

Equalities Policy and Action Plan refresh

Timetable	
Meeting	Date
Communities, Housing and Environment Policy Advisory Committee	17 January 2023
Executive	25 January 2023

Will this be a Key Decision?	No
Urgency	Not Applicable
Final Decision-Maker	Executive
Lead Head of Service	Angela Woodhouse, Director of Strategy, Insight and Governance
Lead Officer and Report Author	Orla Sweeney, Senior Policy and Communities Officer
Classification	Public
Wards affected	All

Executive Summary

This report provides an update on the current Equalities objectives and action plan.

A refreshed action plan has been developed in consultation with key service areas. The action plan was last revised in 2020 in response to the pandemic and the challenges faced in tackling disadvantage in Maidstone. It is important that it continues to reflect the current challenges faced by residents and staff so the Council can deliver on its Equalities objectives.

A light touch revision has been made to the current Equalities Policy. This is outlined at paragraph 2.17-2.21 in the report and is proposed to ensure recent legislative change are referenced in the Policy document.

Purpose of Report

To note the update on the current Equalities objectives and action plan.

To consider and recommend the changes to the Policy document and to consider and recommend the revised action plan to the Executive.

This report makes the following recommendations to the Executive:

1. To note the progress on the Equalities Objectives and Action Plan update at Appendix 1 to the report and outlined at paragraph 2.7-2.11 in the report.
 2. To consider and agree the proposed changes to the Equalities Policy as attached at Appendix 2 of the report and outlined at paragraph 2.17-2.21.
 3. To consider and agree the revised actions for the Equalities Action Plan as attached at Appendix 3 of the report and outlined at paragraph 2.22-2.29.
 4. To consider and agree the inclusion of Poverty as an additional protected characteristic as outlined at paragraph 2.33.
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Equalities Policy and Action Plan refresh

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, they will support the Council's overall achievement of its aims in the delivery its strategic plan objectives.	Insight, Communities and Governance Manager
Cross Cutting Objectives	The report recommendations help deliver the achievement of cross cutting objectives: Health Inequalities are Addressed and Reduced and Deprivation and Social Mobility is Improved.	Insight, Communities and Governance Manager
Risk Management	Please refer to paragraph 5.1 of the report.	Insight, Communities and Governance Manager
Financial	The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.	Head of Finance
Staffing	We will deliver the recommendations with our current staffing.	Insight, Communities and Governance Manager
Legal	Accepting the recommendations will fulfil the Council's duties under Equality Act 2010. Failure to accept the recommendations without agreeing suitable alternatives may place the Council in breach of Equality Act 2010.	Mid Kent Legal Services Interim Team Leader (Contentious and Corporate Governance)
Information Governance	The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council processes. However some of the actions in the revised action plan could result in the collection and processing of personal data. Should this be	Information Governance Officer

	the case, the Information Governance Team will be asked to review the processing of personal data affected and the associated documentation has been/will be updated accordingly, including a data protection impact assessment.	
Equalities	Accepting the recommendations will fulfil the Council's duties under Equality Act 2010. Failure to accept the recommendations without agreeing suitable alternatives may place the Council in breach of Equality Act 2010. We recognise the recommendations may have varying impacts on different communities within Maidstone. Therefore, we will complete a separate equalities impact assessments at project level.	Insight, Communities and Governance Manager
Public Health	We recognise that the recommendations will have a positive impact on population health or that of individuals.	Housing & Inclusion Team Leader
Crime and Disorder	No impact identified	Insight, Communities and Governance Manager
Procurement	We are committed to deliver inclusive services in accordance with the Council's values.	Director of Strategy, Insight and Governance
Biodiversity and Climate Change	There are no implications on biodiversity and climate change.	Biodiversity and Climate Change Officer

2. INTRODUCTION AND BACKGROUND

2.1 The Council's Equalities Policy outlines its responsibilities under the Equalities Act 2010 and as part of its Public Sector Equality Duty under the Act, the Council must report annually on progress made. The Council has a duty to:

- Eliminate discrimination, harassment, victimisation and any other prohibited conduct.
- Advance equality of opportunity.
- Foster good relations between people

2.2 The Policy sets out the Council's three agreed objectives:

- **Community Leader** – To lead by example, to ensure every individual resident is connected and supported
- **Employer** – To lead a diverse and inclusive workforce that is reflective of the borough of Maidstone where residents and colleagues feel safe, confident and empowered to challenge and bring about change
- **Service Provider**– To deliver inclusive services in accordance with the Council's values.

