, such as highways, street cleaning, planning, parking services, parks and open spaces, environmental health, refuse collection and disposal and consumer protection meet the needs of everyday life and seek to make the Royal Borough a pleasant place to live. Others provide residents with access to facilities and services such as schools, sports centres, community centres, citizen advice services, libraries, museums and

galleries. A third set - for example social care services for adults and children and the payment of benefits to offset housing and council tax costs – are directed at the needs of particular groups of residents.

3.2. These services are provided and delivered to a highly diverse population by a diverse labour force - as illustrated in Appendix 1.

3.3. The Council believes that its track record on dealing with equalities issues stands comparison with any other unitary authority. We made good progress under the former Equality Standard for Local Government; received independent verification (from the Audit Commission) that we have a sound approach to understanding and taking account of the needs and diversity of local communities; and have maintained effective corporate discipline in relation to the assessment of equalities impacts.

3.4. The Council continues to be subject to a wide range of pressures and priorities, and is entering a period that will be characterised by managing with fewer resources and by significant organisational and operational change. We recognise that we need to continue to work consciously and conscientiously on equalities issues, and ensure that they do not get relegated or overlooked while managers' attention is focused elsewhere.

3.5. The Council has a strategy for achieving this that involves

- building and maintaining managerial awareness and leadership on equalities issues and duties through briefings and other activities
- providing training to help staff across the Council to understand the new duties, carry out equality assessments, engage successfully with residents and publish data
- introducing a toolkit containing information and guidance on equalities issues and tasks and links to useful sources of advice and expertise.

3.6. The Council readily accepts that specific and measurable objectives can help public bodies to achieve their goals, including those relating to equalities. The new duty can therefore help the Council to maintain an appropriate level of focus and effort on the equalities issues it tackles. These fall into three broad types.

(a) Some aspects of our equalities work (such as the Customer Services Centre's efforts to provide effective access to people with disabilities, or the application of the "Two Ticks" standard to the recruitment of staff) are a **continual** part of our efforts to treat residents and staff fairly and equally.

(b) Other equalities work is more **reactive**, and arises because

- new evidence or data has come to light (through a staff survey, for instance),
- something has gone wrong (such as an instance of discriminatory behaviour by a contractor) or
- there is an emerging issue in the community (a sudden rise in hate crimes, for instance).

(c) The Council also sets **strategic** goals which have equalities ambitions within them. Such long-term goals help to guide the way that Council staff work with one another, with other organisations and with local people. They are sometimes cast in aspirational terms which seek to motivate, inspire and enthuse people. Examples include the goals in the current community strategy to create “a borough where all local people feel acceptance by the wider community and where everyone can access the services that they need”; and “a borough where everyone has the opportunity to lead a healthy and independent life”.

3.7. Targeted objectives can help to support all three types of work on equalities. Such objectives might, for instance, help to secure a medium-term improvement in satisfaction among a specific group of service users. They could also help to provide focus to an action plan developed by the Council to respond successfully to a new or emerging issue. And targeted objectives can help to direct the activities of a range of partners working together to deliver strategic objectives over a prolonged period.

3.8. The common denominator in all these potential uses of targeted objectives is that they can

*help to focus effort, attention and resources on a specific equalities issue in order to achieve demonstrable improvement.*

The Council believes that this should be the underlying purpose of any targeted equalities objectives (TEOs) developed in response to the specific equality duty.

3.9. The Government has allowed a significant degree of flexibility to the public bodies to which the duty applies, so that they can interpret the duty in a way that suits their particular circumstances. The Council welcomes this, and is keen to exploit this flexibility to ensure that its approach to TEOs takes account of the experience and learning the Council has gained through using specific and measurable targets in the past.

#### **4. Lessons from previous use of measurable targets**

4.1. TEOs will be of most value if their development takes into account the lessons learned from earlier experiences of developing and then working to specific and measurable targets. Experience gleaned from the development of Local Public Service Agreements (2003-2005) and two subsequent rounds of negotiations with Government on Local Area Agreements (2006-2010) has taught us that, in order to be successful:

- a) the achievements against which the attainment of a target is to be assessed should be readily measurable and relate closely and directly to the objective, rather than depend upon complex composite indicators or “proxy” indicators that provide the “nearest fit” to an accurate measure.
- b) the issue to which the objective relates needs to be amenable to improvement (or achievement) through time-limited and specific actions, and should not be prone to significant influence by extraneous factors such as wider economic or social trends.
- c) the time period over which a target is set should be determined by the nature of the objective it is seeking to achieve, rather than some period defined for other purposes (such as a three- or four-year budgetary planning cycle).
- d) identifying and setting targeted objectives should not be regarded as a one-off process; rather, it should allow for the fact that new information, ambitions and priorities may emerge that provide scope for further objective setting as time goes on.

