

Diversity Peer Challenge
15th and 16th June 2010

Bath and North East Somerset

Report

1. Background

This report is a summary of the findings of a Diversity Peer Challenge organised by the Local Government Improvement and Development and carried out by its trained peers. The report satisfies the requirements of the Equality Framework for Local Government for an external assessment at the Achieving level. The Peer Challenge is designed to validate a council's own self-assessment at the Achieving Level by considering documentary evidence and by carrying out a series of interviews and focus groups with employees and other stakeholders.

The basis for the Peer Challenge is a benchmark against five areas of performance. They are:

- Knowing your communities and equality mapping
- Place shaping, leadership, partnership and organisational commitment
- Community engagement and satisfaction
- Responsive services and customer care
- A modern and diverse workforce

The Peer Challenge is not an inspection, rather it offers an external assessment of a council's own judgement of itself against the Equality Framework benchmark, by critical friends who have experience of delivering an equality/diversity agenda in their own councils.

Peers were:

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| Cllr David Simmonds, London Borough of Hillingdon |
| Steve Shaw, London Borough of Greenwich |
| Gillian Douglas, Bristol City Council |

The team appreciates the welcome and hospitality provided by the council and would like to thank everybody that they met during the process for their time and contributions.

The Council made the following observations upon the impact the peer challenge has had

'The process of assessing ourselves against the EFLG 'achieving' criteria, presenting detailed evidence of our work and then undergoing a two day on site Equalities Peer Challenge has been a really useful learning experience for the Council. It has helped us to develop a shared sense of our particular approach to equalities here in Bath and North East Somerset, and to better realise what impact our equalities work is having upon the local community and our staff. We feel empowered to move forward now and we are developing an action plan based upon the helpful and specific recommendations in the report'

'The Peer Challenge process was a positive experience for us and went smoothly. It was useful to have a pre-briefing with the Peer Challenge Manager to check that we were on-track with our evidence preparation, and to help us decide how we scheduled interviews over the two day visit. During the two day visit, the Peer Team were approachable, well prepared, were familiar with the information we had sent them in advance, and conducted the interviews in a way that helped people to contribute. Although the Peer Team were

only with us for two days, they managed to produce a detailed and comprehensive assessment of our strengths and areas for development - which rings true to us'

'It is difficult to think of anything that did not go well. Perhaps if we had a bit longer, we would have been able to take the Peer Team to visit some of our projects in order to better illustrate the impact of our work (as the short tour of the Roman Baths was extremely valuable). However, we recognise the time constraints in an exercise such as this.

One thing that could possibly change in the 'Achieving' guidance, is a recommendation that all senior staff and elected members are invited to the feedback session at the end of Day 2 - as this provides a great opportunity for those with influence to be motivated about our strengths and to hear (directly from the Peer Challenge team) what we need to improve on'

1. Executive summary and recommendations

Following this Diversity Peer Challenge, we have reached the following conclusion:

Bath and North East Somerset Council has completed a satisfactory self-assessment against the criteria for the Achieving level of the Equality Framework.

The council demonstrates a combination of good leadership, effective policies and processes and robust engagement with partners, particularly with the NHS and some parts of the voluntary sector. This has resulted in many examples of responsive services to meet the needs of diverse communities. Comprehensive equalities data, shared with partners, and drawing on a range of sources provides a sound base for services to understand the specific needs of different communities and plan services accordingly. The council's equality team is well regarded, knowledgeable and enthusiastic, and provides a good balance between hands-on support and enabling, challenging and influencing services and partners to embrace equality and diversity. This augurs well for the future.

While the council has articulated a broad equality objective of 'narrowing the gap', it now needs to articulate what this means in practice, and what specific equalities objectives it wants to meet. The Single Equalities Scheme and action plan have provided a good policy and focus on embedding the council's approach to equalities and diversity throughout the organisation, but lack substantive and SMART targets that show how the council is planning to reduce gaps in equalities over time. Similarly, the absence of up to date and complete workforce data means that the council has not set SMART equalities objectives in relation to its workforce.

