

Cabinet

Item No: 15

Report Title: Progress on the Council's Equality, Diversity & Inclusion Objectives 2020-2023

Date of Meeting: 6 December 2021

Responsible Cabinet Member: Cllr Margaret Dewsbury (Cabinet Member for Communities & Partnerships)

Responsible Director: Tom McCabe – Executive Director, Community and Environmental Services

Is this a Key Decision? No

Introduction from Cabinet Member

“Better Together, for Norfolk”, our strategic plan for 2021 to 2025, shows how we can build on the Council's good progress since 2019 to transform services and ensure financial stability and sustainability. We are ambitious to oversee economic growth, create jobs and opportunities for people. A priority in “Better Together, for Norfolk” is “No community left behind”.

There is little doubt that the impacts of COVID-19 have widened social, economic and health inequalities. Inequality exists between and amongst communities, with people's life chances and quality of life affected by different factors. Our aim in “Better Together, for Norfolk”, is to improve social mobility through inclusive growth, to ensure that no one is left behind, so that all people can prosper no matter who they are or where they live.

Over the next and future years, our equality, diversity and inclusion objectives will play a key part in delivering the aims of “Better Together, for Norfolk” – specifically in relation to removing discrimination and barriers to equal lives and participation, so that no community is left behind.

Norfolk County Council as a major employer has a role to play across Norfolk to model best practice in striving to be a truly inclusive employer. Not only is it our responsibility to mirror our role to support society chances, this must be mirrored internally and be a core part of our employer brand to attract, retain and create a strong higher purpose for employees which matches those we serve.

I would like to draw your attention to the actions delivered over the last year, set out in this report, to continue to put in place building blocks on equality, diversity and inclusion. This is laying the groundwork to ensure that our public services and workforce practices are accessible and inclusive, and that we are listening carefully to everyone about what matters.

If the pandemic has taught us one thing, it has shown us that Norfolk is a strong, resilient county, and how readily our different communities can come together to help each other in

times of need. Our commitment to working together to shape a better future for everyone is at the heart of Better Together, For Norfolk, and our equality, diversity and inclusion objectives.

Executive Summary

This report summarises progress over the last 12 months to deliver against the Council's Equality, Diversity and Inclusion Objectives for 2020-2023, and the Motions agreed by Full Council on 20th July 2020 and 23 October 2020.

Progress is set out in the detailed progress report against each objective and action attached at Appendix A and Members are requested to review the pace and impact.

Recommendations

- 1. To review and consider the progress made over the last 12 months against the Council's Equality, Diversity and Inclusion (EDI) Objectives 2020-2023.**
- 2. Note that 1 April 2022 to 31 March 2023 is the final year of the EDI action plan and agree that work should take place to develop refreshed objectives for 2023/24 to 2025/26 and associated actions for Cabinet to consider in 2022, in line with the emerging national policy set out in Section 3 and the local evidence base.**

1. Background and Purpose

- 1.1 This report summarises progress made to deliver actions against the Council's Equality, Diversity and Inclusion Objectives for 2020-2023 and the Motions agreed by Full Council on 20 July and 23 October 2020.
- 1.2 This report does not seek to capture all of the work happening across the Council that relates to equality, diversity or inclusion. Much of this work is part of day-to-day working practices. It focuses on the Council specific equality objectives and actions for 2020 to 2023.

2. Progress against the equality, diversity and inclusion objectives for 2020-2023

- 2.1 There are five objectives for 2020-2023, supported by 32 actions. This includes the Motions agreed by Full Council on 20 July 2020 and 23 October 2020, which have been incorporated into the action plan. Key highlights are as follows:
- 2.2 The Council is making greater use of digital technology and virtual environments to deliver services and engage with residents, service users and staff in the most accessible and cost-effective ways possible. This means that digital inclusion is an increasingly important factor in the ability of people to live and work independently in Norfolk.
- 2.3 We are building on the knowledge we have developed through our award-winning Disability Confident Leader status, to remove barriers to the built environment, ICT and services and implement actions to promote inclusive design and accessibility for disabled people and people with other protected characteristics. This includes tackling challenges to ensure that:
 - Our digital technologies – such as our computer hardware, software, apps, business systems such as Oracle and Liquid Logic and business equipment such as smart phones - are accessible for disabled staff and service users.

- Our customer service centre and digital web content is accessible regardless of people's ability, disability or literacy skills.

