

Equalities Scrutiny Inquiry

How can the Council improve how it is meeting and embedding the requirements under the Equality Act 2010 (Public Sector Equality Duty for Wales 2011)



The Equalities Scrutiny Inquiry Panel
June 2019

Why This Matters

Foreword by **Councillor Louise Gibbard**



It was with great pride that I convened the first meeting of this Scrutiny Inquiry in October 2018 on International Day of the Girl. In a year of some important equality anniversaries such as the centenary of some of the first women in the UK winning the right to vote, seventy years since the arrival of the “Windrush generation” and fifteen years since the repeal of Section 28 amongst other significant commemorations.

We chose to look at this issue because it featured highly on the list of suggested areas of scrutiny highlighted by both the general public and councillors ourselves. It provided us with the perfect opportunity, almost ten years on from the passing of the Equality Act, to reflect on how far we have come as a city and a local authority to embed the principles of equality and diversity in all we do.

From the beginning of the inquiry we were determined that we should reach out to the wider community and especially to people with ‘protected characteristics’ to find out from them if we are really putting our policies into practice. I am hugely grateful to every single person that took the time to attend our meetings, submit written responses and share their views. Whilst we have not been able in this report to address every point raised, please be assured we have listened, taken on board and value every comment made throughout the process.

It was encouraging to hear of the very positive work going on across the Council to make Swansea an inclusive environment. When we took part in one of the “Big Conversation” events with learners I was incredibly proud and heartened to learn of the warm welcome one young man, a recent refugee from Syria, had received on moving to Swansea. However, from other discussions particularly those with carers and the Disability Liaison Group, it is evident that at times we have fallen short of expectations and still have some distance to travel in ensuring that as an organisation we are consistently ‘getting it right’ for all our citizens.

We hope that Cabinet will find this report useful and that our recommendations will go some way in helping Swansea Council to become a truly inclusive organisation, both internally and in its interactions with our diverse communities.

I would like to thank the members of the Inquiry Panel who gave their time and commitment and once again, to acknowledge all those people who gave evidence and information to the Panel. A very big thank you too to Michelle Roberts, our Scrutiny Support Officer who has guided us throughout and worked incredibly hard to pull everything together into this final report.

Summary of Conclusions and Recommendations

Find below a summary of the conclusions and recommendations arising from this inquiry. Full detail are in the main body of the report.

Conclusions

The Inquiry, firstly, looked at whether the Council is meeting its duties under the Equality Act 2010 (and Public Equality Duty for Wales 2011). They concluded:

On balance the Council does have due regard to eliminating discrimination, to advancing opportunity and fostering good relations. Many areas of good practice were found throughout this inquiry but also areas where the Council could do better.

The Inquiry, secondly, looked at *how the Council can improve how it is meeting and embedding the requirements under the Equality Act 2010 (Public Sector Equality Duty for Wales 2011)*.

The Panel concluded that this could be improved by:

1. Keeping a close eye on the national picture and how this impacts us locally
2. Continuing to build upon the commitment to equality and diversity already evident within the Council
3. Ensuring effective policy, practice and processes are in place that meet and help embed the Equalities Duty
4. Improving the accessibility of council services
5. Improving how we work with and learn from others
6. Continuing to improve how we consult and engage
7. Protecting future generations.

Recommendations

Quick wins

- 1 Implement a high-level cross council Strategic Equality Group.
- 2 Develop a new Equality Plan co-productively. Ensure it is more streamlined and outcome and impact focused. The Council should take up the offer from the Equality and Human Rights Commission (EHRC) Wales to work with us on our Plan.
- 3 Promote "SMART" working with our Equality Forums, ensuring they all have clear terms of reference, work plans and schedules. Ensure better engagement with Council departments and Councillor Champions. Facilitate the establishing of Women's and Inter-Faith Consultative Forums.
- 4 Clarify and further promote the role of Councillor Champions, ensure better engagement with Equality Groups/Forums and establish links with the Strategic Equality Group.
- 5 Clarify expectations of those acting in the Equality Staff Representative role. We would expect those nominated to be able to take part in co-ordinating meetings and training and that they are linked to a wider knowledge base/support network for advice, guidance and support.
- 6 Complete the Carers Strategy as a matter of urgency.
- 7 Complete the review of Recruitment and Selection Policy as a matter of urgency. This should include looking at better promotion of staff vacancies and apprenticeships to different groups, consider advertising these more carefully to promote representation of Black, Asian and Ethnic Minority people (BAME), disabled people, Lesbian Gay Bisexual and Transgender (LGBT), veterans and women in male dominated roles (and vice-versa).

