

LONDON BOROUGH OF BRENT

**FULL COUNCIL - 26th JANUARY 2004
EXECUTIVE - 9th FEBRUARY 2004**

REPORT FROM THE CHIEF EXECUTIVE

FP Ref CEx-03/04-5

Future of the CRE Leadership Group

1.0 SUMMARY

- 1.1 This report outlines the achievements in recent years of Brent Council in relation to race equality. It recommends that the council's existing arrangement with the Commission for Racial Equality is brought to a conclusion.
- 1.2 The arrangement, to jointly monitor race equality, was mutually agreed as a voluntary arrangement between the CRE and a Leadership Group of the council in 2000. It was established as a direct response to the high number of Employment Tribunal cases that had been lodged against the Council on the grounds of racial discrimination in the previous years.
- 1.3 The arrangement has been highly successful but is no longer necessary as the Council has achieved a significant reduction in the number of Employment Tribunals lodged. The council has also made major improvements on equalities issues in wider areas of employment and in service delivery. These improvements are widely recognised by external bodies and government agencies including the Audit Commission, OFSTED, the Social Services Inspectorate and most recently the Investors in People panel.
- 1.4 The council has recently put in place new arrangements to monitor race equality, published its Race Equality Scheme and Action Plan approved by the CRE and established a Corporate Diversity Team.
- 1.5 The recommendations in this report demonstrate the Council's commitment to monitor equality and diversity as a mainstream activity under these new arrangements with the support of the Corporate Diversity Team.

2.0 RECOMMENDATIONS

- 2.1 That this meeting notes the Council's achievements in relation to race equality and diversity and debates the ending of the informal monitoring arrangement with the CRE and Leadership Group. Council is

recommended to refer the matter for decision to the Executive meeting on February 9th 2004.

- 2.2 That in light of the comments of the Council, the Executive determine whether to end the existing arrangement of the CRE and Leadership Group given that other arrangements now exist to monitor the Council's commitment to race equality.
- 2.3 That the Council expresses its appreciation to the CRE for its help and support throughout this partnership arrangement and confirms its commitment to continue working with the CRE in the future.

3.0 FINANCIAL IMPLICATIONS

- 3.1 None

4.0 STAFFING IMPLICATIONS

- 4.1 None

5.0 LEGAL IMPLICATIONS

- 5.1 The CRE has powers to investigate an organisation which they consider to be responsible for unlawful discrimination and can issue non-discrimination notices requiring action and seek enforcement of those through the courts if necessary. As an alternative to a non-discrimination notice the CRE can suspend an investigation on the basis of undertakings from an organisation not to discriminate and to take particular actions. An investigation could restart in the event of a breach of the undertaking. The existing arrangements with the CRE were not entered into on this formal basis and are recognised as a voluntary agreement.

6.0 THE CASE FOR ENDING THE CRE AGREEMENT

- 6.1 The original reason for setting up the CRE Leadership Group was the widespread concern that then existed about the level of race related employment tribunal cases in Brent. This arose from extensive structural changes and job losses which took place in the authority in the early to end 1990's, a time when the central HR function had been reduced to a bare minimum. As section 10 below makes clear, this issue has been successfully tackled and Brent's race related employment tribunal cases have been reduced to a very modest number indeed.
- 6.2 Since the agreement (copy attached at Appendix 1) was established in 2000, the Council has co-operated fully and actively with the CRE and the high level of political and managerial engagement in the process has been acknowledged by CRE representatives. Detailed reports have been produced on employment and training issues as well as our

work to meet the needs of a multi-racial community in service delivery. We have been open, forthcoming and helpful at every stage of the process.