2.4 Significant work has been implemented to deliver the [Norfolk Fire and Rescue Service \(NFRS\) EDI Plan](#), to address the findings from the service's inspection in 2019 by Her Majesty's Inspectorate of Constabularies and Fire and Rescue Services (HMICFRS). We have recently updated the HMICFRS on our significant work in this area as part of our recent inspection, which has included:

- Publishing a **comprehensive analysis** of how people's protected characteristics in relation to age, disability, sex, gender reassignment, race, religion and belief, sexual orientation, pregnancy and maternity and marriage and civil partnerships increase vulnerability to risk, in the [IRMP equality impact assessment](#);
- **Leading innovative strategy across the Eastern region** – over the last 12 months, Norfolk Fire and Rescue has chaired the country's regional EDI Forum for fire and rescue services (the National Fire Chiefs Council's EDI strategy aspires to each region having a Forum – Norfolk has led the first) represented by every fire and rescue service in the East, to research, plan and deliver improvements.
- Through this work, an independent literature review was commissioned of peer-reviewed psychology research to better understand the psychology of people who apply for fire fighter roles, to target recruitment more effectively. This led to a range of findings and the development of 10 proposals to escalate change over the next five years.
- As a result of Norfolk's leadership, on 7 June 2021, agreement was secured from all Chief Fire Officers across the region regarding these 10 proposals.
- We are undertaking **consultation with 35 seldom-heard communities** in Norfolk to identify risks in relation to fire, water and road traffic safety, comparing the results of the consultation with a control group of White British residents. Field work started in February 2021 and 120 diverse voices have been heard so far. This has identified issues that we are already acting upon.
- We have completed equality impact assessments of 850 policies and procedures, which has identified opportunities to strengthen inclusion.

2.5 We have completed a review of how the Council works and communicates, to identify any inequalities. Overall, 500 datasets were assessed by an independent advisor. This means that the Council now has a robust local evidence base in place that sets out where it is excelling nationally on equality, diversity and inclusion, and where to focus to strengthen practice. This evidence base will inform planning over the next three years.

2.6 For details about the reasons for carrying out this review and the scope, see Appendix C. For a summary of the key findings of the review, see Appendix D.

2.7 We are working with Norfolk Black History Month volunteers to continue to promote positive Black role models across Norfolk and support activities for the October 2021 programme of events. This work has been recognised by the UK's independent national Black History Month. For more information see: [Norfolk Black History Month](#).

2.8 We have worked with Norfolk's LGBT+ Norwich Pride Collective to identify additional actions we can take to ensure any LGBTQ+ person within or wishing to join us knows that we value and welcome them and that we will challenge homophobia. Norwich

Pride said: *“Thank you ... It’s so important for organisations to listen to LGBT+ voices when thinking about an inclusive environment for our community...”*

- 2.9 We have made significant progress in developing and delivering a comprehensive People/Workforce plan for equality, diversity and inclusion. This includes:
- Carrying out an independent ‘self assessment’ of our people practices against a ‘maturity’ model
 - Continuing to hold ongoing Inclusion ‘Conversations’ with employees, led by the Head of Paid Services.
 - Developing our employee networks – we now have over 400 colleagues taking part in networks and groups covering ethnicity, race, LGBTQ+, Disability, Mental Health, D/deaf, hard of hearing and BSL users, nationality and Carers
 - Using the feedback from these groups, together with improved data and reporting to shape our People/workforce EDI action planning
 - Developed our equality, diversity and inclusion training offer, including making EDI training part of our mandatory training and developing new learning for employees and elected Members
 - Improving our internal communications to celebrate inclusion, including new equality, diversity and inclusion MyNet pages and promoting events such as Inclusion Week, to show that we value diversity
 - Acting as a pilot authority benchmarking our progress on the Workforce Race Equality Standard for Social Care.
- 2.10 The Corporate Select Committee will receive a report on the People Plan, along with the Gender Pay Gap report 2020/21, in early 2022.
- 2.11 The Cabinet Member for Communities and Partnership has established and chairs an Equality, Diversity and Inclusion Performance Board to oversee the Council’s work on EDI, including quarterly meetings to monitor delivery against actions to support the agreed objectives.
- 2.12 For full details of all improvement actions and progress over the last 12 months, please see Appendix A.

