



## Mayor and Cabinet

### Single Equality Framework 2020-24

**Date:** 16 September 2020

**Key decision:** No

**Class:** Part 1

**Ward(s) affected:** All

**Contributors:** Assistant Chief Executive

### Outline and recommendations

The purpose of this report is to present the officer response to the Safer Stronger Communities Select Committee referral made on 4 March 2020. In particular it:

- Proposes further work to be done to the draft objectives; and

Mayor and Cabinet is invited to:

- Note and approve the process to re-work the draft equality objectives; specifically that the Single Equality Framework objectives be refined with input from Safer, Stronger Communities Select Committee; and
- Note and approve the process for monitoring the reworked draft objectives; specifically that a suite of measures be developed to facilitate monitoring of the refined objectives.

## Timeline of engagement and decision-making

**November 2019 – January 2020** – engagement activity with voluntary and community stakeholders.

**March 2020** – Presentation of draft Single Equality Framework at Safer Stronger Communities Select Committee; resulting in referral to Mayor & Cabinet.

**March 2020** – Single Equality Framework agreed at Mayor and Cabinet.

**May 2020** – Single Equality Framework considered at Overview and Scrutiny Business Panel

## Summary

1. This report presents the officer response to the Safer, Stronger Communities Select Committee referral of the Single Equality Framework 2020-24 to Mayor & Cabinet.

## Recommendations

2. Mayor and Cabinet is recommended to:
  - i) Note and approve the suggested process to refine the Single Equality Framework objectives with input from Safer, Stronger Communities Select Committee; and
  - ii) Note and approve the process for monitoring the reworked draft objectives; specifically that a suite of measures be developed to facilitate monitoring of the refined objectives.
  - iii) Agree that this response contained in this report be provided to the Safer Stronger Communities Select Committee

## Policy context

3. Promoting equality, by tackling inequality, sits at the heart of the Council's public welfare role. The performance of this role is framed within the Council's Corporate Strategy 2018-22 and given specific expression through the seven Corporate Strategy priorities as follows:
  - Open Lewisham – Lewisham is a welcoming place of safety for all where we celebrate the diversity that strengthens us.
  - Tackling the housing crisis - everyone has a decent home that is secure and affordable.
  - Giving children and young people the best start in life - every child has access to an outstanding and inspiring education, and is given the support they need to keep them safe, well and able to achieve their full potential.

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- Building an inclusive local economy - everyone can access high-quality job opportunities, with decent pay and security in our thriving and inclusive local economy.
  - Delivering and defending: health, social care and support - ensuring everyone receives the health, mental health, social care and support services they need.
  - Making Lewisham greener - everyone enjoys our green spaces, and benefits from a healthy environment as we work to protect and improve our local environment.
  - Building safer communities- every resident feels safe and secure living here as we work together towards a borough free from the fear of crime.
4. The purpose of the Single Equality Framework 2020-24 is to help the Council to better understand the equality implications of the various decisions that it makes in the performance of its roles and in the provision of services.

## Background

5. The Equality Act (Specific Duties) 2011 require public bodies to set and publish one or more equality objectives on a four yearly cycle. In addition, the Specific Duties require public bodies to ensure that the objectives can be measured.
6. The above requirements are set within the broader context of the Act and in particular the Public Sector Equality Duty which sets out that, when public authorities carry out their functions, they must have due regard or think about the need to:
- Eliminate unlawful discrimination;
  - Advance equality of opportunity between people who share a protected characteristic and those who do not share that characteristic; and
  - Foster or encourage good relations between people who share a protected characteristic and those who do not share that characteristic
7. Within the context of the Equality Act 2010, the protected characteristics are defined as follows:
- Age
  - Disability
  - Gender-reassignment
  - Marriage and civil partnership
  - Pregnancy and maternity
  - Race
  - Religion or belief
  - Sex
  - Sexual orientation

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## Single Equality Framework 2020-24

8. The Single Equality Framework builds on and replaces the Comprehensive Equalities Scheme, which was previously used as the vehicle for the Council's equality objectives from 2012 to 2020.
9. The Single Equality Framework is a statement of equality objectives reflecting the the Council's public welfare role in promoting the social, economic and environmental well-being of the borough. In addition, the Single Equality Framework describes the assurance mechanism (the approach to data collection and analysis) within which those equality objectives sit. The application of the Framework is intended to provide an evidence-based decision-making framework to help the Council to better understand the equality implications of the various functions that it performs and the services that it provides.
10. The Framework is informed by the the socio-economic context of inequality in Lewisham, builds upon existing strategic priorities and reflects the likely longer term impact of current events such as the impact of Covid-19, Brexit and climate change.
11. The Single Equality Framework is not a strategy or a plan; rather, it is a lens through which to ensure that Council gives proper consideration to equalities implications, risks and impacts in the performance of roles and discharge of functions.

## Safer, Stronger Communities Select Committee Referral

12. On the 5<sup>th</sup> March 2020 the draft Single Equality Framework 2020-24 was presented to the Safer, Stronger Communities Select Committee for pre-decision consideration in advance of Mayor and Cabinet adoption on 25 March 2020. Set out under the sub-headers below are the specific recommendations raised by the Committee and the officer response to those recommendations.

