



Mid Suffolk District Council

Consultation Draft

Race Equality Scheme

2009 – 2012

Version 1

Updated 19/05/09

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Foreword

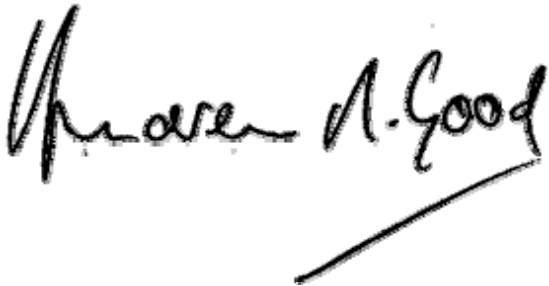
Mid Suffolk District Council aims to provide high quality services, to all residents, who live within the district. We are conscious of the importance of race equality as a service provider and employer, and in the civic leadership we provide.

We are fully committed to fulfilling our statutory duties, under the race equality legislation and this *Race Equality Scheme* sets out the Council's current position and future arrangements for meeting the general, and specific duties, in respect of race equality.

This Scheme will be published on our website, and partners and community groups will be informed and invited to comment via a three month consultation which will run until September 2009. Further review will fall within the minimum legal three yearly review requirement.

The Action Plan supporting this scheme is currently being drawn up. This will be monitored and reviewed by the Mid Suffolk Equality and Diversity Working Group. Progress will be reported monthly to the Council's Management Board and to the Executive Committee on a regular basis.

Regular updates will also be made available on the website and on the Council's staff website, InfoWeb.



Andrew Good
Chief Executive



Tim Passmore
Leader

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1.0 Introduction

1.1 The Race Relations Act 1965 prohibited discrimination on racial¹ grounds in any place maintained by a public authority, powers in this act were extended in 1968. The Act was then updated in 1976, outlawing race discrimination in employment, housing, training, education and the provision of goods, facilities and services and placing a duty on local authorities to promote race equality in fulfilling their functions. It allowed them discretion to decide if the promotion of race equality was an 'appropriate' activity. The amended Act stated that it was unlawful to:

- Treat a person less favourably than another is treated in similar circumstances, on racial grounds;
- To apply a requirement or condition that discriminates against members of a particular racial group because they may be less able to comply with it than others are.

1.2 An inquiry chaired by Sir William MacPherson, into the murder of black youth Stephen Lawrence on 22 April 1993, gave rise to the concept of institutional racism, defined as:

*"the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture, or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and racial stereotyping which disadvantage mainly ethnic people."*²

1.3 To address this, *The Race Relations (Amendment) Act 2000* imposes a "General Duty" on all public bodies to have "due regard to the need to":

- Eliminate unlawful racial discrimination;
- Promote equality of opportunity;
- Promote good relations between people of different racial groups.

1.4 Specific duties in the 2000 Act require that public bodies produce a **Race Equality Scheme** stating:

- all functions and policies, or proposed policies, assessed (by the public body) as relevant to the performance to the general duty;
- arrangements for:
 - assessing and consulting on the likely impact of its proposed policies on the promotion of race equality;
 - monitoring its policies for any adverse impact on the promotion of race equality;
 - publishing the results of such assessments, consultations and monitoring;

¹ The term racial refers to the definition used in the *Statutory Code of Practice on the Duty to Promote Race Equality*, Commission for Racial Equality, 2002, p.5: which is 'race, colour, nationality (including citizenship), ethnic or national origins.'

² MacPherson, Sir William of Cluny: *The Stephen Lawrence Inquiry: Report of the Inquiry by Sir William MacPherson of Cluny*; Feb 1999; The Stationary Office

- ensuring public access to information and services which it provides; and
- training staff in connection with the general and specific duties;
- arrangements for monitoring a range of employment issues, including numbers of staff in post; applications for employment; grievance and disciplinary procedures; all by reference to their racial group.

2.0 Mid Suffolk District Council's Race Equality Schemes

2.1 Mid Suffolk District Council's first *Race Equality Scheme* was adopted in 2002. In 2005 it was incorporated into the *Comprehensive Equality Scheme 2005 – 2008* alongside age, disability, gender, religion/belief and sexual orientation.

