



## **Safer, Stronger Communities Select Committee**

### **Safer Stronger Communities In-depth Review: How Lewisham's Embeds Equalities Across its Service Provision – Progress Report**

**Date:** 04 November 2021

**Key decision:** No

**Class:** Part 1

**Ward(s) affected:** All

**Contributors:** Assistant Chief Executive

#### **Outline and recommendations**

This report updates the Safer Stronger Communities Select Committee on progress being made to implement recommendations from the In-depth Review: How Lewisham Embeds Equalities Across its Service Provision.

The Safer, Stronger Communities Select Committee is invited to:

- Note and comment on the contents of this report.

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## Timeline of engagement and decision-making

Not applicable.

### Summary

1. This report updates the Safer, Stronger Communities Select Committee's on progress being made to implement recommendations from the In-depth Review of Equalities in Lewisham. The recommendations of the In-depth Review were presented to Mayor and Cabinet on 16 September 2020.

### Recommendations

2. The Safer, Stronger Communities Select Committee is recommended to:
  - i) Note and comment on the contents of this report.

### 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.
  - 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.

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- Building safer communities- every resident feels safe and secure living here as we work together towards a borough free from the fear of crime.

## Background

4. In September 2020, the Safer, Stronger Communities Select Committee published its In-depth Review of Equalities in Lewisham. The Review considered: how the Council is meeting its equality obligations under the 2010 Equalities Act and Public Sector Equality Duty; how consideration of equalities is embedded across the council; and workforce equalities. The review also considered socio-economic equality.
5. A strong focus of the Review was ensuring that the diverse needs of Lewisham residents were understood and supported. The evidence gathered was considered by the committee through the angle of how the Council can best serve all Lewisham residents. The Review, links strongly with the Corporate Priority of “Open Lewisham” and includes themes on open data and on engagement that fit with the recommendations by the Council’s Democracy Review.

## Response to recommendations

6. The recommendations of the Member-led Review have been made at a time when equalities sits squarely at the centre of the national political debate. This is exemplified by the wide-ranging socio-economic impact of the Covid-19 pandemic, the Black Lives Matter movement, continuing concerns over the potential risk to EU nationals as a result of Brexit and the impact of climate change.
7. Whilst the Council is already undertaking work to address the above issues, the outcomes and recommendations from the Member-led Review are enhancing the Council’s focus on these matters and therefore adding impetus to the work that is already being done. In particular, the Review, is helping the Council to take a fresh look at its approach to tackling inequality and promoting public welfare across intersecting issues of employment, health, housing and community engagement. The purpose of this report therefore is to update the Committee on progress to date as well as actions that are planned.
8. **Recommendation 1: A Fairer Lewisham Duty should be established requiring the Council to consider socio-economic disadvantage in its decision making process.**
  - a. All Equality Impact Assessments should consider socio-economic disadvantage on the same basis as the nine statutorily protected characteristics.
  - b. Lewisham Council should produce clear guidance for staff, Councillors, partner organisations and the public, explaining the Fairer Lewisham Duty,

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with reference to the Interim Guidance for Public Bodies produced by the Scottish Government.

