

BARNSELY METROPOLITAN BOROUGH COUNCIL

REPORT OF: EXECUTIVE DIRECTOR OF CORE SERVICES
TITLE: Equality and Diversity Annual Report 2021/22

REPORT TO:	Cabinet
Date of Meeting	22nd March 2023
Cabinet Member Portfolio	Core Services
Key Decision	No
Public or Private	Public

Purpose of report

Our annual Equality, Diversity and Inclusion report provides an overview of how we are meeting the requirements of the Equality Act 2010 and associated Public Sector Equality Duty.

Council Plan priority

All

Recommendations

That Cabinet:-

1. Approve the Key Findings and Improvement Actions
2. Approve that the report is published on our website

1. INTRODUCTION

1.1 The Equality Act 2010 and associated Public Sector Equality Duties (PSED) require the Council to have due regard to three areas in the way it works: This is known as the general duty:

- 1) To eliminate unlawful discrimination, harassment, victimisation, and any other conduct prohibited by the Equality Act 2010.
- 2) To 'take forward (advance) equality of opportunity' between people who share a protected characteristic and people who do not.
- 3) To 'foster good relations' between people who share a protected characteristic and people who do not share it.

1.2 Local Authorities also have specific duties as part of PSED. There are three

key sections to this:

- i. Produce and Publish a Gender Pay Gap report – which will be presented on this agenda as a separate item
- ii. Publish information to demonstrate compliance with the general equality duty. information must include information relating to people who share a protected characteristic who are: its employees, and people affected by its policies and practices.
- iii. Prepare and publish one or more objectives that it thinks it needs to achieve to further any of the aims of the general equality duty – We have published our equality objectives and they are currently aligned to our Council Plan outcomes:
 - Healthy Barnsley: People live independently with good physical and mental health for as long as possible.
 - Learning Barnsley: Children and young people achieve the best outcomes through improved educational achievement and attainment.
 - Growing Barnsley: People have a welcoming, safe, and enjoyable town centre and principal towns as destinations for work, shopping, leisure, and culture.
 - Sustainable Barnsley: People live in great places, are recycling more and wasting less, feel connected and valued in their community.
 - Enabling Barnsley: We are a modern, inclusive, efficient, productive, and high-performing council.

1.3 We recently received a letter from the European Human Rights Commission (EHRC), which identified that we are not currently compliant with our legal obligations under the PSED. We have until 30th March 2023 to publish our report on our website. Once we have published, we will then pro-actively contact the EHRC to inform them of our compliance.

1.4 Our annual report provides an overview of how we are meeting the Equality Act 2010 and associated Public Sector Equality Duties (PSED), and is split in to three sections:

- 1) Service User Profile – Details Equality Data across a range of Services
- 2) Workforce profile – Based on the Employee Survey, details characteristics about our workforce
- 3) Progress report against our equality objectives

1.5 Key Findings and Improvement Actions

Service User Diversity Report

1.6 We know that we have significant gaps in the collection and provision of equalities monitoring data, and we have already started to make some improvements, for example we are now collecting data for customer complaints and compliments. We have in the last 12 months implemented new systems for both Education and Children's Social care and this will allow us to strengthen the equality monitoring data and report on data not

previously captured, for example ethnicity for children with an Education and Health Care Plan. We are also undertaking significant development work on our Adult Social Care system, which will also provide an opportunity to review equalities monitoring data we collect and report on. We will be looking to include a broader range of services in our 2022/23 report including Libraries, Public Health Nursing Service, Blue Badge Scheme.

We also know that we need to improve the quality of equality monitoring data both in terms of filling gaps and in the types of data we collect. We will need to ensure that our equalities monitoring guidance is fit for purpose and that we are collecting the very latest categories of data, for example most services do not collect data in respect of transgender and non-binary identifiers. We need to improve the collection of data on sexual orientation and religion and belief.

