

REPORT TO:	Customers, Performance and Resources Scrutiny Committee
REPORT NO:	HF/119/18s
DATE:	28 November 2018
LEAD MEMBER:	Councillor Andrew Atkinson (People: Youth Services and Anti-Poverty)
CONTACT OFFICER:	Mark Owen (Tel: 292701)
SUBJECT:	Equality Annual Performance Report 2017-2018
WARD:	All

1. PURPOSE OF THE REPORT

- 1.1 In December 2018, the Executive Board will be considering an update on progress during 2017-18 in implementing the Council's Strategic Equality Plan (2016-2020).
- 1.2 This report provides the Customers Performance Resources & Governance Scrutiny Committee with details of this progress, in order that the committee may have the opportunity to consider and comment on it prior to its submission to the Executive Board.
- 1.3 The committee is asked to consider including a further update during 2019.
- 1.4 As part of the discussions, the Lead Member would welcome members' views on ways that the profile of equality and diversity can be improved and maintained within the Council's decision-making processes.

2. EXECUTIVE SUMMARY

- 2.1 The Council is making positive progress in embedding equality across all departments. This is evidenced in the Strategic Equality Plan Annual Report **Appendix 1**
- 2.2 All departments identify the contributions they are making to the corporate equality objectives. Further work is needed to align the process of agreeing annual contributions more fully with the service business planning process.
- 2.3 Equality Impact Assessments [EIAs] are being undertaken by all departments and have informed the reshaping services agenda. The corporate Equality Improvement

Group [EIG] provides a support and monitoring function within departments. Local quality assurance criteria has been used to review a small sample of EIAs from across the Council. Good progress has been made in implementing the EIA process since the tool was introduced. There remain areas for improvement however working with the EIG during 2018-19 we will continue to embed this across the Council.

- 2.4 The corporate approach to equality and diversity is one of mainstreaming across the Council and takes into account capacity of all departments under the reshaping services agenda. As a result, whilst there is evidence of progress, some areas of the work remain under developed. e.g. the development of measurable equality targets and outcomes. Further actions for 2018-19 are identified in the report below, and in the SEP Annual Report 2017-2018 at paragraph 18.

3 RECOMMENDATIONS

- 3.1 That Members of the Committee formulate their conclusions and recommendations based on the information in the report and the discussion at the meeting.

REASON FOR RECOMMENDATION

To ensure that the Council continues to meet its statutory duties under the Equality Act 2010 and associated regulations.

4. BACKGROUND INFORMATION

- 4.1 The Council must comply with the Equality Act 2010 and the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011, further details of which are available at: <http://www.equalityhumanrights.com/wales/public-sector-equality-duty-in-wales/>.
- 4.2 The Council has a legal duty to publish a Strategic Equality Plan (SEP), action plan and annual reports. An Annual Equality Report must be produced and published by 31 March each year covering the preceding financial year. The Councils report for the period 1 April 2017 to 31 March 2018 is available at **Appendix 1**. The report details progress in relation to the specific and general duties and the SEP action plan.

Equality Act (2010) – general duties

- 4.3 The Equality Act 2010 brought together a number of different pieces of legislation to provide a single legal framework to more effectively tackle discrimination and disadvantage. The Act sets out groups of people which are specifically listed as having ‘protected characteristics’:
- Age
 - Disability
 - Gender reassignment
 - Race
 - Religion and Belief
 - Sex
 - Sexual orientation
 - Marriage and Civil Partnership
 - Pregnancy and Maternity

- 4.4 In April 2011 a statutory 'general duty' was introduced for all public bodies in England and Wales to:
- Eliminate unlawful discrimination, harassment, and victimisation;
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not; and
 - Foster good relations between persons who share a protected characteristic and persons who do not.
- 4.5 A range of activities have been taken forward in relation to each of the general duties and these are detailed in the annual report at paragraph 7. Some examples include:
- The Council has adopted a new involvement strategy which seeks to ensure that all people have access the information they need to influence the planning and delivery of services. They are engaged and consulted on decisions which affect them, and where possible we work together to design and deliver services.
 - A Co-operation Protocol has been signed by the Secretary of State for Portuguese Communities and Wrexham Council. The signing was the first of its kind in the UK and only the fifth in Europe. The Co-operation Protocol recognises the working relationship between the Council and local Portuguese groups and its role in contributing to the well-being of Portuguese nationals in Wrexham.
 - Dementia Champions within WCBC raise awareness of the information and communication needs of people with dementia through Dementia Friendly sessions.
 - Wrexham County Borough Council implements the Get Out Get Active (GOGA) programme that supports disabled and non-disabled people to enjoy being active together.