3. Emerging national policy developments

- 3.1 A range of national legislation and policy informs the Council’s approach to equality, diversity and inclusion. Since the last annual report to Cabinet on equality, diversity and inclusion in November 2020, the Government has published a range of reports which will impact on community and workforce planning, which includes:
- Potential new statutory duties to ensure that the needs of members of the armed forces community are considered when planning and commissioning services (Norfolk has a large armed forces community (see [here](#) for details) so this is particularly relevant for this county)
 - The [report](#) of the Commission on Race and Ethnic Disparities on 31 March 2021, commissioned by the Prime Minister, to investigate race and ethnic disparities in the UK
 - The Government’s new [national Disability Strategy](#) on 28 July 2021
 - New Government guidance on inclusive language.
 - The most recent [parliamentary briefing paper](#) of the Government’s response to Gender recognition reform on 10 December 2020.
 - New case law (Taylor v Jaguar Land Rover Ltd) that clarifies that people who

identify as non-binary (people who do not identify as male or female) are protected under the Equality Act 2010. See Appendix B for details.

4. Looking ahead – the next 12 months

- 4.1 Over the next 12 months, work will continue to deliver the final year of the EDI action plan set out in Appendix A.
- 4.2 As it is the final year, work will also take place to develop refreshed objectives and actions for Cabinet's consideration.
- 4.3 The refreshed plan will be informed by the national policy framework and the local evidence base on equality, diversity and inclusion (see paragraph 2.5), to ensure that the refreshed objectives continue to play a key role in delivering the aims of "Better Together, For Norfolk" in relation to removing discrimination and barriers to equal lives and participation, so that no community is left behind.
- 4.4 The evidence base means we can more effectively focus resources and effort where it is needed in Norfolk and will make a difference.
- 4.5 We will also explore how we can actively champion and contribute to the Government's ambition to place the UK as the global leader of accessibility for disabled people, building on the knowledge we have developed through our awarding-winning Disability Confident Leader status. Disabled people can only be independent if they can access services, facilities and the virtual environment by themselves without the help of others.
- 4.6 Some barriers will be challenging to address and may be the responsibility of different agencies. So we will strive to work across all sectors and all willing partners to lay foundations for future solutions, and create a more accessible Norfolk.

5. Impact of the Proposal

- 5.1 The proposals in this report will enable the Council to deliver the priorities in Better Together, for Norfolk and fulfil its statutory requirements under the Equality Act 2010.

6. Evidence and Reasons for Decision

- 6.1 As set out in this report.

7. Alternative Options

- 7.1 The equality, diversity and inclusion objectives for 2020-23 and the associated key activity areas were agreed by Cabinet in December 2019. Cabinet could decide to change, add or delete an objective or key activity area. This would need to be balanced against the need for the Council to comply with the requirements of the Equality Act 2010.

8. Financial Implications

- 8.1 The actions within this report can be delivered within the existing budget.

9. Resource Implications

- 9.1 **Staffing implications** – it was reported to Cabinet in November 2020 that there was a need to secure additional resource and expertise to ensure that all of the community actions requested by Full Council can be progressed, and additional funding was subsequently approved as part of the budget setting process for 2021/22.
- 9.2 Within HR the additional resource has been achieved within available budgets and reliance on limited reserves.
- 9.3 This has enabled capacity to be enhanced with additional fixed-term staff resource and also enabled engagement with a number of independent experts to help progress and develop some actions.
- 9.4 **Property implications** – the Council has a range of legal responsibilities to ensure that its premises assets are accessible for disabled people. This is an objective within the EDI plan and is reported on separately in Appendix A.
- 9.5 **IT:** the Council has a range of legal responsibilities to ensure that ICT is accessible for disabled people. This is an objective within the EDI plan and is reported on separately in Appendix A

10. Other Implications

- 10.1 **Legal implications** – 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
 - Foster good community relations.
- 10.2 The Act requires authorities to publish equality objectives and report annually on progress each year. This report is the annual progress update.
- 10.3 **Human Rights Implications:** – no human rights issues identified.
- 10.4 **Equality Impact Assessment (EqIA)**
- 10.5 The proposals in this report promote equality for people with protected characteristics in Norfolk. They will ensure the Council continues to take full account of equality, diversity and inclusion when planning and commissioning services, and where necessary, put actions in place to address any barriers faced by people with protected characteristics.
- 10.6 The Council continues to manage unprecedented financial challenges, and equality assessments are systematically carried out on the annual budget proposals. These are published on the Council's website for inspection and scrutiny.
- 10.7 In carrying out an equality assessment, the Council reviews a wide range of evidence before drawing conclusions about likely impacts. This involves reviewing, for example,

data about people and services that might be affected, contextual information about local areas and populations and other data sources. Where appropriate, equality assessments are informed by the findings of public consultation, and in particular feedback from people about the impacts that proposals might have.

10.8 Data Protection Impact Assessments (DPIA):None required for this report

11. Risk Implications / Assessment

11.1 NCC has monitored potential risks for failure to comply with statutory equality duties. This risk is regularly reviewed by departmental managers.