#### **5. The proposed approach**

5.1. The Council wants to apply this learning to the development of TEOs. It follows from this that the Council does not intend to develop a single and immutable suite of equalities objectives based on the information we have available now and running for an essentially artificial period of four years.

5.2. Nor does the Council intend to use TEOs to signal the Council’s “top priorities” on equalities. The range of equalities work the Council undertakes is extensive and includes addressing the health and care needs of particular groups, supporting the education and development of children and young people, improving people’s employment prospects, providing social housing, seeking to improve physical access to services, increasing library usage among certain minority groups and widening adult participation in learning and sports activities to name but a few. Our

equalities work is too extensive and varied in type, scale and scope to yield a single set of priorities.

5.3. Instead, the Council proposes to set objectives whenever and wherever they can *help to focus effort, attention and resources on a specific equalities issue in order to achieve demonstrable improvement*, and can meet the tests in paragraphs (a) to (c) above.

5.4. Objectives will be prepared as and when they can make a valuable contribution to our equalities work. In order to comply with Government requirements for publication, the objectives that exist across the organisation at any one time will be gathered and reported in one place on the Council's website.

## **6. Making a start: identifying the first targeted equalities objectives**

6.1. The regulations associated with the specific equalities duties require the Council to publish the equality objectives it has prepared by 6 April 2012. As will be apparent from the approach proposed above, the Council's intention is that the objectives published at that point might be accompanied by others developed and introduced at a later date.

6.2. There is a variety of sources to draw upon to identify objectives:

- looking at what we are doing already, trawling existing plans and strategies to see whether we already have some objectives that "fit the bill" in terms of TEOs as defined above
- reviewing recently-acquired information, assessments and data to see whether they highlight equalities issues that warrant attention and could benefit from the development of an associated TEO;
- being alert to new information that may emerge as the Council prepares to publish its equalities information (by January next year), in case this gives rise to further opportunities to tackle equalities issues through TEOs.

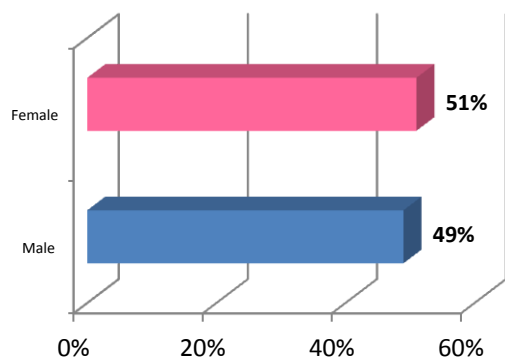
6.3. In terms of governance, the proposal is that the relevant Cabinet member should agree the TEOs that fall within their remits, and that the Cabinet Member for Civil Society (who has overall responsibility for the Council's equalities work) should ensure that TEOs meet the requirements in terms of being specific, measurable and deliverable within a defined period.

## **7. Conclusion**

7.1. Views on the approach described above should be sent to the Equality and Diversity Officer to arrive no later than [30 November 2011]. The results of the consultation, and the approach the Council intends to take, will be announced in [early January next year?].

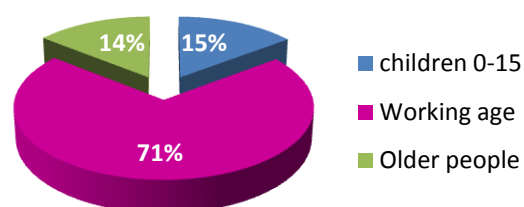
## The Royal Borough's Population Profile

**The Gender breakdown of Residents in RBKC predicted for 2010**



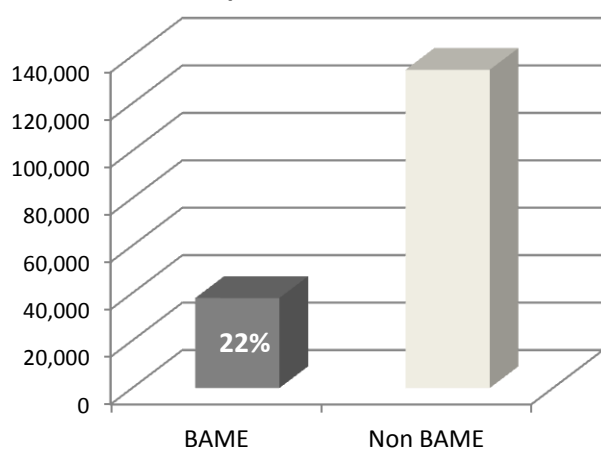
Total population 169,500 (Ref myboropop2010)

