

BRIEFING

ACKNOWLEDGE

LEARNING FROM AUDIT, INSPECTION AND RESEARCH

EQUALITY AND DIVERSITY



Current information on equality and diversity in local government suggests that councils have a long way to go if they are to meet the principles of best value and their statutory duties on equal opportunities (including the new duty to promote racial equality).

Local councils face an increasingly complex legal framework on equality...

- the amended Race Relations Act places a duty on local authorities to promote racial equality and to produce a Race Equality Scheme by 31 May 2002
- the Government has announced that it intends to extend the 'duty to promote equality' to both gender and disability
- previous legislation outlawed discrimination on the grounds of gender, race and disability
- new EU directives will extend anti-discrimination employment regulations to include sexuality, religion, disability and age

...and their performance on equality and diversity issues was poor in relation to some important indicators in 2000/01...

- around two-fifths of councils in England and Wales had not reached the first level (level 1) of the Commission for Racial Equality (CRE) Standard on Racial Equality

- the average council in England still had less than one-quarter of its buildings accessible to disabled people, though the proportion has risen in recent years
- some councils were unable to supply reliable data on a number of these indicators

...though performance against other indicators improved.

- performance has improved in terms of the preparation of statements of special educational needs, access to buildings, adaptations to pedestrian crossings, and adherence to the CRE's *Code of Practice in Rented Housing*

The Audit Commission suggests five critical factors for improving equality and diversity.

- *commitment* – understanding the concept, owning and leading the work at the highest levels, and committing adequate resources
- *involving users* – consulting the actual and potential users of services about their needs and requirements
- *mainstreaming equality and diversity* – integrating equality and diversity into day-to-day work, and translating policy into practice

- *monitoring performance data* – ensuring that data gathering and analysis on equality and diversity is part of core performance monitoring systems
- *sustainability* – continuously keeping up the momentum to counter discrimination and promote diversity, reviewing performance and setting new targets

It is the shared responsibility of all those involved in local government, including the regulators, to improve performance in this increasingly important area. This report highlights some key areas for action, and suggests some checklists that councils can use to support improvement.

WHY EQUALITY AND DIVERSITY ARE IMPORTANT

1. This is the first of a number of proposed Audit Commission reports on equality and diversity. It focuses primarily on gender, disability and race, as these are areas where there is a clear legislative framework and a number of statutory performance indicators (PIs). It analyses a number of best value performance indicators (BVPIs) and Audit Commission PIs for local councils in England and Wales in 2000/01. It highlights critical success factors for local councils dealing with equal opportunities, drawn from audit and inspection evidence and supplemented by interviews with local authorities.
2. There is an increasingly complex legislative framework for equal opportunities. The new Race Relations (Amendment) Act 2000¹, which arose in the wake of the Stephen Lawrence Inquiry, placed for the first time a positive duty on public bodies to promote racial equality. Previous legislation on gender (the Equal Pay Act 1970 and the Sex Discrimination Act 1975)¹, on race (Race Relations Act 1976)¹, and on disability (Disability Discrimination Act 1995)¹ had focused on preventing discrimination. The Government has also announced its commitment in future to extend the positive 'duty to promote equality' to both gender and disability. In addition, new EU directives (Article 13 of the Treaty of Amsterdam) will extend anti-discrimination legislation on employment into new areas, such as sexuality and religion.
3. The principle of equality is crucial to the Government's agenda to modernise local government. Local authorities are responsible for working with their partners to draw up a long-term community strategy to improve the social, economic and environmental well-being of their local community. Under best value too, they are expected to consult their local communities to identify their needs, and to redesign their services in accordance with those needs. These responsibilities imply careful attention to the needs and rights of all sections of their local communities, especially those who have traditionally suffered from disadvantage.