12. Select Committee Comments

12.1 N/A

Recommendations

1. To review and consider the progress made over the last 12 months against the Council's Equality, Diversity and Inclusion (EDI) Objectives 2020-2023.
2. Note that 1 April 2022 to 31 March 2023 is the final year of the EDI action plan and agree that work should take place to develop refreshed objectives for 2023/24 to 2025/26 and associated actions for Cabinet to consider in 2022, in line with the emerging national policy set out in Section 3 and the local evidence base.

Background Papers

- Motions agreed by Full Council on equality 20 July 2021 and 23 October 2021
- Norfolk County Council's [Equality, Diversity and Inclusion Policy](#)
- Demographic factors set out in [Norfolk's Story 2021 published - Norfolk Insight](#)
- EqlA for [COVID-19 equality impact assessment](#)
- Norfolk County Council [Area Reports](#) on Norfolk's JSNA relating to protected characteristics.

Officer Contact

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

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If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

Appendix B

New case law - protection under the Equality Act 2010 for people who identify as non-binary

The law provides protection for employees under the protected characteristic of 'gender reassignment' but until recently there was some ambiguity about the scope of protection provided to non-binary people. Gender reassignment was previously interpreted more strictly as being limited to an individual proposing to undergo, undergoing or having undergone a process for the purpose of reassigning their sex by changing physiological or other attributes of sex.

The term 'non-binary' refers to an individual who identifies as neither male nor female. Employment Tribunal case law (Taylor v Jaguar Land Rover Ltd) has confirmed the scope of legal protection for non-binary people under the Equality Act 2010. It was held in this case that "it was very clear that Parliament intended gender reassignment to be a spectrum moving away from birth sex. And that a person could be at any point on that spectrum. That would be so, whether they described themselves as "non-binary"... or "transitioning"...." The Employment Tribunal considered that consequently people who identify as non-binary fall within the protected characteristic of gender reassignment.

It is notable that this matter was held in an employment setting at first instance in the Employment Tribunal. Therefore, the issue is always open to further judicial scrutiny and within non-employment law contexts.

Local authorities are required to take note of the decision both in employment practices and creating a supportive workplace for non-binary and gender fluid employees, but also when making decisions, providing services to the public and meeting the public sector equality duty.

Norfolk County Council's whole-Council review of unconscious and structural bias

About the Review

What is unconscious and structural bias?

Unconscious biases are learned stereotypes that are automatic, unintentional, deeply ingrained and able to influence behaviour. Unconscious bias happens when people's brains make automatic judgements about people and situations. It includes things like, for example, being 'drawn to' people with similar educational and social backgrounds to your own.

Structural bias is a collective practice that exists in workplaces and in wider society that creates disadvantage or indirect discrimination, in the form of attitudes, behaviours, actions and processes. It includes things like, for example, recruitment practices that favour social media.

You can read a more detailed definition of unconscious and structural bias in the report to Corporate Select Committee on 14 September 2020 setting out the scope of the review. You can view this report [here](#).

Why did you decide to carry out a review?

One of the Council's equality, diversity and inclusion objectives for 2020/23 is to conduct a whole-Council review of how the Council works and communicates, to identify whether there is any unconscious or structural bias in the system. This part of a continued commitment to ensuring fair and inclusive services and a fair and inclusive workplace.

During the last 18 months, new issues emerged which brought the importance of this objective into a sharper focus – such as the Covid-19 pandemic, which has impacted disproportionately on people with protected characteristics, and the debate on structural racism, triggered by the death of George Floyd in America.

Norfolk County Council is the largest democratically-elected organisation in Norfolk, is one of the county's largest employers and a corporate parent to many young people. All elected members and staff have a unique role to play in promoting equality and tackling disadvantage. That is why this review is important to us.

This review will enable the Council to understand where it is operating well, and where there may be a need for change.

Is this standard practice? Are others doing the same thing?

No.

We are not aware of any other large organisations or public bodies carrying out reviews of this nature. There may of course be some that we are not aware of, but this is certainly one of the first reviews of this type to be carried out. Therefore, there is no standard or best practice guidance that we can follow, making this a brave but important step for the County Council to take.

We are of course happy to share our findings and experience with others who may wish to carry out a similar exercise, and we are in discussions with the Local Government Association to support us to do this.

What did the review cover?

The scope of the review was agreed by the County Council's Corporate Select Committee in September 2020. The review aimed to look across the whole of the County Council with two main themes of activity – workforce and service delivery.

