



CABINET

10 November 2021

Subject Heading:

Local Government Association (LGA), Independent Race, Equality, Accessibility, Diversity and Inclusion, (READI), Commissioned Review May 2021: Approval of Action Plan.

Cabinet Member:

The Leader, Councillor Damian White

SLT Lead:

Jane West

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Policy context:

This is the Council's high level action plan to implement the improvements requested and identified through the Independent LGA READI review priority recommendations. These improvements will help achieve the Council's promise of zero tolerance of racism and discrimination of any kind, helping the delivery of the Council's programme to be an employer of choice and achieve the Excellence Standard against the LGA's Excellence Framework for Local Government exacting criteria.

Financial summary:

A one-off investment of £250k has already been agreed for the additional programme resources to accelerate the pace of delivery. This will need to be reviewed as part of the implementation and preparation for phase two: The Borough –wide READI review.

Is this a Key Decision?

This report is a key decision as the improvements will have significant beneficial effects on two or more wards.

When should this matter be reviewed?

Given the strategic nature of the action plan, and the role of Overview and Scrutiny Board, this decision is one for consideration for scrutiny review by the Board through the progress of delivery against the action plan reviewed on at least a six monthly basis.

Reviewing OSC:

Overview and Scrutiny Board.

The subject matter of this report deals with the following Council Objectives

Communities making Havering	[x]
Places making Havering	[x]
Opportunities making Havering	[x]
Connections making Havering	[x]

SUMMARY

In June 2021 the Leader of the Council committed to commissioning a proactive improvement independent review of race relations initially within the Council. Whilst this retained a significant focus on Race, it was broadened out to ensure other protected groups were included, in recognition that Havering as a place is dynamic and its demographics are changing fast.

Some external press articles have said this was an Investigation, it was not, nor was the review requested by any other organisations This independent review was part of the Council's decision to hold a "mirror up", and get an honest snap-shot of the Council's internal policies and procedures, to safe-guard against complacency in its public sector equalities duties (PSED). This review was bravely undertaken during a global pandemic, and heightened awareness and sensitives raised by the heinous murder of George Floyd, which directly influenced the commitment to this review. Few other councils would have chosen to do this at such a period in our history. Havering is determined that these factors are exactly why we should tackle this now.

This report focuses on the Council's action plan, developed in response to the Council commissioning the Local Government Association (LGA) to undertake the Independent Race, Equality, Accessibility, Diversity and Inclusion (READI) Review and addresses the LGA's fifteen priority improvement recommendations.

The Council had a ten point plan to ensure it maximised the “warts and all” candour afforded through a “tell-us how it really is for you, and what do we need to change” ethos. A 400 page internal self-assessment was prepared for use by the LGA, to support its focus and enable robust exploration in confidential sessions with staff, Members and the public and key partners through the Community Cohesion and Engagement Forum.

It is proposed that the action plan in Appendix B is approved by the Cabinet and monitored on a six monthly basis to ensure the recommended improvements are implemented and any appropriate action taken to keep this on track, together with other information that can help show the impact on the ground.

Given the importance of this review and why it was undertaken, Cabinet have reiterated the Council’s stance and promise to be resolute in its zero tolerance of racism and discrimination of any kind. Given some of the misrepresentation in the press, it is an important cornerstone to reiterate and strengthen building trust and the dialogue that must be in place if things are to change. Without this we can’t grow the culture where people feel able to report, receive support, deal with and discuss the issues, however uncomfortable going forward.

As the improvements are strategic and cross-cutting in nature, and underpin the Council’s ambition to be an Inclusive employer of choice and achieve the ‘Excellence’ standard in the Equality Framework for Local Government (EFLG), a role for Overview and Scrutiny is proposed, this is in accordance with the statutory role of the Overview and Scrutiny function as set out in the Council’s Constitution. This request is one for consideration by the Overview and Scrutiny Board, who select their own areas for scrutiny.