2.2 The latest review, of the *Comprehensive Equality Scheme incorporating the Race Equality Scheme 2005 – 2008*:

- Updated progress in the *Equality Standard for Local Government*;
- Took into account the creation of Customer Service Direct – a partnership organisation responsible for Mid Suffolk District Council Human Resources, Finance, Public Access and IT functions;
- Took into account new, updated, and forthcoming legislation;
- Consulted stakeholders.

2.3 Following feedback and reflecting our commitment to our duties under the race equality legislation, Mid Suffolk District Council decided to develop a free standing *Race Equality Scheme* setting out our priorities and commitments for promoting racial equality. These commitments sit alongside the following inter-related key equality and diversity strategies, plans and policies:

- Corporate Equality and Diversity Strategy
- Comprehensive Equality Scheme (under review)
- Disability Equality Scheme
- Gender Equality Scheme

2.4 Our corporate and service plans also reference our commitment to promoting equality.

3.0 Equality and Diversity Statement

3.1 Mid Suffolk District Council subscribes to the wider definition of equality, based on the idea of equal life chances, as set out in the *Equalities Review*³ and adopted in the new *Equality Framework for Local Government*⁴.

3.2 The Council values all people, recognises people's different needs, situations and goals, and aspires to remove the barriers that limit what people can do and be. We

³Phillips, Trevor (Chair of The Equalities Review Panel): *The Equalities Review: Fairness and Freedom: The Final Report of the Equalities Review Panel*, 2007

⁴ Improvement & Development Agency: *Equality Framework for Local Government*, April 2009

recognise that some people can be disadvantaged and discriminated against, as employees and as service users, and are committed to developing policies to tackle inequality and exclusion. We will promote action to eliminate inequalities and take steps to counter the effects of past discrimination, which may have led to the under-representation of certain groups within our workforce, or certain service users having difficulties accessing our services.

3.3 Mid Suffolk District Council will promote good relations between groups, making sure that the differences between people, groups and communities are understood, valued and respected. Working in partnership we will:

- Use our influence to promote understanding and harmony between people of different racial groups;
- Strive to eliminate discrimination and harassment on racial grounds, monitoring such work and continuously aiming to improve our performance;
- Achieve and demonstrate the highest standards of good equality practice.

3.4 The Council is committed to fulfilling our obligations under the Race Relations Act and subsequent amendments, and will commit the necessary resources (people, time and money) to ensure a proportionate and effective response, so that the *Race Equality Scheme* is implemented and our statutory duties are complied with.

4.0 Our standards and responsibilities

4.1 We adopted the *Equality Standard for Local Government* and met Level 2 of the standard in 2007/8. We have started working with the new *Equality Framework for Local Government*, which was launched in April 2009. The new framework sets equalities and diversity more firmly within the context of the Council's daily work, aligning the public equality duties with Comprehensive Area Assessment, Customer Service Excellence Standard and Organisational Assessment as well as our public equality duties. The Council is working to consolidate our position as a developing authority, whilst aiming to move quickly to attain the highest possible level set by the framework in the longer term. Our equality and diversity action plan is based on the requirements for a developing authority.

4.2 Everyone who works for or represents Mid Suffolk District Council has a responsibility to represent the Race Equality Scheme:

- Members have a responsibility to ensure that the Race Equality Scheme is adopted at Member level;
- Management Board has overall responsibility for implementation of the Race Equality Scheme and providing officer leadership;
- The Equality and Diversity Working Group (see Appendix 1), chaired by a Member, has responsibility since December 2008, for developing Mid Suffolk District Council's strategic response to Equalities and Diversity legislation and local government frameworks;

- Delivery of the Working Group's action plan is mediated through task groups and nominated service areas and individuals;
- Heads of Service/Line Managers have a responsibility to familiarise themselves with the policy, and ensure it is understood and implemented by staff, including through management competencies and performance development reviews;
- All staff and volunteers have a responsibility for working towards equality and inclusion, and for implementing this policy;
- Bodies contracted to work on behalf of the Council are bound by the same statutory duties in fulfilling contracts on our behalf.