- 6.3 In the last three years, the Council has made very considerable progress on diversity and this is now well documented in our Race Equality Scheme and Action Plan. The CRE are aware of our progress and have been generally supportive about the approach we are taking. It is certainly clear that Brent is ahead of many public bodies in its commitment to serving a multi-racial community and, to the best of our knowledge, we are still the only local authority in the country to employ an ethnic majority workforce. Indeed, it is our understanding that Brent has a higher proportion of BME staff than the CRE itself.
- 6.4 We also believe that the introduction of the Race Relation Amendment Act has fundamentally changed the environment in which we operate. Brent Council welcomed the new responsibilities contained in the Act and has fully and enthusiastically complied with them. We now have a good and challenging Race Equality Scheme which stands comparison with any local authority in the country. The CRE has certainly not expressed any worries about it nor do we expect them to do so. As members will be aware, the CRE have formal statutory powers to investigate and intervene in local authorities about which they have concerns, but at no stage has there ever been any suggestion that these powers should be deployed in Brent.
- 6.5 Put simply, the Council has made considerable strides since 2000 and now operates comfortably within the framework of the new legislation. We have shown high level political and managerial commitment. We have embraced diversity in our corporate strategy. We have invested substantial resources in a dedicated diversity function. We have mainstreamed race awareness into day-to-day service delivery. And our efforts have been commended by a succession of external inspection bodies. We therefore struggle to understand why we should continue to be subject to special scrutiny by the CRE when so many other public bodies and local authorities demonstrably do much less than we do. Our record on race speaks for itself and the original rationale for the Leadership Group no longer applies. It is time for the arrangement to be brought to a close and for us all to move on.

7.0 BACKGROUND INFORMATION

- 7.1 Following a meeting of Corporate Deciding Committee in August 2000, the Council resolved to agree a five year Race Equality Action Plan with the Commission for Racial Equality, which would be monitored by an all-party group of Members to ensure its implementation.
- 7.2 At the time there were concerns expressed about the Council's record on employment tribunals and the adverse publicity this had caused in the local and national press. In response, a cross party group was set

up to monitor the implementation of a five year Race Equality Action Plan.

- 7.3 With the introduction of the Race Relations Amendment Act 2000, the council has approved its own Race Equality Scheme and Race Equality Action Plan.
- 7.4 The Act which was the government's legislative response to the inquiry into the murder of teenager Stephen Lawrence, placed the council under a legal duty to promote equality of opportunity, challenge racism and encourage community cohesion.
- 7.5 In response Brent has published detailed plans in which each service area has identified its race equality priorities, set targets and time scales and have identified the officer accountable for those outcomes.
- 7.6 The Council has also established its own Leadership Group on Equality and Diversity, led by the Director of Social Services. Members of this group include the Director of Education Arts and Libraries, the Director of Human Resources and Diversity and Lead Member for Equalities and Service Improvement. The Head of Diversity acts as adviser to the Group. The group has met already and it is this group which is now responsible for ensuring that the targets set out in the Race Equality Action Plan are completed within agreed time scales and for overseeing reports on progress to the appropriate committees.
- 7.7 Since the Council began meeting with the CRE there have been significant achievements in the promotion of equality and diversity. This is demonstrated in employee relations, service delivery and in the promotion of community cohesion. In particular the number of employment tribunal applications related to race has dropped dramatically.
- 7.8 Originally the special monitoring arrangements with the CRE were planned to bring about the necessary outcomes over a five year period. Those improvements have been achieved over a far shorter period and there is no need, therefore, for those special monitoring arrangements to continue.

8.0 PROMOTING RACE EQUALITY FROM 2000 TO THE PRESENT

- 8.1 Brent has had an on-going commitment to promoting racial equality since we agreed a Race Equality Action Plan with the CRE three years ago. In September 2000, the then Chair of the CRE gave the keynote address to the Senior Manager's Conference, and in January 2001, Brent jointly with the Metropolitan Police Service launched the "Not another Drop, the Killing Must Stop" anti-gun campaign, which went on to win a CRE 'Race in the Media' award.