RECOMMENDATIONS

The action plan sets out a high level “what needs to be done”, and the timescales to achieve this. It is recommended that the Cabinet:

- Agrees the high level action plan in Appendix B
- Agrees the LGA’s READI report is published in its entirety
- Reviews progress against the action plan on a six monthly basis
- Agrees this report goes to Full Council for their endorsement
- Urges all Members to support the READI Programme
- Asks Overview and Scrutiny Board to consider progress against the action plan on a six month basis in line with the Scrutiny function
- Agrees this review and subsequent programme, informs the borough-
“Phase two”, Borough wide READI review planning.

REPORT DETAIL

1. Background

1.1. The Council's Equality and Diversity arrangements were last reviewed in 2010 when the new Equalities Act came into being. In 2019 the Council committed itself to voluntarily electing to work towards the Excellent Framework for Local Government ("EFLG") Standard and in 2020 to becoming an employer of choice. In June 2020, in direct response to the murder of George Floyd, the Leader of the Council asked for an independent review at the AGM, to safeguard against complacency and ensure we had the right policies and procedures in place. Initially this was going to focus on race relations, but in light of the PSED requirements, this was broadened to include other protected characteristics, whilst having a significant focus on race.

1.2. The LGA was commissioned to undertake the independent review. The LGA set the exacting EFLG standards and offered a bespoke team of Members and officers who specialise in this area. The review team, comprising a senior member and officers from other local authorities spent three days working with Havering, between 18th- 26th May 2021. The Review team considered the five EFLG standard themes:

- **Understanding of the local place and priority setting:** Does the council understand its local context and place and use that to inform a clear vision and set of priorities?
- **Leadership of Place:** Does the council provide effective leadership of place through its elected members, officers and constructive relationships and partnerships with external stakeholders?
- **Organisational leadership and governance:** Is there effective political and managerial leadership supported by good governance and decision-making arrangements that respond to key challenges and enable change and transformation to be implemented?
- **Financial planning and viability:** Does the council have a financial plan in place to ensure long term viability and is there evidence that it is being implemented successfully?
- **Capacity to deliver:** Is organisational capacity aligned with priorities and does the council influence, enable and leverage external capacity to focus on agreed outcomes?
- In addition, given the review's significant focus on race, a bespoke sixth theme for race equality was developed.

2. The Independent review process

- 2.1. The review was at the direct bequest of the Leader and not an investigation, it was not judged or marked and was entirely at the request and invitation of the Council. The Council engaged an independent expert review client/consultant and developed a 10 point plan to ensure the LGA were provided with a “bottom-up” all service in depth internal self-assessment, which was used by the peer team initially to prepare for the review. This was significantly more substantial than normal, due to the 27 service areas feeding into the amalgamated assessment. The plan saw actions ahead of the LGA report and recommendations. The review team used their experience and specialist knowledge to reflect on the information presented to them, and with people they met, things they saw and material that they independently read and researched.
- 2.2. The review was born out of recognition that the lived, day-to-day experience of some of our staff, the majority of whom live and work in the borough, was not as it could or should be. It was also informed by the (www.haveringdata.net/population-demographics/) knowledge that the pace of demographic change in the borough is as fast if not faster than most places nationally (11th fastest changing borough in the UK according to 2018 Campaign Company analysis). Rather than shy away from what would be said, the Council commissioned this review as an opportunity to set the right foundations and encourage people to have their voices heard in a safe and supported environment-and fed-back through the report. This was in the knowledge it would make difficult reading. Below is the 10 point plan followed to support and ensure this was thorough;

Step 1 - Nov – Dec 20 -- Recruit the independent consultant, commission review and undertake this plan.

Step 2 – Dec 2020 – Inclusion Diversity Equality and Access (IDEA) MS Networked Teams – including leadership collaboration spaces, Equality Diversity & Inclusion Committee (EDIC) spaces, and nominated leads spaces

Step 3 – Jan - April 2021 – A detailed, independent internal self-assessment, with an additional race review strand, detailed data analysis and individual service self-assessments.