¹ Copies of these acts can be accessed through www.inforoute.hms.o.gov.uk/inforoute/biblio.htm

4. The Audit Commission understands the focus of equal opportunities practice as fairness – developing policies and practices that tackle inequalities, aiming to ensure that all staff are treated fairly, and that service users do not experience discrimination. The Stephen Lawrence Inquiry recognised that discrimination can be institutional and structural, requiring constant vigilance to counter the pressures from society that continually reproduce it. It is not something that is done once and is then finished. The critical success factors identified in this report may help councils to learn from such experiences, and to maintain an ongoing commitment to equal opportunities.
5. The responsibility for addressing equality and diversity in local government does not just fall on local councils. It is also an issue for all their local partners from the public, private and voluntary sectors. Central government and the regulators too (including the Audit Commission) have a responsibility to ensure that equality and diversity is integrated into their policy-making and monitoring functions. The Audit Commission will be working with local government to ensure that equality and diversity are integrated into our core functions of audit, inspection and research, and into important new initiatives, such as the comprehensive performance assessment (CPA).

WHAT DO EQUALITY AND DIVERSITY IN SERVICES LOOK LIKE NOW?

6. This section reviews a range of PIs on equality and diversity. These indicators only paint a partial picture of local councils' performance on equality and diversity. There are significant gaps in terms of measuring service outcomes, and fewer indicators that address gender than race or disability. A significant number of councils did not submit data relating to a few of these new indicators, or they did submit data but they were qualified. Performance overall improved between 1998/99 and 2000/01 on the four indicators for which such time-series data was available. On the other indicators where time-series data is not available, performance varied widely.

CRE STANDARD FOR LOCAL GOVERNMENT

7. The Commission for Racial Equality (CRE) devised a good practice standard for local government on race equality, which was published in 1995¹. The Standard provides a tool for authorities to assess how well they have incorporated good practice on racial equality into different aspects of council activities, such as policy development, service delivery, community involvement, marketing and personnel issues. It specifies different levels that local councils can achieve, with level 1 as the most basic and level 5 as the most advanced.
8. Five years after the introduction of the Standard, around two-fifths of English and Welsh councils assessed themselves as not having even reached level 1, with only around one-fifth of English and one-eighth of Welsh councils having reached level 2 or higher (**EXHIBIT 1**). For London boroughs, the situation was more promising with over one-half at level 2 or higher, whereas one-half of district councils assessed themselves as not having even reached level 1. Councils that have yet to reach level 1 on the Standard will need to make considerable progress if they are to meet their obligations under the Race Relations Amendment Act 2000.