- 8 Lead positive campaigns celebrating Swansea's diversity and zero tolerance for discrimination. Use the Swansea 50th Year as a City Anniversary to launch what will be an ongoing process.

Medium Term Actions

- 9 Review training opportunities to ensure they are fit for purpose. Including:
 - a) Ensuring better uptake of equality related training amongst staff, especially front facing staff.
 - b) Ensuring middle managers have completed training and encourage staff to do so
 - c) Developing training with equality groups where possible.
 - d) Ensuring the opportunities to do the training are repeated regularly particularly around unconscious bias, using alternative formats and making a reasonable adjustment.
 - e) Smarter working with others to meet our duty well by investigating the sharing of some training and consultation activities with other large organisations and/or procure jointly to improve economies of scales.
- 10 Support the continued development of community hubs across the Council area and ensuring that all staff involved have full equalities training.
- 11 Address the significant issues with the Council website as identified in this report. Key aspects should be developed co-productively. Consider use of more 'hover over' facilities for key words where pictures are shown. Be mindful of problems with PDFs/tables for screen readers.
- 12 Develop more easy read and plain English resources.
- 13 Build upon the development of a Co-production Strategy with inclusion of a Toolkit for use by staff across the authority.
- 14 Collect better data on our workforce and develop better resources to encourage staff to give their personal data, for example based upon a toolkit by Stonewall '*what it has got to do with you*'. In future report on 'pay gaps such as disability and BAME, as well as gender.
- 15 Develop an internal communications rolling programme, led by the Strategic Equality Group, to promote training, challenge negative views or attitudes and provide positive messages to staff.

Longer Term Goals

- 16 Continue steps towards Swansea becoming a Human Rights City; explore how we could embed the UN Convention on the Rights of Persons with Disabilities and the UN Convention on the Elimination of Discrimination Against Women in the same way as with the UN Convention on the Rights of the Child. Ensure these Conventions are reflected in the Councils new Equalities Plan in 2020.
- 17 Develop further opportunities for adults with disabilities, including looking at expanding our social enterprise base.
- 18 Work with teachers and learners to tackle issues around gender stereotyping in schools particularly relating to sporting activities.

Recommendation for all Councillors

- 19 Councillors should increase their visibility amongst equality groups. Consider holding surgeries or discussion aimed at young people, women, BAME, LGBT and disabled residents.

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Glossary of Terms

| | |
|--------|---|
| ALN | Additional Learning Needs |
| BAME | Black, Asian and Minority Ethnic people |
| CEDAW | Conventions on the Elimination of all forms of Discrimination Against Women |
| CNCRPD | Convention on the Rights of Persons with Disabilities |
| DLG | Disabled Liaison Group |
| EHRC | Equality and Human Rights Commission |
| EIA | Equality Impact Assessment |
| EU | European Union |
| LGBT | Lesbian, Gay, Bisexual and Transgender |
| NEAT | Neighbourhood Environment Action Team |
| SMART | Specific, Measurable, Agreed upon, Realistic and Time-based |
| UNCRC | United Nations Convention on the Rights of the Child |
| WLGA | Welsh Local Government Association |

1 WHY WE PRODUCED THIS REPORT

Overview

- 1.1 This report focusses on the following question: *How can the Council improve how it is meeting and embedding the requirements under the Equality Act 2010 (Public Sector Equality Duty for Wales).*

Selecting a topic

- 1.2 Councillors chose to look at this topic to:

- Ensure that the Council is meeting its duties under the Equality Act 2010 (Public Sector Equality Duty for Wales)
- Ensure that there is the staff knowledge, skills and capacity to enable the Council to meet the duty
- Actively promote a positive attitude to equalities in Swansea.

The Panel agreed to investigate the following aspects and these formed the basis of our questioning strategy:

Role: What is the Council's role under the Equality Act 2010 (Public Sector Duty for Wales) and how well is the Council meeting and embedding this duty?

Skills and ability: Do Council staff have the necessary skills, training and capacity to ensure the Council is meeting this duty?

Culture: Is there a positive attitude and a commitment to ensuring equality across the organisation?

Systems/processes and consistency of approach: Are there effective and efficient systems/practices/processes in place across the Council to enable meeting of the duty. Are Council Officers consistently applying these practices?

Partnership working: How the Council is working with local communities, the voluntary sector and others to help meet and embed this duty.