- 8.2 In September 2001, the Council applied for and was shortlisted for a Beacon Council award under the theme “promoting racial equality”, and in November 2001 we launched a Black and Asian Staff Forum. In January 2002, the Council adopted a new strapline “Brent, Proud of our Diversity”.
- 8.3 In May 2002, the Council published its first Race Equality Scheme by the government’s deadline, and in September, the Council acknowledged staff who had “promoted equal opportunities and community cohesion” in its annual staff awards.
- 8.4 In September 2002, the Council adopted a new Corporate Strategy which identified equality for all Brent’s diverse communities, as one of its key values. It states that the council will “...promote tolerance, understanding and community cohesion between our different communities.”
- 8.5 In October 2002, the Council published its first annual workforce monitoring report reporting inter alia on the recruitment and retention of black and minority ethnic staff.
- 8.6 In 2003, the Council appointed a new Director of Human Resources and Diversity and recruited to a new Corporate Diversity Team, designed to support the council’s agenda on equality and diversity in service delivery. The new team began work in mid-August 2003 with an aim to mainstream into everything that we do.
- 8.7 At the council’s Senior Management Conference in September 2003, the council’s Improving Brent programme was reaffirmed as the organisations key vehicle for pushing forward service improvements. The two key aims of the programme are to achieve quality and equality.
- 8.8 Together with its West London Alliance partners the council was selected by government to be a community cohesion pathfinder authority. It is currently working on a range of individual projects and initiatives as part of a programme of work that runs until September 2004.

9.0 CURRENT WORK

- 9.1 The Corporate Diversity Team is managed up by the Head of Diversity and staffed by specialist diversity officers.
- 9.2 To date the new team have;
- published written guidance for managers on undertaking equality impact assessments
 - published a handbook for staff on work-life balance which was sent to all staff with their pay advice slips

- organised training for service areas on equality impact assessments
- helped launch a new Black and Minority Ethnic User Consultative Forum and consulted local people on the draft Cultural Strategy
- published a Race Equality Action Plan consistent with the council's Race Equality Scheme
- published the council's second Workforce Monitoring Report
- published the fourth of the council's Brent, Proud of our Diversity posters to mark Holocaust Memorial Day (January 25th)
- published a handbook on Diverse Faiths distributed to every member of staff
- produced written guidance for managers on reaching Level 1 of the Equality Standard for Local Government
- established the West London Equality and Diversity Alliance, made up of our partners in the West London Alliance area to exchange information and good practice on equality and diversity issues

9.3 In the future months the team will be working closely with service areas to make sure that the council meets its race equality targets for this year and will be consulting with Members, the community, managers, and staff on the writing of the 2004-06 Race Equality Scheme which is due to be published by the end of May 2004.

9.4 The team is also working on the organisation of this year's Respect Week Festival for Brent to take place in July (July 10th-17th 2004).

9.5 Finally, the team is currently working with service areas to ensure the Council reaches Level 1 of the Equality Standard, one of the Government's Best Value Performance Indicators.

9.6 The Corporate Management Team has also agreed to introduce a "diversity implications" paragraph in committee reports, so that Members can also monitor that the Council is in compliance with the Race Relations Amendment Act.

9.7 We have set up a Diversity Reference Group which is made up of senior and middle managers across each of the service areas and which meets regularly to progress the Council's equality action planning. And we have an ambitious programme of training (being delivered by Equality Works) which will ensure that every single employee receives formal equality training at Brent.

10.0 WHY THE CRE LEADERSHIP MEETINGS STARTED

10.1 In August 2000 when the council officers sought agreement from the Commission for Racial Equality for a five year Race Equality Action Plan, the council had a very poor record on defending cases of racial harassment and discrimination at employment tribunal.

10.2 Many claims arising from actions in the mid 1990s were the result of poor management practice and staff were left feeling aggrieved. Since

the Council then did not have the structures in place for dealing with such grievances in a proper and consistent manner, employees lost confidence in the council as an employer and resorted to taking formal court actions.