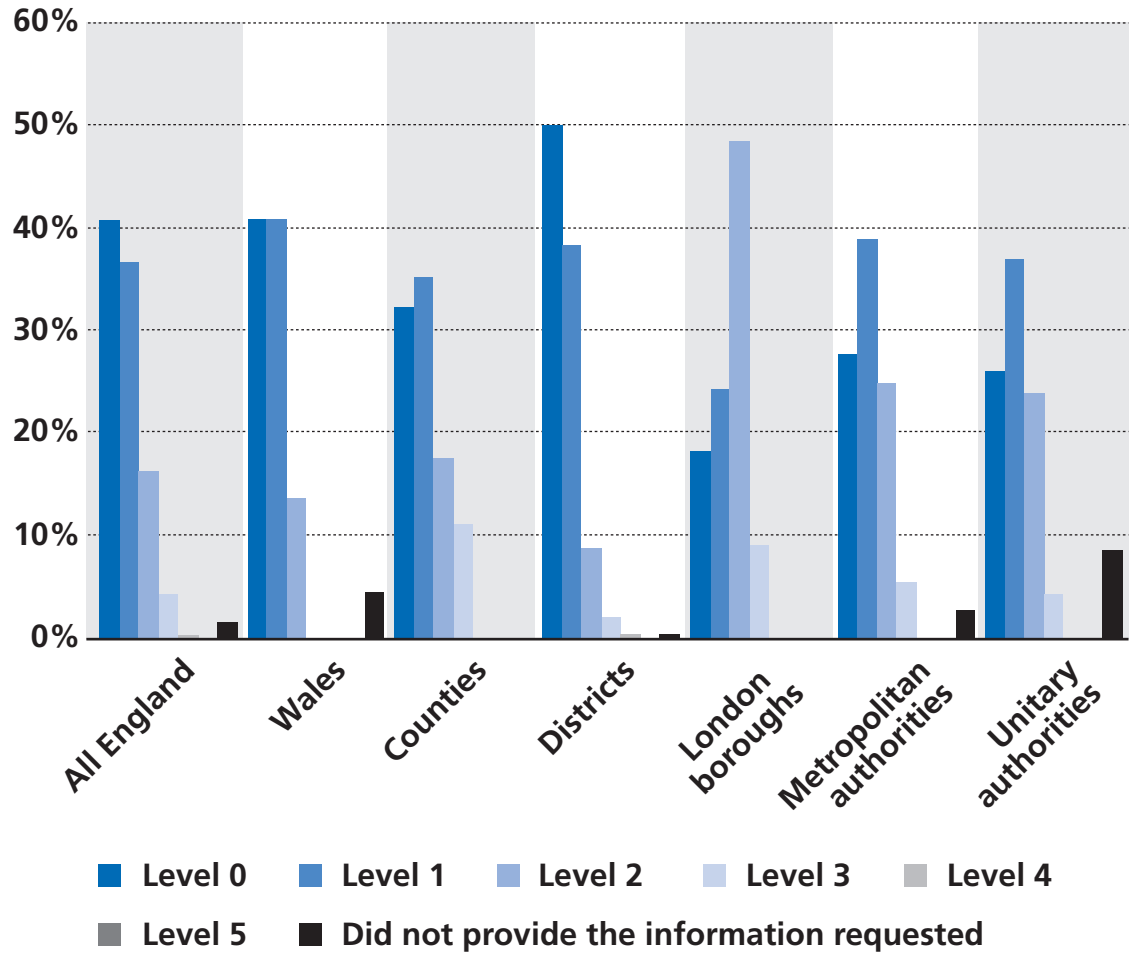
ACCESS TO LOCAL AUTHORITY BUILDINGS

9. This indicator utilises a government document from 1991 which specifies standards of good practice for building design and construction as a yardstick by which to judge the accessibility of local authority buildings that are open to, and used by, members of the public. The percentage of local authority buildings meeting the accessibility standard has risen steadily each year. By 1998/99 the average for English councils reached more than 18 per cent (but it was under 13 per cent in Wales), rising to just over 21 per cent (and 14 per cent in Wales) in 1999/2000. For 2000/01, the most recent year for which data are available, the average for English councils had risen to 25 per cent (**EXHIBIT 2, overleaf**).

¹ *Racial Equality Means Quality: A Standard for Local Government in England and Wales*, CRE, 1995.

EXHIBIT 1 Percentage of authorities reaching different levels of CRE Standard in 2000/01

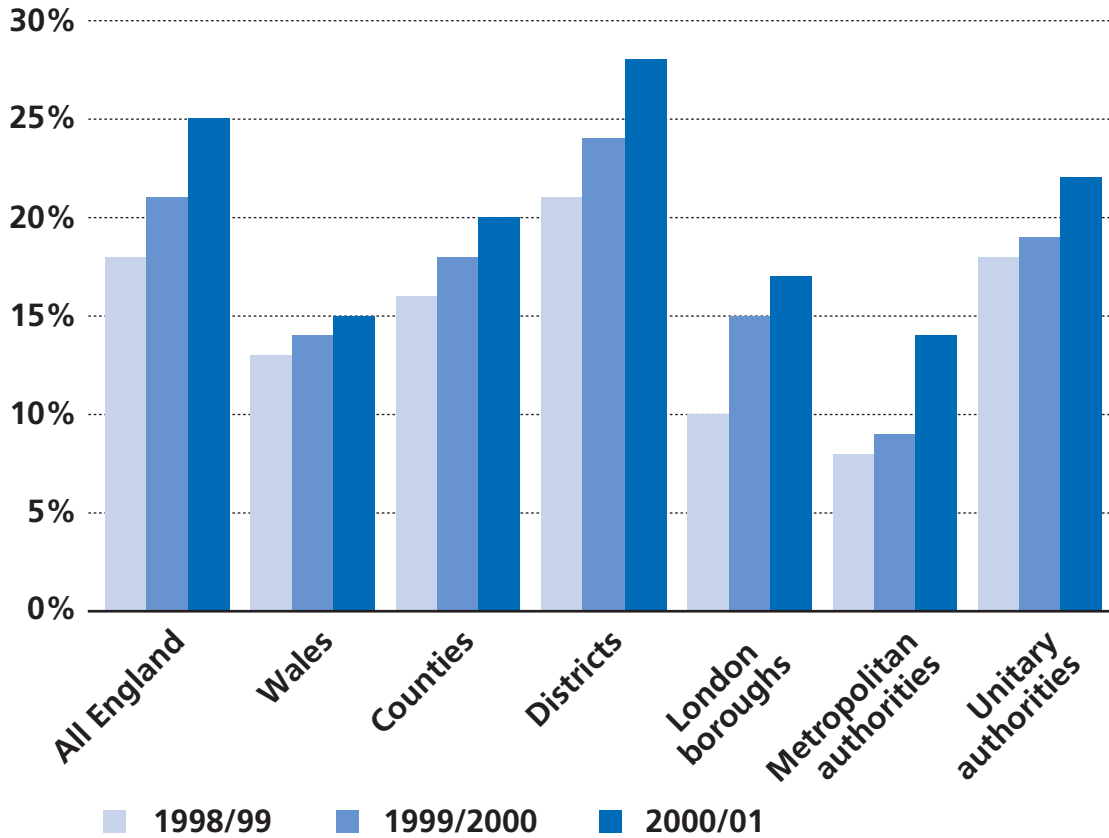
The majority of councils in England and Wales have reached no higher than level 1 of the CRE Standard.



