Brighton & Hove City Council
Equality Peer Challenge

Re-accreditation of the Equality Framework for Local Government

28th – 29th September 2016

1

1. Introduction

Brighton & Hove City Council (BHCC) was validated at the 'Excellent' level of the Equality Framework for Local Government (EFLG) in 2011 by a team of peers from local government. There have been significant changes since that time, and as a result, the re-validation peer challenge is at the 'Achieving' level of the EFLG. This is the report from that peer challenge.

The team was made up of peers from local government:
Councillor Sarah Hayward – Leader, London Borough of Camden
Maxine Joynson – Workforce Equalities Officer, Wirral Borough Council
Arif Sain – Interim Head of Equality, Wolverhampton City Council
Becca Singh – Local Government Association.

BHCC provided evidence to support their application, including a self-assessment, background documents and case studies. The team were on site for two days and spoke to a wide range of staff, councillors, partners and service users and were happy to validate Brighton & Hove City Council's self-assessment at the 'Achieving' level of the Equality Framework for Local Government.

2. Feedback

2.1 Knowing your communities
This is an area that BHCC has improved strongly since the previous Equality Peer Challenge in 2011. There is a good array of data, which is easily accessible and used by partners and community organisations. The considerable amount of research that BHCC commissions is made available, and partners indicating that they use it in order to plan and change their own services.

The Community Insight tool is excellent, and the fact that BHCC encourages partners to use this data is highly commendable.

There is evidence that data and information in respect to protected characteristics is collated and analysed through Community Insight. Where there are gaps in data there were plans which aim to address those gaps. Data was also used to a good degree in the development of equality impacts assessments (EIAs) which led to more targeted actions.

The team feel that BHCC is working well towards the 'Excellent' level of the EFLG in this theme. More complete and analysed data on service users, and demonstration of how that is used in service planning will improve this.

2.2 Leadership, Partnership and Organisational Commitment
There is considerable evidence to demonstrate that BHCC has a clear and unequivocal commitment to equality. BHCC is clearly committed as an organisation to delivering the best for its diverse communities in a fair and equitable fashion. There is strong political commitment to deliver the best for the local communities, and an understanding across all political parties that it is important to engage with,

celebrate and deliver for BHCC's diverse communities. All three political parties very clearly articulate the commitment to equality. This came through strongly in meetings with politicians and as feedback from stakeholders, community partners and staff. The work on Trans Equality was repeatedly cited as an example of good practice.

However, there are structural and leadership issues that prevent this commitment and intent from always being followed through into practical actions. There are some systemic problems that the leaders of the local authority, political and administrative, need to think about. The challenges working in a context where there is no overall political control, coupled with a perceived lack of stability at a senior staff level, creates tensions on the sustainability of work on culture and values. There is a perception, particularly among staff groups, that transformational change is not possible in a council which regularly changes political control or continues to have No Overall Control; this is exacerbated by a perception that senior staff leadership will change as a result of changed political control. Given the commitment of all parties to the equalities agenda, possibilities include the exploration of a multi-year equalities strategy that spans electoral terms. If this can be developed that all parties sign up to aspirations and deliverables then officers and partners will have multi-term surety that the agenda won't change. Gaining cross-party commitments, and giving clear strategic messages from senior officers through good internal communications will help to build confidence amongst staff. There may also be an opportunity to agree greater demarcation between the political administration and the head of paid service, giving the latter more freedom to act internally and get the best out of staff.

The senior management team (SMT; Heads of Service / assistant director level) understand that because they need to plan for the long term, they need to seek solutions that can be acceptable for three different political parties. This can appear that they are working to the lowest common denominator rather than the highest possible aspirations. However, it does mean that they are realistic about the political environment that they are working in and that compromises need to be made. There are examples of where politics is frustrating good community leadership and delivery by not fully tackling the difficult issues. For example, the Fairness Commission was welcomed by communities and by voluntary sector groups, but the expectation of change of political control meant that those involved feared that resources would be diverted if there is a change of administration at the next election. As a result, it can make it hard to get officer and partner buy-in to new strategies and programmes, as there is a perception that every election will bring a new approach. This runs the risk of programmes and projects having unintended impacts on different communities.