- 10.3 In the three years between 1996 and 1999, the council faced 116 claims from staff, 50 of these were on the grounds of racial discrimination. Over the next three years (from 2000 to 2003) the number of claims against the council fell from 116 to 73, certainly in part because a new team in Human Resources dealt with complaints from staff at an earlier stage.
- 10.4 In 2000, the Council defended 18 claims of racial discrimination. By 2001, the total number of such claims had fallen to 10. In 2002, this had further reduced to 2 and last year (2003) there was only a single claim of racial discrimination against the council.
- 10.5 The number of claims lodged has dramatically reduced in recent years against a national picture where there is a trend of increasing numbers of such cases.
- 10.6 Over the last three years, the Council has also put into place a number of mechanisms to ensure that we do not repeat past mistakes. These include, the setting up of an Employment Tribunal Panel, which brings together officers from the Legal Team, Human Resources and senior managers from the service areas concerned to monitor situations where an employee has made a claim against the council.

11.0 OTHER PROGRESS

- 11.1 The Council has made real headway on its agenda on employment and equal opportunities. It has an ethnic majority workforce serving an ethnic majority population and is believed to be the only one in the entire country.
- 11.2 The 2001 census figures show that excluding Irish, 54% of Brent's population is made up of people from BME groups while including Irish, 60% of the council's workforce classify themselves as from a BME group.
- 11.3 51% of all BME staff are in management grades (PO1 and above) and 63% of all junior management posts are held by black and minority ethnic staff (an increase of 9% in a year). Black and minority ethnic staff hold 50% of all management posts (up 4% in a year) and 30% of all senior posts. 12% of chief officer posts are currently held by BME staff, which is higher than the national levels for this group. The figures reflects the relatively small number of senior managers from BME backgrounds nationally.

- 11.4 Results from Brent's latest Workforce Monitoring Report appear currently in an article in the ALG's London Bulletin (January/February 2004 issue) as an example of good employment practice.
- 11.5 The council has made great strides in service delivery across all services. Work of the Corporate Centre has included the development of language cards for use across the council, provision of a translation facility on the council's web site in eight community languages, and an increase in the number of staff in the One Stop Shops providing Hindi, Gujarati and other languages such as Croatian. The service also operates a Gujarati telephone helpline. In addition the Corporate Centre has developed a racial harassment reduction project and trained CMT and Members on the Race Relations Amendment Act.
- 11.6 The Council's work on regeneration has a major impact on equalities issues in Brent as it is a BME majority borough with many BME communities concentrated in some of the most disadvantaged areas. The council has an enviable reputation in this area and won a Beacon award for work done on supporting refugees and asylum seekers.
- 11.7 The council has a well established programme of specific cultural festivals that help to promote cultural awareness and community cohesion across the borough. Last year the programme expanded to include a Brent Respect Festival to its annual calendar.
- 11.8 In Education, Arts and Libraries, managers have provided targeted support to schools through its Ethnic Minority and Traveller Achievement Services, identified factors relating to under-achievement of black pupils and begun to track that under-achievement via a central pupil database. The service has continued to promote its highly acclaimed Black History Month programme and launched a scheme to encourage refugee and asylum seeker communities to use the library facilities and has developed youth forums in Brent's priority neighbourhoods. Finally, EAL has held an exhibition of the cultural importance of Ealing Road, translated key information and publicity materials in to community languages and revised teacher recruitment packs to encourage applications from overseas-trained teachers
- 11.9 Social Services key successes include developing a focussed advertising campaign to encourage more black and Asian people to apply to be foster carers, consulting with trans-racially adopted children and their parents about their needs, and launching the Brent Black African and African Caribbean Mental Health Consortium. The department has also established an elderly mental health day centre, and ensured that all nurseries and day centres provide freshly cooked multi-cultural meals with a choice of vegetarian and meat dishes. It has continued to provide its well-established multi-cultural meals-on-wheels service.