Measuring success: How is the Council measuring how it is meeting and embedding this duty?

Intended Contribution of Inquiry

- 1.3 As a Panel, we believe that we can make a valuable contribution to this topic. We recognise that, while there are no easy answers, success will only come from a conversation to which everyone is able to contribute. It is in this spirit that our conclusions and recommendations are offered.

- 1.4 Specifically this report aims to contribute to this vital debate by:

- Offering proposals for improvement
- Providing a Councillor perspective
- Drawing together some general principles
- Pointing to good practice examples
- Sharing the views of different people involved.

- 1.5 We recognise the limitations of the Inquiry. Given the complexity of the topic

and the time that we had this report necessarily provides a broad view.

- 1.6 Finally, many of our conclusions are in line with the Council's current direction of travel and these are offered in order to provide reassurance. Others may be either additional or contrary to what has already been agreed. These are intended to offer challenge and to stimulate debate. Where we have made recommendations these are intended to help improve the service.

Evidence Collected

- 1.7 The evidence was collected between October 2018 and March 2019. The evidence gathering activities undertaken included:
- a. Overview of subject and Q&A with Cabinet Member for Better Communities (People) and Chief Legal Officer
 - b. Consideration of relevant key policies, strategies and documentation including Swansea's Equality Plan and the Equality Impact Assessment screening process
 - c. Question and Answer session with individual Directors and the Strategic Organisational Development and Human Resources Manager
 - d. Departmental staff representatives
 - e. Equality and Human Rights Commission
 - f. Equalities Community/Partner Groups including Carers, BME Forum, Young People through the Big Conversation, LGBT Forum, Disability Liaison Group, Joining the Jots Team, Veterans and 50+ Forum
 - g. Survey of Council staff.

Context

- 1.8 The legal background includes the Equality Act 2010. The three aims of the equality duty are to give due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality 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.
- 1.9 The general duty covers the following protected characteristics: age, gender, race (including ethnic or national origin, colour or nationality, disability, gender reassignment, pregnancy and maternity, sexual orientation, religion or belief, or lack of belief, marriage or civil partnership).
- 1.10 In Wales, there is also a Statutory Duty, which takes things further. The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 places specific duties on the authority to:
- Produce a Strategic Equality Plan
 - Set and publish equality objectives
 - Publish a statement setting out the steps it has taken to achieve the equality objectives
 - Review the equality objectives within 4 years from when first set

- Comply with engagement provisions
- Identify and collect relevant information about compliance with the general duty
- Publish information in an accessible way
- Assess and monitor the impact of policies, and changes to service provision
- Gather employee related data on an annual basis
- Have due regard to award of contract conditions in procurement which should include considerations to comply with general duty
- Publish an equality objective in relation to addressing any gender pay difference identified and take steps to address any pay gap.

1.12 The Inquiry did not look in detail at the point relating to procurement and therefore did not make recommendations in the area. We would welcome the Scrutiny Programme Committee taking this on as a possible topic in future.

Equalities and Engagement

1.13 As part of the Councils Equality Impact Assessment process the Equalities Inquiry needed to ensure that it itself paid due regard to the above. When planning this inquiry we considered which groups might be particularly effected and how we might engage them. An Equality Impact Assessment screening form has been completed as part of this inquiry.

2 CONCLUSIONS

2.1 The Inquiry, firstly, looked at whether the Council is meeting its duties under the Equality Act 2010 (and Public Equality Duty for Wales 2011).

2.1.1 **Specific duties are:**

To have due regard to the need to eliminate discrimination, to advance equality of opportunity and to foster good relations, listed public bodies are required to meet very detailed specific duties to demonstrate compliance with the general duty. The specific duties are summarised below.

We concluded that on balance the Council does have due regard to eliminating discrimination, to advancing opportunity and fostering good relations. Many areas of good practice were found throughout this inquiry but also areas where the Council could do better. In particular, in ensuring we are making consistent reasonable adjustments in our service provision, how we consult and how people are able to have contact with the Council. These, along with how the Panel believe they can be addressed are detailed within this report.

In addition to meeting the general duty, in Wales the duty is extended to include:

- a) **Objectives:** prepare and publish equality objectives in respect of each protected characteristic, or reasons for not doing so, by 2 April 2012 and review thereafter every four years. Publish details of the steps it has taken or intends to take to meet the objectives and how long it expects to take to meet each objective. Monitor progress and effectiveness of steps taken to meet the objectives and publish any new or revised objectives.

