**FOR PUBLICATION**

**DERBYSHIRE COUNTY COUNCIL**

**IMPROVEMENT AND SCRUTINY COMMITTEE - RESOURCES**

**THURSDAY, 29 FEBRUARY 2024**

**Report of the Managing Director**

**UPDATE ON REVIEW OF THE STRATEGIC APPROACH TO EQUALITY DIVERSITY AND INCLUSION (EDI)**

1. **Purpose**

   1.1   To update Improvement and Scrutiny Committee – Resources on the review of the Strategic Approach to Equality, Diversity and Inclusion (EDI) and to note the recommendations of the Diverse Council Motion Cross Party Working Group.

2. **Information and Analysis**

   2.1   The Council is in the process of reviewing and refreshing the strategic approach to EDI as outlined to this Committee on 28 September 2023. As part of that report, it was proposed that an update on progress be brought back to this Committee at its meeting on 29 February 2024.

   2.2   The refresh of the approach comes at time of ongoing changes and challenges affecting the Council and local communities and aims to:

   - Redefine the organisation's vision and priorities in relation to EDI, both internally and externally, and when considering the organisation's statutory obligations and organisation culture.
   - Capture key developments in Adult Social Care, Childrens Services and the development of the Council's new organisational strategy.
   - Consider what constitutes feasible action in relation to the make-up of the workforce, given the current challenges within the job market and the rate of change which can be achieved.

- Highlight any challenges regarding resources and/or the delivery of the approach across the Council.
- Better engage senior leaders and Elected Members from all parties on EDI developments and the ongoing development of the strategic approach to EDI.

2.3   Over recent months, in addition to the initial engagement carried out with this Committee a number of additional engagement sessions on revising the Council's EDI approach have been held as follows:

- Internal stakeholders including senior leaders through the Shaping the Future Forum and feedback from Executive Directors
- Two workshops with members of EDI Board and the existing EDI workstreams leads.
- A workshop EDI Board Members extended for frontline employees to consider and provide input on the proposed objectives.
- A survey and follow up discussion with Employee network leads
- Initial engagement has been undertaken with the BME Forum, the Youth Network and Derbyshire LGBT+ Network Alliance.

2.4   Stakeholder feedback from the above has included the following key themes and issues around the current position:

- There is wide recognition that over recent years the Council has worked hard to progress EDI work across the county.
- Leadership around EDI issues has improved and this has resulted in significant changes to our services, employment practices and our approach to equality, diversity and inclusion but that there is still further to go.
- It is generally acknowledged that the current EDI Strategy, whilst providing a framework to achieve the significant progress made, is very broad in its scope and that there has been varied success in the associated workstream approach.
- Given the limited dedicated resources across the Council moving forward this will require a revised approach with commitment from across the organisation.
- Feedback has also recognised that whilst there are pockets of good EDI practice across the Council, significant EDI activity is focussed on "complying" with the Public Sector Equality Duty (PSED). The organisation has to meet a range of obligations to ensure it promotes equality, diversity and inclusion.
- Embedding and transforming equality, diversity and inclusion across the Council are not just matters of compliance, rather the need to raise awareness of the EDI agenda and its associated challenges.

2.5 Recognising the above, feedback has broadly indicated that the approach moving forward should:

- Set out our aspirations to go further than the Council's PSED obligations, recognising the need to have focus on raising awareness in order to build capacity for later stages in the Council's EDI journey.
- Ensure the organisation's efforts and resources focus on the right issues and opportunities.
- Ensure that strong, simplified and clear objectives are in place to continue with our commitment to advance equality and promote inclusion within the workplace and when delivering local services.
- Be based on increasing leadership and Elected Member confidence on EDI across all levels of the Council, how the organisation wants to serve its residents and communities, how it wants to work with partners, and how leaders respond to and deal with employee related matters with an EDI lens.
- Continue to improve our understanding of, and reflect the needs of, people across all the diverse communities of Derbyshire.
- Work towards a workforce of people with a wide range of backgrounds, perspectives and experiences who feel that those different approaches are valued and treated with respect.
- Set out the proposed objectives and associated wording using plain English to make them more accessible and engaging.