There were eight key lines of enquiry:-

Workforce

- A. Does the Council's workforce reflect the demographics of Norfolk's working age population?
- B. Is the 'employee experience' for Council staff broadly similar for all employees, regardless of whether they have protected characteristics?

Service delivery

- C. Do children and young people with protected characteristics in Norfolk experience the same lifelong outcomes as people without these protected characteristics?
- D. Do adults with protected characteristics in Norfolk experience the same lifelong outcomes as people without these protected characteristics?
- E. Is the proportion of people using Council services broadly in line with Norfolk's demographic profile?
- F. Is the 'service user experience' for residents broadly similar across all people with protected characteristics?
- G. Does the Council engage proportionately with all communities, and take steps to seek out the views of people who are seldom heard?
- H. Does the Council's risk management take account of the needs of people with protected characteristics?

Detailed examples to explain each key line of enquiry were also set in the agreed scope for the report – see the report to Corporate Select Committee ([link above](#)) for further details.

Who carried out the review?

The senior officer lead for the review was the Chief Fire Officer (CFO), supported by the Council's Head of Equality, Diversity and inclusion. The CFO is already involved nationally and regionally in work to develop and implement the equality framework for Fire and Rescue Services and is leading work in that area.

The review itself was carried out by an independent consultant. External challenge on the scope of the review, the process and findings, has been sought from external race and disability equality advisors to provide assurance that the approach is robust and comprehensive.

What did you look at during the review?

The independent consultant was given access, in a secure way, to all relevant data sets. Open access was also given to staff across the council.

During the review, the consultant examined more than 500 local and national data sets. Discussions and meetings were held with numerous officer experts across the Council to help analyse and obtain insight into this data and what might be driving data findings. This has been a complex task that has taken some time to work through.

The focus was on analysing data to understand more about whether people with protected characteristics (as defined by the Equality Act 2010) living and working in Norfolk experience the same outcomes as people who do not share these characteristics. Therefore, the review was outcome rather than process focussed at this stage.

What were the findings?

We anticipated from the start that the review would identify positives as well as disparities and areas for further consideration. We wanted to look at this courageously, openly and honestly.

The review did indeed identify positives as well as disparities i.e. areas where the outcomes for people with protected characteristics are different to others. It identified areas where:-

- The County Council is performing strongly
- There are disparities in Norfolk, and these reflect the national picture
- There are disparities in Norfolk, and these are unique to Norfolk (or there was no national comparator data)
- There are gaps in some data sets and in some areas we don't hold data

It did not identify any significant concerns or issues that would require immediate or urgent attention to address.

You can view the full 68 page report setting out the detailed findings on our website at [Our progress on equality diversity and inclusion - Norfolk County Council](#). A shorter document setting out the main findings of the review is also available – a copy is included at Appendix D.

Can the County Council address all of these points?

The findings and disparities highlighted in the report relate to those people who live and work in Norfolk. Whilst the County Council has a key role to play in the services and outcomes that these people experience, these outcomes are not for us alone to own.

We will of course take whatever steps that we reasonably can to address the disparities and build on our areas of strong performance highlighted in the report.

Part of looking at this review courageously, openly and honestly is saying that we do not think that we alone can address all of the findings. However, we are clear that others cannot support or contribute to improvements if they are not aware of where the potential issues are. Therefore, we think it is important to share this information in the public domain so that we can all be aware and collectively play our part.

Is the review complete?

No, the review is not complete but we are progressing along our journey. We originally anticipated that the review would have three phases:-

- Phase 1 Data gathering and analysis
- Phase 2 Formulation of initial findings and potential actions based on this data/evidence
- Phase 3 Recommendations and proposed action plan for taking forward the findings of the review

Phase 1 of the review is complete, and we are part way through Phase 2. The focus of phase 2 is on understanding the picture from the data and will include sense checking and testing initial findings.

What are you going to do next?

We have carried out some limited sense checking internally and we are now ready to share the initial findings and sense check them more widely. This includes:-

- Internally
 - Departmental Leadership Teams
 - Staff groups
 - Union representatives
- Externally
 - Black, Asian and Minority Ethnic groups
 - Lesbian, gay, bisexual and transgender groups
 - Disabled groups
 - Groups representing people from other protected groups (as defined by the Equality Act 2010)

We would also be interested in hearing from any other groups who want to share their views and experiences with us. We will be using this information to help us to target our efforts to the most appropriate actions.

Will you do another review?