Source: Audit Commission

EXHIBIT 2 Percentage of council buildings accessible to disabled people

The percentage of buildings accessible to disabled people has risen between 1998/99 and 2000/01.



Source: Audit Commission

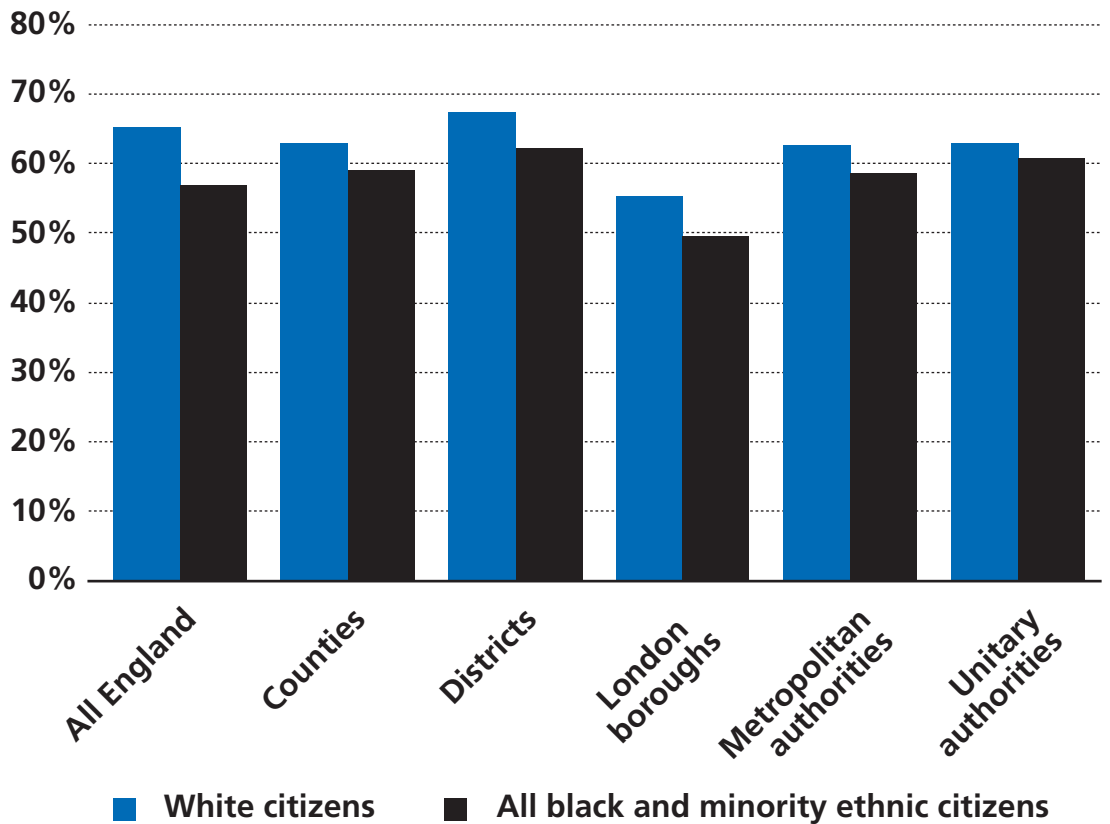
SATISFACTION WITH THE LOCAL COUNCIL

- 10. For 2000/01, the Government introduced for England a number of BVPIs to measure local citizens’ satisfaction with council services, and the satisfaction levels of users of specific council services. While similar indicators may be introduced in Wales in future years, they were not collected for 2000/01. Local councils conducted surveys of local people and service users to obtain the data, which was also broken down by gender, disability and ethnicity.

11. Analysis of the data shows that, generally, women are slightly more satisfied with council services than men, disabled people are slightly more satisfied than those without disabilities, and white residents are more satisfied than those from black and minority ethnic communities. The difference by ethnicity is more significant and complex, with those from all black and minority ethnic communities grouped together being more than one and one-half times as likely to be dissatisfied with the council than white citizens. Analysing the data by specific ethnic minorities, more than 20 per cent of black citizens were dissatisfied with their local council, almost double the proportion of white citizens, whereas Asian and Chinese citizens were more satisfied than white citizens (EXHIBIT 3).

EXHIBIT 3 Percentage of citizens satisfied with their local authority by ethnicity 2000/01