This is done, but it could be driven by a higher level Strategic Equality Group

that ensures ongoing oversight and priority.

b) **Strategic Equality Plan:** prepare a strategic equality plan by 2 April 2012, publish it as soon as possible and keep it under review.

A plan was completed but as it expires the new plan should be a lot more streamlined and focussed.

c) **Engagement:** involve representatives of protected groups in setting equality objectives, preparing and reviewing the strategic equality plan, identifying how the authority's work contributes to meeting the general duty and assessing the impact of policies and practices on protected groups.

This is done, although the equality forums we have spoken to feel this it is often insufficient and needs a much more thorough approach.

d) **Impact Assessments:** assess the equality impact of policies and procedures, complying with the engagement provisions and considering the relevant information held by the authority. Where the impact of a policy or practice on equality is found to be substantial, a report on the equality impact assessment must be published including: the purpose of the proposed policy/practice; a summary of steps taken to carry out the assessment; a summary of the information taken into account in the assessment; the results of the assessment; any decision taken in relation to those results.

Equality Impact Assessments (EIAs) are carried out but the Panel would like to see better training on their completion and better monitoring of them to take account of issues of cumulative impact. We would also like the Council to think about how EIAs can deal with issues like intersectionality. Intersectionality refers to every person being a web of various identities not just one, for example a black woman who is part of the LGBT community.

e) **Equality Information:** identify what information is and is not held by the authority, identify information on differences of pay for employees with a protected characteristic, publish this information and review periodically.

f) **Employment Information:** collect and publish annually

- The number of people employed by the authority on 31 March each year by protected characteristic;
- The gender breakdown of staff by job, grade, pay, contract type, working pattern;
- Applicants and leavers by protected characteristic;
- Career progression by protected characteristic;
- Employees applying for and completing training by protected characteristic;
- Employees taking or being the subject of grievance and disciplinary procedures by protected characteristic.

This is only done to a very limited extent, as we do not hold enough data on our employees. More thorough data collection and better reporting, possibly with investment in updated IT systems is required.

g) **Pay Differences:** have regard to the need to address the causes of any pay differences and publish an action plan including any equality objective to address any gender pay gap identified or reasons why it has not done so.

Swansea Council does report on its gender pay gap, but there is still potential for improvement in narrowing that gap. We would also like to see reporting on other pay gaps, particularly Black, Asian and Minority Ethnic (BAME) and disabled staff, in future.

h) **Staff Training:** authorities must ensure that their employees are trained on the general and specific duties.

Training is available but take up seems low and could be wider ranging.

i) **Procurement:** consider whether contracts should include considerations to meet the general duty and whether to stipulate contractual conditions relating to performance.

Not considered as part of the Inquiry.

j) **Publish:** an annual equality report by 31 March each year.

This is done.

k) **Review:** review equality objectives every four years and review Strategic Equality Plans.

Yes and a new one is due in 2020. See above 2a – This would be better driven by a Strategic Equality Group.

The Panel, secondly, looked at *how the Council can improve how it is meeting and embedding the requirements under the Equality Act 2010 (Public Sector Equality Duty for Wales)*.

The Panel concluded that this can be improved by:

2.2 **Keeping a close eye on the national picture and how this impacts us locally**

2.2.1 Councillors were acutely aware of the budget constraints of the Council, recognising that the current financial climate is a very difficult one. Councillors were mindful of this when discussing their conclusions and recommendations.

2.2.2 The Panel looked at the role of the Equality and Human Rights Commission (EHRC) meeting with the Commission's Head in Wales. They heard the key role is to safeguard and enforce the laws that protect people's rights to fairness, dignity and respect. The EHRC use their unique powers to challenge discrimination, protect equality of opportunity and to protect human rights. They have a range of powers under both the Equalities Acts 2006 and 2012.

EHRC will shortly be publishing their strategic plan for the coming years. It was explained that the Commission's plan is to prioritise a smaller number of areas where they can make the most traction (these will be based on public consultation). The approach moving forward will be to strengthen the enforcement and compliance arm of the organisation. The Inquiry heard that in recent years they have mainly concentrated on advice and guidance but that

the Commission will have a harder edge moving forward using its compliance arm more. They will also continue to give guidance and support, continuing with research reports like 'Is Wales Fairer' moving forward.

Councillors supported this changing/evolving role, recognising that more enforcement was needed because without 'consequences' some bodies are slower to improve. They were also pleased to hear that this is still the final step and that support and advice are still key to moving councils (and other public bodies) forward.

