

## Decision Report - Executive Decision

Forward Plan Reference: FP/23/03/02

Decision Date – 10<sup>th</sup> May 2023

Key Decision – no



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### Equality Audit, Assessment and Peer Challenge

Executive Member(s): Cllr Adam Dance – Lead Member for Public Health and Equalities and Cllr Val Keitch – Lead Member for Transformation and Human Resources

Local Member(s) and Division: All

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### Summary / Background

1. Local Authority work on equality and diversity in the county has not been externally reviewed for over 10 years. This means we are working without the constructive feedback and challenge of other professionals. We have maintained relationships with our Voluntary, Community, Faith, and Social Enterprise sector (VCSFE) and have been open to challenge and feedback from this constituency. Equally we have maintained staff networks that provide us with an understanding of how our staff view us and the work we are doing.
2. To resolve this and to take the opportunity of being a new authority, we are proposing that three external audits take place over the coming year. It is envisaged that these audits will be complementary to one another and provide additional rigor to future work around equality in Somerset. The proposed audits are:
  - Disability Confident Leader Assessment
  - Internal Race Audit
  - Equality Framework for Local Government Peer Assessment
3. External audits against the Equality Framework for Local Government have, until recently, incurred a cost for the authority being assessed. Over the past 2 years the Local Government Association have borne these costs making the assessments free to those being assessed.

## **Recommendations**

4. The Executive:
  - Approves the council undertaking a Disability Confident Leader assessment in June. This includes the preparation work, audit process and receiving the recommendations and findings that come from this audit.
  - Approves the council undertaking an internal Race Audit in August. This includes the preparation work, audit process and receiving the recommendations and findings that come from this audit.
  - Approves the commitment to deliver training on race and challenging behaviour.
  - Approves the council undertaking an Equality Framework for Local Government (EFLG) Peer Assessment in October. This includes the preparation work, 3-day external Peer Assessment, receiving the recommendations and findings that come from this assessment and agrees to receive a response to this report.
  - Acknowledges the level of commitment that will be needed from the whole organisation, and partners, over the coming year to support these three processes.

## **Reasons for recommendations**

5. The council's work and progress on equality and diversity has not been externally reviewed in the County for over 10 years. With the transition to a single authority in Somerset this is an ideal opportunity to review, reassess and establish a direction and fresh benchmark going forward. This will also provide an opportunity to learn from external assessors' experience.

## **Other options considered**

6. There are a number of other options that have been considered:
  - Not completing any auditing work – It was considered and rejected as we can no longer continue without any external audit.
  - Only completing one of the assessments – the two disability and race audits will help to inform the EFLG Peer Assessment

## **Links to Council Plan and Medium-Term Financial Plan**

7. This will support the council's commitment, through the County Plan, to A Fairer Somerset.

## Financial and Risk Implications

8. Costs for the assessments will be covered in a number of different ways:
- Disability confident leader – this is a cost neutral process other than officer time and printing which can be absorbed by the service.
  - Internal race audit and training – anticipated a cost implication of around £25,000, which will be covered by the existing HR training budget.
  - Equality framework for Local Government – peer costs will be covered by the Local Government Association; internal room cost will be covered internally. Any additional costs or external room requirements will be covered by the corporate equality budget.
9. The risk of reputational damage to the new Council through identification of failings in meeting the requirements of the Equality Act 2010.

<b>Likelihood</b>	3	<b>Impact</b>	4	<b>Risk Score</b>	12
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## Legal Implications

10. There should be no legal implications of this decision. An external auditor will need to be commissioned for the Internal Race Audit.

## HR Implications

11. There are no HR implications of this decision. However, there may be some outcomes and feedback from the audits and assessments. This will be considered independently and where needed further reports will be created.

## Other Implications:

## Equalities Implications

12. No Equality Impact Assessment is required for this decision as it will contribute to the improvement of equality outcomes.