**Proposed strategic approach to Equality Diversity and Inclusion**

2.6 As a result of the feedback received and in order to aid understanding, commitment and delivery of EDI ambitions across employees, Elected Members and stakeholders it is proposed to move away from having a separate EDI Strategy document and to move to the main EDI focus being on four equality objectives. This approach will, overall, enable the organisation to raise awareness around EDI issues and for the Council move towards applying an EDI "lens" as part of its day-to-day business and organisational culture, whilst simplifying our current approach and yet maintaining delivery of realistic outcomes.

2.7 As a result of the key issues expressed in the engagement to date, along with the aims of revising the strategic approach, it is proposed to take forward the Council's strategic approach around the following four draft key equality objectives:

1. Better understand our diverse communities and use that understanding to shape organisational policy and practice.
2. Lead by example on equality, diversity and inclusion.
3. Create a working environment that is inclusive where all colleagues feel that they belong and can be their best at work

4.  Work alongside different equality groups to design, provide and deliver services that are accessible, inclusive and responsive to the needs of our residents and communities and reflect our organisational culture.

2.8    Each of the objectives will have several key areas of focus with specific annual implementation plans, along with associated outcomes. Appendix 2 shows the proposed key areas of focus for each equality objective, and it should be noted that the EDI approach will evolve and continually developed as opposed to being a static approach.

2.9    The EDI objectives will be supported by a short EDI statement with a provisional draft below. This is important to ensure that it is clear what EDI means to the organisation.

*Equality, Diversity and Inclusion at Derbyshire means that all colleagues and our communities will have a voice, ensuring we listen and engage, shape and respond to enable an inclusive culture. As a result, our inclusive culture will enable improved delivery to our communities.*

2.10   This statement is intended to reinforce that EDI should be part of our business as usual, and should also support in outlining the 'why'. The organisation needs to be clear on the business case for EDI as well as the legal or moral case (recognising it has duties to abide by), building delivery of EDI work into service delivery rather than our current 'additional' commitment to workstreams.

2.11   This will be supported by additional EDI information, forward plans, context, and data along with the delivery plan presented across revised Equality, Diversity and Inclusion online pages. This approach will allow updates to context and EDI data supporting the objectives to be updated more regularly and will provide a single point of resource for the Council's EDI work. This approach will not only provide timely and relevant information on EDI issues to residents but will enable increased employee awareness through ongoing communications across the EDI webpages.

2.12   Key to embedding EDI objectives and activity in the work of the Council will be to consider how the equality objectives are integrated into key Council strategies and plans. As a first step from April 2024, the Council will be developing the Council Plan for 2025-2029 and its organisational strategy, and consideration will be given to how EDI objectives are reflected as part of the Council's strategic vision, along with the further development and refinement of the strategic objectives and operating model. For 2024/25 EDI is a key element of the organisation's workforce strategic objective.

**Recommendations from the Diverse Council Motion Working Group**

2.13   Alongside the work to develop the revised EDI strategic approach and draft equality objectives, officers have supported, in an advisory capacity, the work of Elected Members as part of the Diverse Council Working Group. Following Cabinet agreement on 21 September 2023, the working group was set up to discuss and debate the wide-ranging matters covered in the Diverse Council Declaration heard by Full Council on 12 July 2023. Cabinet agreed to receive a further report to outline recommendations from the cross-party working group.

