

Committee Overview and Scrutiny	Date 30 th June 2009	Classification Unrestricted	Report No	Agenda Item No 7.1
Report of: Service Head, Scrutiny and Equalities		Title: Diversity and Equality Action Plan – 2009/2010		
Originating Officer(s) Frances Jones Diversity and Equality Coordinator, Scrutiny and Equalities		Wards Affected All		

1. SUMMARY

- 1.1 This report presents Cabinet with the Council's draft Diversity and Equality Action Plan (DEAP) 2009/10. The Plan pulls together an ambitious programme of equalities work across the Council. It reflects the strategic level activities required for the implementation of the Council's Race, Disability, Gender, Religion/Belief, Sexual Orientation and Age Equality Schemes, the actions that are necessary to achieve and maintain the highest level of the Equality Standard for local government and meet the requirements of the new Equality Framework for Local Government which will replace the Equality Standard in autumn 2009. It also sets out the activities to be undertaken to implement the Council's commitment to Community Cohesion.

2. RECOMMENDATION

- 2.1 That Overview and Scrutiny comments on the Diversity and Equality Action Plan 2009/10 which is set out in Appendix 1.

LOCAL GOVERNMENT ACT, 1972 SECTION 100D (AS AMENDED) LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT

Brief description of background papers:	Name and telephone number of holder and address where open to inspection
Equality Action Plan 2008/09 agreed by Cabinet on 30 July 2008.	France Jones, Diversity & Equality Coordinator, Scrutiny and Equalities 020 7364 4521
Six-monthly and end of year monitoring reports, Overview and Scrutiny, on 13th January 2009 and 9 June 2009.	

3. BACKGROUND

- 3.1 Tower Hamlets is one of the most culturally diverse and vibrant boroughs in the country. The rich cultural heritage of people living and working in the borough has been something that the Council has valued and celebrated. While diversity brings tremendous strengths to Tower Hamlets, it also brings real challenges. There continue to be groups in the local community who are not yet able to access all the opportunities and life chances that are available. Some people continue to face discrimination at work and in the community. The Council is committed to tackling this and promoting an environment where people are treated with dignity and respect, where people's differences are understood and valued, and where different communities are able to live at ease with each other.
- 3.2 The Council has also sought to be at the very forefront of developments on equalities and community cohesion, benchmarking progress against best practice from across the country. This commitment and the achievement of real progress on the ground have been recognised by central government.
- 3.3 The Council has placed Diversity and Equality at the core of the Strategic Plan and has developed an effective approach to equality action planning and monitoring. In March 2002 the then Policy and Implementation Committee agreed to bring together the separate Stephen Lawrence Action Plan and the Equality Action Plan into a single integrated document. The aim was to create a strong focus for driving equalities through the organisation and achieving real change on the ground. This has continued to be the case and this year's Diversity and Equality Action Plan therefore draws together a programme of strategic level actions to drive forward work in three areas:
- The delivery of the Council's six **Equality Schemes** in relation to Race, Disability, Gender, Religion/Belief, Age and Sexual Orientation
 - Work towards meeting the requirements of the proposed new Equality Bill, including the production of a **Single Equality Duty** in 2010
 - Work to improve the capacity of the organisation to tackle inequality through the use of the **Equality Framework for Local Government**
- 3.4 The national Equality Standard, which was introduced in 2002, has been a powerful tool for taking forward a broad and integrated approach to addressing equalities issues. Cabinet formally adopted the Equality Standard in 2002 and, from that time, it has been a key reference in planning and reviewing the Council's equalities agenda. In September 2009 the Equality Standard will be replaced by the Equality Framework for Local Government. The Framework has been designed to enable local authorities to build on work undertaken to meet the requirements of the Equality Standard but provides a simplified, more proportionate and locally relevant framework for assessment. It links closely to the new Corporate Area Assessment performance framework with a key emphasis on place shaping and identifying and addressing the needs of local communities. The Framework assesses progress in five domains: Knowing your community and equality mapping; Place shaping, leadership, partnership and organisational commitment; Community engagement and satisfaction; Responsive services and customer care; and a modern and diverse

workforce. The actions set out in the corporate capacity section of the Diversity and Equality Action Plan reflect these domains.

