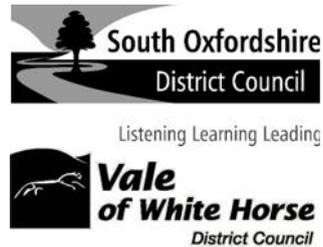


Joint Scrutiny Committee



Report of Head of Corporate Services

Author: David Fairall (People and Culture Manager)

Telephone number: 07917 088340

Email: David.Fairall@southandvale.gov.uk

South Cabinet member responsible: Cllr Maggie Filipova-Rivers

Tel: 07850 141623

Email: Maggie.Filipova-Rivers@southoxon.gov.uk

Vale Cabinet member responsible: Cllr Bethia Thomas

Tel: 07906 821680

E-mail: Bethia.Thomas@whitehorsedc.gov.uk

Date: 7 November 2022

Joint Diversity and Inclusion Strategy

Recommendation

That members consider the consultation responses and revised draft Joint Diversity and Inclusion Strategy attached at **Appendix 1** and provide feedback for consideration by the councils' Cabinets. (South – 1 December 2022 and Vale – 2 December 2022)

Purpose of report

1. To share with members the consultation responses received to the councils' draft joint diversity and inclusion strategy.

Background

2. In addition to the public sector equality duty set out in Section 149 Equality Act 2010 (see legal and equality implications below), there is commitment from both councils to focus on strengthening and improving diversity and inclusion across our communities and council services. Within the South's Corporate Plan, it aims to "embed an organisational culture that celebrates diversity, inclusion and respect" and Vale aspire to "working in an open and inclusive way".
 3. Both councils have passed motions relating to diversity and inclusion, as well as publishing diversity and social campaign calendars on each respective council website.
-

Development of draft diversity and inclusion strategy

4. A working group was formed consisting of officers and two Cabinet lead members from both councils. This group produced a draft diversity and inclusion strategy, which included the following statement of intent:

We strive to create an environment where everybody feels that they belong and have a voice which will be heard. We will embrace our differences, the unique talents, beliefs, backgrounds, and abilities of all our staff and residents. Together we will make a positive difference.

5. The strategy was named the Diversity and Inclusion Strategy to distinguish it from the public sector equality duty. This is on the basis that the draft strategy outlines the councils joint collective aim to add to our statutory duties by engaging with residents, communities and staff on diversity and inclusion. The aim is to help people in interacting with the councils and accessing our services.
6. It should be made clear that this is a strategy which guides our approach and does not have binding effect, any decisions relating to service delivery must take account of and comply with the councils' statutory duty which takes precedence balancing the interests of those with protected characteristics. This strategy and the supporting actions will in time, grow the data we collect, and this data set will further inform our responses to the public sector equality duty e.g. in helping to complete equality impact assessments and the annual employee equalities report.
7. The draft strategy outlines what the councils' approach to equality, diversity and inclusion is, what we will do to achieve our vision and how we will achieve our aims. It also includes an action plan, which will evolve over time and be reviewed on a regular basis. The strategy will set out the councils' commitment and actions to creating and ensuring diverse and inclusive services to our communities. Some predicted actions have been included with the draft strategy to indicate how the plan will look when live.

Engagement approach

8. Following Cabinet briefings in March 2022, it was agreed the next step for the development of the strategy would be to undertake an engagement exercise to gather feedback from residents and groups in our communities and from employees of the councils.

Engagement Plan – Learning and Feedback

9. The Communications and Engagement team worked closely with the People and Culture team to develop a survey for residents, Members and community groups to access and offer feedback and comment to the councils on the draft strategy.
 10. In parallel, the draft strategy was shared with the councils' staff. A drop-in session was also organised by the People and Culture team. This session included a presentation outlining the rationale and key features of the strategy; at this session staff were encouraged to offer feedback directly. All staff were encouraged to respond to the consultations as residents of the councils' areas and as employees.
-

