

Report to Cabinet

Oldham's Approach to Equality

Portfolio Holder:

Councillor Shah, Leader of the Council and Cabinet Member for Economic and Social Reform

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Reason for Decision

At Full Council in June 2020 a commitment was made to develop a new Equality, Diversity and Inclusion (EDI) Strategy for Oldham Council, including the adoption of new Equality Objectives.

This report summarises how we currently meet our duties in respect of equality in Oldham, as well as proposing the adoption of new Equality Objectives and an Equality, Diversity and Inclusion Strategy covering 2021 – 2025.

Executive Summary

In summary, those subject to the equality duty must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

This report summarises how we currently achieve this in Oldham, as well as what we do to further champion equality and diversity in Oldham.

Recommendations

1. To approve the new Equality Objectives for 2021 - 2025
2. To endorse the proposed EDI Strategy for 2021 - 2025 in advance of Council

1 Background

- 1.1 At Full Council in June 2020 a commitment was made to develop a new EDI Strategy for Oldham Council, including the adoption of new Equality Objectives.
- 1.2 This report summarises how we currently meet our duties in respect of equality in Oldham, as well proposing the adoption of new Equality Objectives and an EDI Strategy covering 2021 – 2025.

2 What are our duties in respect of equality?

- 2.1 The Equality Act 2010 brought several separate pieces of equality legislation together into one Act. It also extended the public sector equality duties to cover eight protected characteristics, namely:

Age	pregnancy and maternity
disability	race
gender	religion and belief
gender reassignment	sexual orientation

- 2.2 In December 2010, the Government announced that it would not be taking forward the socio-economic duty for public bodies. Despite this we have continued to consider people on low incomes as part of our equality impact assessment (EIA) process.
- 2.3 In summary, those subject to the equality duty must, in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.
- 2.4 The Act also introduced the Public Sector Equality Duty. Under this duty, local authorities must:
- publish service and workforce data annually
 - set at least one equality objective for the organisation (maximum timeframe for achievement set at 4 years)

3.0 How are we meeting these duties in Oldham?

- 3.1 There are five main elements to our approach to equality in Oldham, they are:
1. **Considering the impact of our decisions through the Equality Impact Assessment (EIA) process** - In taking decisions the Council must demonstrate that it has given “due regard” to the need to eliminate discrimination, promote equality of opportunity and promote good relations between different groups.

Demonstrating that “due regard” has been given involves:

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- assessing the potential equality impact of proposed decisions at an appropriate stage in the decision-making process - so that it informs the development of policy and is considered **before** a decision is taken;
 - ensuring that decision makers are aware of the equality duties and any potential equality issues when making decisions.

It is important to note that having due regard does not mean the Council cannot make decisions which have the potential to impact disproportionately, it means that we must be clear where this is the case and must be able to demonstrate that we have consulted, understood and mitigated the impact, where possible.

2. **Publishing service and workforce data** – The Equality Act 2010 requires the council to publish information showing compliance with the Equality Duty, on at least an annual basis. Over time we intend to collect even more service information and to strengthen the collection of equality related data across the council. This work is referenced in the new EDI Strategy.
3. **Setting Equality Objectives** – The Equality Act 2010 requires the council to publish specific and measurable equality objectives. However, setting equality objectives is an important way for us to show our commitment to equality, diversity and inclusion. We have refreshed our Equality Objectives for 2021 – 2025, please see section 4.0.
4. **Developing a new EDI Strategy for the Council** – To support the council's ambition to champion Equality and Diversity, an EDI Strategy has been developed, which shows the activity that will be undertaken to create a place that values and celebrates our differences while creating equal opportunities for all, please see section 5.0.
5. **Shaping our Covid-19 response through Oldham's Equality Advisory Group** – We are committed to minimising the impact of COVID-19 across our communities. The steps we are taking to tackle the pandemic and the subsequent recovery planning, aim to support people, especially those groups with protected characteristics who are often most impacted. To support this approach, we have established an Equality Advisory Group which will provide insight and expertise, helping us capture the voice of lived community experience in our COVID-19 response and recovery planning and beyond.