2.14   The group met on three occasions and considered the current activity being undertaken, identified where more could be done and has agreed a set of recommendations in respect of the matters contained in the Diverse Council declaration. Many of the actions in the Declaration are for Political Groups and not for the Council to take forward, such as committing to appointing Diversity Ambassadors, setting ambitious targets for candidates from under-represented groups at the next local elections and promoting the talent and diversity of colleagues through mentoring and shadowing. Some elements of the Declaration can be promoted and supported by the Council. Many are already in place or underway. For example:

- All Elected Members receive core mandatory induction training including the Code of Conduct which is the LGA model code adopted locally and EDI training. In addition, Health and Safety training for members is provided within the induction programme.
- Organisational EDI Events take place throughout the year to raise awareness, provide a forum of peer support and allyship, demonstrate our commitment to being an inclusive employer and recognise the contribution of our diverse communities. Where appropriate, the events are open to Elected Members as well as the organisation's workforce and in some cases partner organisations.
- The organisation provides non-partisan information on the role of an Elected Member in the run up to an election and this information is shared as widely as possible.
- As part of the organisation's approach to wellbeing, the Employee Assistance Programme is available to all Elected Members, including a 24/7 confidential helpline, counselling, legal info and a wellbeing portal and App.
- Trauma Risk Management (TRiM) is a peer support approach that aims to help people who have experienced trauma and is also available to Elected Members.
- Joined Up Care Derbyshire, our health partner, offer a timetable of wellbeing activities including fitness classes, mental health support and singing, all of which is available for Elected Members.
- In terms of council business:

- o Elected Members are able to schedule political group meetings to suit their commitments, including in the evenings.
  - o Non-formal meetings are offered as hybrid meetings where practical.
  - o Formal meetings have to be in person due to provisions in the Local Government Act 1972.
  - o There are no meetings planned in August to avoid the main holiday season.
  - o Elected Members can send substitutes to meetings where allowed.
- Allowances are paid by default unless Elected Members opt to not take all or part of their allowance.

2.15 Whilst the above activity, addresses many of the matters contained in the Declaration, the Working Group discussed and identified opportunities to complement and enhance the existing work being undertaken and the support available. Recommendations will be presented to Cabinet for consideration in March 2024.

2.16 If agreed, the recommendations be incorporated within the refreshed strategic approach to Equality, Diversity and Inclusion and within the annual delivery plans.

**Next Steps**

2.17 As part of the ongoing development of a revised strategic approach to EDI, further internal and external stakeholder engagement will be undertaken. In addition to further employee and senior leader engagement it is proposed to carry out a period of public consultation on the draft equality objectives. Alongside this public consultation and engagement, work will be undertaken to further refine the EDI statement and supporting information. It is proposed to present the final approach, EDI Statement and Equality Objectives along with an update on EDI activity undertaken in 2023-2024 to this Committee at its meeting of 9 May 2024 for consideration and comment. Formal Cabinet agreement to the approach and adoption of the equality objectives will be sought in June 2024.

2.18 As set out above, a key activity from April 2024 onwards will be work to reflect EDI objectives as part of the Council Plan 2025-2029 along with the organisation's strategic vision, the further development and refinement of the strategic objectives and operating model.

| Activity | Timescale |
|---|---|
| Public Consultation and internal engagement | 1 March 2024 to 5 April 2024 |
| **Cabinet** - Diverse Council Motion recommendations for approval | 14 March 2024 |

| | |
|---|---|
| **EDI Board** - final approval of revised approach, EDI Statement and Equality objectives | 18 April 2024 |
| **CMT -** final approval of revised approach, EDI Statement and Equality objectives - to include an update on EDI activity undertaken in 2023-2024 | 23 April 2024 |
| **Improvement and Scrutiny Committee-Resources** -Final approach, EDI Statement and Equality Objectives – to include an update on EDI activity undertaken in 2023-2024 | 9 May 2024 |
| **Cabinet -** formal agreement to the revised EDI approach and adoption of the equality objectives | June 2024 (TBC) |

## 3.    Consultation

3.1    As outlined in the report further internal and external stakeholder engagement will be undertaken. In addition to further employee and senior leader engagement it is proposed to carry out a period of public consultation on the draft equality objectives

## 4.    Alternative Options Considered

4.1    The Council could decide not to refresh the strategic approach to Equality, Diversity and Inclusion now and continue with the existing strategy. However, this is not recommended as it is timely to reflect EDI objectives as part of the development of the Council Plan 2025-2029 along with the organisation's strategic vision, the further development and refinement of the strategic objectives and operating model.