There are a number of examples where senior leaders are demonstrating their commitment, for example the Chief Executive chairing the 'One Voice' partnership. He is visible in the community, more so than perhaps in other councils where there is more political stability.

There is demonstrable leadership in the community, for example, the response to the negative and inaccurate newspaper articles around radicalisation. The Council's decision to respond, and set up the 'One Voice' partnership to listen to, understand

and challenge perceptions and misconceptions in communities and within the council, is commendable.

There is a sense, by staff, that strategies are committed to but not completed or implemented in a timely fashion, for example on domestic violence and autism. There appears to be little monitoring or evaluation of the outcomes of strategies and core policies. This means that there is a perception that there is no evaluation of the differential impact on communities and staff groups. This may be because of recent restructure and changes within the Communications team. Greater stability and clear roles within the communications team could help this in terms of sharing impact and change for communities and staff groups. When this resource is in place, it will need to sense check staff groups and establish what is happening and what is perceived to be happening.

There are also examples of excellent work which is leading the way for others, for example Prevent, where BHCC has taken a national strategy and tailored it to local needs. In doing so, we saw evidence of buy in and commitment to this work from the council and its stakeholders. This shouldn't be underestimated. This is an example where BHCC managed to broker an agreement politically on an issue that it is contentious nationally and is a really good example of where politicians have worked together for the needs of their local communities. The work around Trans awareness and the Trans Needs Assessment is notable practice which other councils could learn from.

2.3 Involving your communities

There are high levels of cognisance of involving communities, with officers and members committed to active engagement with communities. However, the team also heard that there were examples of under and over consulting, and partners (within the council and external to it) not working together when engaging with community groups. There were also good examples of stakeholders working together to involve communities and organisations across Brighton & Hove and share information. Key strategies and policies included equality objectives which were agreed with external partners. The Community Insight tool is an excellent way of ensuring shared understanding of a place and its communities.

Members from all parties displayed a comprehensive and detailed understanding of their communities and challenges faced. They cited a number of examples including the impact that growing student numbers can have on stable populations and that Brighton & Hove's BME communities are disparate and often need bespoke solutions to meet community need. It is clear members seek to take this knowledge in to policy development. This understanding is replicated by many staff and no doubt contributes significantly to the largely positive relationships with stakeholders and community partners.

We did hear some criticisms from stakeholders including both under and over consulting. This can be a difficult balance for councils to get right, but thought should be given at each stage about the purpose of new engagement, including other demands being made of the same audience or group.

There was a perception that some protected groups were higher priority than others. The strength of relations with the LGBTQI communities came through both with staff and community stakeholders. The inclusion of 'Mx' on council forms was regularly cited as an example of understanding and responding to community need. That BHCC was the first council in the country to do this was a source of pride for staff and stakeholders alike. It might be worth the council challenging its own approaches and practices in relation to other characteristics. There was less evidence of the same degree of understanding and engagement with black and minority ethnic communities and disabled people in engagement processes. This wasn't replicated with BME stakeholders. Although sample sizes were small, there was a feeling of cynicism and world weariness from BME communities. They team could find few significant examples where BAME groups were engaged with the Council on equality and diversity issues.

Stakeholders were very positive about the council maintaining a function focusing on communities and equality. However, there was a tendency for them to concentrate praise on individual officers, rather than recognise that the high number of individual officers that they were praising demonstrates that the Council as a whole has a positive approach to equality, and a culture of being committed to challenging and addressing inequalities. Councillors and senior officers may wish to explore methods to spread this high quality commitment to equality and demonstrate the council cultural commitment, without diminishing the praise to the skilled and talented individuals concerned.

Councillors, partners and officers had a clear understanding of the different evidence and data that was available to help them better understand communities. This evidence was well used, including by community organisations. For example, we heard that the JSNA was an excellent base for helping make the case for specific services and policies and was well used across public and community organisations working in the BHCC area.