2.2.3 The Panel looked at the EHRC report '[Is Wales Fairer 2018](#)', considering some examples are particularly appropriate to the Inquiry and to Swansea moving forward. Some of the key headlines from this report include, for example:

- socio-economic disadvantage including increased poverty rates and the adverse effects of the UK-wide social security reforms on the poorest groups
- disabled people falling further behind, being denied their right to independent living and in many cases not experiencing the progress seen for other groups, with gaps in educational attainment and employment widening rather than narrowing
- race inequality persists in Wales, some ethnic minorities are experiencing improvements, but hate crime motivated by race is still far too prevalent in Wales
- challenges to women's safety and career progression, the prevalence of societal gender norms in education and employment, and experiences of harassment and violence, obstruct this progress.

The Panel would like to see the key recommendations relating directly to local authorities in this report considered and addressed in the Council's Equality Plan moving forward.

2.2.4 The Panel welcomed the work of the EHRC in relation to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and United Nations Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). They heard that the United Nations Convention on the Rights of the Child (UNCRC) has the most firm hold in law. The EHRC would like to see these conventions reflected in each individual Council's Equalities Plans moving forward.

The Panel welcomes the initial work being done to make Swansea a Human Rights City and wish to see this completed in the near future. Councillors believe, as part of this, we should look to embed the UNCRPD and CEDAW into all our work in the same way as with the UNCRC in Swansea. They heard from the Head of Stakeholder Engagement Unit in Education that the UNCRC has helped them embed children's rights widely across education. Councillors would like to see this happen across the organisation with the other conventions.

2.2.5 The consequences of leaving the European Union (EU) was raised. The Panel discovered that leaving the EU does not affect our rights under the European

Convention on Human Rights (ECHR), as this comes from the Council of Europe, not the EU. The impact of Brexit on our equality and human rights will depend on the laws that are passed to deal with leaving the EU. The Government published a [White Paper on a Great Repeal Bill](#) on 30 March 2017. The White Paper provides some clarity about how equality and human rights concerns will be addressed. For example:

- existing EU law in place at the point the UK leaves the EU will be preserved 'wherever possible'
- the protections in the Equality Acts 2006 and 2010 will be retained after we leave the EU
- worker's rights that arise from EU law will continue to be available in the United Kingdom
- current European Court (CJEU) case law will be preserved, but the Bill will not provide any role for the CJEU in the interpretation of new laws and will not require our courts to consider future CJEU's case law
- the Charter of Fundamental Rights will be removed from UK law.

If these provisions are brought into law, many existing protections under EU law will be preserved. In addition, many protections in EU law, especially equality rights, have already been written into UK law by legislation, which will stay the same unless withdrawn by Parliament. In light of the government intentions explained in the White Paper, the most significant effect of Brexit on equality and human rights are likely to be:

- the loss of the Charter of Fundamental Rights which includes some rights which are not in the Human Rights Act, for example on the rights of the child and a general right to non-discrimination. The Charter also provides a stronger way of enforcing human rights than the Human Rights Act
- the loss of the guarantee for equality rights provided by EU law. As a result of Brexit, a future government could seek to pass laws which repeal or weaken our current rights below the standard of EU law rights.

2.2.6 Councillors were concerned to hear, from the equality forums they spoke to, about the change towards negative attitudes and intolerance relating to disability, sexual preference, faith, race and immigration, since the onset of Brexit. An article recently published in the Independent newspaper highlights the issue of attitudes to racism found by the United Nations in a visit to the United Kingdom in 2018. A quote from the article says:

Racism and religious intolerance has become more acceptable in Britain in the wake of the Brexit referendum, a United Nations expert has warned.

At the end of an 11-day visit investigating the impact of Brexit on racial equality in the UK, the UN special rapporteur on racism reported a "notable shift" in attitudes.

A Brexit-related trend that threatens racial equality in the UK has been the growth in the acceptability of explicit racial, ethnic and religious intolerance," said E Tendayi Achime. She said that although far-right parties had not enjoyed the political success seen elsewhere in Europe, extreme views were gaining ground in mainstream political parties on both the right and left.

She highlighted the documented rise in hate crime reported to police following the referendum in June 2016, with incidents increasing almost a third year-on-year to more than 80,000 – the vast majority racially motivated.