4.0 **Adopting New Equality Objectives**

4.1 Under the duties of the Equality Act (2010) and the Public Sector Equality Duty, a local authority must set at least one equality objective for the organisation (with a maximum timeframe for achievement set at 4 years). Oldham Council adopted two Equality Objectives in April 2015 which were set for four years. These objectives were as follows:

- 1) **To establish standardised categories and classifications for equality data being recorded:** This was to ensure that equality data is collected and reported consistently across the organisation, using uniform criteria which can be future proofed and adapted for any changes to equality categorisation.

Over the past four years the we have started to standardise equality datasets and analysed them to look at how we can achieve a more representative workforce. This piece of work was one of the deep-dives for 2016/17. Over time we intend to collect even more service information and to strengthen the collection of equality related data across the council. Crucially, we will work to identify how we use this data to inform service planning and development, seeking to continually improve our performance over time.

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- 2) **To carry out in-depth research and analysis of service areas for which we collect equality data at a rate of one service area per year:** This was to enable the council to look at how the equality data we collect can be improved and how we can better use the data to inform service planning.

The first deep-dive (2015/16) we carried out was looking at the impact of welfare reform on those aged between 16-25 years old. Two other deep-dives have been undertaken: the work to look at how we can achieve a more representative workforce, and the work to develop a Street Charter for those with a sensory disability which includes mechanisms for better collection of data around these issues. A fourth deep dive into the equality impact of Covid-19 was recently completed, which has been used to help shape our ongoing Covid-19 response and recovery planning.

- 4.2 The objectives now need to be refreshed to outline Team Oldham's equality focus for the next four years from 2021 - 2025. Following consultation with services, portfolio holders and equality leads from across the partnership, we are proposing to adopt four new Equality Objectives that will set out our commitment for progressing equality, diversity and human rights across the borough:

1. **Identify and mitigate the equality impacts of COVID-19, informing our response through research, best practice and lived experience, while supporting the delivery of our Covid-19 Recovery Strategy** – As a council we are committed to minimizing the impact of Covid-19 on our residents. Though the Equality Impact Assessment process that has been completed, we have identified additional steps will take to address inequalities as a result of the pandemic response through to mitigating against inequality as we recover.
2. **Provide services that put the citizens' voice at the heart of decision-making, ensuring our services are inclusive and drive equity** – Our policies and strategies aim to capture the lived experiences of our communities and our action EDI Strategy reflects their insights.
3. **Champion inclusivity across the borough, working with our partners and communities to make Oldham a fairer place for everyone, while valuing and celebrating diversity and inclusion for all** – Ensuring equality is fully embedded within our organisational culture and across Team Oldham and is reflected in our principles and values in everything we do
4. **Achieve a skilled and diverse workforce building a culture of equality and inclusion in everything we do** – Implementing a programme of activity which supports workforce equality and diversity in a holistic way through The Workforce Strategy 2020-2023.

- 4.3 These objectives will be supported by Oldham's EDI Strategy, which shows how we will achieve these objectives.

5.0 **Oldham's Equality, Diversity and Inclusion Strategy**

- 5.1 At Full Council in June 2020 a commitment was made to develop a new EDI Strategy for Oldham Council, including the adoption of new Equality Objectives covering 2021 – 2025.

- 5.2 The proposed strategy sets out the council's commitment to progressing equality, diversity and human rights across the borough. It outlines how we will eliminate unlawful discrimination, advance equality of opportunity and promote good relations between all people regardless of age, disability, race, sex, gender identity, religion or belief, sexual orientation, pregnancy or maternity, socio-economic and marital or civil partnership status.