To help the council improve we have made a number of recommendations. These are:

1. Review and revise the Single Equalities Scheme to become target led, outcome focused and linked to the corporate plan and individual service plans.
2. Develop, through guidance and templates as appropriate, a clear corporate approach to equalities monitoring across all equalities strands that can be applied and adapted across the council.

3. Once the workforce data is more up to date and complete, define equalities objectives for the workforce, to include targets, and monitor these.
4. Be clear and explicit about the process for signing off and publishing equalities impact assessments.
5. Use a range of mediums (including the council's 'Connect' magazine) to better promote the successes of your work to the community.
6. Review the involvement of the voluntary and community sector in equalities mapping, developing a more structured approach.
7. Ensure more proactive work with external providers (eg in Leisure), sharing equalities data and processes to ensure that services that are contracted out understand equalities communities and deliver equalities actions and outcomes.

3. Detailed findings

3.1 Knowing your communities and equality mapping

Strengths:

- The council has good equalities data as evidenced in the Equality Profile prepared by external company and other commissioned work such as on age and religion. This includes a variety of statistical data, drawing on local and national, council and partner data streams, feedback from own and partner consultation (eg Voicebox), and specifically commissioned data (eg MOSAIC). This research is disseminated across the council and with partners, but is not yet available on a public website. This provides a robust basis for decision making.
- Partnership arrangements, governed by the LSP, are used effectively to co-ordinate research and distribution of information. The research and intelligence team, built into the LSP structure, co-ordinates a wider group of 30 plus practitioners across agencies, PCT, voluntary sector and other bodies meeting on a quarterly basis as one group to pool information and intelligence for joint use. This enables integrated planning across agencies.
- Equalities data and feedback from consultations is used to determine corporate and service priorities. The council's overarching priority on 'narrowing the gap' has a clear link to deprivation data, identifying significant differences in income, health, mortality and educational attainment between the area as a whole and some specific wards. Data has been used, for example, to determine the location of Sure Start centres.
- The council and partners share intelligence and use this to ensure that services are effectively tailored to the needs of communities. For example, the PCT used MOSAIC data to target engagement on reducing alcohol and substance misuse of young black men; and the Police used data mapping to determine very localised interventions in Radstock, Snowhill and Whiteway areas to develop actions to raise community confidence.

- There is evidence that the use of data and consultation has led to more responsive and effective service design. For example, demographic data on carers and their use of public transport has informed targeted advertising, using bus shelters for the 'Give us a Break' project following the awarding of funding from government to the Health & Wellbeing Partnership. This has resulted in more local carers taking the opportunity to have carer breaks.
- The council is using local organisations to help with equality mapping. In a borough where most faith groups are Christian, the Council funded Bath University Religious Studies Department to examine strategy engagement with all faith groups in order to better engage and ensure services are provided equally to all religious groups by identifying relevant people to consult.

Areas for consideration:

- There is limited evidence of a consistent approach in the use of equalities data in the commissioning processes. For example the procurement team were unable to provide specific examples of how data had been used to draw up contract specifications; the one exception being 'meals at home', where recognition of different dietary requirements (eg Halal) were built into the contract.
- Formal and informal groups within the voluntary and community sector can provide valuable qualitative information. The review team felt that there was little evidence to demonstrate how research and intelligence about equalities communities from the voluntary sector is used within equalities mapping. For example, the BME senior citizens group could provide valuable information to understand the needs of this specific group. Using existing groups creatively is cost effective way of identifying supplementary information.
- Existing information about equalities communities is not sufficiently widely shared across the council. While the concept of a corporate data hub offers many advantages, the council needs to do more to ensure that all services are aware of this information and pro-actively use it. For example, the leisure contractor, Aquaterra, did not seem to be aware of the equalities information in relation to the needs of Muslim communities (eg gathered for the registrar project) which would be of relevance to identify specific user needs with regard to swimming (ie single sex sessions) or other leisure services.
- Community profiles and borough wide information could be broken down further (eg into ward levels) and distributed more pro-actively to councillors to support them in their role as community leaders.