Step 4 – Feb - April 2021 – A staff and community engagement programme.

Step 5 - May 18,19,26 2021 - An independent LGA review – with an experienced panel, conducting 20 interviews and focus groups and in-depth analysis, including a dedicated race equality review.

Step 6 – July 2021 – Mandatory online training for all managers

Step 7 – July 2021- draft READI strategy & how we deliver the change

Step 8 – July-August 2021: Series of lunch time sessions: Tackling racism in the workplace, reasonable adjustments, and cultural competence pilot.

Step 9 – September 2021: All Member equalities & PSED training

Step 10 – September 2021: Receive and circulate LGA report and responses to the 15 priority recommendations. To be taken to November Cabinet.

- 2.3. The review considered a range of documents and information in order to ensure they were familiar with the Council and the challenges it is facing. The team then spent 3 days virtually onsite at Havering, during which they:
- Spoke to more than 150 people including a range of Council staff together with Councillors and external partners and stakeholders.
 - Gathered information and views from more than 25 meetings, research and reading.
 - Collectively spent more than 250 hours to determine their findings – the equivalent of one person spending around seven weeks in LBH
- 2.4. The Review team undertook four feedback sessions at the request of the Council sharing their initial working slides. This included staff forum leads, service review leads, Trade Unions, the Cabinet and Group Leaders and others.

3 The LGA's Independent Report, Findings and Recommendations

- 3.1. The LGA's full independent report is attached in Appendix A. The report makes for difficult and uncomfortable reading in some places and highlights examples of where staff have experienced things that have no place in an inclusive organisation and will not be tolerated.
- 3.2. The review recognised the commitment of leadership and identified positive steps for the future, including *"The borough is in a good position for change. The Leader, Chief Executive and senior officers are committed to changing the reputation of the Borough and working towards being an anti-racist Borough. Senior officers recognise that there is significant work to be done to achieve this aim as demonstrated in the Council's self-assessment. The LGA review team have been asked to give recommendations to help the organisation progress towards this goal. This is an important start, as it is vital that both managerial and political leaders model the behaviours that are expected of themselves, other councillors and staff"*.
- 3.3. The review is a snapshot in time and acknowledges that some of the feedback may be about things the Council is already addressing and progressing.

4 The LGA Review Priority Fifteen Recommendations for Improvement

4.1. The following are the Review Team's priority recommendations for the Council and are addressed in the Action Plan, and recommended for approval, Appendix B:

4.2. The LGA's Fifteen Priority Actions

1. Clarify and communicate the next stage in the Council's Equality, Diversity & Inclusion review work. We understand the internal READI review is to be followed up by an external review of race relations across the borough, but this is not clearly understood across the organisation
2. Ensure councillors understand the implications of the changing demographics of the borough, including member workshops or training sessions
3. Share lived experiences with the leadership (senior officers and councillors) ensuring that this is done in a safe and supportive environment. These experiences will need to be acted upon
4. Use the self-assessment exercise as the first step in developing accessible service plans
5. Seek understanding from the staff forums as to how they see their role in the organisation and determine what the organisation wants from the staff forums
6. Develop with the EDIC group a clear and immediate EDI action plan that is SMART with clear timelines (e.g., 12 months, 36 months, etc)
7. Establish a clear operational lead for EDI, with ownership and responsibility around delivery, ensuring that this appointment is well-known across the organisation. Ensure that the member lead is also known and visible on this agenda
8. Collect, analyse and publish workforce data on protected characteristics, including pay gap data
9. Work with the staff forums and communications teams to increase disclosure rates of personal race and disability data in particular as well as across all protected characteristics
10. Improve understanding across the board of the complexity of the issues – EDI is not binary
11. Run EDI training for staff and councillors, starting with Corporate Leadership Team and Commissioning and Procurement
12. Political and managerial leaders to ensure that they are meeting their responsibilities as set out in the Public Sector Equality Duty, for example to promote EDI through their actions, and role model appropriately
13. Behavioural expectations of staff, customers and councillors to be made explicit and reinforced with appropriate support and disciplinary mechanisms
14. Review the effectiveness of the personal development review (PDR) process across the organisation

15. Adopt a communications strategy emphasising a zero-tolerance policy for all forms of discrimination, covering behaviour of Members, officers and customers. Should this policy be breached, ensure that appropriate action is taken, including police involvement if necessary.

