

Personnel Committee – 4th March 2015

Walsall Council Public Sector Equality Duty (PSED) Information Report

Service: Human Resources

Wards All

1. Purpose of the report

To notify Personnel Committee of the Council's recently published PSED Information Report 2015 and progress made towards its equality and diversity objectives.

2. Recommendations

To acknowledge the information provided by Directorates in respect of their fulfilment of the PSED with particular emphasis on;

- informing the public, service users, employees and other stakeholders of the Council's equality and diversity objectives;
- providing an update against these objectives from their particular areas

3. Background

The Public Sector Equality Duty, as set out in the section 149 of the Equality Act, requires public bodies to have due regard for the following general duties;

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.
- Foster good relations between people who share a relevant protected characteristic and those who do not share it.

In order for public bodies to comply with these general requirements, the Equality Act also requires them to

- Prepare and publish one or more objectives every four years;
- Ensure that those objectives are specific and measurable;
- Publish those objectives in such a manner that they are accessible to the public.

Walsall Council identified the following 4 objectives for the period January 2012 -2016, to fulfil its PSED:

- Objective 1: The Council will strive to have a diverse workforce, representative of the communities living in Walsall.
- Objective 2: We will treat people fairly, justly and with respect to both service delivery and employment.
- Objective 3: We will find ways to support those who are disadvantaged or excluded.
- Objective 4: We will promote inclusion and celebrate diversity and engage with local communities to identify equality issues and agree priorities.

Our equality objectives have been based on available equalities information through research, consultation, engagement and equality impact assessments.

Directorate DMT's and the Council's Corporate Equalities Group monitor progress against the objectives.

The Walsall Council PSED Information Report was published on the external website during January 2015 and is accessible via the following link: http://cms.walsall.gov.uk/index/council_and_democracy/equality-2/equality_documents.htm, alongside the Equality Protocol and the Employment Monitoring Report. People who require alternative formats will be advised to contact the Equality, Safety and Wellbeing team.

4. Walsall Council's PSED Information Report 2015 – key headlines

1. The Walsall PSED Information Report 2015 showed that the council annually monitors the make-up of its workforce by relevant equality characteristics. All directorates provided evidence of using this monitoring information to inform workforce activity at their local level. Where there was under-representation of certain groups amongst the workforce, the directorates used interventions such as representative recruitment panels and positive action to improve the trends.
2. All directorates provided evidence of ensuring that their staff gain competency in understanding the diverse needs of Walsall communities. Some directorates, such as Children Services and Adult Social Care, provided examples of specific courses attended by staff aimed at teaching about different equality characteristics.
3. A number of Human Resources procedures have been reviewed, ensuring consistency and fairness, in relation to equality characteristics and the provision of reasonable adjustments. The process for monitoring of equality impact assessments for service reviews and budget proposals have also improved in collaboration with Finance.
4. The Aspirant Manager, now known as Stepping Stones, course, aimed at improving representativeness of the workforce at management level, has made a positive impact and will continue in future.
5. Children Services and Adult Social Care were able to show how their needs analysis take into account diverse needs of Walsall residents and also how they continue to develop their staff through appropriate workforce planning in particular areas, such as race equality, learning disabilities, sensory needs and other topics.
6. Neighbourhood Services continued to monitor feedback on its services by equality characteristics. Some good partnerships were formed, for example, between the Environmental Services and Public Health on the initiative *Making Every Contact Count*, which aimed at improving health of the local population. Libraries and museums engaged effectively with minority ethnic and religious groups in their service delivery, and also in partnership with other organisations, for example; Pleck Library and the Mental Health Partnership NHS Trust organised a Mental Health and Equality and Diversity Awareness event.
7. Regeneration Services provided good case studies of engaging with different groups of residents on planning proposals, as well as impact of the Walsall Works

apprenticeships. They focused on mental health and wellbeing of their staff this year and run a stress survey. They are currently in the process of learning from the findings and organising focus groups. The directorate also compiled an excellent resource – the Equality and Diversity Profile for Walsall Borough, which will support the Council on its budget setting and equality impact assessment process.

8. Resources directorate showed good evidence of using alternative formats in communication with residents through Easy Read, plain English and accessible web design and supporting directorates on consultations and communication with diverse groups of customers, for example; targeting minority ethnic foster carers and disabled residents.

5. Financial

There are no direct financial implications arising from this report. Equality activity will continue to be provided from within existing resources.

6. Legal

- 6.1 As stated above the public sector duty under section 149 of the Act is to have “due regard” to the matters set out in relation to equalities when considering and making decisions on the provision of services. Accordingly due regard to the need to eliminate discrimination, advance equality, and foster good relations must form an integral part of the decision making process. Members must consider the effect that implementing a particular policy will have in relation to equality before making a decision.
- 6.2 There is no prescribed manner in which the equality duty must be exercised. If it were to be apparent from the analysis of the information that a policy would have an adverse effect on equality then adjustments should be made to avoid that effect (mitigation). Members should be aware that the duty is not to achieve the objectives or take the steps set out in s 149. Rather, the duty on public authorities is to bring these important objectives relating to discrimination into consideration when carrying out its public functions. “Due regard” means the regard that is appropriate in all the particular circumstances in which the authority is carrying out its functions. There must be a proper regard for the goals set out in s 149. At the same time, Members must also pay regard to any countervailing factors, which it is proper and reasonable for them to consider. Budgetary pressures, economics and practical factors will often be important. The weight of these countervailing factors in the decision making process is a matter for members in the first instance.

7. Risk Management

It is expected that Directorate's will identify risks associated with their activities in meeting the Council's objectives in this area, taking steps to monitor and mitigate against as appropriate.

8. People

Contained within the report.

9. Consultation

In the production of the PSED Information Report directorate's, via their respective Equality Champions, have confirmed progress made against the Council's equality and

diversity objectives including how they consulted/engaged with different groups in their development/achievement including those from protected characteristic groups.



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