3.2 Place shaping, leadership, partnership and organisational commitment

Strengths:

- There is a clear vision about 'narrowing the gap' as the principal equalities objective for the council. This is championed by the Leader, equalities portfolio holder (PFH), Chief Executive (CE) and strategic directors, and well articulated in the Corporate Plan ('a

distinctive place with vibrant, sustainable communities where everyone fulfils their potential') and the Sustainable Community Strategy ('inequalities as a key strategic driver for change'). The consistent view across the political spectrum is that the principal community cohesion issue in B&NES is poverty and this is well reflected in the views articulated during our visit.

- The Leader, portfolio holder and chief officers exercise visible, direct and personal responsibility for equality and diversity. Chief Officers hold staff to account for meeting equality and diversity objectives. Officers display visible organisational commitment to equalities as a means to better understand and serve the local community. An open and embracing organisational culture is a key requirement to fully embedding the principle of equality and diversity.
- The council has devised an effective corporate structure to ensure that equality and diversity is mainstreamed and that staff are held accountable. The corporate equalities group and the departmental equality groups provide the backbone, reaching into the corporate 'head' and each of the departments. Meetings are frequent, well chaired and relevant and are used to disseminate information and monitor progress.
- The equalities team is regarded as a considerable strength. Staff and partners commented positively on their enthusiasm, knowledge and influencing skills. They felt that the team struck a good balance between 'providing expertise and technical skills when we need it' and 'not taking the responsibility away from us'.
- The council has devised effective tools to raise awareness of and prompt changes in policy development and service delivery to ensure that services are better meeting the requirements of diverse groups. There is a clear format and structure for Equality Impact Assessments (EqIA), supported by good guidance and support. Staff are comfortable with using EIAs and see them as a valuable tool to reflect on how they may need to change their services.
- There is a strong commitment across the political parties to the equalities agenda with cross-party agreement that the number one priority is to address poverty in B&NES. Councillors share this agenda and consciously seek to work constructively together on this although they recognise that party politics does occasionally raise its head.
- There is consistent evidence of effective scrutiny work in the field of equalities including access to dental services, the closure of Keynesham hospital, the change in arrangements for home care services, and reviews of services from BT and the Post Office. In each case there was evidence of how equalities impacts were considered and fed through into policy changes or improvements to services.
- The council has developed a Single Equalities Scheme (SES) in partnership with the PCT. This strengthens further the integrated management between the Council and the PCT (with the CE of the PCT being also the Strategic Director of Adult Health, Social Care and Housing) and has been an efficient and effective way to work across organisational boundaries in assessing the impact of service provision on diverse groups.

Areas for consideration:

- The SES lacks substantive and SMART targets that show how the council is planning to reduce gaps in qualities over time. While the scheme provides information about the context and highlights the Council's and the NHS' commitment, it is not clear what partners seek to achieve. The action plan to the SES mainly focuses on process, for example the completion of EIAs, better engagement and promotion etc. While this is positive and necessary, the next stage in the council's equality journey needs to be a clear articulation of substantive equalities objectives, both in relation to its services and communities and its workforce. In anticipation of future financial constraints this will enable the council to make informed choices about changes to services.
- The absence of substantive equalities objectives means that some staff and partners remain unclear about the focus of the council's equalities agenda. We heard comments such as 'what is the council actually going to do?'. Specific equalities targets will provide a clearer steer to staff and partners and allow clear links to the council's corporate plan and service plans in particular. This will further strengthen the mainstreaming of equalities and diversity across services.
- Not all staff are fully engaged with the equalities agenda. There is a need to open up and influence service areas that do not see equalities as being of relevance to them – some see equalities as insignificant within their profession, and these staff need to engage with this agenda.
- There is consistent evidence that councillors and staff would benefit from better quality data and access to information. The use of EIAs has improved dramatically but there was a consistent view that they could be used more effectively, especially if they were considered at an earlier stage of development of a policy. Sometimes they feel like an assessment of the recommended decision rather than information about the impact of the range of options that are open.

