

Policy and Resources

Item No.

Report title:	Progress on the Council's Equality, Diversity & Inclusion Objectives 2017-2020
Date of meeting:	29 January 2018
Responsible Chief Officer:	Tom McCabe, Executive Director, Community and Environmental Services
Strategic impact The Council's Equality and Accessibility Objectives 2017-2020 assist delivery of the County Council Plan, by putting in place key building blocks to promote equality, diversity, accessibility and inclusion for Norfolk people.	

Executive summary

This report summarises progress so far on the Council's Equality, Diversity and Inclusion Objectives 2017-2020, and emerging issues.

Policy and Resources Committee agreed five Equality, Diversity and Inclusion Objectives for the County Council on 27 March 2017. The objectives were based on evidence considered by elected members earlier in 2016, which set out key issues in the county (see Appendix 1 for details).

The objectives aim to put key building blocks in place, to ensure that as the Council transforms its services over the next three years through Norfolk Futures, it takes every opportunity to use its £1.4b budget and influence to promote equality, diversity and inclusion.

This particularly includes work to promote accessibility for disabled people in Norfolk, because this is essential to delivery of the Council's Promoting Independence strategy. People can only be independent if they can easily access local services and facilities by themselves without the help of others. Norfolk has an aging population, a higher number of disabled people than other parts of the country and increasing numbers of disabled young people.

The Objectives are attached at Appendix 2 for information.

Recommendations:

Policy & Resources Committee is recommended to:

- 1. Revise the objectives to improve focus on promoting equality and inclusion across the workforce. As a result, it is recommended to revise Objective 5 as set out in Appendix 2.**
- 2. Approve the revised Equality, Diversity & Inclusion Policy (Appendix 3).**
- 3. Note that Norfolk County Council has been awarded the top level of Disability Confident Leader by the Department of Work and Pensions.**

Introduction

1. In October last year, the Council outlined proposals for how it will reshape itself to meet its challenges. In four years' time, the Council will continue to play a substantial role in Norfolk – including caring for the county's most vulnerable people, repairing roads and working with partners to attract jobs. However, the Council will be running services from fewer buildings; signposting people to support within their communities; and it will cut costs - through greater use of technology to serve people, in their own homes, day and night; and from commercial ventures.
2. The purpose of the Council's equality objectives is to support delivery of this transformation, by putting in place building blocks to promote equality, diversity and inclusion for Norfolk people.
3. Implicit within the objectives are the core British values of mutual respect for and tolerance of those with different cultures and beliefs.

The legal context

4. Local authorities have a statutory duty under the Equality Act 2010 to pay 'due regard' to the following when exercising public functions:
 - Eliminate discrimination, harassment and victimisation and other prohibited conduct;
 - Advance equality of opportunity for people with protected characteristics (Age; Disability; Race/ethnicity; Religion and belief; Sex or gender, including gender reassignment; Sexual orientation; Marriage and civil partnership; Pregnancy and maternity).
 - Foster good relations between people who share a relevant protected characteristic and people who do not share it.
5. The Act requires authorities to publish equality objectives that are proportionate, specific and measurable, and report annually on progress by the 31st January each year.
6. The Act is primary legislation and UK domestic law. The Government has stated that there will be no changes following exit from the EU.

Norfolk's diverse population

7. Norfolk is the fifth largest shire county in England, with 885,000 residents. Norfolk's diverse communities are interwoven into the county's history. Full details are set out in Appendix 4.

The profile of the workforce

8. Each year the Council reports on how representative the workforce is of the wider working age population. Although increases are being seen in the number of disabled and Black and Asian minority ethnic staff employed by the Council, these are incremental, and the overall proportion is still not in line with the labour market average. The picture is complex due to some under-reporting.

9. At the time of writing this report, work is ongoing to analyse the data on the workforce profile, to review the latest position and consider whether any actions for improvement are necessary. The outcome of this will be reported in due course for consideration.

Overview of progress on the equality objectives

10. With the exception of Objective 3 (*Implement final phase of the Children's Services Equality Plan 2015/18*) there are currently no delays or exceptions to report.
11. The delay in implementing Objective 3 primarily relates to a delay to publish an accessibility strategy for schools, a requirement of the Equality Act 2010. The authority's accessibility strategy for schools sets the context for individual school accessibility plans (a statutory responsibility for schools).
12. To address this delay, additional capacity has been provided to Children's Services, and work has commenced to prepare a new strategy. Plans are also in place to consult with disabled young people. It is expected that the revised strategy will be published in April this year.