[11 May 2018 – Independent Newspaper](#)

In the EHRC report 'Is Wales Fairer', it indicated that some ethnic minority people are experiencing improvements in relation to equality but there is not nearly enough progress and more needs to be done. Hate crime motivated by race is still far too prevalent in Wales. The majority (75%) of hate crimes reported and recorded in Wales in 2016/17 were motivated by race or religion. This was seen as a particular concern given Britain's impending exit from the EU and the spikes in hate crime after the EU referendum and recent terrorist attacks.

In the light of this evidence, the Panel want to emphasise the importance of celebrating Swansea's diversity. It is essential we work with different groups in society to do this and emphasise the Council and partner organisations' role in community cohesion.

Recommendations:

- Lead positive campaigns celebrating Swansea's diversity and zero tolerance for discrimination. Use the Swansea 50th Year as a City Anniversary to launch what will be an ongoing process
- Continue steps towards Swansea becoming a Human Rights City; explore how we could embed the UN Convention on the Rights of Persons with Disabilities and the UN Convention on the Elimination of Discrimination Against Women in the same way as with the UN Convention on the Rights of the Child. Ensure these Conventions are reflected in the Council's new Equalities Plan in 2020.

2.3 Continuing to build upon the commitment to equality and diversity already evident within the Council

2.3.1 The Inquiry did find an overall commitment in the Council to equalities but felt that it lacks a clear vision and therefore direction to drive forward improvement. The Directors and Cabinet Members the Panel spoke to recognise their equalities duties and showed clear ownership. The Cabinet Member for Better Communities (People) said that she would like the Council to go beyond its legal duty and emphasised the importance of embedding equalities. The Panel recognised the commitment showed but did feel there is limited cross-departmental dialogue on this issue that ensures there is no overlap, conflicting advice/ways of working and that improves consistency.

2.3.2 The Panel found minimal reference in the Council's Corporate Plan to our Equalities Duty. Councillors recognise that it is integral to all the objectives outlined in the Plan but note that it does not allude to it specifically. All references in the document relate specifically to inequalities, it does not refer to how we are committed to and plan to meet our Equalities Duty in relation to protected characteristics. In order to raise the profile and show clear commitment to Equalities it needs to be explicit in the headlines of the Corporate Plan.

2.3.3 The Panel were pleased to see a clear commitment in the Public Services Board Wellbeing Plan to the Equalities Duty, particularly under the Stronger Communities objective. The Public Services Board is a multi-agency partnership that includes Swansea Council. The Wellbeing Plan says, the partnership want to *make Swansea a vibrant, tolerant and welcoming place where everyone has equal access to opportunities and feels truly proud to live, work and play in Swansea. To achieve this we need to develop a place where people belong, feel safe, and where people's backgrounds and circumstances are appreciated and valued. Our communities are changing; we want to learn from each other and work together to build a better Swansea. We know that good relationships are an essential component of well-being. As communities change we will celebrate what they have in common and face challenges together, including tackling barriers to employment, training, educational attainment and inclusion.*

2.3.4 The Inquiry found that equalities does not have a high enough profile within Swansea Council. Councillors believe that equalities must be driven from the top of the organisation if it is to move forward and improve in a co-ordinated and sustained manner, meeting both our Equalities Duties and Wellbeing Goal 4 of the Wellbeing and Future Generations Act, 'a more equal Wales'. The Council needs to take an authority wide approach to equalities. The idea of a Strategic Equality Group was raised, that would be a high level cross council group with the purpose of ensuring compliance and driving improvement in equalities across the Council.

The Panel believe that its first role should be to co-ordinate the development of the new Equality Plan, which is due to be written by 2020. This plan would then be used by the Group to monitor and drive improvement across the organisation by, for example:

- Taking an overview of the Equality Impact Assessment process, in particular noting and keeping a watching brief of cumulative impact and issues of intersectionality
- Driving improvement in equalities related training by reviewing and ensuring it is fit for purpose, monitoring and improving uptake especially those mandatory aspects
- Having close links and regularly consulting with the Community Groups, for example the Disability Liaison Group, LGBT Forum and BAME Forum.
- Working with the Councillor Equality Champions and the departmental equality representatives as required
- Leading positive campaigns celebrating Swansea's diversity and counteracting negative media stories around equalities matters.

The Panel would like to see this Strategic Equality Group as the vehicle to translate the Council's commitments on equalities into further action.