White citizens are more satisfied with their local authority than black and minority ethnic citizens.



Source: Audit Commission

SENIOR MANAGEMENT POSTS FILLED BY WOMEN

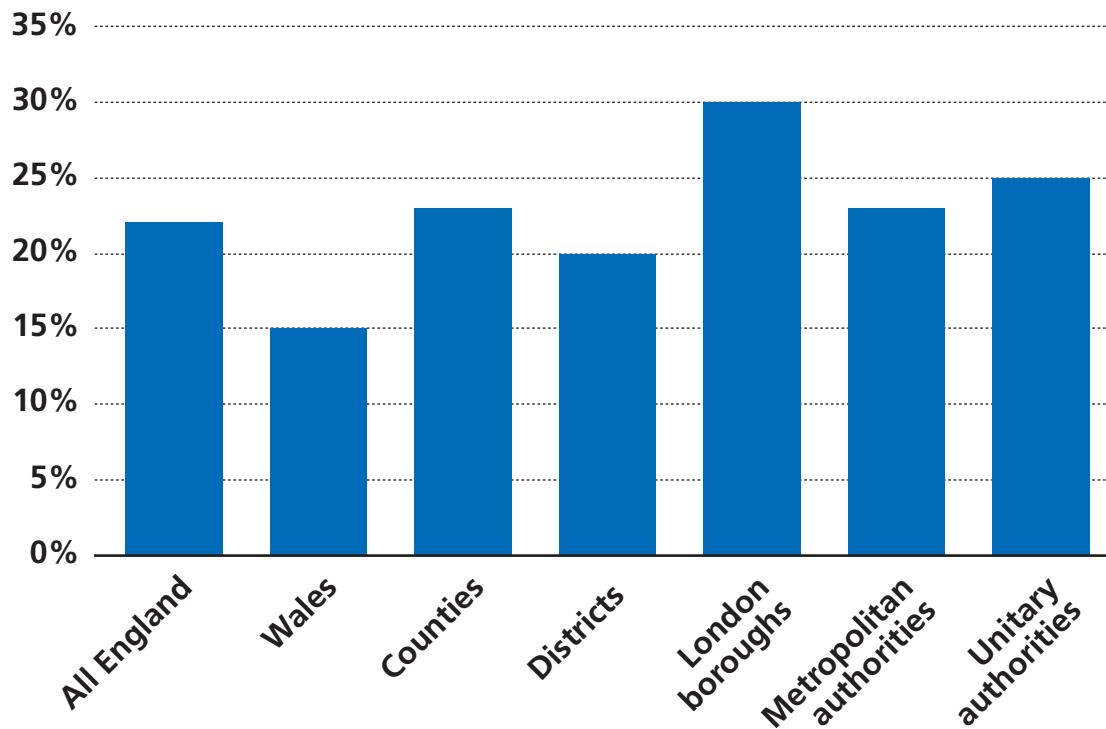
12. This indicator records the percentage of senior council managers who are women. It defines senior managers as staff in the top three tiers of the council (for example, the Chief Executive, Directors and Assistant Directors, or similar positions). The number of such posts varies significantly between different councils and, where the numbers are small, the percentage filled by women may be subject to significant fluctuations. In English councils, on average, around 22 per cent of senior managers were women. The average was highest for London councils at 30 per cent, and lowest in Welsh councils, at an average of around 15 per cent. These average figures mask large variations between similar councils. In London, the percentage varied between 0 and 51 per cent, and among districts between 0 and 55 per cent (**EXHIBIT 4**).
13. A Bristol Business School report^I shows that in 2001, while 71 per cent of local government staff were women, only 16 per cent of chief officers, 25 per cent of their deputies, and 28 per cent of councillors were women. The definition of chief officers and their deputies in the survey may not be directly comparable to that for senior management included in this indicator. Nevertheless, the figures on this indicator show that the proportion of senior managers who are women is significantly lower than the proportion of women in the working age population as a whole (around 49.4 per cent)^{II}, and the proportion of local government staff who are women.