Carrying out a review of this type is a significant exercise, and we have not yet completed our review process. We will want to carry out a further review in the future to help us to understand whether there have been any changes, particularly as a result of any actions that we put in place, which may take some time to embed. Therefore, we would anticipate considering whether a further review of this type would be useful in the next 4-5 years.

Who will oversee any actions from the review?

Key actions arising from the review will be added to the action plan supporting the delivery of the equality and diversity objectives agreed by Norfolk County Council. The Cabinet reviews progress against these objectives annually.

In addition, the Cabinet Member for Communities and Partnerships chairs a regular Performance Board which oversees work to progress and deliver these actions.

Our progress against service specific elements of equality, diversity and inclusion are also 'tested' as part of external inspections. This includes inspections by Ofsted in Children's Services and Adult Learning, as well as inspections of the Fire and Rescue Service by the HMICFRS.

Norfolk County Council's whole-Council review of unconscious and structural bias

Brief summary of findings from the review

As part of continued commitment to ensuring fair and inclusive services and a fair and inclusive workplace, the County Council commissioned a whole-Council review of unconscious and structural bias. The full findings of the review, undertaken by an independent consultant, have been published on our website and we will now be spending some time sense checking and testing the findings of the review with others, so that we can develop robust actions. You can view the full 68 page report setting out the detailed findings on our website at [Our progress on equality diversity and inclusion - Norfolk County Council](#).

This is a detailed a complex report which needs to be carefully reviewed and, with key stakeholders, we need to build up a better understanding of what this means in practice and the priority areas for action. This shorter document aims to set out the main findings of the review only and should be read alongside the full detailed report.

Further information about the review can be found in Appendix C.

Headline findings

The review **did not identify any significant concerns or issues that would require immediate or urgent attention to address.**

The review **identified positive areas where we appear to be performing strongly as well as disparities. Many of the disparities identified by the review are not unique to Norfolk** and are mirrored across the UK. In many cases, the Council already has plans in place to address these disparities.

The review also highlighted however that some of these disparities are persistent, and that at the current rate of change, there is a risk that the gap may not narrow. This is particularly the case for outcomes for Gypsy, Roma and Traveller Children and for Black children, and these are areas where we may wish to put additional plans in place.

Importantly, the review noted that "...unconscious/structural biases are not always immediately obvious, and the root causes of inequalities may often be as a result of multiple factors coming into play". This highlights the importance of sense checking and testing the findings with others so that we have the best chance of understanding what these findings are telling us and what we could do to address disparities and to build on the areas where we are already performing strongly.

There are many areas where we were already aware of the disparities Norfolk people face and work is underway to address these. For example Children's Services already has a plan in place to address disparities in educational attainment. We have not included details of this activity as we do not wish to give the perception of defensiveness – we want to take an honest and open look at the findings of the review.

Areas where we appear to be performing strongly

The review identified a number of areas where Norfolk is performing strongly with good outcomes for people living and working in Norfolk which are improving and/or better than the national average. These include:-

Our services

1. **Children and young people from diverse ethnic backgrounds are doing better educationally than in previous years**, and the attainment gap has narrowed
2. **Gypsy, Roma and Traveller pupils in Norfolk are doing significantly better than the national average** (Key Stage 4). Note that in the UK, Gypsies, Roma and Travellers have the worst educational outcomes of any ethnic group, so this is a significant area of strength.
3. **Special Education Needs (SEN) and Education and Health Care Plan (EHCP) pupils perform better than nationally at Early Years Foundation Stage.**
4. **SEN students in Norfolk are more likely to enter sustained employment** in Norfolk than SEN students nationally
5. Adult Education evidenced **significant positive outcomes for their learners from diverse ethnic backgrounds** during 2020/21, particularly disabled learners, and this has been recognised by a national award.
6. Norfolk Library and Information Service **continues to attract a highly diverse range of service users** - disabled people and people from Black, Asian and Arabic backgrounds are active library users.
7. There is **no evidence to indicate that people from Black, Asian or Arabic backgrounds are over-represented in road traffic collisions** (which is important to note, as people from these backgrounds are over-represented in road traffic collisions in other parts of the country).

Our workforce

8. **The Council's workforce has become increasingly diverse since 2018**, employing more people from a range of ages, backgrounds and experiences. Employees from diverse ethnic backgrounds are particularly well represented in Childrens and Adults social care.
9. **The Council is employing / retaining more older people (over the age of 65)** than in previous years. **Rates of pay for younger employees appear to have increased** since 2017.
10. Recruitment data shows that **positive action for disabled applicants appears to be effective** in ensuring disabled people have the same opportunities to achieve employment as non-disabled applicants
11. The **gender pay gap at the Council is less than the pay gap in the UK**, which is critical given the predominance of women in the workforce, particularly working in part-time roles.