Report on actions within the Objectives

Accessible Norfolk – Promoting independence

13. Norfolk's six independent Access Groups (chaired and attended by disabled people) have assisted in compiling a list of key barriers to the independence of disabled people in local communities in Norfolk. Some of these issues are not within the Council's gift to address – but many are.
14. Work is taking place to reality-check the findings with the broadest possible number of disabled adults and children, and identify which barriers to access are of particular relevance to Promoting Independence strategy.
15. Earlier this year, the Council was awarded 'Disability Confident Leader' status - the top of three levels of a DWP scheme to promote disability equality. The top level goes beyond workforce issues and looks at how the Council is using its influence to promote accessibility across the county.

Access audits of services

16. The Council's Equality, Diversity & Inclusion Objectives require the Council to assess and 'rate' existing levels of accessibility for disabled people across services, and set actions for improvement where necessary.
17. So far, ICT and HR have been assessed, and are working towards improvements. A schedule is being developed for services over the next four years, and progress on this work will be reported to relevant committees as appropriate. This work will enable the Council to publish information about the accessibility of different council sites online by 2019, to assist disabled service users, staff and visitors to plan ahead.

Work to promote accessible technology

18. Norfolk Futures will see the Council make much greater use of technology to serve people in their homes, at a time and place that suits them. Increasingly, digital inclusion will be a critical factor in the ability of disabled residents to live independently, access services and combat social isolation. Badly designed and implemented web technology can make it difficult or impossible for disabled people using assistive technologies like text-to-speech screen readers or magnification software to access web information and self-service.
19. In addition, other groups face issues. For example, Gypsy, Roma & Traveller (GRT) children are unlikely to have internet access or the right kit, yet school curriculums, paperwork and processes are increasingly technologically-based. This is a barrier because GRT young people experience some of the worst outcomes of any ethnic or social group in the country or Norfolk, including below average educational attainment, low literacy levels, and higher levels of special educational needs and disability.
20. In March 2018, the Council's Digital Innovation and Efficiency Committee will receive a paper on digital inclusion in Norfolk, which will set out principles for ensuring that accessibility for vulnerable groups is 'built in' to digital inclusion strategy, rather than regarded as an extra layer of usability for a minority of users.
21. In May 2017, for the first time, Norfolk County Council passed a stringent two-stage test of the accessibility of its website for disabled people, scoring 2 out of 3. The test was carried out by the independent Society of Information Technology Management (Socitm), which assesses and rates all UK local authority websites.
22. The test highlighted some complex issues for improvement – such as how to enhance accessibility for people with learning difficulties. Solutions are being explored.

A revised Equality, Diversity and Inclusion Policy

23. The Council's Equality, Diversity and Inclusion Objectives require the Council to review its equality policy, to better clarify members' and employees' responsibilities.
24. This work is now complete and a draft revised Equality, Diversity and Inclusion Policy is attached at Appendix 3 for consideration and approval.

Tackling hate incidents – particularly for people with care and support needs

25. On 2 November 2017, Norfolk County Council and Norfolk Constabulary launched a revised Multi-Agency Protocol on Hate Incident Reporting. The Protocol is supported by local minority communities and has been well publicised in local media.
26. The Protocol sets a consistent standard for tackling hate incidents across Norfolk, to make it easier for residents (particularly residents with care and support needs, their carers/workers and voluntary agencies) to report hate incidents.
27. Work will take place over the course of the year to brief relevant organisations about the Protocol and encourage as many as possible to participate.

Strengthened approach to promote equality, diversity and inclusion across the workforce

28. The Head of HR recommends that Norfolk County Council revise its objectives to improve focus on promoting equality and inclusion across the workforce.
29. It is therefore recommended to revise Objective 5 to fully reflect focus (see Appendix 2 for revised wording). Policy & Resources Committee is recommended to adopt this revised objective.

Next steps

30. A performance measure is being developed to enable Policy & Resources Committee to monitor progress on the Council's Equality, Diversity and Inclusion Objectives during the course of the year.