3.3 Community engagement and satisfaction

Strengths:

- The council has a positive approach to engaging with the voluntary and community sector as potential providers of services and community engagement at grassroots.
- The council is effectively trying new approaches to communicate with less well off wards. The use of Re:generate, and their longer-term and participative approach has enabled better citizens engagement in the Whiteway ward and has resulted in local residents identifying improvement needs and taking ownership of initiatives. This has led to initiatives to reduce crime and fly-tipping. Similarly, the council has held a 'Heritage Feast' in Southside community – bringing history and heritage to people, not expecting the community to come to the Council.
- Stakeholders commented that they did not receive complaints from the general public or service users that raised equalities concerns about B&NES services. Internally,

praise was given for the swiftness of the response when Disability Discrimination Act (DDA) matters needed Council action.

- Partners and staff are confident that the council is well geared up to deal with minority groups' issues. Feedback was that the Council is responsive and has appropriately skilled and trained staff on hand when needed. A specific example is the good work with the Muslim community; both the Council and the Islamic Society feel positive about this relationship, which gives a strong foundation for future work.
- Area 'PACT' (Partners and Communities Together) meetings are used as a way of scrutinising the work of public services on an area basis. These bring together the major public bodies and can assist with tailoring services to the needs of a local area.
- The Council is currently in the process of preparing a Gypsies and Travellers Site Allocations Development Plan Document. This will seek to allocate 19 permanent pitches for Gypsies and Travellers in Bath and North East Somerset, this being in accordance with the recommendations of the West of England Gypsy & Traveller Accommodation Needs Assessment (October 2007).

Areas for consideration:

- The council has some geographic areas (eg in Norton Radstock), where past investments have not managed to improve the health and well-being of local residents. In view of additional external grant funding being made available for regeneration initiatives in Radstock, it will be important to learn from the positive results of Re:generate and apply this technique to other areas.
- The council is not maximising the use of voluntary organisations as a vehicle for engagement. Voluntary organisations would value specific requirements aimed at broadening their representativeness as part of their funding agreements with the Council. This would focus them on ensuring that they genuinely do represent the groups they are intended to and avoid the perception of 'the same old faces' being present on behalf of particular interest groups. In this context, voluntary groups highlighted the need to engage them early (ie before proposals are written) on in the process of service changes or redesign to genuinely take on board their views and suggestions.
- Processes for effective engagement with community groups are not sufficiently timely or consistent. Feedback on consultation could be improved. In particular community groups could be given more notice of upcoming areas of interest in order to be able to feed in considered responses when the Council needs to move swiftly. This could be clearer to avoid perceptions of a 'tick box' exercise where a decision has already been made. For example, the consultation exercise about Black Carers was an example where groups felt that earlier involvement would have produced a better outcome. Another example is the BME senior citizens group who have been to several meetings about changes to 'putting people first' but are not sure about the impact their involvement has had. This can reduce their enthusiasm and at worst, disengage them from the process.

- Community organisations are failing to make good use of the training and development on offer from the Council to develop their own capacity, and acknowledge this failing. This could be developed through revisions to funding or service level agreements.
- Digital inclusion is not high on the council's agenda and with the trend towards online activity concern has been expressed that this will make some services and consultations less accessible. The organisation shows evidence that this is beginning to be considered but it is in its early stages. For example, assumptions that there will be no barrier because the public can go online at libraries overlooks the problem of accessing libraries in areas where there are none or access is for limited hours or is geographically remote.
- The council could more consistently disseminate internal good practice and learning on how services use the knowledge and experience of existing community groups to shape their services. For example the case study on the Registrar Service demonstrates that positive links have been made between the service and the Muslim communities and that there is a strong basis for future dialogue based on trust. Other services, for example leisure services (contracted to Aquaterra) would benefit from tapping into this resource to have a similar dialogue.

3.4 Responsive services and customer care

Strengths:

- The council has used equality impact assessments to unpick the impact of changes to services by external organisations. For example the recent proposals by Royal Mail for post office closures were assessed as to their impact on equalities. This information was used effectively by scrutiny to challenge service provision for residents in B&NES
- There are many examples of responsive services and customer care, using data and feedback from consultation, and perseverance and application of a 'can-do' attitude in the face of difficulties. Examples are:
 - The creation of disabled access in parts of the Roman Bath (a grade 1 listed building), as well as the development of multi-lingual access by pioneering free audio tours in 6 languages and a British sign language guide, as well as educational facilities for children
 - The development of 'village agents', commissioned through the VCS, providing a focal point for help and assistance between people living in rural areas and service providers
 - The provision of disabled access allotments in Monksdale Road, to enable disabled people to grow their own food and build social networks; working with the Probation Service and Youth Offenders who visit the site twice a week to carry out minor repairs and undertake other manual work that is needed
 - Environmental Health/Food Standards have been proactive in supporting BME businesses with access to information in first language and on site telephone interpreting
 - The Children & Young People team have used the impact assessment process to ascertain which groups of young people are accessing summer school

provisions, and have used REACH (the LGBT youth group) and the tackling homophobia partnership to develop greater awareness of LGB within schools.