### **Recommendation 1: update**

9. A draft Fairer Lewisham Duty (FLD) has already been developed. As per the recommendation of the Member-led Review, the new framework will function as an assessment of socio-economic inequality in Lewisham. The value of this assessment is that it will help inform the way in which the Council develops proposals, understands the likely impact of those proposals and makes decisions.
10. The FLD framework, which will be appended to the Equality Analysis Assessment guidance is comprised of four key elements as follows:
  - data digest and links to socio-economic source data;
  - case study examples for reference;
  - a list of benefits to help inform the process of risk assessment and mitigation; and
  - checklist of socio-economic questions to guide the assessment process.
11. Arrangements are already in place to pilot the guidance, with services. Thereafter, the intention is to roll out the assessment as part of the budget savings process at the end of the year. Clear guidance has been included in the FLD to ensure that the tool can be used effectively.
12. The FLD will be reviewed and updated on an annual basis. The first update, which will take place next summer, is designed to coincide with the release of the initial tranche of data from the 2021 Census.
13. **Recommendation 2: Intersectionality should be considered as part of the Equalities process.**
  - a. Each department and all project leads should consider issues of intersectionality, and a range of diverse groups and their needs.
  - b. The Council should listen to, include, and meaningfully collaborate with diverse groups. There should be diversity of individuals and diversity of organisations. One voice cannot speak for all.
  - c. In funding, designing and commissioning services the Council should take an intersectional approach. This could include;
    - Ensuring diverse organisations closest to the ground take the lead in project design and implementation.
    - Recognise and trust the expertise and lived experiences of organisations and movements, especially those representing marginalised groups.
    - Funding diverse organisations and movements to facilitate safe spaces where particularly marginalised communities can feel empowered to speak freely.
    - The Council should build a senior management team with a culture of inclusion that reflects the diversity of communities and overlapping identities in Lewisham.
    - The Council should create a culture that celebrates difference by appreciating the contributions that everyone can make.

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## **Recommendation 2: update**

14. The recognition of intersectionality (ie: the various aspects of a persons lived experience which might contribute to vulnerability and disadvantage) is an essential compoment of tackling inequalities.
15. The Council's Single Equality Framework and Corporate Equality Policy specifically recognise this through the identification of six 'equality prisms' of which intersectionality is one.
16. To ensure that there is consistency of both understanding and practice in the Council's work on equalities, a series of workshops are being rolled out across the Council. These workshops, which include briefings on the theme of intersectionality, are being tailored to the needs of services across the organisation as well as for staff networks.
17. The workshops are taking a broader as well as a specific view of intersectionality in order to ensure that it is embedded in all parts of the Council's business system. This will help to ensure that messages conveyed, reflect the diversity of experience that services have when interacting with the public and those through whom services are commissioned. To supplement the above, active steps are being taken to improve equalities governance at Directorate Management Team (DMT) level. These efforts will help to ensure that DMTs better understand the quality of analysis being used to inform decision-making and management action.
18. In the past 12 months, the Council undertook a major borough-wide listening exercise 'Voices of Lewisham' within which more than two dozen organisations participated. The fact that many of these organisations, were interacting with eachother for the first time, further highlighted the value of strengthening collaborative links between organisations. More than providing local organisations a platform to share their views and experiences of living through the pandemic, the project (building on earlier work undertaken as part of the Local Democracy Review) has served as a template for new way of collaborating locally.
19. The above areas of work are also being used to inform development of updated consultation and engagement guidance. Building on the clear intersection between public engagement and promoting equality, the new framework, will give the Council a broader range of methods and tools through which to facilitate public engagement.
20. **Recommendation 3: A more proactive approach should be taken to address the Public Sector Equality Duty.**
  - a. Equality objectives should be specific, achievable and measurable.
  - b. Equality objectives should be readily understandable to the public.
  - c. Equality objectives should identify areas of work via which improvements in equality can be made.
  - d. Progress in these areas of work should be monitored and reported.

## **Recommendation 3: update**

21. Development of equality objectives by public bodies, is a requirement the

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Equality Act 2010 (Specific Duties) Regulations 2011. Following presentation of the Member-led Review recommendations at Mayor & Cabinet in September 2020, Members of the Committee have been directly involved in refining the objectives of the Single Equality Framework (SEF). The SEF is the vehicle used to carry the Council's five equality objectives and also functions as the assurance mechanisms within which those objectives sit. The revised equality objectives are as follow:

- To ensure equal opportunities for marginalised and seldom heard communities;
- To reduce the number of vulnerable people in the borough by tackling socio-economic inequality;
- To improve the quality of life of residents by tackling preventable illnesses and diseases;
- To ensure that services are designed and delivered to meet the needs of Lewisham's diverse population; and
- To increase the number of people we support to become active citizens.

22. A basket of performance measures is being developed to assist the Council in measuring the impact of work being done to address these objectives. The measures will reflect the real world challenges facing the Council following the Covid-19 pandemic.