4.3 Each employee has a legal and professional duty not to discriminate against service users and employees. The following may be regarded as disciplinary offences and will be addressed through the relevant disciplinary procedures:

- Discrimination against fellow employees or job applicants on grounds that cannot be justified;
- Persuading, or trying to persuade, other employees, unions or management to discriminate unfairly;
- Harassment or bullying;
- Victimising individuals who have made allegations about discrimination or who have provided information about such discrimination.

5.0 Racial Groups in Mid Suffolk

5.1 The 2001 Census showed 99% of Mid Suffolk residents classified themselves as white (British/Irish/Scottish or Other) and 1% classified themselves as from a visible ethnic minority group. Most recent demographic data from the Research and Intelligence Team at Suffolk County Council, based on Office for National Statistics data, shows a population percentage of Black and Minority Ethnic (BME) groups as 2.6% for years 2001-2006. We believe our largest BME groups to be Gypsies and Travellers and Migrant Workers.

5.2 Estimates of Gypsies and Travellers numbers in the district is through the bi-annual caravan count, taken in January and July. Based on data from Communities and Local Government, in January 2009 the count was estimated as 125 caravans. In addition there are significant, but unknown numbers, of Gypsies and Travellers living in 'bricks and mortar' accommodation.

5.3 The Department of Work and Pensions provides numbers of new national insurance number (NINo) registrations for foreign nationals in each local authority area, providing a rough guide to inward migration to Suffolk. From 2004-2007, 13,520 people registered to work in Suffolk, 640 (4.7%) in Mid Suffolk.

5.4 An informal survey of three large food processing factories and a number of small herb factories in Mid Suffolk, showed around 700 non-British workers from a wide range of countries, East European (mainly Polish), European (mainly

Portuguese), Iraq and Afghanistan. Most work in Mid Suffolk but live in the major towns in Suffolk and Norfolk.

5.5 Three pilot Community Board Pilots in Mid Suffolk, made up of elected (e.g. Councillors) and non-elected representatives (e.g. local residents), from within the community meet regularly to discuss and decide on local issues. Feedback from the Board supports the picture of increasing numbers BME people in Mid Suffolk. However there are few specific facilities for them and little collective community activity. The circumstances and aspirations of BME people vary and more information and understanding is needed.

5.6 Mid Suffolk District Council has identified that its equalities knowledge base requires improvement. The Equality and Diversity Working Group has set up an Equality Mapping Subgroup to develop and co-ordinate work in this area.

6.0 Equality Impact Assessments

6.1 An Equality Impact Assessment (EqIA) is a statutory method of assessing the effects an existing or proposed policy is likely to have on communities, or groups, and includes monitoring the actual effects of the policy. Mid Suffolk District Council is committed to implementing the EqIA process, as a key tool for change to promote race equality. For the purposes of EqIA, the term 'policy' will include working practices, functions, procedural notes and strategies. Technical procedures are recorded but not assessed. Once policies have been adopted, they will be monitored for differential equality impact.

6.2 A revised EqIA process was introduced in 2006 taking account adverse impact for all equality strands. The policy register of all Corporate and Departmental EqIA's, listed for March 2008, suggests that all policies have undergone an EqIA, a number of which have been published on the Council's website.

6.3 The Council sees inconsistency in the application of EqIA across the organisation and has set up an EqIA Task Group, under the Equality and Diversity Working Group to:

- Review the existing list of policies relevant to the general race equality duty.
- Review the EqIA assessment tool.
- Facilitate EqIA training.
- Establish an EqIA quality assurance mechanism.
- Clarify the accountability for Equality Impact Assessment.
- Carry out a programme of EqIA awareness raising, training and marketing.
- Set up a revised EqIA schedule and commence implementation in line with the schedule timescale.