There is desire in the stakeholder community to work more collaboratively on more fundamental system change that may help get better value out of diminishing resources. Thought should be given as to how, in a challenging political and financial environment, this can be taken on, perhaps through strengthening the culture of co-production and joint commissioning.

2.4 Responsive Services and Customer Care

There is an excellent system of equality impact assessments (EIAs) which is embedded in service delivery, policy review and budget savings process. EIAs use the extensive data that is collected and made available by BHCC, and makes changes to policies as a result. This is widely understood by politicians and officers across the council and the team consider this to be notable practice. There was some evidence that demonstrated that access to services is monitored by the Council and that actions had been developed which address inequality of access.

There are a number of objectives with specific timescales across the council which address inequality, taking into account the needs of communities of interest, although there are few on race.

However, the team saw little evidence of where take-up of services was analysed by protected characteristics, nor of cumulative impact assessments. The team advise that when EIAs are conducted take up of services data is used to identify gaps in service delivery. There were some excellent examples from Children's Services (for example around the potential closure of Children's Centres), but little sense that there was cross-organisational learning. Some EIAs were not dated. Cumulative impact assessments, where the cumulative impacts on service users of changes to multiple services and policies would be good practice. It would also demonstrate BHCC's understanding of using equality analysis to continually identify and mitigate against negative impacts on communities, and help its work towards the 'Excellent' level of the EFLG.

There was no clear vision for delivering equitable customer service. The team saw little analysis of who uses different services, and therefore no plans (with partners as appropriate) to meet the gaps where some communities may not be accessing services that individuals within those communities may need. For an authority at the 'Excellent' level of the EFLG, there should be more explicit plans in place, for example within the Service Plans across the council, as well as in the Corporate Plan.

There is not a consistent corporate definition of what an outcome is, which subsequently makes it hard for outcomes to be captured and measured. For the 'Excellent' level, there needs to be clearly demonstrated consistent achievement of outcomes across all areas of the Framework and all service areas. It will also help BHCC identify where it is meeting communities' needs. A forum where managers can work together to agree how to define and set outcomes, and learn from each other would be helpful for this.

There was some evidence that human rights were considered when developing services to customers and clients. However, this was not consistent across the Council.

For this theme, the council tends to know what problem is but because there is no consistent definition of outcomes, the team heard few clearly defined plans on equality to find solutions. Outcomes are being achieved in some areas and so the team was happy to confirm BHCC at the 'Achieving' level of the EFLG.

2.5 A Skilled and committed workforce

There is a lot of passion and commitment from staff about BHCC and the work they can do across all levels of the organisation. BHCC has an extraordinary asset in its staff, and it is worth continuing to explore how this can be used creatively to improve outcomes for communities.

Staff are worried that the transformational change needed in the face of huge cuts will have unintended consequences. This is reinforced by the lack of service user analysis, and subsequently how they will be affected by potential changes to services. It appears that cuts may be across the board ('salami slicing'), without consideration of the cumulative effect of changes to service delivery for specific

communities and therefore staff lack confidence about what those impacts may be. Cumulative impact assessments will help identify multiple negative impacts, and help give confidence to staff to address those impacts. In addition, there is a perception that improving the diversity of the workforce, and ensuring equality of access for staff members will be not be possible as a result of transformational change. There is evidence that some individual managers are attempting to take positive steps, but feel unsupported by corporate processes to do so.

The current draft Workforce strategy is light, but we were unable to explore and test its robustness. We appreciate that this is an early draft, and recommend that there are targets on outcomes, clear succession planning, and reference to or demonstration of the use of the excellent data and research that has taken place. There are no apparent initiatives to address underrepresentation in it, nor a corporate approach. Succession planning is also crucial as the organisation has already highlighted the high number of over 50's currently in employment. The WEAP has actions to improve diverse representation in the workforce, and we understand their work will feed into the new workforce strategy.

There is knowledge that in the city, BME individuals are more highly educated than their white counterparts. However, this is not reflected in shortlisted candidates for jobs at BHCC. More interrogation of this data is required to ascertain what barriers may exist, for example, there are several different templates being used for job descriptions, which can be confusing. The move towards job families may help to alleviate this.