- 11.10 In Housing, managers have established a Racial Harassment Steering Group, developed a BME strategy based on results of reviews of all new services, and launched LOCATA a choice based letting agency which screens out any opportunity for discrimination in allocations. The service has also published key documents in community languages, taken part in the PATHE programme to help staff from Black and minority ethnic backgrounds gain housing qualifications, employed interpreters at a Housing Options Day and developed a Black and minority ethnic protocol for RSLs which has been adopted and promoted by the Housing Corporation.
- 11.11 Progress has also been made in Environmental Services. This includes the provision of specialist faith burials, food safety training in Cantonese and Arabic, leadership training specifically aimed at BME and women staff, and the undertaking of equality audits in most units. Managers have also worked with users of faith buildings in CPZs to ensure parking restrictions give access across the community groups, and managers have also identified that black children have more road accidents than others and are working to tackle this issue.

12.0 WHAT OTHERS SAY ABOUT US

- 12.1 In recent years Brent Council has built on its a reputation as an organisation that is working hard to make improvements on equality issues. This hard work is paying off and Brent is becoming increasingly recognised as an authority that is leading the way in this field as demonstrated by statements made by external bodies.

- 12.2 Brent was shortlisted for a Beacon award under the theme of “promoting racial equality” in 2001, and the judges commented that

“The council demonstrated strong political commitment for promoting racial equality and mainstreaming it into all the council’s work”.

In the same year the Cattle Report into Community Cohesion commented that

“Local leadership is evident in a number of proactive local authorities Brent gave details of comprehensive equality strategies and action plans”.

- 12.3 Whilst in 2002, the report of the Joint Review of Social Services stated that

“There is a higher percentage of staff employed..... from BME groups than in the population itself. This gives many service areas a considerable advantage in understanding the language and culture of service users”.

In 2002 the Audit Commission’s CPA Report also noted that

“A major positive is the progress the council has made in ensuring its workforce reflects the diversity of the community it serves. It is an organisation that is comfortable managing issues of diversity and equal opportunities.”

12.4 And last year (2003) the council’s Ofsted Inspection report described

“A culture that celebrates diversity and where issues of race can be discussed openly is well-embedded in schools”.

12.5 The council has just been awarded Investors in People accreditation for the whole organisation. The IiP report found that managers in Brent were very aware of issues of equality and states:

“The London Borough of Brent is one of the most ethnically diverse council areas and this diversity is reflected in the council’s own workforce at all levels.”

13.0 CONCLUSION

Race equality is an integral part of all the work undertaken by Brent Council and has been mainstreamed into everything we do. Equality and diversity are key values in Brent. These values are enshrined in every mission statement about the Council. In Our Corporate Strategy, we describe Brent as a borough of many communities and cultures, and we promise to “promote tolerance, understanding and community cohesion between our different communities”. In the council’s Diversity Policy Statement, we say “as a Council we recognise the important leadership role we have in promoting and encouraging tolerance, fairness and equality and in influencing other service providers and employers”.

These values are echoed by the Leader of the Council in her personal statement of commitment in the council’s Race Equality Scheme “Equality of opportunity is at the heart of everything that we do, both in terms of employment and service delivery”. No one then could be in any doubt of both the managerial and political will to make equality a reality at Brent.

Brent is not like other local authorities. It has previously suffered from a poor reputation, largely fuelled by inaccurate and irresponsible media reporting. It has long since left that reputation behind and is now widely viewed as an ambitious and outward-looking authority.

The council’s recent progress on race equality is a reflection of that view. In light of its success in this area, achieved with support from the CRE, it is now time to move on and conclude the existing arrangement.

14.0 DIVERSITY IMPLICATIONS

- 14.1 The Head of Diversity acts as an advisor to the council's new Leadership Group on Equality and Diversity and is satisfied that this new Leadership Group on Equality and Diversity, together with the Corporate Diversity Team will be able to oversee the successful implementation of the council's equality targets.

15.0 BACKGROUND PAPERS

Agreement between CRE and Leadership Group.

Minutes of the Corporate Deciding Committee, 2nd August 2000.

The Council's Race Equality Scheme 2003/04 and Race Equality Action Plan 2003/04.

Race Relations Amendment Act 2000.

Anyone requiring further information should contact Tracy Walters, Head of Diversity, Brent Town Hall, Forty Lane, Wembley Tel 020 8937 1117.

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