Officer Contact

If you have any questions about matters contained in this paper please get in touch with:

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Appendix 1

Evidence base for Objectives

The Equality, Diversity and Inclusion Objectives are based on the following background evidence:

	Objective	Reason
1.	Accessibility for disabled and older people	<ul style="list-style-type: none"> • Work to promote accessibility for disabled people in Norfolk is essential to delivery of Promoting Independence strategy – people can only be independent if they can easily access services and facilities by themselves without the help of others. • Norfolk has an aging population, a higher number of disabled people than other parts of the country and increasing numbers of disabled young people.
2.	Tackling hate incidents, particularly those affecting people with care and support needs	<ul style="list-style-type: none"> • There has been an increase in community tension and hate incidents affecting minority communities following the EU referendum. • An audit of the effectiveness of partnership working on hate incident reporting in 2016 highlighted opportunities for better integrating hate incident reporting into safeguarding practice.
3.	Delivering the final phase of the Children’s Services Equality Plan 2015/18	The voice of young people should inform equality strategy in Children’s. Also need to enhance intelligence on the extent to which outcomes for young people differ according to ethnicity.
4.	Ensure that Promoting Independence strategy reflects the needs of all	Promoting independence strategy will impact on everyone in Norfolk. Intelligence from local minority communities should inform ongoing service design.
5.	Build an organisational culture that respects and values difference in Norfolk County Council	<p>Norfolk County Council is committed to providing equality of opportunity for Norfolk’s people and communities. We respect and value difference in the county and across our workforce, and we want everyone to feel included and able to play their part in making Norfolk a great place to live, work and visit.</p> <p>We need to ensure that as a major employer and public body in the county we reflect the approach we champion.</p>

Appendix 2

Equality, Diversity and Inclusion Objectives 2017-2020:

Objective 1: Integrate accessibility for disabled people across core service transformation initiatives

- (a) To deliver this objective, the Council will assess and 'rate' existing levels of accessibility across services, and set realistic targets, enabling an evidence-led approach to delivering accessibility improvements. This will include publishing access statements for disabled people on our internet about our different premises and locations.
- (b) We will also undertake an annual review of the latest guidance on accessibility across priority areas, to explore innovations to achieve a more accessible Norfolk. As part of this, we will engage with disability-led access groups in Norfolk and strategic partners, to explore how Norfolk could better incorporate accessibility into service planning and design (e.g. through emerging technology or consistent design principles).

Sponsor: Executive Director for Community & Environmental Services

Objective 2: Strengthen hate incident recording and reporting protocols and better integrate these within safeguarding practice, to safeguard vulnerable people in Norfolk from hate incidents

- (a) In 2016, the Council worked with Norfolk Constabulary, district councils and health bodies to undertake an audit of the effectiveness of partnership working on hate incident reporting.
- (b) The audit highlighted opportunities for strengthening existing practice, to safeguard older and disabled people, Black, Asian and minority ethnic people, lesbian, gay bisexual and transgender people and people from minority faith groups from hate incidents.
- (c) This included revising the existing Multi-Agency Protocol on Hate Incident Reporting in Norfolk, ensuring that hate incident reporting protocols were embedded within safeguarding practice, clarifying arrangements for third party reporting, and delivering learning and development for staff on hate incident reporting.
- (d) To deliver this objective, we will implement the audit recommendations, and monitor impact after 18 months to confirm that all the recommendations have been actioned.

Sponsor: Executive Director of Adult Social Care

Objective 3: Implement the final phase of the Children's Services Equality Plan 2015/16 - 2017/18 in accordance with agreed timescales

- (a) To deliver this objective, we will develop and extend our evidence and data base to improve analysis and highlight differences in relation to outcomes for particular groups of children and young people in Norfolk, reporting annually to Children's Services Committee.
- (b) We will also implement the film we co-produced with 50 young people from diverse backgrounds in Norfolk across all staff in Children's Services (and other departments/ partnerships as appropriate) to make sure that work with young people with protected characteristics is influenced by the voice of the child.
- (c) We will develop an Accessibility Strategy for schools.
- (d) We will also hold a Children's Services equality conference for members, staff and partners, co-hosted and planned with young people, to consider key issues such as the fact that the average age of perpetrators of hate incidents in Norfolk is 15, hear best practice, inform strategy development and sustain a collective vision on equality for children and young people.

Sponsor: Executive Director for Children's Services

Objective 4: Ensure that Promoting Independence strategy reflects the needs of all

To deliver this objective we will work with service users from a diverse range of backgrounds, including those who are Black, Asian and minority ethnic, lesbian, gay, bisexual, transgender and intersex, and from minority faith groups, to ensure that our Promoting Independence strategy is inclusive.

Sponsor: Executive Director of Adult Social Care

REVISED Objective 5: Build an organisational culture that respects and values difference in Norfolk County Council

To deliver this objective we will:

- (a) Revise the Council's equality policy, to ensure that staff understand their responsibilities to respect and value difference in the county and across the workforce, and to include everyone in making Norfolk a great place to live, work and visit.
- (b) Review all HR policies to ensure they reflect and promote equality and accessibility, and inform a culture that respects and values difference.
- (c) Review the resources available to members, managers and staff to assist them to apply the policy, and improve our learning and development offer regarding a culture that respects and values difference.
- (d) Review current data on workforce diversity and consider how we might improve collection, target setting and reporting.