The team support the Head of Communications' view that there should be an officer dedicated (at least initially) to internal communications, and that the post should be created with some urgency. There is a level of middle managers that is perceived to be a blocker for information from managers above and staff below. This is likely to be a perception issue, but a resource dedicated to internal communications will help address this. Middle managers feel that they do not know the views of senior managers, and therefore struggle to share clear information with staff.

Appraisals (PDPs) link individual objectives to Service and Corporate objectives, including equality objectives. However, the team heard differing views on the value of them, and on the process managers are supposed to use to record them. Some understood that they should be submitted to HR, others that they are only stored locally. Reasonable adjustments need to be captured and stored corporately. We heard that BHCC's policy states that reasonable adjustments should be recorded in the PDP planning scheme, but the current system does not allow for this. Storing this information corporately may help to ensure that adjustments can be routinely reviewed, and if the employee change roles, adjustments can be in place as soon as they start their new roles.

The perception staff have of a lack of transformational and cultural change has led to a cynical view of attempts to change the culture of BHCC. The 'LOVE' programme (Living Our Values Everyday) was seen as a good method to change and develop the culture, but some felt that its effects have not been felt throughout the organisation. There is some benefit in resurrecting elements from this programme, although the delay means that there is likely to be some resistance that it could be

just lip service. Linking cultural change to transformational change may help this. Any organisational development or change programme should capture succession planning.

The Workstyles programme is a good example of how EIAs can work in practice for staff. Most teams are moving or have moved as a result of the sale of King's House. Other office buildings have been refurbished and reconfigured in order to accept more staff. The Workstyles programme identifies physical changes to buildings and ICT needs, including furniture, access and lighting etc. Although this was not explored in depth by the peer team, the feedback we heard highlights this as notable practice.

There are a number of Workers' Fora at BHCC, supported by the council. The team were unable to analyse all the terms of reference, but understand that each forum has a different role. Staff described the groups as different, with some focused on raising awareness and campaigning on issues particular to the group of staff they represent and others providing a supportive network for individuals. It is good to see that the different fora provide the role necessary for their members, and that they are able to set their own agenda. To remain useful to current and potential members, staff need to be able to understand the role of each forum, and see that change is effected, even where it is (sometimes necessarily) slow. The team understand that their roles and responsibilities are regularly reviewed in order to ensure that they are meeting the needs of the groups they represent, and how the Council benefits from their continued existence. The regular meeting with workers' forum chairs and the Chief Executive was welcomed.

Managers at different levels indicated that there is no opportunity for them to come together as a group. This would help to break down siloes and encourage cross-departmental learning, for example on EIAs, or on positive action in recruitment. Although all teams indicated that they had team meetings, there were few examples of other staff meetings, such as all staff meetings or managerial meetings at different levels in order to facilitate learning and sharing of good practice.

There are a considerable number of data reports but not enough qualitative analysis. Data in relation to grievances is disaggregated and can be broken down against protected group. It is clear that patterns and trends are identified and can be explained, for example, Corporate HR were able to give examples of where in the organisation grievances are, why this is the case, and what is being done about it. However, the team suggest further interrogation of information about treatment of disabled staff, may be needed as over two thirds of staff being subject to disciplinary processes at BHCC have identified as disabled.

The data reports which are produced currently, did not seem to benchmark with other organisations or look back to compare to previous information to see how improvements are being realised and progressed. Clear formal or informal benchmarking and demonstration of improvements as a result will help to move BHCC towards the 'Excellent' level of the EFLG.

Whilst there are many good quality and robust staff related policies, the team heard that there is an inconsistent application of these policies. The resulting varying

management practices across the organisation provides the potential for unfair treatment of staff, or conscious or unconscious discrimination based on protected characteristics. The team had insufficient time to explore this fully, however it recommends that equality and inclusion is explicit in all management training and in the council's cultural change programme. This should help to ensure consistency in applying policies. Clear and consistent analysis and monitoring of workforce policies will also help. For example, has there been an analysis of which staff have hit triggers in absence management policy, and how does this relate to making reasonable adjustments for disabled staff?