- The case studies themselves have been a positive initiative and can be shared widely within the council and with partners. They provide a visible focus on responsive services and can be used to inspire and enthuse colleagues and partners.
- The council is running the 'Inclusion Quality Mark in schools' initiative to reward and recognise schools that promote inclusion. Any school can participate in this and pupils are invited to a celebration at the Guildhall where they can present their schemes.

Areas for consideration:

- While there are some positive examples (eg food for schools), the council needs to develop a more consistent and proactive approach to equalities impact assessments in commissioning. This should involve contractors where appropriate. For example, the contractor for leisure centres is considering moving away from single sex changing to a 'changing village' and needing help with an EIA on the implications of this. There is no single sex swimming because 'no one has asked for it' but a wider EIA would allow the provider to investigate the need for this provision.
- The embedding of equalities issues in commissioning is too dependent on the skills and awareness of the individual commissioners – the corporate commissioning/procurement team needs to drive a stronger message through to commissioners about their equalities responsibilities, using the Equality Act 2010 as a lever.
- While the case studies are excellent and have helped to communicate the council's focus on equality and diversity across among staff, councillors and stakeholders, success needs to be publicised more widely in order to build confidence among staff, councillors and the public that the council are keen to understand impact of services and service changes on different community groups. For example, staff articulated that there are no clear corporate communication guidelines on when to include the 'about you' section in consultations or communication with the public. As a result, some staff shy away from asking questions in relation to all equality strands.
- Councillors would like to be better supported with information in order to engage effectively on equalities issues. In particular they would like to be better placed to signpost people to sources of help and to bring groups with common interests together.

3.5 A modern and diverse workforce

Strengths:

- The council has a positive employee relation culture with strong leadership from the Leader and the senior management team. They drive the equality agenda and champion a culture of dignity and respect at work. This is evidenced by low numbers of grievances, disciplinary cases and industrial action/employment tribunal cases.

- The council has completed the equal pay audit and has trade unions consulted and engaged in the process through the 'Equal Value, Equal Pay' programme. A combined approach led by the Service Director and HR Project Lead enabled the achievement of a very reasonable settlement with identified issues of equal pay now fully resolved. This was fully supported by the Chief Executive and Members which held regular meetings. All posts are now on Hay's job evaluation scheme.
- The council's HR policies and procedures are being used to support equality and diversity in the workplace. Examples are the bullying and harassment procedure, use of mentors and workplace mediators, flexible retirement and flexible working policies. All policies have been equality impact assessed. There are a range of initiatives to attract younger people into the workforce such as an apprenticeship scheme and outreach work in schools and colleges, and the council is supporting people with learning disabilities into the workplace.
- A regular staff survey (Insight) ascertains staff satisfaction on a range of issues and includes monitoring of all six equalities strands. The council is providing feedback on how concerns identified in the staff survey are being addressed.
- The Reasonable Adjustment Panel provides an opportunity to review and arbitrate requests for adaptations. A centralised adaptations budget relieves financial strain on individual departments which means that departments are more likely to come forward with requests.
- The council has a range of equalities training, both on-line (ie induction) and tailored to specific services or groups of people, for example 'letting through light' training on cultural differences. Much of the training is provided by the Equalities Team and is highly regarded by staff. This ensures that staff are able to engage with the equalities and diversity agenda in a way that helps them to deliver their jobs.
- The council has tailored its recruitment processes effectively to meet the needs of candidates with learning disabilities. It runs a programme of annual work placements based upon contracts of employment and including training which help bridge the gap into work. The Council recognises that candidates with learning disabilities are marginalised when it comes to applying for jobs and has carried out some excellent work in offering internships and work placements in order to develop the necessary employment and confidence skills necessary to apply and remain in employment.
- The council has a comprehensive training programme (76% attendance), delivering bespoke courses for services on-site as well as in more traditional settings. Its 'Skills for Life' programme has been successful in encouraging lower grade staff into learning. In 2009, it was recognised as the 'Employer of the Year' by one of the local colleges for its continuing commitment to learning and development at all levels in the organisation