- 1.7** There is inconsistency across Council ICT systems in relation to the types of characteristics for which data is collected and the way that data is classified meaning it may be difficult for our staff to record the information that they capture about people using our services against the appropriate category. In some cases, we can configure systems ourselves or our software providers can adjust systems. In others, changes may not be possible. It would be useful to undertake a system's audit over the next 12 months to ensure that where we can develop systems, this work is undertaken so that people's characteristics are appropriately recognised and classified.
- 1.8** We are in the process of developing our equality and diversity action plan and the following improvements actions will be monitored through this process:
- Action 1: Review and republish equalities monitoring guidance to ensure that we are capturing all appropriate characteristics.
 - Action 2: Work with Services to ensure that we can capture appropriate equalities monitoring data across all services and improve recording.
 - Action 3: Undertake a system's audit to ensure that system developments are made, and we can ensure that people's characteristics are appropriately recognised and classified.

Workforce Profile

- 1.9** We recently held an employee survey which asked for demographic information about our workforce. From a workforce number of 3,222 employees. we believe that this data currently gives us the most accurate demographic profile of our workforce. We are in the process of updating our current HR management system. Employees will be able to self-serve providing the opportunity to keep their own personal data up to date which will help to improve the data we capture and report on about our workforce.
- 1.10** We recognise that the data held in our current system needs to be better and we aim to gather data covering all the protected characteristics: age, sex, disability, race, religion or belief, sexual orientation, gender reassignment, pregnancy and maternity, civil partnership, and marriage for existing employees in a one-off data collection exercise and to ensure that we have mechanisms in place to capture this data for new starters.

1.11 We are in the process of developing our equality and diversity action plan and the following improvements actions will be monitored through this plan by the Organisation Development Board:

- Action 1: Develop the HR Management System with self-serve capability to ensure maximum opportunity to capture equality monitoring data.
- Action 2: Undertake a one-off data collection exercise to capture up to date and appropriate data about our employees' ensuring employees are aware of why we are collecting it and some of the benefits to providing it.
- Action 3: Ensure that systems are in place to capture this data for new starters in the organisation.
- Action 4: Further work to identify the reasons why employees might not disclose information about different characteristics

2. PROPOSAL

That Cabinet:-

1. Review, challenge and scrutinise the contents of the Corporate Performance Report in relation to the delivery of the Corporate Plan priorities and outcomes.
2. The Performance Report is shared with the Overview and Scrutiny Committee to inform and support their ongoing work programme.

3. IMPLICATIONS OF THE DECISION

3.1 Financial and Risk

None

3.2 Legal

The report is around how we are meeting our Legislative requirements of the Equality Act 2010.

3.3 Equality

This report outlines our progress to meeting our legislative requirements and progress against our current equality objectives.

3.4 Sustainability

None

3.5 Employee

None

3.6 Communications

A press release will be released when these papers become public.

4. CONSULTATION

Consultations have taken place with a number of officers from all Directorates within the council who have contributed to the report and its content.

Consultation has also taken place with all members of the Senior Management Team who have collectively reviewed the report.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 Not Applicable

6. REASONS FOR RECOMMENDATIONS

6.1 We have a Legal Duty to publish this information.

7. GLOSSARY

PSED – Public Sector Equality Duty

8. LIST OF APPENDICES

Appendix 1 – Equality and Diversity Annual Report 2021/22

9. BACKGROUND PAPERS

None

10. REPORT SIGN OFF

Financial consultation & sign off	
Legal consultation & sign off	<p>“The Annual Equality, Diversity and Inclusion Report confirms compliance of the Council’s obligations in accordance with the public sector equality duty. The Equality Act 2010 sets out 3 broad criteria which underpin the Council’s legal obligations as follows:</p> <p>(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;</p> ”

	<p>(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</p> <p>c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”</p> <p><i>Sukdave Ghuman 02/03/23</i></p>
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Date:02/03/23