- (e) Review opportunities for benchmarking our progress on equality and inclusion across the workforce, such as Stonewall's equality index, and identify appropriate actions.
- (f) Develop our communication and promotional plan to support embedding the revised Equality, Diversity and Inclusion Policy.

Sponsor: Head of Human Resources

~~Objective 5: Ensure that staff understand their responsibilities under the Equality Act 2010 and that staff and elected members have the right resources in place to promote accessibility and equality~~

~~To deliver this objective we will revise the Council's Equality and Accessibility Policy, to ensure that staff understand their responsibilities, and review the resources available to managers, staff and members to assist them in promoting accessibility and equality across the workforce. We will also work with the member training advisory group to run three member workshops each year on relevant equality/accessibility issues, to include effective communication with Deaf and hearing impaired people~~

Draft Equality, Diversity & Inclusion Policy

Introduction

1. Norfolk County Council is committed to providing equality of opportunity for Norfolk's people and communities. We respect and value difference in the county and across our workforce, and we want everyone to feel included and able to play their part in making Norfolk a great place to live, work and visit.
2. We do not tolerate unlawful discrimination, harassment or victimisation in service delivery or employment on the grounds of any protected characteristic:
 - Age
 - Disability
 - Race/ethnicity
 - Religion or belief
 - Sex or gender, including gender reassignment
 - Sexual orientation
 - Marriage or civil partnership
 - Pregnancy or maternity.
3. We will not treat anyone less favourably than any other, on the grounds of any protected characteristic, except when such treatment is within the law and determined by lawful requirements.
4. In adopting the aims of this policy, we will:
 - Promote equality of opportunity between people who share a protected characteristic and people who do not share it
 - Eliminate unlawful discrimination, harassment and bullying
 - Promote understanding, tackle prejudice and foster positive relations between different communities
 - Make reasonable adjustments for disabled people
 - Take steps to remove barriers or inequalities that may already exist
 - Promote a workforce culture that values and respects difference
 - Engage with local communities fairly and proportionately
 - Encourage people who share a protected characteristic to participate in public life or in any other activity in which participation is disproportionately low.

Accessibility and universal design

5. We are committed to providing public services and a workforce environment that can be accessed, understood and used to the greatest extent possible by all people regardless of their ability or disability.

6. When reviewing or redesigning our public services or workforce environment (or any building, product or service in that environment, such as premises, technology, information, communication and culture) we will be guided by the following:
 - (a) Provide the same means of use to enable access for all users: identical whenever possible; equivalent when not
 - (b) Avoid segregating or stigmatizing any users
 - (c) Provisions for privacy, security and safety shall be equally available to all users
 - (d) Ensure dignity in use for all users.

Reasonable adjustments for disabled people

1. Where something the Council does places a disabled personⁱ at a substantial disadvantage compared to a non-disabled person, we will take all reasonable steps to try to avoid that disadvantage. This may mean changing the way we work, providing extra equipment or removing physical or other barriers.

Discharging our responsibilities under the Public Sector Equality Duty

2. When exercising our public functions, we will have due regard to the [Public Sector Equality Duty](#).ⁱⁱ
3. At least every four years, we will publish one or more equality objectives.
4. We will maintain and publish annual information which shows our compliance with the Public Sector Equality Duty.

Equality impact assessments

5. Equality assessments should be undertaken at the design stage of planning and commissioning, to enable equality and accessibility to be routinely considered.
6. In particular, as part of the assessment, [guidance](#) should be sought on the minimum and maximum access considerations that could be applied to any given initiative – to enable decision-makers to consider the most reasonable approach in the circumstances, taking all relevant factors into account - such as available resources; demand and future proofing.
7. It will not always be possible to adopt the course of action that will best promote accessibility for all. However, equality assessments enable informed decisions to be made, that take into account every opportunity to minimise disadvantage.
8. Guidance on equality assessments is available [here](#).

Staff professional development

9. All new staff undertake induction training which includes a module on behaviour and conduct expectations (standards at work). They are also encouraged to complete the four e-learning modules below on equality within their first six months in post (and existing staff every two years):
 - The Equality Act 2010

- Equality in the Workplace
- Implementing reasonable adjustments
- Reporting hate incidents.

10. You can access these modules via [Learning Hub](#).

Who this policy affects

11. This policy affects elected members and all workers including employees, consultants, temporary workers, agency staff and other third parties working on behalf of Norfolk County Council. It also applies to suppliers, sub-contractors and agencies in our supply chain.