2.3 An action plan is in place to deliver these objectives. This action plan is reviewed and refreshed on an annual basis to ensure that Council's services are accessible and continue to meet the needs of its residents.

2.4 Equalities is engrained within the organisation from its organisational values through to its staff appraisal process. At a strategic level, the direction is set by the Strategic Plan and the Council's priorities.

2.5 The action plan is informed by service led insight. It is reflective of current workstreams. The action plan is monitored on a quarterly basis by the Equality, Diversity and Inclusion Officer group.

2.6 To fulfil its Public Sector Equality duty and demonstrate due regard in the carrying out of its functions, the Council has an Equalities Impact Assessment process in place. At the start of a project, officers evaluate the impact a decision 'could have' on the 9 Protected Characteristics. If there was a negative impact on one or more of the 9 groups or characteristics protected under the act, mitigations would be put in place.

Progress update on Objectives and Action Plan

2.7 Progress on the current actions is included at Appendix 1. The existing Action Plan was agreed during the pandemic and reflected the action that was required in response to this, recognising the disproportionate impact on vulnerable groups in the community. No significant changes were made last year as it was felt more progress could be made against the existing actions.

2.8 Many of the actions have been completed have become established workstreams such as the Rough Sleepers Initiative which has funding until March 2023. It is hoped that this service will receive mainstream funding from April 2023 from the Clinical Commissioning Group, to continue the work across West Kent.

2.9 An audit of historical assets within the borough of Maidstone was undertaken. Museum collections were appraised, and work was undertaken with donors to understand the links to the past. It was found that there were no connections with slave owning families. It was also identified that

the Museum's world collection did not include 'lived experience'. A community panel is being put together to undertake work to support this need.

2.10 Public Engagement was limited during the pandemic, and it was identified that new innovations were needed to reach the wider community. The Resident Survey 2022 was launched on the Council's new engagement platform 'Lets Talk Maidstone' in July 2022. A total of 5027 people responded to the questionnaire and the results from the Survey have already been used to inform a number of workstreams, from initiatives to support communities affected by the cost-of-living crisis to the Town Centre Strategy. Since its launch 'Let's Talk Maidstone' has been used to deliver the following Consultation and Engagement activities:

- Operation Brock
- Mote Park Arts
- Scarecrow Festival
- Marden Task Force
- Waste and Recycling
- Community Governance Review
- Budget Survey
- Community Wi-Fi
- Innovation centre Research & development event
- Let's Talk Design & Sustainability
- Maidstone Air Quality 2022

2.11 The Council's ability to support the community since the pandemic has grown in strength. The directory of Voluntary and Community (VCS) Groups is a valued resource utilised across the Council. It ensures a more consistent and coordinated approach to communicating, information, advice and support. A regular news email is sent to all organisations on the directory, so we are able to get immediate information out as broadly as possible. This has been incredibly helpful on projects such as the Help for Ukraine scheme and as part of ongoing work with the cost-of-living crisis. Places of Worship and Faith groups have now been mapped and included in the directory which increases access to services and support.

2.12 Twenty organisations were funded from the first phase of the Community Resilience Fund amounting to £58,429.00. The funding has supported a wide variety of activities from a diverse group of organisations. Organisations have been able to continue to provide or increase their ability to meet demand by providing activities and support ranging from counselling sessions and mental health support to outdoor activities to support wellbeing.

2.13 The second phase of the Community Resilience Fund has been launched and applications are due to close on 16 December 2022 to enable funds to be distributed as quickly as possible so that support can be provided during the most challenging winter months. The remit of the fund has been broadened to include projects supporting residents with food and bills.

2.14 In partnership with Funding for All, the Council hosted a 'Volunteering & Funding Advice Event' on 30 November at Trinity House. The event was for Voluntary, Community and Social Enterprises (VCSEs) supporting people in the borough of Maidstone. Funding support and advice was offered to attendees as well as the chance to explore opportunities for volunteer engagement. Delegates were provided with the opportunity to meet funders and have 1:1s with funding advisors. There was also a marketplace where groups could connect with and seek support from a range of VCSEs and support organisations. A final plenary session helped identify the types of support needed going forward. This feedback is being collated to shape and determine the type of support we offer going forward.