6.4 It has a schedule of work identified to achieve this by September 2009 after which it will focus on implementing a timetable of activity to:

- Ensure that EqIA is an integral part of all new policy development.
- Ensure that all EqIA's are published on the website.
- Establish of an agreed structure and clear process of accountability through Senior Management and Elected Members for EqIA outcomes.

6.5 The Management Board adopted a revised Corporate Policy Guidance and Policy Template in April 2009. It is now a condition of adoption that all policies have an accompanying EqIA.

6.6 To support our EqIA process, an Equality Mapping Task Group has been set up as part of the Equality and Diversity Working Group, to develop good equality information systems and content, including about BME people within staff and customer communities and among our wider population.

6.7 In pursuit of best practice and high quality consistent approaches to EqIA, Mid Suffolk District Council is working in partnership organisations in Suffolk and the Eastern Region and drawing on the expertise of partners in East of England Regional Assembly (EERA).

7.0 Consultation and Involvement

7.1 Currently, Mid Suffolk District Council consultations are project or department specific and not well co-ordinated across the organisation. The Council is currently reviewing its *Community Engagement Strategy 2008-2011* and its *Draft Consultation Strategy April 2007 - March 2008* through the working group, which delivers, on the Corporate Strategic Priority 6 (Community Engagement). A combined Community Engagement Strategy is due in September 2009. The group has identified a list of consultations planned in the next year. The Equality and Diversity Working Group will identify ways of developing a co-ordinated approach to consultation and involvement of communities, including BME groups, and produce an action plan for 2009-10.

7.2 Mid Suffolk District Council is working with partners to carry out consultations and develop an engagement relationship with Gypsy and Traveller communities in Mid Suffolk. The Mid Suffolk Council's Gypsy and Traveller Steering Group has reconvened to enable Gypsy and Traveller needs to be identified and targeted across the Council. Representation comes from Planning Policy, Housing, Community Safety, Children and Young People and the Community Boards. The group is seeking Gypsy and Traveller input.

7.3 Consultation with migrant workers is also on-going, building on the Migrant Workers drop-in Project, a partnership project with other Suffolk District and Borough Councils, October 2008 – April 2009. Whilst unsuccessful in Mid Suffolk, the project has increased intelligence and understanding of migrant workers in the area, and will

inform future work. The evaluation of the project will be written up and circulated to partners.

7.4 The Equality Mapping Subgroup will promote and facilitate access to information arising from consultations, to inform the Council's service and policy development.

8.0 Partnership working

8.1 The new Comprehensive Area Assessment assesses the effectiveness of our partnership working and efforts to include equality and diversity in all we do. The Council is committed to addressing, through partnership working, the needs of BME groups, for example:

- Information sharing about BME communities.
- Working with Safer Neighbourhood Teams and local businesses to improve transport safety for migrant workers and develop effective links with local migrant worker communities.
- Supporting the Learning and Skills Council in delivering English for Speakers of Other Languages (ESOL) in Stowmarket.
- As part of the Community Cohesion and Inclusion Delivery Partnership, with St Edmundsbury Borough Council, developing an awareness-raising tool to promote better understanding and increased cohesion between different groups including racial groups across Suffolk.
- With Suffolk Joint Diversity Working Group, exploring the possibility of an 'Involvement Day', to consult with people from different racial groups in Suffolk about our services and how they might be improved.

9.0 Monitoring Service Delivery

9.1 The Equality Mapping Task Group will improve information available to the Council on all equality groups including customer data collection and use including:

- What experiences our customers have of our services;
- Whether our services best meet our customers' needs;
- Whether our customers are provided with equality of opportunity to access and comment on our services.

9.2 We will ensure that individuals from BME communities are given the opportunity to become involved, taking steps to:

- Engage with local people who feel affected by equality issues and involve customers and their representatives in the development of our services;
- Identify barriers our customers may experience in accessing Council services;
- Carry out equality impact assessments on policies and procedures and monitor the effectiveness of services on all sections of the community.

