



Cabinet
9 December 2019

Report from the Assistant Chief Executive

EQUALITY STRATEGY 2019-23

Wards Affected:	All
Key or Non-Key Decision:	Key Decision
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	Two: Appendix 1 – Draft Equality Strategy 2019-2023 Appendix 2 – Draft Equality Action Plan 2019-2020
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Pascoe Sawyers Head of Strategy and Partnerships 020 8937 1045 Pascoe.Sawyers@brent.gov.uk

1.0 Purpose of the Report

1.1 To summarise the findings of the recent Equality Matters consultation and present the draft Equality Strategy 2019-23 and an action plan for 2019/20.

2.0 Recommendations

2.1 Cabinet is asked to:

- Consider the headline findings of the consultation
- Consider and approve the draft Equality Strategy 2019-23 at appendix 1 and action plan at appendix 2

2.2 Cabinet to receive a mid-year update on progress, approximately six months after launch.

3.0 Detail

3.1 Earlier in the year, we outlined proposals for a consultation to inform a new four-year equality strategy. The strategy would set out how equality and diversity will be integrated into everything the council does between 2019-23. The consultation ran for 10 weeks from June to August 2019.

3.2 The consultation reflected a key message of the Borough Plan, which stresses the importance of sharing opportunities with communities and working more effectively with partners. It was wide-ranging, as we attempted to involve as much of the borough as possible. As well as the online questionnaire, paper and easy-read versions were made available, and an extensive range of staff and community events were held throughout Brent. A BSL video was also produced and shared to Youtube.

3.3 Amongst other things, consultation respondents were asked to give us their views on:

- Our suggested vision
- Our ideas for equality objectives
- Perceived areas of inequality in Brent

3.4 Summary of findings

3.4.1 A total of 203 consultation responses were received, including:

- 93 Brent residents
- 98 Brent Council staff
- 3 Brent councillors

There were a number of responses listed under 'representing an organisation' or 'other'.

3.4.2 77% of respondents either strongly agreed or agreed with our suggested vision. That said, several comments described the vision as being too wordy, or not catchy enough. We have responded to this by making the vision concise and linking it more closely with the Borough Plan.

3.4.3 We suggested seven different equality objectives, asked respondents for their views on each of them and also to choose the top three for the council to focus on. All seven suggested objectives were ideas for positive action and came from a solid evidence base – they were based on issues that people had told us were important in previous consultations, such as the 2018 Resident Attitudes survey.

3.4.4 The most popular objectives as determined by respondents were:

- Understand the barriers to equality experienced by residents and act to remove them
- Provide accessible services tailored to peoples' needs
- Tackle hate, bullying, harassment and victimisation

A fourth objective, with a focus on Brent Council staff, was developed by HR:

- Lead the way in encouraging diversity to flourish in Brent

These are the four objectives of the 2019-23 Equality Strategy.

- 3.4.5 Respondents were also asked what they perceive to be the main areas of inequality that the council should focus on. This returned a wide range of answers; some of the common responses were income inequality, social isolation and race inequality. We will set out through annual action plans how we will continue to tackle these challenges.
- 3.4.6 In terms of how the council could best keep people informed and involved in its work to deliver the equality objectives, the modal responses were that this should be via the council website, social media and Your Brent magazine.
- 3.4.7 Consultation responses were received across all age ranges from 16 to 65+. The proportions of male and female respondents were broadly in line with the proportions for the borough as a whole. 16.5% of respondents identified as having a disability – this is higher than the Brent average.
- 3.5 As is the case with the Borough Plan, progress on the delivery of the Equality Strategy will be tracked by way of an annual action plan. Strategy and partnerships have developed the 2019/20 action plan with the support of colleagues across departments.
- 3.6 Once the Equality Strategy is agreed, we can publicise it through a range of channels – including online, through our Disability and Pensioners forum, and an easy-read version.

4.0 Legal implications

- 4.1 The council, as a public authority exercising public functions, is subject to a general public sector equality duty (PSED) under section 149 Equality Act 2010 (EqA). The PSED requires public authorities to have “due regard” to:
 - The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the EqA.
 - The need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and
 - encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
 - The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This includes

having due regard to the need to tackle prejudice and to promote understanding.

- 4.2 The EqA also enacts, under section 153, the power to impose specific duties on public authorities exercising public functions which will demonstrate their compliance with the PSED. Under Regulation 5 of the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, the Council is required to prepare and publish one or more equality objectives it thinks it should achieve to do any of the things mentioned in section 149(1) of the EqA. The objectives must be published at intervals of not greater than four years, beginning with the date of the last publication. The objectives published must be specific and measurable.
- 4.3 Any failure on the part of the Council to comply with the PSED or the specific duties can be investigated and enforced by the Equality and Human Rights Commission (EHRC) or alternatively, challenged by way of judicial review. Legal proceedings in respect of a breach of specific equality duties may only be brought by the EHRC. However, this does not preclude judicial review proceedings where a failure to comply with the specific equality duties evidences a failure to comply with the general PSED duty. Judicial review proceedings can be brought by any person (an individual or interest group) with “sufficient interest”, which also includes the EHRC.
- 4.4 In publishing the updated Equality Strategy, the Council will be demonstrating its compliance with its duties under sections 149EqA and Reg 5 of the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, thus rendering the likelihood of any successful legal challenge on this basis to be extremely unlikely.

5.0 Financial implications

- 5.1 None arising directly from the report.

6.0 Equality implications

- 6.1 The draft Equality Strategy sets out how we will comply with the Public Sector Equality Duty and how effective equality practice will be integrated into everyday work.

Report sign off:

PETER GADSDON
Assistant Chief Executive