### **Recommendation 1: A more proactive approach should be taken to address the Public Sector Equality Duty.**

13. The Committee is right to recommend that in responding to the Public Sector Equality Duty, the Council should adopt a more proactive approach. In its referral the Committee notes that: "The proposed Single Equality Framework 2020-24 (SEF) clearly meets the Public Sector Equality Duty (PSED) of the Equality Act 2010 to prepare and publish equality objectives at least every four years."
14. The Single Equality Framework has been designed and developed to ensure that there is a strong focus on the gathering and analysis of equality data. This proactive approach to data collection and considered analysis will enhance the extent to which Member-scrutiny and Executive decision-making is intelligence-led and evidence-based. Where relevant equality data is not available, the Framework is designed to uncover this and ensure that effective and targeted challenge can be presented to better understand why data is not available, what action is being taken to fill data gaps and whether, on the balance of data that is missing, whether it is possible to for informed decisions to be made.
15. Some examples of the difference that this approach will make are as follows:
  - A consistent and clearer description of likely equality implications in officer reports;
  - Clarity on where data and evidence is being relied upon to develop proposals and make decisions as well as where data gaps are and what needs to be done to address these;

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- Clarity as to when and where reliance is being placed on anecdotal evidence and the extent to which the risk of unconscious bias has been mitigated;
  - Greater confidence with which democratically-elected officials are able to perform their scrutiny and decision-making roles.
16. In turn, the above will help ensure that the Council is better able to demonstrate that it is meeting its Public Sector Equality Duty.
17. The above arrangements will be given even greater impetus once the outcomes of the Safer Stronger Communities Select Committee Review of Equalities across service provision are published. It is anticipated that once the recommendations from that review are received they will feed into the Council's wider strategic planning, which also includes the review of the Council's Corporate Equality Policy and Covid-19 Recovery Plan.

**Recommendation 2: Equality objectives should be readily understandable to the public**

18. The Committee is right to highlight the need for equality objectives to be readily understandable to the public. As such, it is recognised that more needs to be done to ensure that the Single Equality Framework objectives are more specific and measurable. This is particularly important because the Council needs to be able assure itself that the effort being taken to tackle inequality is delivering the intended outcomes.
19. As part of this, an agreement has already been reached with the chair of the Safer Stronger Communities Select Committee to the effect that once the Committee has concluded its ongoing In-depth Review of Equalities, the Single Equality Framework objectives will then be refined with input of the Safer, Stronger review, and returned to Mayor and Cabinet for amendment if or when appropriate.
20. Once that task has been completed, work will commence on pulling together a suitable basket of performance measures that will be used to performance monitor the objectives. The development of a suite of performance measures, to support the Single Equality Framework was proposed in the reports to Safer, Stronger and Mayor and Cabinet back in March 2020.
21. Looking further forward, the above-mentioned approach will be extended to the public reporting of the Single Equality Framework and where the Committee's helpful referencing of Glasgow City Council's progress reporting format, will inform the approach to be adopted by Lewisham.

**Recommendation 3: Equality objectives should be specific, achievable and measurable.**

22. The Committee is right to highlight the fact that equality objectives should be specific, achievable and measurable. The intention therefore, as referenced above, is for the current Single Equality Framework objectives to be refined following the conclusion of the Safer, Stronger Select Committee's In-depth Review of Equality.

**Recommendation 4: Equality objectives should identify areas of work via which improvements in equality can be made.**

23. The Committee rightly highlights the importance of equality objectives being linked to actual areas of work that will deliver measurable improvements in the lived experiences of Lewisham residents.
24. The wide-ranging socio-economic impact of Covid-19, the continuing challenges associated with the prospect of a 'no deal' Brexit, the response to the Black Lives

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Matter agenda, the unique circumstances faced by refugees, asylum seekers and migrants and the ongoing Climate Crisis are just some of the agendas, where equality issues can be addressed.

**Recommendation 5: These areas of work should identify the relevant protected characteristic/s it intends to benefit, the measures via which success can be evaluated, and be specific on which organisation is responsible for leadership in this area of work.**

25. The Committee is right to note that areas for improvement should identify protected characteristics, measures of success and assign leadership for action. Through its effective application, the Single Equality Framework will test how equality data has been relied upon in the development of policy, strategy, commissioning, budget planning, the design of services and other areas. Specifically the application of the Single Equality Framework seeks answers to the following questions:

- Which equality objective(s) does this data contribute to?
- Which protected characteristic(s) is/are being impacted?
- What inequality issue(s) are we looking to address?
- What action needs to be taken to address any opportunities that have been highlighted and any risks that have been identified?

26. Through the effective application of the Framework, the intention is that the identification and prioritisation of equalities will be a systematic process, embedded in how the Council organises its programme of business.