Key findings against the key lines of enquiry

Below is a summary of key findings, in addition to the areas where we are performing strongly, set against the seven key lines of enquiry for the review. These are summaries only and it is important that they are read alongside the full review report. In many cases, further work and consideration is needed to fully understand, sense check and test the findings and it is important that we do not make any assumptions, particularly where the review has identified that data is limited or incomplete.

Workforce

I. Does the Council's workforce reflect the demographics of Norfolk's working age population?

- The Council's workforce appears to be broadly representative of the ethnic diversity of Norfolk's economically active population. The workforce has become increasingly diverse since 2018.

However, a large proportion of staff do not currently declare some or all of their protected characteristics, meaning that there may be a higher level of diversity in the workforce than is currently recorded.

- Whilst the workforce in some services are particularly ethnically diverse – for example Adult Social Care, in which employees from diverse ethnic backgrounds are well represented – other services have more to do to ensure that they reflect their local populations, such as Norfolk Fire and Rescue.
- Broadly speaking, recruitment data indicates that there is no evidence of bias in relation to gender, disability, sexual orientation and gender identity. It is possible that there may be some limited racial bias in recruitment (because lower numbers of people from diverse ethnic backgrounds are appointed compared to numbers of applicants) but further analysis would be needed to determine this.
- Data suggests that there is likely not bias in staff promotions by gender, disability or racial bias. However, female and disabled staff appear to be under-represented in some management positions.

J. Is the 'employee experience' for Council staff broadly similar for all employees, regardless of whether they have protected characteristics?

- In the most recent staff survey, a higher number of staff identifying as non-binary expressed dissatisfaction, compared to staff who identified as male or female.
- The data suggests overall that older female employees are more likely to raise formal grievances. Note that the number of formal grievances raised by employees are low and have been steadily declining.
- There are higher proportions of staff voluntarily leaving the Council compared to the workforce make-up for young people (24 years and younger), social care staff, staff in lower pay grades (scale A-I) and part-time staff.

- The data for staff dismissed from the Council appears to show that there is no structural/unconscious bias as data reflects the make-up of the workforce, with the exception of younger employees where the proportion of dismissals has increased.

Service delivery

K. Do children and young people with protected characteristics in Norfolk experience the same lifelong outcomes as people without these protected characteristics?

- Girls achieve better outcomes overall than boys (2019 at Early Years Foundation Stage, Key Stage 2 and Key Stage 4 (in line with the national picture).
- Levels of achievement of pupils from Black, Asian and minority ethnic (BAMEⁱ) backgrounds were below those for White British pupils in Norfolk and below the level of Black, Asian and minority ethnic pupils nationally (Early Years Foundation Stage).
- Black/Black British pupils have the lowest achievement rate (Key Stage 2) and achieved less well than Norfolk pupils overall at Key Stage 4. Black pupils in Norfolk perform below levels of achievement for White-British pupils in Norfolk and also below the level of Black pupils nationally.
- Pupils from 'Other' ethnic backgrounds achieved the lowest percentage pass rates (Key Stage 4).
- At Key Stage 4, BAME pupils in Norfolk performed at broadly the same level to BAME pupils nationally with respect to average GCSE attainment.
- Chinese and Asian/Asian British pupils in Norfolk achieved significantly better percentage pass rates at GCSE than White British and Mixed pupils. Nationally Chinese and Asian / Asian British pupils have the best GCSE outcomes.
- At Early Years Foundation Stage and Key Stage 2, the level of achievement for Gypsy / Roma / Traveller pupils was significantly below the Norfolk average (although some data was missing due to the small size of these pupil cohorts). At Key Stage 4 they achieved percentage pass rates in line with White-British pupils, however Irish Traveller pupils achieved significantly below this.
- In 2021, no young people from Black or Asian backgrounds were identified to be apprentices.
- In 2021, post-16 years of age, Black Caribbean young people are the least likely to not be in education, employment or training (NEET).
- In 2019, pupils in receipt of SEN Support or an Education and Health Care Plan were more likely to be absent from school than non-SEN pupils, and more likely to experience permanent exclusions than other pupil cohorts. SEN students in Norfolk were also less likely to progress to Higher Education than SEN students nationally.
- Gypsy / Roma pupils had the highest rates of permanent exclusions in secondary schools in 2019. Pupils from Irish Traveller and Gypsy / Roma backgrounds were also significantly more likely to be absent from schools in 2019.