- 3.5 Using the Equality Standard, the Council has been able to track progress and success year on year. An important strength is the opportunity to have progress independently validated which first took place in May 2006. This confirmed that Tower Hamlets was at Level 5 of the Standard and the Council was the first local authority in the country to receive the Equality Mark from the Improvement and Development Agency in recognition of this.
- 3.6 In March 2007 the Equality Standard was revised and the key changes included:
- The achievement of demonstrable outcomes in regard to age, religion or belief and sexual orientation by March 2009
 - Every department and service is engaged in equality self-assessment and external validation from levels 3-5 of the Standard
 - A greater emphasis on the community leadership role of local government in influencing partners to improve their equalities practice and deliver outcomes for local residents

In March 2009 we were re-assessed against the revised Equality Standard. The report produced by our assessor set out strengths and areas for improvement which have informed the content of this year's Diversity and Equality Action Plan.

- 3.7 Cabinet first agreed the Council's Race Equality Scheme in 2002 and subsequently a new 3-year scheme for 2005/08. On 8 November 2006 Cabinet agreed the Disability Equality Scheme and on 4 April 2007 the Gender Equality Scheme was also agreed. The actions set out in each of these statutory documents reflect the priorities and requirements of the respective Schemes. During the last year we developed three new Equality Schemes in relation to religion/belief, age and sexual orientation and we also refreshed our existing Race Equality Scheme. These Schemes were agreed by Cabinet on 15th April 2009. In line with national guidance, the objectives within each of these Schemes have been clearly highlighted within this year's Diversity and Equality Action Plan. During 2009-10 we expect to see the new Equality Bill introduced into Parliament. The draft Bill contains a number of provisions to streamline and strengthen the legal framework to tackle inequality and discrimination. Of particular relevance to local authorities are the provisions to introduce a new strategic socio-economic duty to reduce socio-economic inequalities and the extension of current public duties to promote equality on the basis of race, disability and gender to age, sexual orientation, religion or belief, gender reassignment, also including pregnancy and maternity. During 2009-10 we will therefore work towards the development of a Single Equality Duty which will enable us to address issues of inequality and disadvantage across the equality strands.
- 3.8 In preparation for the introduction of the Single Equality Duty we developed individual Equality Schemes for each equality strand. In these Schemes we analysed evidence of inequality between individuals and groups in the borough. Drawing on the Equality Measurement Framework categories the Equality Schemes offer a description of inequality

which distinguishes between inequality of access and outcome. For example we know that many new communities in the borough are less able to access public services as they may not be aware of the services that exist, may experience language barriers and may not be eligible for some services. To ensure that we respond to this inequality of access we have a duty to engage with these communities to identify and minimise barriers and improve access. However we also know that for some groups and individuals, tackling inequality of outcome is not a case simply of improving access to services but requires a more holistic response to a range of factors. Mapping inequality across the equality strands in this way has helped us to identify areas of persistent and systemic inequality which arise from a complex interplay of factors and require a holistic and long term response. These areas are set out in Table 1 (see below) and this year's Diversity and Equality Action Plan focuses on these priority areas which require work across a number of council and partner services. During the year we will also be exploring the links between these priority areas to develop the Single Equality Duty.

Table 1: Priority areas of inequality to be addressed through Equality Schemes, 2009-12

Priority area	Age	Disability	Gender	Race	Religion/Belief	Sexual Orientation
A Prosperous Community: Worklessness	Reduce number of 16-18 year olds not in education, employment or training	Increase number of disabled people in employment	Reduce rate of economic inactivity among working age women	Reduce levels of unemployment and worklessness amongst Bangladeshi and Somali residents	Reduce rate of economic inactivity among Muslim women	
A Prosperous Community: Educational			Improve under performance of boys relative to girls at GCSE	Narrow the achievement gaps between different ethnic groups and the national average		Tackle homophobia in schools
A Great Place to Live: Housing		Increase access to independent living opportunities for disabled people		Address shortage of suitable social housing which has a disproportionate impact on BME families	Address shortage of suitable social housing which has a disproportionate effect on Muslim families	
One Tower Hamlets: Community Cohesion	Strengthen inter-generational cohesion	Give disabled people a voice in decision making		Increase the number of people of different backgrounds who feel that ethnic differences are respected	Increase the extent to which people of different faiths say they get on well together	Reduce homophobia and promote understanding and respect for LGB people
A Healthy Community: Health	Reduce childhood obesity		Improve life expectancy for men through effective health promotion services	Promote healthy lifestyles in an effective way to BME communities		Improve access to primary care health services for LGB people

3.9 The refreshed Community Plan to 2020 includes an overarching theme to build 'One Tower Hamlets'. This theme covers three core elements: tackling inequality; building strong and cohesive communities and; supporting effective community leadership. The Diversity and Equality Action Plan sets out a number of the activities which will enable us to deliver on this theme.