Actions where progress was limited

2.15 The Compassionate Borough Status Project was not taken forward due to competing priorities for the Heart of Kent Hospice. However, the Compassionate Maidstone Award are now well established, and ran for the 3rd time in November 2022.

2.16 An assessment to evaluate the Council as an Inclusive Employer was not undertaken. This will instead be a focus of the HR Culture Change Project.

The Equalities Policy (2017-2021)

2.17 The Council has legislative duties under the Equality Act 2010 to:

- Eliminate discrimination, harassment, victimisation and any other prohibited conduct
- Advance equality of opportunity
- Foster good relations between people.

Our Policy document sets out these responsibilities to the public. It is important that this document is up to date and accessible if it is to be fit for purpose.

2.18 The Policy was last updated in 2017. Since that date, there have been no legislative changes to warrant an update until very recently. The Council's Equalities objectives are set out in the document and also delivered as part of a stand-alone action plan which has been refreshed annually. It is recommended that the Policy be renamed and brought in line with the current, recognised terminology used and called the Equality, Diversity and Inclusion Policy. In 2018 the Council took the decision to include the Armed Forces in its Equalities Action plan as a means of ensuring that this community in Maidstone was recognised. The enshrinement of the Covenant into law is an opportunity to build upon work councils are already leading to help serving personnel, reservists, veterans, and their families to have the same equality of access to public services as their civilian neighbours.

2.19 Community Covenants are a voluntary statement of mutual support between a civilian community and its local Armed Forces Community.

Maidstone Borough Council signed the Armed Forces Covenant in October 2012.

- 2.20 In 2018 the Council took the decision to include its work with the Armed Forces Community in its Equalities Action plan. The enshrinement of the Covenant into law is an opportunity to build upon work councils are already leading to help serving personnel, reservists, veterans, and their families to have the same equality of access to public services as their civilian neighbours.
- 2.21 The Armed Forces Covenant has recently become law (Armed Forces Act 2021). The Armed Forces Covenant's enshrinement into law is an opportunity to build upon work councils are already leading to help serving personnel, reservists, veterans, and their families to have the same equality of access to public services as their civilian neighbours. Therefore, the policy has been updated to reference the Armed Forces Act 2021 and the Council's responsibilities in terms of demonstrating 'due regard'.

Development of revised Action Plan

- 2.22 The action plan for 2022/23 has been developed with the Equality Diversity and Inclusion (EDI) Officer group. The group was established as part of the existing action plan (2020/21) to monitor the progress of the action plan. Services represented include HR Learning and Development, Housing, Museums, Communication and Engagement, Democratic Services and Elections, Mayoralty, Revenues and Benefits (Welfare team) and Policy, Communities and Engagement.
- 2.23 This officer group have been able to share their extensive learning and experience in terms of service needs and provide valuable insight to identify where barriers or gaps are negatively impacting particular groups.
- 2.24 They are also in a position to evaluate their own needs as employees of a public sector organisation and identify the support that is required for the workforce.
- 2.25 Staff identified a number of gaps including:
- Existing, new and emerging communities present a challenge for staff in terms of engaging with and being able to understand needs
 - Digital Exclusion – support needed to access services online
 - Making the most of 'neutral spaces' i.e. places where the Council has a presence such as the Museum, Trinity House or when a one service is delivering outreach support, that it looks to include a wider range of service to better support residents and increase access to services. For example, the recent cost of living events, Ukraine Welcome event and Community Protection surgeries.
- 2.26 In terms of staff training and support the following issues were identified:
- Organisational diversity is not fully representative of community
 - Leadership and elected members are not representative of the community.
 - There are no forums at staff level to discuss EDI

- There is a need to feel more comfortable about diversity in the workplace
- There is a lack of awareness of cultural barriers affecting access to services
- There is a lack of understanding of disability, hidden disabilities (neurodivergent), mental health, physical, complex social and learning difficulties
- There is a lack of understanding about barriers to employee accessibility to services and internal processes
- There are no quiet areas in office, which means the environment is not for suitable neurodivergent.

2.27 There is a great deal to build on in terms of what is happening across the organisation such as the Staff Engagement Group, new consultation and engagement tools, the Culture Change project, One View project, the development and strengthening of relationships within the VCS and Digital and Financial Inclusion workstreams.