The team heard conflicting reports on equality training. There was no common understanding of what was mandatory, and what was specialist or optional training. Unconscious bias training is being brought in, but it is unclear if this is being targeted at particular groups, for example recruitment or middle managers, or whether it will be available to all. The team recommend this should be targeted at the groups of staff who would benefit most from it, and possibly be mandatory for those groups (for example, anyone in supervisory roles, HR recruitment advisers, team leaders, heads of service). As this is expensive and specialist training, an online version could be made mandatory for other groups of staff. A baseline of equality training should be mandatory for all staff at induction and it would be good practice for this to include an element of unconscious bias and refresher training to be made mandatory. This would provide additional support to ensuring consistency in applying workforce policies.

Relations between trade unions, human resources and senior managers have been strained. There is acknowledgment that there workforce issues are generally constructively addressed, but regular dialogue between trade union representatives and the chief executive to ensure clear lines of communication would be a positive intervention.

3. Notable Practice and Signposting

3.1 Notable Practice

- **Community Insight Tool**: Encouraging use by community groups and partners
- **EIAs**: clearly embedded process understood and promoted by politicians, managers, staff and partners. Looking at cumulative equality impact assessment would improve this further.
- Work with schools to tackle myths on gender stereotyping
- **Trans Needs Assessment** – ground-breaking work that other councils could benefit from
- **Workstyles programme** enables managers and those planning moves to anticipate potential issues via team EIAs. This picks up on changes to buildings, ICT and working methods prior to relocation and includes lighting, temperature etc. Ensuring good communication before during and after office moves to understand and address staff needs.
- **JSNA** – well understood and well used by all partners
- Mx on council forms
- **Fairness Commission** launched in September 2015 informs the Council's budget so resources are allocated to tackle inequality.

- **Procurement** – equality plans for procurement mechanisms are excellent.
- **Prevent** – tailoring controversial national policy to meet local needs
- **Action Plan progress report 2015/16** clearly evidences the monitoring of progress, how equality is included in the business planning cycle and co-ordinating engagement activity
- **BHLIS – Brighton & Hove Local Information Service** intelligence hub is a cross sector partnership that carries out needs assessments, surveys and produces high quality reports and data.
- **NEETS** have been reduced by almost 75% since 2013 from 8.1% to 2.2%
- **Job Carves initiative** – carving off part of a job to specifically create a job for someone with a disability who is paid the living wage.

3.2 Signposting

To get to excellent you need to seek out really good relevant practice from elsewhere. This will involve looking around and seeking out what's most relevant.

- **Blackburn with Darwen -** Equality Watch report for best practice re: compliance with PSED around workforce data.
- **Bournemouth Council -** Independent Observers at Bournemouth Council. 11 volunteers recruited and trained to observe on any selection process by the council. Community reference group through workforce monitoring implemented positive action by identifying number of BME applicants were disproportionate to those securing appointments.
- **Examples of co-production -** There are some really good examples on the LGA website here. Organisations like NESTA (Co-production Catalogue) and the RSA (Social network approach research) have some good 'tool kit' type advice too. Also consider a 'community' research type model – using people from marginalised communities to reach out to marginalised communities creates better understanding and can help people back in to work.
- **Cumulative Impact Assessments –** Camden Council (Equality Impact Assessment web pages with a link for further contact) and Manchester City Council (Equality Impact Assessment guidance web pages)
- **Human Rights implications –** Wolverhampton Council are currently developing guidance for staff on this area.

4. Conclusion

There are examples of excellent practice which other councils could learn from, but there are also internal communications problems which means that the good practice is not always shared internally to promote learning. Improvements in this area will be helpful to ensure clear messages regarding council priorities going forward and a consistent approach to PDPs and development more widely.

There is still some work to do on consistently achieving outcomes across the council, and some clearer links between the excellent data collected and how that improves equality outcomes through service delivery and workforce support.

Overall, the team is happy to agree with BHCC's self-assessment that they are at the 'Achieving' level of the Equality Framework for Local Government.