**Recommendation 6: Whilst specific and targeted work to improve equality is needed, meeting the Council's equality duty and addressing the equality objectives is a collective duty of the whole organisation; every decision should further equality and improve fairness, and be evaluated as recommended by SEF using the equality objectives and prisms.**

27. In its referral to Mayor and Cabinet, the Committee makes clear that: "The identification of both equalities objectives and prisms via which they must be considered provides a clear framework within which officers can conduct their work, and if adopted should ensure a consistent approach is taken across the Council." The above recommendation makes clear that custom and practice in the way in which the Council approaches equalities is critical to ensuring that it is embedded across the organisation. The implicit point here is that there is a specific role for officers at all levels of the organisation to own the process and make sure that it is followed-through in their area of work.

## **Wider work on equalities**

28. The Single Equality Framework is part of wider review of the Council's approach to equality which includes the Safer, Stronger Communities Select Committee's In-depth Review of Equality, ongoing review of the Council's Corporate Equality Policy and development of the Council's Covid Recovery Plan, which is underpinned by the following anchoring principles:

- Tackling widening social, economic and health inequalities
- Protecting and empowering our most vulnerable residents
- Ensuring the Council's continued resilience, stability and sustainability
- Enabling residents to make the most of Lewisham the place
- Collaborating and working together with our communities and partnership across the borough

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## Financial implications

29. The work referred to in this report can be funded from within existing budgets.

## Legal implications

30. The Equality Act 2010 (Specific Duties) Regulations 2011 obliges 'public authorities' "...to prepare and publish [at intervals of no more than 4 years] one or more objectives it thinks it should achieve to do any of the things mentioned in paragraphs (a) to (c) of subsection (1) of section 149 of the ..." Equality Act 2010, known as the 'public sector equality duty'.
31. Section 149 (1) provides, "A public authority must, in the exercise of its functions, have due regard to the need to – (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (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."
32. The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty) as set out within paragraph 28.2 above. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
33. The duty continues to be a "have regard duty", and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
34. The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled "Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice". The council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england>

## Equalities implications

35. The equality implications are set out in the main body of this report.

## Climate change and environmental implications

36. This report proposes: 'promote active citizenship and social responsibility' as one the Council's draft equality objectives for the next four years. As part of the development of the above-mentioned objective it is recognised that active citizenship and social responsibility make a significant contribution towards tackling climate change and by so doing, will help to mitigate the impact of actions taken by individuals and entities that

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could have a negative effect on the life chances and quality of life of current and future generations.

## Crime and disorder implications

37. This report proposes: 'promote Lewisham as borough of inclusion for all' as one of the Council's draft equality objectives for the next four years. As part of the development of the above-mentioned objective it is recognised that tackling crime and particularly hate crime make a significant contribution to perceptions of public safety.
38. Section 17 places a duty on partners to do all they can to reasonably prevent crime and disorder in their area. The level of crime and its impact is influenced by the decisions and activities taken in the day-to-day of local bodies and organisations. The responsible authorities are required to provide a range of services in their community from policing, fire protection, planning, consumer and environmental protection, transport and highways. They each have a key statutory role in providing these services and, in carrying out their core activities, can significantly contribute to reducing crime and improving the quality of life in their area.

## Health and wellbeing implications

39. This report proposes: 'improve the quality of life of residents by tackling preventable illnesses and diseases' as one of the Council's draft equality objectives for the next four years. As part of the development of the above-mentioned objective it is recognised that tackling preventable illnesses will improve the health of the population and contribute to both increased life expectancy and improved life experience. This in turn will have practical benefits for Lewisham residents including greater sense of wellbeing, increased independence, choice and access.

## Background papers

40. The following background documents have shaped and informed the development of this report:
- Lewisham's Corporate Strategy 2018-22
  - Single Equality Framework 2020-24

## Glossary

Term	Definition
Due regard	The Public Sector Equality Duty of the Equality Act 2010, sets out that in the discharge of their duties, public bodies must have due regard to the need to eliminate unlawful discrimination, foster good relations and promote opportunities for advancement for and between protected characteristics.
Framework	A framework is basic set of expectations that helps to ensure that everyone employed by the Council understands what it is required of them and works towards the same standard. If everyone is working towards the same standard, we can have greater confidence that we will achieve our goals.

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Term	Definition
Strategy	A strategy is a plan of action that the Council uses to achieve a long term aim, goal or purpose. A strategy describes where we want to go, how we are going to get there and how we will know when we arrive.
Equalities	Equalities means being equal – for example making sure that residents have access to services, opportunities or choice.
Programme of business	A programme of business describes how the Council organises its work. Having a programme of business helps ensure that we are focusing our attention on the most important things, but not ignoring those things that may be less important.
Data	Data are facts and information that the Council collects to help it to make decisions about the services that we provide. Examples of data include the number of visits made by the public to libraries and leisure centres. Data helps the Council to meet the needs of our residents.

## Report author and contact

41. If there are any queries about this report then please contact Paul Aladenika (Service Group Manager, Policy Development) on x47148 or email [paul.aladenika@lewisham.gov.uk](mailto:paul.aladenika@lewisham.gov.uk)

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