2.28 However, there is also an opportunity to be more detailed and specific in the actions we take going forward. This can be achieved through the increased use of data (Census data sets from November onwards), through staff (and member) training in cultural competencies and the ongoing culture change project.

2.29 The draft action plan can be found at appendix 3. Some of the key recommendations are summarised below:

- To respond to concerns from the EDI staff group for a need to feel more comfortable about diversity in the workplace, it is therefore proposed that we create equalities champions. They would be an informal point of contact, to listen and to identify possible next steps or further help.
- The EDI staff group also considered employee accessibility to services and internal processes. It was that barriers existed and in terms of how this. It is also proposed that we start proactively asking specific questions of staff, through staff consultation and engagement to broaden our organisational understanding of the diversity that exists in our workforce and what issues and ideas exist that can contribute positively to our way forward.
- There is a need to be specific when discussing the communities the Council support. It was felt that this could only be achieved when staff were provided with training and felt empowered to use appropriate language. It was identified that data and insight was vital in understand who our communities were. The adoption of the LGA Inclusive Language guide has been put forward as a recommended action, underpinned by the need for detailed and informed evidence bases for decision making. Therefore, only accepting the use of specific language when referring to diverse communities in reports for decision. Other complementary actions detailed include:

- Cultural competency training
- Work on census data to identify emerging needs

Recommended Inclusion of additional protected characteristic

2.30 The Equality Act 2010 states that it is illegal to discriminate against someone for any of the following reasons:

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion or belief
8. Sex
9. Sexual orientation

2.31 A number of Councils across the Country have taken the decision to include 'socio-economical' factors as an additional protected characteristic. These include Haringey, Manchester as well as Welsh Councils.

2.32 The cost-of-living crisis is expected to have a significant impact on some groups of people in Maidstone than others. This is likely to include people who share protected characteristics under the Equality Act, including women, disabled people, people from certain ethnic minority backgrounds, and both older and younger people. People with caring responsibilities are also likely to be disproportionately impacted as their income tends to be lower than the population as a whole.

2.33 We want to ensure that our decision making does not impact a group or individual who are already in a financially vulnerable financial situation, and we want this to be understood in simple, straightforward term. Therefore, it is recommended that we include Poverty (as opposed to socio-economic factors) as an additional 'local characteristic' to encourage officers and decision makers to consider the impact of changes to Policy or service delivery and to take mitigating action. It is important note that everyone in our community has a protected characteristic – age and gender for example, so in adding Poverty as an additional characteristic we are creating a universal consideration in terms of impact.

3. AVAILABLE OPTIONS

3.1 To consider the Equalities Objectives and Action Plan update and the proposed revisions to the Policy and action plan, agreeing that the changes be made.

- 3.2 To consider the Equalities Objectives and Action Plan update and the proposed changes to the Equalities Policy and action plan, agreeing that no further changes be made to the Policy and action plan.
 - 3.3 To consider the Equalities Objectives and Action Plan update and the proposed revisions to the Policy and action plan, and make additional amendments.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 As detailed at 3.1 of the report. The update on the Equalities Objectives and action plan shows the progress made against existing actions.
 - 4.2 These actions have been in place since 2020 (in response to the pandemic) and there is a need to refresh the actions so that the Council can continue to make progress against its objectives.
 - 4.3 The Policy is an overarching document, outlining the Council's legislative responsibilities. However, the Armed Forces Covenant has become enshrined in law, and it is important that this is recognised in the Policy to demonstrate the Council's ongoing commitment to supporting its Armed Forces Community.
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5. RISK

- 5.1 The Council's responsibilities as a Public Sector Authority are set out in the Equality Act 2010. The Annual Update report provides an opportunity for the Council to review its progress against its objectives and ensure they are still fit for purpose. Not taking this opportunity to review progress and respond to the needs of its staff and residents could cause reputational damage to the Council and we would not be fulfilling our responsibilities under the Act.
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6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 This issue will be considered by the Communities, Housing and Environment Policy Advisory Committee on 17 January 2023, and the Committee's comments and recommendations will be reported to the Executive.
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7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 The action plan will continue to be monitored by the Equalities and Communities Officer, and the Equality, Diversity and Inclusion Officer Group.
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8. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix 1: Equalities Action Plan Update
- Appendix 2: Equalities Policy
- Appendix 3: Refreshed Action Plan

9. BACKGROUND PAPERS

None