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- 5.4 The aim of the EDI Strategy is to place equality and diversity at the heart of what we do, providing our key priority areas for embedding equality, diversity and inclusion across Oldham. The strategy sets ambitious goals and measures progress against these in order to drive organisational improvement. We are currently identifying key leads for each action in the strategy, who will be responsible for ensuring delivery. This will include developing detailed delivery plans that sit behind the strategy, enabling us to monitor progress and impact.
- 5.5 The strategy builds on the four Equality Objectives proposed in section 4.0, ensuring Oldham Council meets the general and specific requirements of the equality legislation in everything we do so that equality is fully embedded within our organisational culture and reflected in our values and principles. The proposed EDI Strategy can be seen in full in Appendix 1, which the accompanying Equality Action Plan.
- 5.6 Whilst the Equality Action Plan articulates our key priority areas it does not capture everything that we do to address inequality, as the work to address inequalities is reflected in the relevant individual strategies, plans and policies that are in place across Team Oldham. This is a living document. It recognises that Equality and Diversity doesn't stay the same, it changes, Covid-19 has shown us that. This is about ensuring we are doing everything we can, to tackle inequality in all its forms, through all our work. The Equality Action Plan will be updated regularly and overseen by Oldham's Equality Advisory Group and Oldham Council's Equality Steering Group.
- 5.7 The action plan will continue to be developed with action leads, reflecting the ongoing work to capture the learning from our response to the Covid-19 pandemic, as well as work that is currently being undertaken to map equality impacts across the wider system. This includes the development of a dedicated performance dashboard for equalities, helping us measure how we are tackling inequalities across the borough, Team Oldham's services and our workforce. The detailed supporting delivery plan will be ready September 2021, in advance of the Equality Strategy being submitted to Full Council for adoption.
- 6.0 **Options/Alternatives**
- 6.1 Option one – to approve the equality objectives and equality strategy, agreeing that it progresses to Full Council for ratification.
- 6.2 Option two – to not approve the equality objectives and equality strategy.
- 7 **Preferred Option**
- 7.1 Option one is the preferred and recommended option.
- 8 **Consultation**
- 8.1 During the development of the Equality, Diversity and Inclusion Strategy we have consulted with Oldham's Equality Advisory Group (representing communities with protected characteristic), key partners (including the CCG and VCFSE sector), senior officers and Overview and Scrutiny. (Jonathan Downs)
- 9 **Financial Implications**
- 9.1 None
- 10 **Legal Services Comments**
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10.1 The report appropriately sets out the Council's duties under the provisions of the Equality Act 2010 and the Council's strategy for complying with such duties which meet the requirements of the Act. As such, no legal issues arise from the proposals. (Colin Brittain)

11. **Co-operative Agenda**

11.1 As a Co-operative Council, Oldham is committed to embedding Equality, Diversity and Inclusion into everything we do. This strategy sets out our vision for equality and diversity in Oldham, weaving equality, diversity and human rights into everything we do to develop a culture of fairness, openness and respect, as defined by our Co-operative values. (Jonathan Downs)

12 **Human Resources Comments**

12.1 The development of a new EDI Strategy for Oldham presents a great opportunity to champion equality and diversity in everything we do. HR have been closely involved in the development of the objectives in the Strategy which encourages a diverse workforce with the right skills to build a culture of equality and inclusion in the way we relate to residents as well as how we create a culture that embraces diversity across the workforce. The Workforce Strategy for #TeamOldham has at its heart an ambition to improve the diversity of our workforce in a way that recognises the skills and difference of our population and contributes to Community Wealth Building. The intention is to align objectives for Oldham in order to share best practices, create more whole system career pathways and make a real difference to the employment opportunities for our communities.

12.2 Communications will be key in promoting and embedding messaging around diversity in order that programmes of work to promote inclusion and difference become business as usual rather than discreet and transitory activities. (Elisabetta Coccia)

13 **Risk Assessments**

13.1 N/A

14 **IT Implications**

14.1 N/A

15 **Property Implications**

15.1 N/A

16 **Procurement Implications**

16.1 N/A

17 **Environmental and Health & Safety Implications**

17.1 N/A

18 **Equality, community cohesion and crime implications**

18.1 This strategy sets out how we plan to achieve equality aims and objectives by working collaboratively across Team Oldham, as well as showing how we will monitor our progress.

19 **Equality Impact Assessment Completed?**

19.1	N/A
20	Key Decision
20.1	No
21	Key Decision Reference
21.1	N/A
22	Background Papers
22.1	N/A
23	Appendices
23.1	Appendix 1 – Equality, Diversity and Inclusion Strategy