2.3.5 The role middle managers play within the organisation was seen as key in ensuring staff are trained, are committed to and have the right attitude with regard to equalities. The Inquiry did find the need for more consistency in application in these aspects. It is vital that managers understand the Council's Equality Duty and are committed to equalities especially in relation to aspects

like ‘making a reasonable adjustment’ and unconscious bias. Their role working directly with staff delivering Council services puts them in the position to have a strong influence on the staff within their remit. With this in mind, Councillors believe managers have an important role in ensuring there is the right culture, attitude and that staff have appropriate training.

In the Staff Survey we asked:

Do you agree or disagree that managers in the Council take equality and diversity issues seriously?

| | | | | | | | |
|---------------|-------------------|---------------|-------|---------------|----------|-------------|----------------------|
| 29 (25.2%) | Strongly agree | 61 (53.0%) | Agree | 24 (20.9%) | Disagree | 1 (0.9%) | Strongly disagree |
|---------------|-------------------|---------------|-------|---------------|----------|-------------|----------------------|

Do you agree or disagree that your manager supports flexible working? (such as part-time working, job-share arrangements, home-working, etc.)

| | | | | | | | |
|---------------|-------------------|---------------|-------|---------------|----------|-------------|----------------------|
| 42 (35.9%) | Strongly agree | 52 (44.4%) | Agree | 15 (12.8%) | Disagree | 8 (6.8%) | Strongly disagree |
|---------------|-------------------|---------------|-------|---------------|----------|-------------|----------------------|

Some comments made:

‘I have been offered reasonable adjustments due to my disability and have been lucky enough to have a Manager who has taken time to understand my Mental Health condition and has offered appropriate support.’

‘I and others have experienced difficulties in obtaining reasonable adjustments for physical health reasons and I do feel there is a lack of support in this area. I am also aware of comments made to women around part time working and how this limits their promotional opportunities, which I feel is discriminatory. Part-time contracts appear to be actively discouraged.’

The Panel wished to emphasise the importance of the staff appraisal process in identifying training needs and ensuring completion of required courses.

2.3.6 Evidence suggests that there is a need for better support for, and valuing of, the role of Equality Forums. The Panel spoke to a selection of different consultative groups including the Disability Liaison Group (DLG), 50+ Network, Lesbian, Gay, Bisexual and Transgender Forum (LGBT), Black, Asian and Minority Ethnic (BAME) Engagement Programme.

The Panel heard about the relationships the Council has with community groups/forums including:

- The Swansea Bay LGBT Forum, which is run by Swansea Council in partnership with South Wales Police and whose membership includes employees or volunteers from local and national organisations who represent the interests of LGBT citizens
- The BAME Forum, which is a regional Network, which was introduced last year. It is led by Ethnic Minorities and Youth Support Team (EYST) as part of the Welsh Governments Equality and Inclusion Programme
- The Disability Liaison Group, this group was established to enable a two way dialogue between the Council and disabled people and/or disabled

groups/organisations

- The 50+ Network, this is supported by the Council and is a network of people who have signed up and are over 50 or who groups/organisations that represent this age group
- Veterans Club Swansea is a post-traumatic stress disorder support group and Social Hub for serving HM Forces & Veterans
- “Big Conversation” organised events run by Swansea Council’s Young Person’s Participation Team that include school age pupils from schools across Swansea.

Members of the Disability Liaison Group (DLG) expressed concern that they did not currently have clear terms of reference, invite list or clear structure/work programme. They felt that work was required to get it back on track and meeting regularly. We heard from the Council’s Access to Services Officer that a meeting took place in January with the DLG to start to address these aspects.

Whilst we agree that the equality forums need better support, the Council currently only has enough resources for a small team of one part time equality officer and one full time consultation and engagement officer in Access to Services. Moreover, it is important that members of the group are leading their own work to ensure their voices and concerns are being heard and to better empower its members. We will therefore need to look at how we can help these forums going forward, potentially in conjunction with partners in the voluntary sector if possible.

The Panel found gaps in representation of protected characteristics involved in council consultation and would therefore encourage the facilitation of a Women’s and an Inter-faith Group.

The Panel feel that the profile and work of these equality forums need to be raised more, both within and outside the Council, to ensure their role is understood and valued by both council staff and the public. We also found that better links with Councillor Champions for many groups was required. We agreed with the 50+ Network when they said we need better cross-pollination between groups to address the issue of intersectionality, for example, disabled women have different needs to disabled men and LGBT people; BAME people might have contrasting views to those from other ethnic groups. Closer links and two-way communication with the proposed Strategic Equality Group would also provide better access to decision making.