3.10 In February 2008 the Government published their response to the 2007 report of the Commission on Integration and Cohesion. The report included a new definition of a cohesive community:

“Our vision of an integrated and cohesive community is based on three foundations:

1. People from different backgrounds having similar life opportunities
2. People knowing their rights and responsibilities
3. People trusting one another and trusting local institutions to act fairly

and three key ways of living together:

1. A shared future vision and sense of belonging
2. A focus on what new and existing communities have in common, alongside a recognition of the value of diversity
3. Strong and positive relationships between people from different backgrounds”

3.11 During 2008-09 we worked closely with colleagues across the Council and partner organisations to develop our understanding of cohesion in Tower Hamlets. We know that there are many examples of innovative and effective work taking place across the borough, particularly in our schools, in work to tackle hate crime and in community organisations. However this is a challenging area in which we cannot afford to be complacent and we know that international events and tension and the wider economic downturn can have a negative effect on cohesion in the borough. This year's Diversity and Equality Action Plan therefore contains a number of actions designed to ensure that our work on cohesion is based on an accurate and sophisticated assessment of our local context and emerging issues and concerns for local communities.

3.12 All of the above developments therefore place an additional spotlight on the Council's diversity and equality work. Matched with this, in its performance monitoring role the Overview and Scrutiny Committee has questioned the effectiveness of the model of previous Action Plans as a performance management tool. Over the coming year the Council will continue to work to provide excellent public services that understand our diversity to achieve better equality. The Diversity and Equality Action Plan will also be monitored to ensure it is an effective tool for measuring and analysing the outcomes of that work.

4. DISSEMINATION OF THE PLAN

- 4.1 The preparation of the Diversity and Equality Action Plan has taken place through the Council's Corporate Equalities Steering Group which has representation from across the authority and includes the Trade Unions, and with the contribution of Directorate Equalities Focus Groups.
- 4.2 Once agreed by Cabinet, the Plan will be distributed widely and will also be published on the Council's Web site. Internally, the Plan will be taken forward through each of the Directorate Equalities Focus Groups, and will be reflected in team plans and individual staff performance and development plans. Copies of the Plan will also be made available through the Council's intranet.

5. CONSULTATION

- 5.1 The contents of the Diversity and Equality Action Plan have been drawn together by the Council's Corporate Equalities Steering Group with contributions from all Directorates and reflecting the input from latest consultation, such as the Annual Residents Survey and external consultation groups, including the Tower Hamlets Interfaith Forum and the LGBT Forum, as well as partnership groups such as the Race and Hate Crime Interagency Forum and the Refugee and New Migrants Forum. The contents of the Plan are also informed from feedback through the staff survey, the local Trade Unions and corporate staff groups which have a specific focus on Disability, Sexuality and Ethnicity. Further input from these groups will be sought as part of the implementation process to ensure maximum impact is achieved from this work.

6. MONITORING AND EVALUATION ARRANGEMENTS

- 6.1 As well as the monitoring of implementation taking place through the Directorate Equality Focus Groups, and the Corporate Equalities Steering Group, the Overview and Scrutiny Committee formally reviews progress every six months. The Council also seeks out opportunities for external challenge and benchmarking.
- 6.2 Over the last year the Deputy Leader chaired the pilot Members' Diversity and Equality Working Group. Aimed to help develop the community leadership skills of Councillors, the Group considered three potentially continuous issues:
- Our Preventing Violent Extremism work programme;
 - Homophobic hate crime and;
 - Working with new communities

The Working Group involved partners and residents to explore real life scenarios. These highlighted the complexities involved and the importance of creating public space to air them. Arising from the Group Members were involved in a public event where local young people discussed with central government officials the implications of the Preventing Violent Extremism agenda locally. They also participated in events during LGBT History Month including a debate about the future of the LGBT Community Forum. The work of the Group demonstrated how Members' on the ground experience can provide a vital counterweight to the development of strategic plans. Therefore the Working Group will continue this year to help develop the authority's response to the Single Equality Duty.

7. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL)

- 7.1. Cabinet is asked to agree the Diversity and Equality Action Plan for 2009-10. The Plan sets out the Council's commitment to promoting diversity and equality and how the Council will deliver on that commitment.
- 7.2. The Council is subject to general equality duties in relation to race, gender and disability, details of which are as follows. The Council is required in carrying out its functions to have due regard to the need to eliminate unlawful discrimination on grounds of gender, race and disability. The Council must also have regard to the need to eliminate harassment on grounds of gender and disability. The Council must in addition have regard to the need to: promote equality of opportunity in these areas, promote good relations between persons of different racial groups; take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons; promote positive attitudes towards disabled persons; and encourage participation by disabled persons in public life. Insofar as the Diversity and Equality Action Plan is targeted at race, gender and disability, the plan may be regarded as giving effect to the Council's legal obligations.
- 7.3. The Council is not presently subject to general equality duties in respect of age, sexuality and religion or belief, although the Government has announced an intention to introduce a single equality duty and the Equality Bill 2009 containing such a duty has been introduced in Parliament. In the absence of general equality duties, the Council is still subject to obligations not to discriminate on grounds of age, sexuality and religion or belief. The Diversity and Equality Action Plan may in part be supported by the Council's need to comply with the statutes and regulations listed in the first section of the Plan.

- 7.4. To the extent that the Diversity and Equality Action Plan contains broader goals of promoting diversity and equality, then it may be viewed as a matter of good administration, consistent with both the Equality Standard and Equality Framework for Local Government, and in pursuance of the Council's goal of One Tower Hamlets set out in the Community Plan. The Council is empowered under section 2 of the Local Government Act 2000 to do anything which it considers likely to promote the social, economic or environmental well being of Tower Hamlets, provided the action is not otherwise prohibited by statute. The power may be exercised in relation to, or for the benefit of: (a) the whole or any part of Tower Hamlets; or (b) all or any persons resident in Tower Hamlets. In exercising the power, regard must be had to the Community Plan. The report and the Diversity and Equality Action Plan set out details of the One Tower Hamlets goal and how working towards that goal will benefit people living in Tower Hamlets. Cabinet may view the Diversity and Equality Action Plan as being supported by its well-being power.
- 7.5. Having regard to the matters set out above, it is open to Cabinet to approve the Diversity and Equality Action Plan.

8. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 8.1 Equalities issues should be embedded into service delivery, and they are taken into account when budgets are set. As such, there are no additional financial implications arising from adopting the Diversity and Equality Action Plan 2009/10. However, if additional costs arise from implementing the Plan, they must be contained within revenue budget provisions in directorates.

9. ONE TOWER HAMLETS

- 9.1 The Diversity and Equality Action Plan 2009-10 represents an important step in progressing the Council's commitment to building One Tower Hamlets as a place in which people live together and where they are treated with respect and fairness regardless of their differences. The Plan demonstrates that a commitment to tackling inequality and promoting cohesion is at the heart of the Council's agenda and sets out the work due to take place to integrate diversity and equality fully into all aspects of service delivery and employment practice. The 2009-10 Plan also explores the inter relationship between work on equalities and community cohesion. The aim of the Action Plan is to create an environment in which everyone who lives and works in our borough is treated with dignity and respect and where everyone can improve their life chances and access the increasing opportunities on offer.

- 9.2 The Diversity and Equality Action Plan aims to tackle the barriers currently preventing some of the most disadvantaged people in our community from accessing the life opportunities on offer and aims to enable them to actively participate in creating and sharing prosperity in the borough. It also sets out the role of elected members and other community leaders in bringing about the change required to drive forward real improvement in relation to equality and cohesion.

10. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 10.1 Efforts will be made to ensure that in delivering the commitments of the Diversity and Equality Action Plan the impact on the environment is kept to an absolute minimum. This includes the use of recycled paper in any documentation, and careful consideration of the methods used to engage with local communities, partners and staff.

11. RISK MANAGEMENT IMPLICATIONS

- 11.1 The Council is seeking to implement an ambitious diversity and equality agenda in the context of changes in national legislation and standards. Progress to date has been very positive, but there is still much to be done if all the Council's targets are to be achieved and all the new legislative requirements are fully complied with. Any slippage could potentially undermine this.
- 11.2 The Diversity and Equality Action Plan provides a focus for all the Council's equalities work, and a means by which Members can ensure that each of the progress milestones are achieved. The arrangements in place to review progress during the year through the Corporate Equalities Steering Group, Corporate Management Team and finally by the Overview and Scrutiny Committee are considered to be effective ways of keeping this work on track.
- 11.3 Diversity and equality performance indicators will help keep the focus firmly on delivery and outcomes. The emphasis on consultation will mean that the Council's performance in this area will be judged by the experiences of service users on the ground.
- 11.4 The Council will continue to work closely with the Improvement and Development Agency (IDeA) to ensure that local practice in implementing the Equality Standard and all equalities issues is informed by best practice taking place in other parts of the country.

12. APPENDICES

Appendix 1 - Diversity and Equality Action Plan 2009/10