## Community Safety Implications

13. There are no implications from a community safety perspective.

### **Climate Change and Sustainability Implications**

14. There are no implications from a Climate Change and Sustainability perspective.

### **Health and Safety Implications**

15. There are no implications from a Health and Safety perspective.

### **Health and Wellbeing Implications**

16. There are no implications from a Health and Wellbeing perspective.

### **Social Value**

17. There are no implications from a Social Value perspective.

### **Scrutiny comments / recommendations:**

18. The proposed decision has not been considered by a Scrutiny Committee.

### **Background**

19. Local Authority work on equality and diversity in the county has not been externally reviewed for over 10 years. This means we are working without the constructive feedback and challenge of other professionals. We have maintained relationships with our Voluntary, Community, Faith, and Social Enterprise sector (VCSFE) and been open to challenge and feedback from this constituency. Equally we have maintained staff networks that provide us with an understanding of how our staff view us and the work we are doing.
20. It is clear that all of these assessments are vital in their own right and contribute to the Council's ongoing commitment and improvement around equality and diversity. However, none of these should be looked at in isolation. They all complement and have an impact on one another. They should be viewed as a whole which informs the Objective setting that the organisation will be undertaking in 2023/24.

- Disability Confident Leader Assessment – The aim will be for the new authority to become a Disability Confident Leader in 2023. Expected to take place in June 2023.
- Race Audit – It has become clear that the Authority needs to complete a Race Audit as a matter of urgency. This will take place in August 2023.
- EFLG Peer Challenge – Review of current work in Somerset by Peers. Expected to take place in the week of 2nd October 2023.
- Setting refreshed Equality Objectives – This need to be set for May 2024. This is with the aim that the objectives are out to public consultation in the period July to November 2023 and put before decision makers in April 2024.

		<b>Equality Objectives Timeline</b>	<b>Audit dates</b>
2023	April	Data gather and analysis	
2023	May	Data gather and analysis	
2023	June	Objective finalisation and event preparation	Disability Confident Leader Audit
2023	July	Consultation	
2023	August	Consultation	Race Audit
2023	September	Consultation	
2023	October	Consultation	EFLG Peer Review
2023	November	Consultation	
2023	December	Review and Action Plan	
2024	January	Review and Action Plan	
2024	February	Decision paperwork review	
2024	March	Decision paperwork review	
2024	April	New Objectives agreed	
2024	May	Objective and Action Plan promotion	
2024	June	Objective and Action Plan promotion	

## 21. **Disability Confident Leader assessment**

It has been felt for some time that the council is in the position to become a Disability Confident Leader. In our role as a community leader on equality and diversity through the Public Sector Equality Duty it is right and proper that we make the commitment and act as an ambassador for disabled people and our staff. To be confirmed as a Disability Confident Leader you must undertake an external audit by an existing Disability Confident Leader.

## 22. **Internal Race Audit and Community Training**

Following an increase in cases of race discrimination reporting it is clear the organisation needs to seek an independent view of its practice. Whether these cases are found to have substance or not an increase in reporting needs to be investigated. Our aim will be to engage an external investigator to review our internal structures, processes and culture to identify areas where we can improve.

We will be supporting this with two training elements. One will be delivered internally on how to challenge unacceptable language/behaviour. The other will be delivered by community representatives on experiences of being from different racial backgrounds in Somerset.

## 23. **Equality Framework for Local Government**

The Equality Framework for Local Government (EFLG) has been in place for over 8 years and provides an audit process to establish progress on equality in 4 areas

- understanding and working with your communities.
- leadership, partnership and organisational commitment.
- responsive services and customer care.
- diverse and engaged workforce.

The equality framework is intended to help councils:

- Deliver accessible, inclusive and responsive services to customers and residents in their communities including those from under- represented groups.
- Employ a workforce that reflects the diversity of the area they are serving.

- Provide equality of opportunity for all staff.
  - Meet the requirements of the Public Sector Equality Duty and support any aspirations to exceed these.
24. A EFLG Peer Challenge will take 3 days. This includes 2 days of assessment and a day for review and feedback.
25. A successful Peer Assessment places several resources implications on the authority being assessed. These are mainly in relation to:
- Preparation of assessment documentation and preassessment
  - Arranging meeting schedule for the Peer Assessment team and those being interviewed
  - Preparing briefings for those attending interviews
  - Preparing and delivering a response to the assessment.
26. Decision makers should be aware that that EFLG Peer Challenge is likely to identify areas for improvement. This should be viewed in the light of the current under resourcing of equality. It should also be viewed as an opportunity to establish a new baseline for the new organisation going forward.
27. These audit processes are supported by the Member Equality Steering Group.

## **Background Papers**

The following additional papers provide additional information:

- LGA EFLG Webpage – <https://www.local.gov.uk/our-support/guidance-and-resources/equality-frameworks/equality-framework-local-government>
- LGA Peer Challenge - <https://www.local.gov.uk/our-support/guidance-and-resources/equality-frameworks/equality-peer-challenge>

## **Appendices**

None