Further work is planned for 2018-2019 including:

- Continue to prioritise and enable equality of opportunity through the reshaping of Council services;
- Continue to support and enable departments to meet the corporate equality objectives;
- Support and enable Syrian refugees to resettle in Wrexham as part of the Council's humanitarian support for people in extreme need;
- Support the regional co-ordination of activities to tackle discrimination and foster good relations in relation to Prevent and Modern Slavery;
- Support the work of the North Wales Hate Crime tactical group;
- Support improvements in the quality of workforce equality monitoring and analysis across the Council;
- Continuing to improve equality impact assessments;
- Provide targeted equality training to Elected Members; and
- Begin to build a suite of equalities training available via e-learning and face to face methods and develop an associated training plan.

Equality Act 2010 (Wales) Regulations 2011

- 4.3 Public bodies in Wales, including the Council also have specific legal duties set out in the Equality Act 2010 (Wales) regulations 2011:

- Publishing a Strategic Equality Plan and equality objectives every 4 years;
- Engagement and involvement activities for groups with 'protected characteristics';
- Ensuring all published material is accessible;
- Assessing the impact of relevant policies and plans;
- Training and the collection of employment information;
- Promoting knowledge and understanding of the Equality Act across the organisation;
- Addressing unfair pay differences;
- Using procurement practice to contribute to the delivery of equality objectives; and
- Reviewing progress in implementing the Strategic Equality Plan and related action plans.

4.4 Good progress continues to be made in relation to the specific duties and this is detailed in the Annual Report from page 13.

4.5 The Annual report highlights the further work needed during 2018-20 to embed equality monitoring across the Council.

Equality Impact Assessments

4.6 The online EIA tool, Are we being fair? continues to be refined in the light of feedback from colleagues. Impact assessments are now fully accessible to Elected Members and this, together with the mandatory inclusion of EIA information in Scrutiny and Executive Board report templates is leading to a more collaborative approach to EIAs however, there remains opportunity for further development.

Quality assurance

4.7 In May 2018 members of the internal Equality Improvement Group [EIG] reviewed a sample of departmental Equality Impact Assessments [EIAs] against criteria previously agreed by the Group. The basis for the assessment criteria is the legal duty to demonstrate 'due regard'. Overall, the quality of the Council's EIAs is continuing to improve:

- Evidence that EIAs are being routinely entered onto the online system;
- There is evidence that EIAs are generally being undertaken in a more timely way and are being appropriately delegated;
- A significant amount of consultation has taken place;
- All budget related decisions were subject to an EIA;
- The process for publishing EIAs as part of Executive Board and Committee reports is working well;
- EIA training for Lead Members and Scrutiny Committee Members has improved the focus on equality in meetings and pre-meetings; and
- Examples of good practice have been identified in all departments.

4.8 In addition the internal quality assurance procedure has identified a number of opportunities for continued improvement that will continue to be progressed during 2018-19, including:

- Improving the quality of EIA Screening as an integral and mandatory part of the EIA;
- Further development of consistency in the timeliness of beginning an EIA;
- Promote greater understanding of equality and diversity across the protected characteristics;
- Improving the use of routine equality focused monitoring to inform service provision and decision making;
- Improving the use of the review function within the EIA tool to consider the realised, unrealised or unintended impacts upon implementation of a proposal; and
- Improving the completeness of consultation evidence information, so where good consultation has been undertaken, this is detailed within the EIA.

4.9 An equality impact assessment screening has been completed for this report FIN/EIA00057/2016 at **Appendix 3**. No issues were identified. Activities identified in this report are subject to their own EIA and are therefore reported separately.

Compliance

4.10 The Chartered Institute of Public Finance and Accountancy [CIPFA] has produced a guidance document 'Principles of Good Governance and Equality arrangements' [2016].

