

Slough Borough Council

Report To:	Corporate Improvement Scrutiny Committee
Date:	24 October 2023
Subject:	Public Sector Equality Duty and SBC (Slough Borough Council) Equality Objectives
Lead Member:	Councillor Dexter Smith, Leader of the Council
Chief Officer:	Sarah Hayward
Contact Officer:	Surjit Nagra / Dean Tyler
Ward(s):	All
Exempt:	NO
Decision Subject To Call In:	NO
Appendices:	A: Detailed Objectives and Indicators B: Equality Impact Assessment

1. Summary and Recommendations

1.1 This report (Section n2) provides details to Scrutiny on the proposed 2023-2027 statutory equality objectives for Slough Borough Council in line with the Public Sector Equality Duty. The objectives cover both employment and service provision.

Recommendations:

- 1.2 CISC is requested to make any comments or recommendations on the following equality objectives to inform the consideration of this report by Cabinet and Full Council:
- Objective 1: Improve the collection of employee and applicant equalities data to ensure we are data-led in our actions to improve workforce inclusion and equality. We will use this data to inform all activities to drive better outcomes for Objective 2.
 - Objective 2: Recruit, retain and develop an inclusive workforce, where diversity is valued, and one that is representative of our local communities.

Corporate Plan service objectives

- Objective 3: Provide quality services for vulnerable children and those with special educational needs and disabilities (SEND).
- Objective 4: Improve outcomes for disadvantaged children and young people.
- Objective 5: Work with partners to target health inequalities and wellbeing.

Reason

- 1.3 The council is fully committed to promoting equality in the provision of its services to Slough residents, and in its role as employer to its workforce.
- 1.4 This report and the appendices set out five proposed objectives, to cover both employment and service provision, together with proposed methods to measure progress. Workforce based objectives relate to non-executive functions, which would normally be considered by the Employment Committee. It is recommended that Full Council approve these objectives and has an opportunity to comment on the objectives as a whole.
- 1.5 Under Regulations made under the Equality Act 2010 the council is required to publish information to demonstrate its compliance with the duty imposed by Section 149 (Public Sector Equality Duty/PSED). In addition, it is required to prepare and publish one or more equality objectives it thinks it should achieve to do any of the things mentioned in paragraph (a) to (c) of the PSSED. Objectives are expected to be published at least every 4 years and must be specific and measurable.

Commissioner Review

The report has been cleared by Commissioners with recognition of the good news from the Equality & Human Rights Commission highlighted at paragraph 3.8 in the report. The council is now close to being able to meet its statutory duties having previously and currently being in breach of them.

2. Report

Introduction

- 2.1 We are committed to ensuring that reducing inequality is at the heart of our priorities as a council. We have refreshed the [Corporate Plan](#) to take account of the latest data and most recent Census information. This information can be viewed in the [Slough Insights Pack](#), which includes a wide-ranging set of data that identifies equality and diversity issues within Slough across our residents and service users. This is an important development in addressing the government Direction to enable better and evidence-based decision making.
- 2.2 We are clear that embedding an approach to tackling inequality within our workforce, residents and service users is key to driving our recovery and improvement agenda.
- 2.3 As a listed public authority, the council is subject to additional equality obligations under the Equality Act 2010 and associated regulations.
- 2.4 Key to our purpose as a local authority will be working with our partners to increase healthy life expectancy. In doing this we will address the wider determinants of health and wellbeing including education, housing, and the economy. The delivery of the priorities in the Corporate Plan is closely aligned with the [Slough Health and Wellbeing Board Strategy 2020-2025](#).
- 2.5 The Health and Wellbeing Strategy has 4 priorities:
 - a. Starting Well
 - b. Integration
 - c. Strong, Healthy and Attractive Neighbourhoods
 - d. Workplace Health

- 2.6** The focus of the equality objectives for both employment and services are set out in the Corporate Plan, which places reducing health inequalities and closing the gaps in healthy life expectancy as a central driver for the work of the council over the next 5 years. The Corporate Plan has a particular focus on delivering this through actions to support children and young people as targeted equality groups, recognising the impact this can have on closing long-term equality gaps across all groups.
- 2.7** The Corporate Plan recognises that the recruitment and retention of a skilled, committed, and diverse workforce is critical to delivering the wider service objectives to Slough's local communities. In accordance with regulations made under the Equality Act, since 2017 the Council has been required to publish annual information relating to pay (referred to as Gender Pay gap reporting). In addition the Council also published a [workforce equality report](#).

3 Background

- 3.1** A series of Government directions issued to the council in December 2021 included making better, evidence-based decisions. The updated Corporate Plan reflects the latest Census and other data sources, which indicate the major equality gaps in Slough. It has particularly highlighted the health inequalities experienced by Slough residents who share protected characteristics.
- 3.2** The council is committed to being an inclusive employer, and to promoting diversity and equality in the workplace. Employee data collection, analysis and equalities profiling is improving. However, there remain significant gaps in the employee equalities data that is voluntarily declared by existing staff, and particularly in recruitment and applicant data. This limits our understanding of where different groups are in the organisation and what actions can be taken to improve representation and equality – both through recruitment and development of existing employees. Lack of comparable employee data sets also impacts our ability to set representation targets in line with local demographic data.
- 3.3** Fostering a clear culture of inclusion - where all employees are able to perform and progress - is crucial if we are to recruit and retain a skilled and committed workforce. It is essential that the workforce feel diversity is valued and that there are equal opportunities to progress. There is now good engagement with a range of staff network groups to improve dialogue around workforce inclusion. However, the April 2023 staff survey indicated that there is more work to be done to ensure all employees feel that the workplace is inclusive.
- 3.4** Whilst the council workforce is ethnically diverse, it has been acknowledged that senior leadership is not reflective of local Slough communities.
- 3.5** Our objectives are as follows:

Workforce

- Objective 1: Improve the collection of employee and applicant equalities data to ensure we are data-led in our actions to improve workforce inclusion and equality. We will use this data to inform all activities to drive better outcomes for Objective 2; and

- Objective 2: Recruit, retain and develop an inclusive workforce, where diversity is valued, and one that is more representative of our local communities.

Corporate Plan

- Objective 3: Provide quality services for vulnerable children and those with SEND;
- Objective 4: Improve outcomes for disadvantaged children and young people; and
- Objective 5: Work with partners to target health inequalities and well-being.

3.6 Appendix A details the proposed equality objectives and the methods of measuring progress against them.

3.7 An assessment of progress against these equality objectives will be published on the council's website on an annual basis, in keeping with best practice guidance from the Equality and Human Rights Commission. This will also be reported to appropriate member bodies, for instance Employment Committee for workforce objectives.

3.8 We have been working closely with the Equality and Human Rights Commission who are advising a number of local authorities on their work to achieve full compliance. The Commission have just written to us very positively as follows:

'As you may recall we met earlier this year to discuss the steps that Slough needs to take to meet the requirements of the PSED specific duty obligations. We promised that we would review your website in September to see how you are getting on, and it is clear that you are working very hard to become compliant with the specific duties, considering all of the financial pressures you are under and all the changes you have had to make. This includes the very extensive workforce equality data that you published in March, and the information you have published on your Slough Insights Data Pack in August providing information on the population of Slough. We are also looking forward to the publication of your corporate plan with the equality objectives in the coming months. The publication of equality objectives that are specific and measurable will be the final piece of information that Slough needs to demonstrate its compliance with the PSED specific duties.

Bearing in mind how much you have demonstrated how it is possible to meet your PSED Specific Duties despite all the difficulties you have faced over the last couple of years, on behalf of the Equality and Human Rights Commission I would like to ask if you and/ or colleagues would be interested in participating in an introductory seminar on the Public Sector Equality Duty, to talk about how you are working towards compliance with the duties'.

4 Implications of the Recommendation

Financial implications

- 4.1** Any actions arising from the recommendations will be funded from within existing budgets.

Legal implications

- 4.2** Section 149 of the Equality Act 2010 imposes additional duties on relevant public authorities, known as the Public Sector Equality Duty. This duty applies to 'the relevant protected characteristics' – age, disability, gender reassignment, pregnancy and maternity, race, religion and belief, sex, and sexual orientation and marriage and civil partnership. There is both a general and specific duty.

The general duty requires all listed authorities, when exercising public functions, to have due regard to the need to:

- a. Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Equality Act 2010
 - b. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
 - c. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 4.3** The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 require public authorities to:
- a. Publish gender pay gap information on their employees
 - b. Publish information to demonstrate their compliance with the general equality duty ('equality information')
 - c. Prepare and publish of one or more equality objectives which it thinks it should achieve to do any of the things mentioned in the general equality duty ('equality objectives')

The Council reports its gender pay gap to the Employment Committee and has also recently started reporting a wider range of workforce data, including ethnicity pay gap reporting. The Council also includes details of the equality implications of any recommended decision to be decided at a member level.

Risk management implications

- 1.1.** Failure to comply with the Equality Act duties increases the risk of legal challenges to decision-making.

Environmental Implications

- 1.1. There are no direct environmental implications as a result of the recommendations contained in this report.

Equality implications

- 4.4 The Equality Act 2010 contains various provisions to promote equality and eliminate discrimination. This includes, but is not limited to, the public sector equality duty, the duty to have up to date equality objectives and to publish equality information. An equality impact assessment is included as Appendix B.
- 4.5 In summary, the objectives are intended to have positive impacts on all groups. For employees and job applicants, the workforce objectives (1 and 2) will have a particularly positive impact on those groups currently under-represented in the council's workforce, including some ethnic minority groups, and those with disabilities. Whilst service objectives 3 and 4 place a focus on children and young people, there is intersectionality with other equality characteristics, and it is recognised that improving outcomes and reducing inequalities for children will have a positive impact on future outcomes for adults from all groups.
- 4.6 The equality objectives do not replace the council's statutory responsibility to eliminate discrimination and promote equality throughout all its day-to-day functions and procedures. They provide a focus on targeted areas of particular concern, where reducing inequalities and closing the gaps will have significant impacts on improving overall equality for employees and residents.

Procurement implications

- 4.7 There are no direct procurement implications as a result of the recommendations contained in this report, however the Public Sector Equality Duty applies to all public procurement decisions. UK procurement regulations are designed to ensure that public procurement decisions are fair and equitable for everyone.

Workforce implications

- 4.8 The council is committed to being an inclusive employer where diversity is valued. There are two equality objectives that relate specifically to the workforce.

Property implications

- 4.9 There are no direct property implications as a result of the recommendations contained in this report.

5 Background Papers

None