9.3 Mid Suffolk District Council has a contractual arrangement with the public body Customer Service Direct (CSD) to deliver a range of public access functions as well as back office services including Finance, IT, Human Resources and Training. The Equality and Diversity Working Group is engaging with CSD to ensure that its service provision, on behalf of Mid Suffolk District Council, is compliant with the public equality duties, including race. It will also establish monitoring systems and reporting that will enable the Council to access the data it needs to monitor service provision and plan and implement changes for improvement where necessary.

10.0 Measuring Our Performance

10.1 Service planning and review processes will ensure that equality issues are addressed and included as part of improving quality of service.

10.2 We encourage and welcome comments and complaints in order that our services continue to improve.

10.3 The Equality and Diversity Working Group will make regular reports to Heads of Service, Management Board and Executive Committee regarding the progress of its action plans and its compliance with its equalities duties. Other potential forums for representing the work of equality and diversity are Scrutiny Committee and Community Policy Panel.

11.0 Access to information

11.1 Through its Plain English Gold Standard working group, Mid Suffolk District Council is reviewing and revising transactional documentation to ensure that they are clearly written and presented, and available in different formats and languages.

11.2 Mid Suffolk District Council has introduced and is establishing across the organisation the practice of including an "alternate format statement" as a minimum standard of inclusiveness within all its public facing publications. We will undertake work, with the Community Cohesion and Inclusion Delivery Partnership to agree a consistent approach to the translation of documents.

11.3 Translation services we currently provide are:

- Language Line - some staff trained in using this service and in dealing with customers who have specific communications needs;
- Mid Suffolk District Council contributed to the New and Emerging Communities Forum Welcome Pack for people arriving in Suffolk. This information is available in Polish, Russian and Portuguese. The website address is <http://www.welcomepack.org.uk/> This can also be accessed from our own website
- Mid Suffolk District Council participated in the Migrant Worker drop-in Pilot Project providing weekly two-hour drop-in sessions for people from East European countries living and working in Mid Suffolk in their own languages. The project is currently being evaluated.

- The Council is exploring using a translation service on our website.

12.0 Publishing Our Results and Feedback

12.1 Mid Suffolk District Council's website and staff intranet, InfoWeb is being reviewed and updated to provide more and accessible information for the Council and the public about our equality duties and activities to meet them. It will also support the Council in its consultation activity.

12.2 The Council is ensuring as part of its work on EqIA's that all EqIA's are being published on its website. This will continue as EqIA is mainstreamed across the organisation throughout 2009 and beyond, so that screening and full Equality Impact Assessments will be available through the website.

12.3 We will publish information and the results of assessments, consultation and monitoring by:

- presenting reports on our website;
- making sure the results are easily accessible by offering alternative formats;
- using annual reporting procedures;
- reporting results to Members;
- using both internal and external means of communications such as our intranet/internet, staff newspaper and resident's newspaper; and
- issuing appropriate press releases.

12.4 Partner agencies were invited to take part in the consultation regarding the *Draft Comprehensive Equality Scheme incorporating the Race Equality Scheme*. Views and comments on this Scheme and its priorities have been brought together through letters, emails, consultation on InfoWeb and the council's website, and telephone conversations. This Race Equality Scheme will be published on the Council's website and consulted upon through the same channels.

13.0 Employment Monitoring

13.1 Mid Suffolk District Council requests equality data, from all six equality strands, from its employees including on race/ethnic origin of employees. This data is collected. Concerns have been raised that the small number of employees from Black and Minority Ethnic groups creates a potential conflict between the duty to publish the ethnic monitoring data and the Council's responsibilities to staff under data protection legislation. For this reason the data is not published here. Anyone interested in accessing the information may wish to consider making a request under the Freedom of Information or Data Protection Acts and a formal response will be made.

Given the information we do have, we can say that against a district BME population of 1% in 2001 Census or 2.6% by ONS in 2006, the Council, based on information disclosed, in neither case is representative of the local population in terms of racial makeup. However, the non-response rate is significant.

The Equality and Diversity Working Group is working to improve the response rate.

13.2 Mid Suffolk District Council has access through CSD to information defined by race regarding:

- Staff in post;
- New starters;
- Leavers;
- Staff attending training;
- Employees receiving increments.