## 5.    Implications

5.1    Appendix 1 sets out the relevant implications considered in the preparation of the report.

## 6.    Background Papers

6.1    None

## 7.    Appendices

7.1    Appendix 1 – Implications
7.2    Appendix 2 -  Equality Diversity and Inclusion Draft objectives

## 8. Recommendation(s)

8.1 That Committee:

a) Note the proposed revised strategic approach to EDI and draft equality objectives as set out in paragraph 2.2 above as a basis for public consultation and further internal engagement.

b) Agree to receive a further report on 9 May 2024 as set out in the timetable above.

## 9. Reasons for Recommendation(s)

9.1 Elected Members play a key role in helping the Council to meet the public sector equality general duties through decision-making, the setting of policy and priorities for the Council, and as local representatives within their respective communities and leaders for those communities.

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**Managing Director**

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<u>**Implications**</u>

**Financial**

1.1    None identified

**Legal**

2.1    The Public sector equality duty came in to force in April 2011 (s.149 of the Equality Act 2010) and public authorities are required, in carrying out their functions, to have due regard to the need to achieve the objectives set out under s149 of the Equality Act 2010 to:

a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;

b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

To ensure transparency, and to assist in the performance of this duty, the Equality Act 2010 (Specific Duties) Regulations 2011 require public authorities to publish:

- equality objectives, at least every four years (from 6th April 2012)
- information to demonstrate their compliance with the public sector equality duty (from 31st January 2012)
- The proposed review of the strategy will support compliance with the above requirements.

**Human Resources**

3.1    Further work continues to support the organisation's ambitions outlined in the People Strategy in relation to EDI.

**Information Technology**

4.1    None identified

**Equalities Impact**

5.1    The Council would be failing to meet specific duties under the public sector equality duty of the Equality Act 2010 if it did not adopt appropriate equality objectives and on at least an annual basis publish equalities information, including progress against its objectives.

5.2 The strategic approach set out will help lead work to address inequality across Derbyshire, advance equality of opportunity and support activity which promotes good relations between people from different backgrounds. This will extend to employment, service delivery, and the Council's public functions.

**Corporate objectives and priorities for change**

6.1 Strong links are already made between the EDI Strategy and the Council Plan and Department based Service Plans. The refresh of the strategic approach to EDI offers a real opportunity of translating organisational improvement and addressing inequalities within these key corporate plans.

**Other (for example, Health and Safety, Environmental, Sustainability, Property and Asset Management, Risk Management and Safeguarding)**

7.1 None identified

# EQUALITY DIVERSITY AND INCLUSION DRAFT OBJECTIVES

**Objective 1: Understand our diverse communities and use that understanding to shape organisational policy and practice**
We will do this by:
- Ensuring equality, diversity and inclusion underpins our planning and delivery and how we manage outcomes and impact on residents.
- Improving how we collect and use information to tell us more about our communities.
- Assessing how our decisions affect different communities, particularly those with poorer life outcomes.
- Working alongside people from all our diverse communities to create services and encourage wider participation in public life.

**Objective 2: Lead by example on equality, diversity and inclusion**
We will do this by:
- Increasing EDI understanding and confidence amongst all leaders and Elected Members, to further enhance our inclusive culture
- Working with our partners and key stakeholders to understand EDI best practice, share our experiences.
- and generate opportunities for local people and help address inequalities.

**Objective 3: Create a working environment that is inclusive where all colleagues feel that they belong and can be their best at work**
We will do this by:
- Sharing our stories and learning to understand and accept our differences
- Making our workplaces more accessible and welcoming
- Enabling our employee networks to support the employees they represent
- Demonstrating our commitment to externally recognised standards such as Level 3 Disability Confident Employer

**Objective 4:  Design, provide and deliver services that are accessible, inclusive and responsive to the needs of the people of Derbyshire and reflect our organisational culture.**
We will do this by:
- Developing more equal partnerships between people who use services, providers, carers and employees to deliver better outcomes
- Removing barriers preventing access to services and information