This policy applies to (but is not limited to) the planning, design, operation, construction and delivery of services, the provision of goods, facilities and services, exercising of public functions, recruitment and selection, conditions of service, benefits, facilities and pay, training and development, opportunities for promotion, conduct at work, employment policy, procedures and guidance, and termination of employment.

12. We expect all staff to take responsibility for familiarising themselves with this policy and conducting themselves in an appropriate manner. Staff are expected to engage proactively in the implementation of this policy.

Relevant legislation

13. In implementing this policy we will have regard to our legal obligations under relevant legislation, including the [Equality Act 2010](#) and Public Sector Equality Duty.

Relevant NCC policies

14. The following HR policies provide further guidance about implementing equality, diversity and inclusion in the workplace:

- Equality in Employment Policy P305
- Transgender Policy and Procedure P305a
- Employing People with Disabilities Guidance G312d
- Bullying and Harassment Policy (currently being updated).

Communication

15. This policy will be made available via Norfolk County Council's website and intranet.

Review

16. We will review the terms of this policy and any associated codes of practice and guidance in 2021.

Complaints

17. We regard any breach of this policy as a serious matter to be dealt with through agreed procedures and this may result in disciplinary action.

18. We encourage anyone who has a complaint concerning a breach of this policy to bring this to the County Council. See the County Council's [Grievance guidance and policy](#)

Further Information

19. For further information on this policy contact: equalities@norfolk.gov.uk

Appendix 4

Norfolk's diverse population

1. Norfolk is the fifth largest shire county in England, with 885,000 residents. Norfolk's diverse communities are interwoven into the county's history.
2. There are similar numbers of men and women living in Norfolk – 49% and 51% respectively - which is in line with national proportions. Currently, Norfolk's population (by five year age group) is made up of slightly more males in the younger age groups, until a gender parity is reached around age 30. From this point onwards, there are slightly more females in each age group, becoming more apparent for those aged 80 and over.
3. At present there is no official estimate of the transgender population. However, a Home Office-funded study in 2009 suggested that the number of people living in the UK with some degree of gender variance was (at the time) between 300,000 to 500,000. Although the numbers appear small, it is important to recognise that evidence shows that transgender people may be particularly vulnerable to bullying, discriminatory treatment and harassment.
4. Disabled people make up a considerable proportion of the Norfolk population, higher than the regional or national average, and the number of disabled young people is increasing.
5. Over 20% of residents have a disability or limiting long-term illness. There is a link between age and disability, and it is well documented that there are more people in Norfolk over 65+ years of age (around 24%) compared with the region (19%) and country (18%) as a whole. The proportion of Norfolk's population aged 65 and over is projected to increase by around 18% over the next ten years (an increase of around 36,600 people).
6. The majority of Norfolk's population is White British (92.9%), with an estimated 7% from a Black, Asian or minority ethnic (BAME) background.
7. Some of Norfolk's Black African, Black Caribbean and Indian communities can trace back their roots in the county for over four hundred years. The first Black Mayor in England was from Norfolk, and elected in Thetford in 1904.
8. There are around 9,300 BAME young people aged 17 years or under in Norfolk. Around 130 languages are spoken as a first language other than English by Norfolk school children.
9. Over the last five years, the Council has worked with nearly 100 young people from different diverse backgrounds in Norfolk (disabled, BAME, LGBT, and young people from different faiths) to identify and track inequalities facing young people in Norfolk today. Young people are optimistic about the direction of travel on equality in Norfolk, but have emphasised how critical it is for local authorities to continue to promote understanding and address bullying in all its forms.

10. Minority faiths in Norfolk represent just under 2% of the population. There are many minority faiths and multi-faith initiatives in Norfolk, which includes several mosques and Islamic centres, Jewish communities, a Sikh temple and numerous Buddhist groups. The Ihsan Mosque in Norwich was the first mosque in the country to be established by British converts to Islam.
11. It is estimated that around 6% of the population is lesbian, gay or bisexual. There is a growing recognition of issues affecting Intersex people. Intersex people are born with a physical sex anatomy that doesn't fit medical norms for female or male bodies. It has been estimated that one in 2,000 people worldwide are born with ambiguous sex anatomy.

ⁱ The definition of disability is set out in the Equality Act 2010, Part 6:
'A physical or mental impairment which has a substantial and long term effect on a person's ability to carry out normal day to day activities'.

A person must meet all elements of this definition in order to satisfy the requirements of the Equality Act 2010 and trigger the duty to make reasonable adjustments.

ⁱⁱ Public sector equality duty:

A local authority must, in the exercise of its functions, have due regard to the need to—

1. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.