**The Age breakdown of Residents in RBKC predicted for 2010**



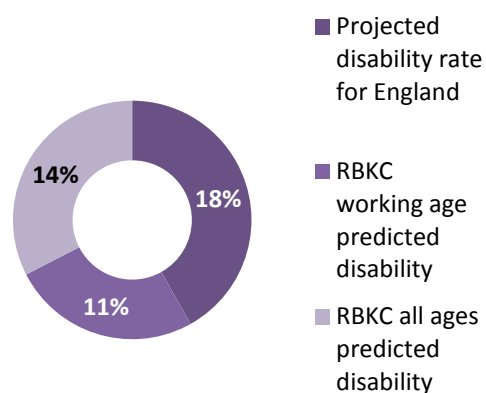
From a population of 161,800 (Ref myboropop2010)

**BAME Residents in RBKC predicted for 2011**



From a predicted population of 172,191 (Ref GLA 2010 Round Ethnic Group predictions)

**Disability in RBKC compared to England predicted 2009**

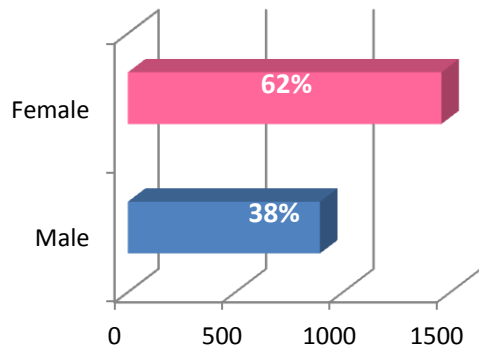


**Breakdown of Black, Asian and Minority Ethnic Groups**

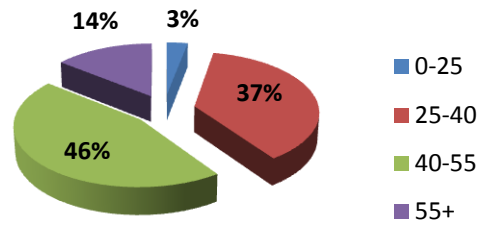
| White | Black | Asian (including Chinese) | Other |
|-------|-------|---------------------------|-------|
| 78%   | 7%    | 9%                        | 6%    |

## The Royal Borough's Council Workforce Profile

**The Gender breakdown of Staff in RBKC 2010 - 2011**

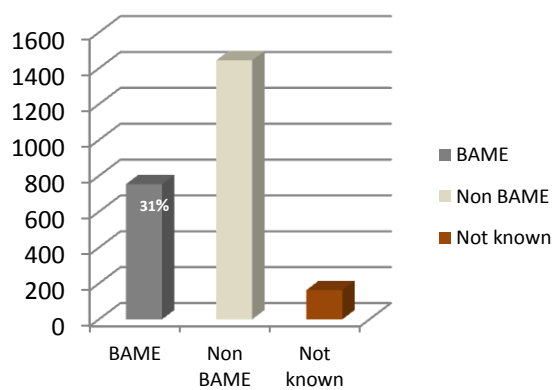


**The Age breakdown of Staff in RBKC 2010 - 2011**

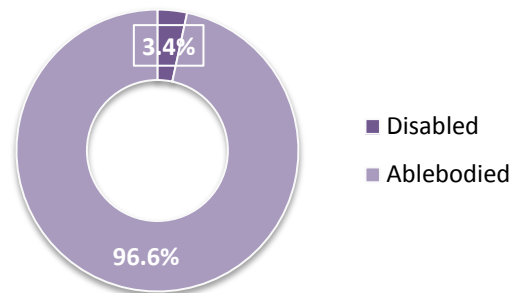


The average age is 43 years

**Staff in RBKC from Black Asian and Minority Ethnic Groups 2010 - 2011**



**Staff in RBKC who have identified themselves as Disabled 2010 - 2011**



**Breakdown of Black, Asian and Minority Ethnic Groups**

| White | Black | Asian | Mixed | Other |
|-------|-------|-------|-------|-------|
| 65%   | 21%   | 6%    | 4%    | 4%    |



## **Legislative background**

The Equalities Act 2010 consolidated in one place a wide range of equalities legislation that had hitherto been contained in separate statutes. In particular, Section 149 of the Act introduced a new “public sector equality duty” which consolidated a number of previous duties and which requires local authorities and other public bodies, in the exercise of their functions, to have due regard to the need to

- (a) eliminate discrimination, harassment, victimisation
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (by removing disadvantage; meeting differing needs; and encouraging participation);
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it (by tackling prejudice and promoting understanding).

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; and (in relation to discrimination) marriage and civil partnership.

The objective behind the duty is to ensure that consideration of equality issues forms part of the routine, day-to-day decision making and operational delivery of public authorities.

Alongside this general duty the Government has introduced two specific duties designed to promote better performance on the general duty. These require public bodies to:

- publish annual information “to demonstrate compliance with the Duty” (by 31 January 2012); and
- publish one or more objectives it thinks it should achieve to do any of the things mentioned in the general duty (by 6 April 2012).