13.3 Although these statistics are available, they have not been regularly analysed, published or reported on. Nor is the Council in a position to judge trends. This is an area of work that is being addressed through the Equality and Diversity Working Group action plan.

13.4 The Council will set in place systems for:

- regular collection, analysis and reporting of this data;
- raising awareness of the collection and use of the data;
- working with staff to improve current response rates.

13.5 In keeping with the race equality employment duty, Mid Suffolk District Council will work with CSD to expand the data it collects and reports upon, and will publish annually in respect of race, numbers of:

- applicants for employment, training, and promotion;
- staff suffering detriment as a result of performance assessment procedures;
- staff involved in grievance procedures;
- staff who are the subject of disciplinary procedures.

13.6 Mid Suffolk District Council carries out staff surveys, most recently in 2007. The summary report is not yet available.

14.0 Learning and Development

14.1 Learning outcomes and good practice resulting from quality courses and seminars, play a key role in promoting the message about our commitments to diversity and (race) equality amongst employees and members. In addition to EqIA training, the equality and diversity action plan sets out plans for the next year:

- Induction package from 2009: induction training from August 2009, Continuation of Chief Executive's personal welcome to staff, and letters of introduction, signposting new staff to Equalities and Diversity policies form part of the wider induction package, access to electronic and hard copies of equality and diversity policies.
- Mandatory Diversity E-learning for all Equality and Diversity Working Group representatives and their substitutes. All will have completed the training by the end of September 2009.

- We will establish mandatory diversity training (including race equality) through this E-learning package or some other means by the end of 2009.
- A programme of bi-monthly Faith and Cultural Awareness lunchtime sessions is running from 2009-10. These are open to partners in the Mid Suffolk Local Strategic Partnership.
- Gypsy and Traveller awareness raising and training are being negotiated for Members and staff
- We will support the annual Gypsy and Traveller History Month.
- Staff will be required to demonstrate as part of their Performance Development Review their knowledge and commitment to equality and diversity.

14.2 Staff also have access to a number of Suffolk County Council training courses as they become available:

- Disability Awareness
- Diversity Training for Managers
- Introduction to Diversity
- Equality Impact Assessment Training

14.3 Additionally we aim to ensure that all of our learning provision considers the impact of diversity. When procuring providers/partners we actively explore how 'equality and diversity aware' our potential partner is, and we will not engage with a provider if we were not assured of this ethical standard.

15.0 Mid Suffolk District Council Race Equality Scheme 2009-12

15.1 This *Race Equality Scheme* will be published on our public access website as a working document, and partners and community groups informed and invited to comment. A consultation will take place so that people are free to comment on the scheme at any time in the next three months, until August 2009. Arrangements for review will be made thereafter within the minimum legal requirement of three yearly review.

15.2 The action plan to April 2010 supporting this scheme is being developed. It will be published as a working document with quarterly updates and new actions being added as the Equality and Diversity Working Group becomes more established. It will be monitored and reviewed three monthly by the Equality and Diversity Working Group. Progress will be reported on a monthly basis to the Management Board and to the Executive Committee on a regular basis. Regular updates will be made on the public access website and on InfoWeb. We are in discussions with EERA to set up a peer review towards the end of 2009, which will inform the action planning for the next year.

16.0 Comments and complaints

16.1 Comments and complaints can be made by phone, in person or in writing. We will try to put matters right and improve things for the future but if you are not satisfied, a formal complaint can then be made by:

- E-mail: complaints@midsuffolk.gov.uk
- Telephone: **01449 724500**
- Minicom service: **01449 724646**
- Post: Mid Suffolk District Council Offices,
131 High Street, Needham Market,
Ipswich, IP6 8DL.

16.2 A senior manager of the service in question will investigate the complaint. If you remain unhappy with the response, our Chief Executive or District Monitoring Officer, who has overall responsibility for dealing with complaints, will investigate. You can also ask a local district councillor to take up the complaint on your behalf. Mid Suffolk District Councillor's names, addresses and phone numbers are also available from our information centres and website.

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