23. The intention is to review the measures again in March 2022, when the first tranche of 2021 Census data is published as the release will provide the Council with a valuable resource through which to reassess the equality landscape of and challenges facing, the borough.

**24. Recommendation 4: Staff Diversity Forums should be empowered within the Council.**

- a. Forums should have a clear remit as to their purpose and how they contribute to the improvement of the Council.
- b. Forums should have a set time to meet to discuss, promote and air concerns staff may have affecting equality in the Council. This should be adequately resourced and supported by the Council.
- c. Forum leads should be given specific time away from their substantive role to plan, prepare and carry out the forums activities. This should be protected time which will not impact on their hours of work.
- d. Forum members should be given time to participate in its activities.
- e. Forums should be given the opportunity to meet with senior management and communicate the experiences and needs of staff.

**Recommendation 4: update**

25. In March 2021 a new operational framework for staff networks was developed by the Council, which strengthening the existing commitment to support staff forums. The framework provides guidance and outlines the Council's support for staff networks such as, offering protected paid time off work for the Chair and Vice Chair of each network and supporting reasonable paid time off work for network members to attend meetings and other events.

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26. Each network has an Executive Management Team sponsor. Currently, the following staff networks have been established LGBT, BAME, Disability and Climate Change.
27. In addition to the above, Chairs of staff networks and their nominated representatives are members of the Council's Corporate Equalities Board. The senior officer-level Board, which is chaired by an Executive Director oversees the strategic co-ordination of equalities work across the Council. As such, leaders of staff networks are now uniquely placed to inform and steer both focus and direction.
28. Whilst the new framework provides protective time for specific roles, there are ongoing discussions about the time allocated, as some forums have requested that this be increased further.
- 29. Recommendation 5: The Council should adopt an Open Data approach for Equalities.**
- a. Data sharing across the organisation should be improved. It should not be a challenge to access data that has already been collated by different teams or departments.
  - b. Guidance for producing Equality Impact Assessments (EIA) should be clear. Equality Impact Assessments should be data driven.
  - c. Every Equality Impact Assessment should be logged by Corporate Services and published on the Council website making it accessible to all.
  - d. Steps should be made to ensure individuals are confident sharing their data with the Council to help improve services. At the point where individuals share their data agreements should be in place to allow for this to be anonymised and shared where necessary.

**Recommendation 5: update**

30. Efforts continue to promote and publicise the Lewisham Data Observatory across the Council. The Observatory includes a wide range of borough-specific data, which in a number of instances drills down to lower geographies. To facilitate the promotion of the Observatory, workshops have also been organised for elected Members. In addition, availability of and access to the Observatory has been communicated to community partners – a number of whom are now actively using the resource.
31. As part of a wider review of the Council's Corporate Equality Policy, guidance on EAAs is being updated in light of the Covid-19 pandemic. Working with services in each directorate, an EAA forward plan has also been developed. The forward plan will include information on all EAAs that are expected to be developed. Knowledge of this is being used to inform early engagement with services on the development of their EAA, the availability and appropriate use of data as well as arrangements to ensure timely sign-off at DMT level.
32. The Council already publishes EAAs alongside reports for Committee scrutiny and Mayor and Cabinet decision-making. However, the EAA page on the Council's website has now been updated, with published EAAs now

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accessible on one page.

33. Lewisham is participating in wider work with London Councils, which is focusing on identifying ways to encourage employees and the public to share their personal data. Some of the initial learning from this has highlighted the following as examples of good practice adopted by the better performing councils with regard to personal data declaration:

- The capture of information on protected characteristics are mandatory fields so that employees have to make a selection. To allow the employees the choice of not declaring, the option of 'prefer not to say' is a category, to ensure that a conscious choice is made by the individual;
- Repeat and multiple campaigns are run for staff to promote the importance of sharing their personal data;
- Integrate communications campaigns with broader communications explaining to staff that the council is committed to making improvement and that what we don't know we can't address or improve;
- Demonstrate how the data is used to show tangible evidence of improvement so that staff can see that by sharing their personal data it supports organisational development and improvement;
- Work in tandem with diversity forums to get their support to spread the message of the importance of staff sharing their data, not just the Black, Asian and Minority Ethnic staff forum but all, as this often picks up issues of intersectionality; and
- Engage the trade unions as well in this work and encourage them to ask their members to share personal data. This ensures that messages are not just seen as corporate rhetoric.