I *Room at the Top*, Pam Fox & Mark Broussine, Bristol Business School, 2001.

II *Population Trends 107*, Population Estimates, Office for National Statistics.

EXHIBIT 4 Percentage of senior management posts filled by women 2000/01

The percentage of senior management posts filled by women is highest in London.



Source: Audit Commission

- 14.** The following headline messages emerge from other indicators:
- There were large variations in the number of racial incidents recorded by local councils – many recorded none, some recorded hundreds – and around four-fifths of those recorded in England (94 per cent in Wales) resulted in further action being taken by the council.
 - On average English councils have adapted around three-quarters of their pedestrian crossings for disabled people, and performance in this area has improved steadily in recent years.
 - There were large variations in the number of domestic violence refuge places supported or provided by local councils, with metropolitan councils supporting five times as many as county councils.

- The percentage of statements of special educational needs (SEN) prepared within 18 weeks has improved, but wide variations exist between similar councils.
- On average, just over 2 per cent of council staff in England (1.5 per cent in Wales) are disabled – with the proportion in some councils being 10 times the size of others.
- Almost two-thirds of English councils (and just over one-half of Welsh councils) have adopted the CRE code of practice in rented housing.
- On average, people from black and minority ethnic communities make up 3 per cent of English councils' workforces – with the proportion in some councils as high as one-third, but less than half of one per cent in others.

IDENTIFYING CRITICAL SUCCESS FACTORS FOR EQUALITY AND DIVERSITY

15. To date, only two best value inspections specifically dealing with equality and diversity have been published, both scoring 'fair' (one star) and 'will probably improve'. However, equality and diversity is often covered, albeit to varying depth, in best value reviews (BVRs) of customer access, customer services and human resources or personnel, as well as in some service-specific reports. A number of common themes emerge from the inspection reports examined:
 - Ownership, leadership and vision – some councils demonstrate high level commitment, but responsibility for equalities often sits uneasily between a number of departments or individuals.
 - Communities and access to services – all councils carry out community consultation, but the so-called 'hard-to-reach groups' are still being missed by some. Physical access to buildings is improving, but there is much still to be done, especially in terms of ramps, lifts, wider doorways, lighter doors and so on. Councils are making better progress with facilities for people who are deaf or hard of hearing, than for visually impaired people. Many councils are still not providing information in a variety of languages and formats.

- Capacity and systems for improvement – many councils now provide equality and diversity training for staff and, in general, this is perceived as informative and useful. A small number have also introduced development programmes for minority group staff. Data collection is patchy and, even where it is collected, it is not always interpreted and used to inform improvements. Diversity audits are carried out in a few councils, and those that use them find them to be a useful tool for assessing current and future diversity needs.
 - Equalities as part of the day job – although the majority of councils have some kind of equality and diversity policy, it is rarely translated into strategy and even more rarely into action plans with challenging targets.
- 16.** From inspection reports and discussions with officers from local councils, auditors and inspectors, five critical success factors appear to underpin progress in equality and diversity:
- commitment;
 - involving users;
 - mainstreaming equality and diversity;
 - monitoring performance data; and
 - sustainability.
- 17.** Some council staff are reluctant to become involved in equality and diversity. This can be attributed to a number of causes, including a belief that it is someone else’s responsibility, a lack of leadership by example from senior levels, and complacency. To ensure adequate **commitment**, senior staff should encourage all staff to feel involved in equality and diversity, staff concerns need to be discussed and addressed, and the difficulties of changing attitudes acknowledged. Councils need to ensure that their equality and diversity initiatives join up across services. In addition, appropriate resources must be committed and prioritised.