- No Norfolk children and young people from Asian or Other ethnic backgrounds appear to have been referred for early help.
- Children and young people from Black, Mixed and Other ethnic minority groups are over-represented in Looked After Children (LAC), Child Protection and Care leaver cohorts in comparison to Norfolk school population estimates.
- Children and young people from Black/Black British and Mixed/Multiple ethnic backgrounds are over-represented in youth sentencing and cautions in Norfolk.

L. Do adults with protected characteristics in Norfolk experience the same lifelong outcomes as people without these protected characteristics?

- M. There is an under-representation of adults from Asian/Asian British, Mixed/Black/ Black British and Gypsy, Roma and Traveller backgrounds receiving short and long-term care support in comparison to adults from white British backgrounds and Norfolk population estimates. Direct national data is not available for comparison, but it is believed that this trend is similar for other rural county areas.
- N. The number of Norfolk people qualified at NVQ4+ (degree level and above) is lower than the national average, and the number of people with no qualification is slightly higher than the national average.
- O. The unemployment rate in Norfolk (2020) is higher than in the Eastern Region and nationally.
- P. Covid-19 has had a significant impact on people in Norfolk. We now understand nationally that age, ethnicity, deprivation, under-lying health conditions, employment and location have all been factors contributing to poorer health outcomes. Significant work is being carried out by Public Health to understand and address health inequalities.

Q. Is the proportion of people using Council services broadly in line with Norfolk's demographic profile?

- There has been a 63% increase in the use of interpreting services across the Council. The most commonly requested language was Arabic (30% of all bookings), followed by Lithuanian (19%), Polish (10%), Portuguese (5.6%) and Kurdish-Sorani (4%). Ethnic monitoring across service areas does not indicate that there are particularly high numbers of Arabic service users in case-management systems.
- Customer Services does not capture data around service users protected characteristics at the front door (e.g. telephone or online enquiries) but this information is routinely recorded on Adult and Children's Services case recording systems.

R. Is the 'service user experience' for residents broadly similar across all people with protected characteristics?

- Very little monitoring data has been identified with respect to overall satisfaction levels across service users with protected characteristics so it is not possible to determine across the Council whether service users with protected characteristics have differing levels of

satisfaction. Children's Services incorporate diversity monitoring into their 'have your say' feedback process with service users.

- We do not capture information about complainants protected characteristics for monitoring purposes. Qualitative feedback indicates there have been limited numbers of complaints from people with protected characteristics in respect of discrimination or harassment, but also that disabled service users were most likely proportionately over-represented in complaints received by the Council.
- It would be expected that images published on the Council's website, social media and physical information materials should reflect the local population – eg similar numbers of images of women and men; 7% of images to include people from a diverse ethnic background; 20% of images to include disabled people; 3-6% of images to include people who are in a same sex relationship etc. The review identified that prior to 2021, whilst there was a good balance of images on the web and social media of older people, children and young people and disabled people, most images were primarily of White adults and children and heterosexual couples. There was one image of a same sex couple (on the marriage and civil partnerships web page).

S. Does the Council engage proportionately with all communities, and take steps to seek out the views of people who are seldom heard?

- Whilst there is excellent practice in some areas – for example, engagement specifically targeted at young disabled people – the young people participation groups are underrepresented by children from Black, Asian, Arabic and Gypsy, Roma and Traveller (GRT) backgrounds.
- Participation forums for adults – Again, whilst there is excellent practice in some areas – for example, engagement specifically targeted at people with learning disabilities and people who are on the Autism spectrum – participation groups are underrepresented by adults from Black, Asian, Arabic and Gypsy, Roma and Traveller backgrounds.
- There is some evidence of monitoring of protected characteristics in consultations and general expectation that consultations should include some diversity monitoring and take account of differing views and experiences of people from different backgrounds. However, this does not appear to be monitored strategically.

T. Does the Council's risk management take account of the needs of people with protected characteristics?

- There is evidence to indicate that the Council considers the needs of people with protected characteristics in its risk assessment planning.
- In particular, engagement with diverse ethnic communities during the pandemic has informed targeted interventions to address identified inequalities with respect to the impact of COVID-19, and gaps in information about health inequalities experienced by people from diverse ethnic backgrounds in Norfolk have been identified and work is being undertaken to address these gaps, through strategic multi-agency work led by Public Health.

Full findings

More detailed findings against each of the seven key lines of enquiry for the review are set out in the full report (see link above).

ⁱ Please note that within this section there are some references to the phrase “Black and Minority Ethnic”. This is because this is the title of an historic data set.