4.11 The guidance document identifies 7 key areas for consideration along with more detailed information about what compliance looks like. A local review has been undertaken by the Senior Partnership Officer with responsibility for equalities. The review is in line with the findings of the internal quality assurance review and the findings are detailed at **Appendix 2** of this report. These issues will be taken forward in conjunction with those identified through the internal quality assurance process.

Welsh Language and Culture

4.12 The Council's Welsh Language Scheme was replaced on 30 March 2016 with Welsh Language Standards. These were introduced as part of the Welsh Language (Wales) Measure 2011 with the purpose of setting a consistent level of service that Welsh speakers can expect to receive in Wales. These form an important part of the Council's equality and diversity work and are reported separately. Further details are available at:
http://www.wrexham.gov.uk/english/council/documents/welsh_language_scheme.htm

Workforce equality monitoring

4.13 The Employment Equality Monitoring Report 2016-17 has been prepared by the Human Resources Department. They include information on the various protected characteristics we are able to report on and other policies and practices that have made a positive contribution to the equalities agenda. The data relates to individuals directly employed by the Council. A key priority identified within our Strategic Equality Plan was the need to improve our workforce equality monitoring in order to better target actions to promote workforce diversity. To address this area for improvement an action to improve the way we capture this data was included within the Organisational Development and Workforce Strategy and associated action plan. The facility for employees to self-complete this equality monitoring data online in our 'My View'

system. This is intended to improve the quantity and quality of workforce monitoring information that we hold to allow better analysis and targeting of actions.

The reports are available at http://www.wrexham.gov.uk/top_navigation/equality.htm

Training and awareness raising

- 4.14 To support the mainstreaming approach a range of training and awareness raising has been delivered by the Partnerships Team supported by key equality and diversity e-learning packages. Further details are available in the Annual Report **Appendix 1** at paragraph 16.

Community Engagement

- 4.15 In 2018, the Council adopted its new 'Involvement Strategy'; the vision of which is that all people have the information they need to influence the planning and delivery of services. They are engaged and consulted with on decisions that affect them, and where possible we work together to design and deliver services. The implementation of the strategy will further improve consultation and engagement across the Council; informing EIAs and making decision making more robust.

Conclusions

- 4.16 The corporate approach to the equality and diversity agenda supports the Council to meet its legal duties under the Equality Act 2010 and the associated Wales regulations 2011, while recognising the need to co-ordinate a mainstream approach, with services taking the lead. Monitoring of the Strategic Equality Plan objectives within service plans and the use of the online equality impact assessment processes, provides evidence of our progress and reflects the hard work within all departments to embed equality and diversity work. There continue to be areas for improvement however and it is important to acknowledge the impact that reduced budgets have on the pace of progress. The commitment to equality and diversity is strong within the Council, however some elements of work remain underdeveloped due to capacity across departments.

5. IMPLICATIONS

- 5.1 **Policy Framework** - The work described in this report supports the Council in its commitment to prioritise people who may be vulnerable to social exclusion.
- 5.2 **Budget** – The budget for the Partnerships Team is contained within the Finance Department base budget. There are no budget implications of this particular report.
- 5.3 **Legal** – **The** work described in this report helps the Council to meet its statutory duties under the Equality Act 2010 and associated regulations.
- 5.4 **Staffing** – There are no staffing implications from this report.
- 5.5 **Equality/Human Rights** – Members are advised of their duty to consider the full Equality Impact Assessment which is available at <http://vmwinsqld/equalityisalive/Menu.aspx> report number [FIN/EIA00057/2016]. Members of the public can request a copy of the full Equality Impact Assessment from the Contact Officer named in the header box of this report. A summary of the Equality Impact Assessment is attached as Appendix 3.

5.6 **Risks** - The CIPFA Principles of Good Governance highlighted areas of positive practice and some areas for further development. These have been incorporated within the equality work for 2018-20. A potential risk may arise if continued reshaping to address constrained budgets reduces the capacity for departments to discharge their equality duty responsibilities. In such an instance, moral, legal, reputational and financial risks may arise.

6. CONSULTATION

6.1 Heads of Service have been consulted in the preparation of the SEP Annual Report 2017-18 via the Equality Improvement Group.

BACKGROUND PAPERS	LOCATION	WEBSITE INFO.
Equality Act 2010 and the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011	Internet	http://www.equalityhumanrights.com/private-and-public-sector-guidance/public-sector-providers/introducing-the-duty