## **Financial implications**

34. There are no specific financial implications arising from this report.

## **Legal implications**

35. The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). 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.

36. In summary, the Council must, in the exercise of its functions, have due regard to the need to:

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- 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.
37. The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, 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.
38. The Equality and Human Rights Commission has recently 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/advice-and-guidance/equality-act-codes-practice>
39. The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- The essential guide to the public sector equality duty
  - Meeting the equality duty in policy and decision-making
  - Engagement and the equality duty
  - Equality objectives and the equality duty
  - Equality information and the equality duty

## **Equalities implications**

40. The equality implications are set out and contained within the main body of this report. They specifically underline the Council’s ongoing and long standing commitment to public welfare (the social, economic and environment well being of Lewisham residents). In addition, they reflect the maturing of the Council’s understanding of equalities, which has been framed by the Covid-19 global pandemic.

## **Crime and disorder implications**

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41. The Equality Act 2010 requires the Criminal Justice System to eradicate discrimination, provide equal opportunities, and promote harmonious relations between groups. None the less, a significant number of ethnic groups are overrepresented in the Criminal Justice System (CJS) and a large proportion of people in the CJS face some form of discrimination or disadvantage because of being from an equality and/or minority group. Therefore, there will be some groups where there will be multiple impact of disadvantage dependent upon the Services they require or encounter. Consideration must be given to those that access partnership agencies, although the aforementioned recommendations and updates will seek to lessen disadvantage.

## **Climate change implications**

42. The impacts of climate change include: forced migration, health inequalities and socio-economic deprivation. In addition, climate change has an uneven impact on future generations, whose quality of life and life experience are significantly affected by choices that are made by current and previous generations. As such, and as part of the Council's continued work to promote equality, diversity and inclusion, profile will be given to actions that can be taken to minimise the effects of climate change.

## **Health and wellbeing implications**

43. The recommendations referenced in this report and the specific responses proposed, make a significant contribution to work being undertaken by the Council to promote the health and well being of residents in the borough.

44. The report specifically highlights the socio-economic impact of Covid-19 on local residents. It also underlines the important contribution that the recommendations in the Member-led Review can play in adding impetus to the wide-range efforts of the Council and partner agencies, in tackling the pandemic and safeguarding the well being of vulnerable residents.

## **Background papers**

45. Set out below are the background papers informing this report:

- Single Equality Framework 2020-24
- Referral of the Single Equality Framework to Mayor and Cabinet (March 2020)
- How Lewisham Council Embeds Equality Across its Service Provision (Safer, Stronger Communities Select Committee, September 2020)

## **Glossary**

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Term	Definition
Covid-19	COVID-19 is a new illness that can affect a persons' lungs and airways. It is caused by a virus called coronavirus. The main symptoms of coronavirus (COVID-19) are a high temperature, a new, continuous cough and a loss or change to your sense of smell or taste.
Diversity	Diversity is difference. A diverse society is one which includes people of many different groups, who come from different backgrounds and have different life experiences.
Due regard	The Public Sector Equality Duty of the Equality Act 2010, requires public bodies such as local Council's to show that they have thought about how they can eliminate unlawful discrimination, foster good relations and promote opportunities for advancement in the way that they perform their duties.
Equality	Equality is a situation in which people of different backgrounds are all treated the same and have the same opportunities.
Inclusion	The idea that everyone should be able to use the same facilities, take part in the same activities, enjoy the same experiences and have the same choice as others.
Intersectionality	The interconnected nature of social categorisations such as race, class, and gender as they apply to a given individual or group and the extent to which these connections result in an overlapping and interdependent systems of discrimination or disadvantage.
Socio-economic status	This describe the differences between groups of people relating to their social class and financial situation (eg: employment, income, wealth, education, health and where they live)

## Report author and contact

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