5 Next Steps

- 5.1. The Council has developed its high level action plan for the fifteen priority recommendations and is seeking Cabinet approval through this report.
- 5.2. The new READI programme team will strengthen and take forward the detailed work plan to ensure the changes required are undertaken including working across the Council to ensure that each and every one undertakes their responsibility in making the promise of Havering being an inclusive council, with zero tolerance to racism and discrimination of any kind.
- 5.3. The Cabinet will monitor progress against the action plan on a regular basis.
- 5.4. Overview and Scrutiny Board will be asked to consider reviewing progress against the priority improvement actions.

6 The Phase Two Borough Wide READI review

- 6.1. The Terms of Reference and approach will be informed by the LGA READI review and developed by the READI programme manager and taken to Cabinet for approval and funding in due course. As this will involve other borough partners and stakeholders, wider agreement and collaboration as to what, when, who and how will need careful consideration and funding agreement.

Appendix A: LGA Independent READI Report.

Appendix B: The Council's draft action plan to implement the priority improvement recommendations

REASONS AND OPTIONS

Reasons for the decision:

The purpose of having the LGA READI review was to gain an external independent view of priority and practical recommendations to assist the Council's progress against its ambitions and achieving its promise of zero tolerance to racism and discrimination and avoiding complacency in undertaking its Public Sector Equalities Duty.

Other options considered:

This option was adopted given the LGA is the body responsible for the Excellence Framework for Local Government Standard and could provide suitably experienced review team.

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no direct financial implications arising from this report. The Council has earmarked £250k for the programme resources as part of its planning for the review.

It may be that the improvements themselves require additional funding. If so, any requirement for additional funding will be brought back for consideration and approval via the appropriate channels as and when they materialise.

Legal implications and risks

Implementation of the action plan will ensure so far as possible that the Council complies with its duties under the Equality Act 2010 including the public sector equality duty set out below.

The Scrutiny Board is responsible for its own agenda and therefore Cabinet can merely request that they consider reviewing the action plan on a six monthly basis, but they are free to decline or to review on a more frequent basis if they so decide.

Human Resources implications and risks

There are no HR implications or risks that impact directly on the Council's workforce as a result of the recommendations. Plans are in development as part of the People and Organisation Transformation Programmes to create a more strategic approach to the leadership and management of the Council's workforce, with equality, diversity and inclusion at the heart of this.

Equalities implications and risks

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;

- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants. There is no EQHIA for this stage, as all the actions are in direct support of having a positive impact on those staff with protected characteristics, and to foster better relations with those that don't-through direct action.

Health implications and risks

The Council should consider the impacts of racism and discrimination in terms of health and well-being, including mental ill health, emotional well-being, lower self-esteem and higher anxiety, stress and depression associated with discrimination and racisms as well as other impacts all of which the action plan is attempting to tackle.

The Action Plan is a positive step and sets out strategic steps to tackle racism, and to help achieve the delivery of the Council's Programme to be an Employer of Choice and Achieve the Excellence Standard. The Action plan should evolve as the programme progresses making sure the impact on health and well-being – on the work force and wider population, is inclusive.

BACKGROUND PAPERS

EFLG Standard: [Equality Framework for Local Government | Local Government Association](#)

Race at work Charter: [Race at Work Charter Signatories - Business in the Community \(bitc.org.uk\)](#)

PSED: [Public sector equality duty - GOV.UK \(www.gov.uk\)](#)

Equalities Act 2010: [Equality Act 2010: guidance - GOV.UK \(www.gov.uk\)](#)

Havering self-assessment: for the LGA only