11. The consultation ran between Monday 22 August and Monday 3 October 2022. Consultees could provide their feedback through an online survey or by completing a paper comment form available in all libraries across both districts. A total of 234 responses were received to the consultation. Please refer to **Appendix 2** for the Consultation Report and **Appendix 3** for the full survey results.
 12. Much of the feedback received through the external survey did not relate to the strategy and is therefore outside of the scope of this report. However, it will be shared with relevant services. Where applicable, this feedback will inform the action plan and the future development of services.
 13. Feedback relating to the strategy itself was largely positive (i.e. a good idea, good document etc.), with around two-thirds of responses supporting the proposed approaches within the action plan, other than the leadership, partnership and organisational commitment section, where just over half agreed. There were also comments provided, including:
 - this is not the best use of time / money
 - identify the elderly as a target group, as they are not always considered within diversity and inclusion conversations
 - reword where examples are given as to non-statutory characteristics to consider, as it inadvertently creates the impression the councils have incorrectly listed the protected characteristics
 14. The strategy has been updated accordingly to reflect the feedback. The main changes to the Strategy are as follows:
 - We have reworded the 'What do we mean by equality, diversity, and inclusion?' section to make it clearer that the Strategy goes beyond our statutory equality duties
 - We have added in the 'What will we do?' section reference to local access groups
 - Within the Action Plan we have added lead owners across all actions, this will evolve as the Plan is implemented
 - Within 'Knowing our communities', we have added an additional action concerning understanding how our communities prefer to interact with us and working with our key stakeholders to improve our communication methods
 - Within 'Knowing our communities', we have been more explicit about our officers being involved in the various relevant groups and networks across the districts and wider county area
 - Within 'Knowing our communities', we have added an additional action around ensuring better outcomes when feedback is received by the councils' Customer Services team
 - Within 'Responsive services and customer care', we have included Easy Read as an option for providing information to our customers
 - Within 'Responsive services and customer care', we have noted that a measure of success will be through residents' satisfaction surveys and complaint numbers
-

- Within 'A skilled and committed workforce', we have added that we will enhance existing recruitment practices and staff skills and knowledge

15. A suggested additional action for the focus group to consider is creating a more public-facing name for the strategy once approved (i.e. a brand name or tag line) to ensure clarity and distinction between statutory requirements and the aims and desires of this strategy, as summarised by the statement of intent.

16. If agreed by each Cabinet, it is anticipated the strategy and associated action plan will go live from early 2023.

Climate and ecological impact implications

17. No direct climate and ecological impact, but any feedback or information gathered as part of the strategy will be shared with colleagues from the climate team.

Financial implications

18. Any council decision that has financial implications must be made with the knowledge of the councils' overarching financial position. For South, the position reflected in the councils' medium-term financial plan (MTFP) as reported to Full Council in February 2022 showed that it is due to receive £2.1 million less in revenue funding than it plans to spend in 2022/23. For Vale, a balanced budget was set in 2022/23 but there is expected to be a budget gap in future years.

19. The funding gap at both councils is predicted to increase to over £3 million by 2026/27. As there remains no certainty on future local government funding, following the announcement of a one-year spending review by government, and as the long-term financial consequences of the Coronavirus pandemic remain unknown, this gap could increase further. Every financial decision made needs to be cognisant of the need to address the funding gap in future years.

20. Any activities delivered as part of the strategy are expected to be undertaken within existing budgets, so no additional funding required or requested.

Legal implications

21. There are no specific legal implications arising from the recommendation in this report, however, as set out below, the councils have a public sector equality duty arising from Section 149 of the Equality Act 2010.

In summary, those subject to the equality duty must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.
-

These are sometimes referred to as the three aims or arms of the general equality duty. The Act explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.¹

When making decisions, the councils must have due regard to these requirements and this will be demonstrated by carrying out an equality screening and, if any impact is identified, by preparing an Equality Impact Assessment.

Whilst it is in order to reasonably go over and above the statutory requirements – which is the legitimate aim of the strategy - decision makers will need to ensure that there are no unintended consequences for those with protected characteristics when making decisions about service provision / delivery for residents. As stated, this will be achieved by carrying out an equality impact screening at the time the decision is being made.

Equality Implications

22. In preparing this report, due consideration has been given to the councils' statutory Equality Duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations, as set out in Section 149(1) of the Equality Act 2010. An equality impact assessment has been undertaken on the Strategy. This assessment determined that, if implemented, the Strategy's approach to increasing the councils' knowledge and understanding of our communities and ensuring that our services are inclusive, will have a positive impact on people who have protected characteristics as defined by the Equality Act.

Risks

23. The main risk in not adopting the Strategy is that the councils are not receptive to the needs of its residents, staff, businesses and other stakeholders. The consultation carried out so far has identified valuable feedback which can inform the councils' service delivery. A key action from the Strategy is to 'expand our knowledge and understanding of our communities to establish who the residents and businesses that we service are'. By utilising the Equalities Framework for Local Government, we will meet this ambition.

Conclusion

24. A Joint Diversity and Inclusion Strategy, that is embedded successfully across the councils, will improve the services provided, in turn increasing customer satisfaction, and the councils' reputations. We would therefore welcome members' feedback on the draft.

¹ <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty>