Areas for consideration:

- The previous absence of up to date and complete workforce data means that the council has not set SMART equalities objectives in relation to its workforce. It has also prevented strategic monitoring of workforce data, for example at Strategic Directors

meetings. HR is aware of weaknesses in information reporting of equalities data due to the HR system and has been working to rectify this.

- The council has under representation of women, BME and disabled staff in senior management positions and in the workforce in general. The review team felt that the council's workforce is large enough to consider targets on equality strands across service areas to provide a profile of under representation in occupations and professions. Historically, the absence of good management information has prevented a planned approach to under representation. While the review team acknowledge the difficulties to rectify this imbalance quickly, given only 5% annual employee turnover and financial constraints, we recommend for the council to have an informed discussion, exploring options in the short and medium-term. Diverse teams provide more accurate insight into problems and are more likely to find creative solutions.
- Not all staff are comfortable to complete questions about all six equalities strands. For example, HR data has a large percentage (22 %) of staff not revealing their ethnicity and feedback from staff showed that many are not sure about the purpose of revealing their sexual orientation ('why does the council want to know this from me?'), or why they should ask the public about it. The review team felt that part of this was a matter of organisational confidence and communication of why the council wishes to monitor against this strand.

Examples of innovative projects and initiatives

- The Single Equalities Scheme with the NHS is regarded as a major breakthrough. The NHS is engaged with the corporate equalities team and makes a financial contribution to the cost of the equalities team. This has provided the NHS cost effective guidance and policy support and has resulted in co-ordination on process (ie same forms for EAIs) and close working on identifying equalities objectives for the area.
- Adaptations to improve disabled access in the Roman Baths; combination of 'can-do' culture investment to installing a lift into the grade 1 listed building, and being determined to make the customer experience of disabled people identical to that of non disabled, for example enabling disabled visitors to follow the same route. Other projects include the tour guide in multi-languages (including Chinese, and involvement of the local Chinese Group); learning from the listening behaviour of different nationalities; provision of good education facilities, and a British sign language guide.
- Reasonable Adjustment Panel – as a means of dispute resolution over requests for adjustments.
- Engagement with deprived communities through Regenerate, using an external provider with a participative engagement technique.
- The 'project search' scheme which provides support to people with learning disabilities to develop work and social skills, using a 'classroom within the workplace' principle.
- Village Agents scheme – using the VCS to recruit a number of village agents who act as friends, advisors and signposts in a number of parishes, reducing rural isolation and providing a focal point for help and assistance between people in the community and statutory/voluntary sectors.

Signpost to areas of good practice

In order to improve and continue the good work that Bath and North East Somerset Council are doing we suggest that they focus on their equality scheme. Examples that we have seen of good equality schemes where unitary councils have consulted with their workforce on their equality objectives and ensured that they are SMART include:

- Nottingham City Council (www.nottinghamcity.gov.uk/index.aspx?articleid=5036)
- Rotherham Metropolitan Council (www.rotherham.gov.uk/downloads/file/353/rmbc_interim_single_equality_scheme), who are one of two authorities at the excellent level of the Equality Framework for Local Government.

The council may also consider using the Stonewall resource 'What it got to do with you' when explaining to their staff why they need to monitor on the equality protected characteristics (www.stonewall.org.uk/workplace/1473.asp). Examples of positive action

campaigns relating to workforce within local government are available on Local Government Improvement and Development's website (www.idea.gov.uk/idk/core/page.do?pageld=14797113), the council may also want to research how the NHS break through programme has made a difference in the health sector (www.institute.nhs.uk/building_capability/building_leadership_capability/breaking_through_home.html)

Local Government Improvement and Development

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