- 18.** Many councils struggle to maintain a good understanding of **the composition and needs of the community**. Levels of consultation vary between service departments; users are suspicious about equality and diversity initiatives; and there are concerns about reinforcing barriers between community groups. To ensure that users are involved, councils need up-to-date information on the composition of their communities and on user groups and their opinions. They may wish to consider driving user consultation centrally to ensure that they have a consistent approach. Communication with users is essential to inform them about equality and diversity initiatives and to build community relations.
- 19. Mainstreaming** is about bringing equality and diversity into the core of what an authority does, and relates to both service delivery and to the internal workforce. Councils need to consider the best way to make their services accessible and sensitive to community needs. Within the workforce, staff need to be appropriately trained and developed, and they should receive regular communications about equality and diversity. Councils should consider whether mainstreaming is best driven from some central point, and should aid policy implementation by translating policies into strategies and action plans.
- 20. Data capture and analysis** is important because it allows councils to identify weaknesses in their application of equality and diversity, and to identify ways to improve. Yet few councils have adequate measurement systems in place, and fewer still interpret and act upon the data that they gather. This is due to staff confusion about which data to collect and how, and difficulties with the systems due to lack of training or outdated systems. There needs to be agreement about what data are needed, where they can be collected from, and how they can be collected. Adequate data capture and analysis systems need to be put in place. The data should then be used to inform decisions about future equality and diversity initiatives, and they should form the basis of specific action plans for performance improvement.

21. The **sustainability** of equality and diversity initiatives over time is vital, but all too often, the profile of equality and diversity diminishes with time. Councils need to keep up their efforts, even when they appear to be performing better than their peers, and to consider future equality and diversity needs during planning processes. They should include long-term goals in their equality and diversity planning in order to drive continuous improvement. And the effectiveness of initiatives should be continuously monitored to ensure that they are timely and that they are achieving what they set out to do.

CONCLUSION

22. This report looks at how well councils are performing in the areas of equality and diversity. Evidence from audit and inspection and PI data suggests that local councils need to improve their performance significantly in order to meet their statutory duties and the principles of best value. It is the responsibility of all partners in local government to rise to the challenge posed by the new duty to promote racial equality, and to prepare for future initiatives around disability, age, religion and sexuality.
23. Councils that do not currently have a comprehensive equal opportunities policy need to put one in place. The new generic Equality Standard produced by the Commission for Racial Equality, the Equal Opportunities Commission and the Disability Rights Commission is helpful in mainstreaming equality and diversity. Councils need to continue their efforts to ensure that the profile of their workforce reflects the diversity of the communities that they serve. And they need to improve their performance monitoring and data collection systems on equality and diversity issues.

24. In order to move towards these goals, our research suggests that a number of factors underpin success in the areas of equality and diversity:
- commitment;
 - involving users;
 - mainstreaming equality and diversity;
 - monitoring performance data; and
 - sustainability.
25. Equality and diversity considerations should be integrated into all aspects of delivering, monitoring and inspecting services. Councils need to address equalities issues in all their best value reviews and planning processes. The Audit Commission offers this, our first equality and diversity report, as a contribution to the debate and discussion around the challenge that equalities present to all public sector agencies. For our part, we will ensure that equality and diversity are addressed in our core functions of audit and inspection, and we will continue to conduct and publicise research in this area.

If you want to know more: the full report, *AC Knowledge – Learning from Audit, Inspection and Research: Equality and Diversity* looks at all these issues in more detail and includes background information, case studies and specific guidance.

AC Knowledge – Learning from Audit, Inspection and Research: Equality and Diversity

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