2.3.7 When the Panel spoke to the different equality forums, they asked them whether they felt that *Swansea Council is committed to ensuring staff and service users are treated with equal dignity and respect, and to what extent they believe the Council takes equality and diversity issues seriously.* What they said is summarised as follows:

- Negative attitude of some staff when talking to people especially the older people and disabled people
- Frustration at being passed around the Council when making a telephone call
- Difficulties in finding out where and when councillor surgeries are especially

if they are not online

- Praise for Local Area Co-ordinators but disappointment that they do not cover all areas
- Need to be involved in development of projects at an earlier stage when barriers can be identified, feeling this would save time and money
- Commitment in the form of funding for equalities. Groups/forums felt they run on a shoestring with limited support. They felt that investing even a small amount of money could make a huge difference in customer engagement and therefore improving services provided
- Need more education in schools around awareness of different characteristics
- The Council seeming to work on one “hot topic” at a time, targeting one group for support and then shifting to another, so not being consistent. Joining up everything seen as important, including the intersection between different characteristics
- Equality forums would like the opportunity to take part in training for council staff
- A Carers Strategy is needed. Without a clear strategy that is transparent and addresses their many concerns, they cannot feel that they are valued
- Some staff go above and beyond while in other departments too many do not think it is their responsibility to consider equality issues
- Not committed to informing, engaging and consulting with everyone because do not make things available in accessible formats enough.
- Feel that the commitment to activities like co-production is there but that currently the resources are not there
- Still feel there is a culture of doing to and not enough emphasis on empowering citizens
- Seems to be a lack of dignity and respect for citizens especially in relation to asking for what they are entitled to, like making a reasonable adjustment when needed. They feel they are often denied because of poor knowledge and lack of respect
- The words in Council policies are good but need to translate these into practice better. Council needs to be consistently good rather than pockets of good in relation to equalities
- Education system in Swansea is not inclusive enough, teacher training is too general, teachers not taught about inclusivity with regard to children with disabilities and ALN. Children are often taught elsewhere rather than in the local school. One parent said *she feels like they are ‘othered’*
- Do not feel that the Council respects the aspirations of disabled young people because opportunities once leave school are very limited.

In the Staff Survey we asked:

Do you agree or disagree that there is real commitment at the Council to continuing to improve performance on equality and diversity in terms of service provision?

| | | | | | | | |
|---------------|-------------------|---------------|-------|---------------|----------|-------------|----------------------|
| 17 (14.8%) | Strongly agree | 75 (65.2%) | Agree | 18 (15.7%) | Disagree | 5 (4.3%) | Strongly disagree |
|---------------|-------------------|---------------|-------|---------------|----------|-------------|----------------------|

In your experience, do you agree or disagree that staff from different backgrounds are readily accepted and made to feel welcome at the Council

| | | | | | | | |
|---------------|----------------|---------------|-------|--------------|----------|-------------|-------------------|
| 41 (35.3%) | Strongly agree | 64 (55.2%) | Agree | 10 (8.6%) | Disagree | 1 (0.9%) | Strongly disagree |
|---------------|----------------|---------------|-------|--------------|----------|-------------|-------------------|

Overall, do you agree or disagree that the culture within Swansea Council makes it a fair place to work?

| | | | | | | | |
|---------------|----------------|---------------|-------|---------------|----------|-------------|-------------------|
| 31 (26.3%) | Strongly agree | 59 (50.0%) | Agree | 24 (20.3%) | Disagree | 4 (3.4%) | Strongly disagree |
|---------------|----------------|---------------|-------|---------------|----------|-------------|-------------------|

Some Comments made:

'It's a large organisation and whilst there is commitment, delivering against that commitment is a big challenge.'

'Institutionally yes, however all teams are made up of individuals and groups of people, their dynamics affect how individuals are accepted and made to feel welcome.'

'Corporately yes I agree, but you have to ensure that all staff have proper training - not just the online training which can be skimmed through.'

'It's an overwhelmingly white organisation. In my experience the staff from non-white backgrounds make an effort to share their culture e.g. office buffet for Eid which is really nice. Brexit has made it harder for staff from EU countries outside the UK because of the uncertainty and also the attitude of some residents.'

2.3.8 Carers in Swansea strongly expressed the need for the Council to better value their role, their rights as carers and to provide better provision of services.

Some of what they said included:

- Question whether the new Carers Act was in place in Swansea especially relating to care packages. Concerned as we are legally entitled to receive this as carers. There is no equality for parent carers because assessments are not being done
- All support is assessed on a criteria but we have no idea what that criteria is. There needs to be more transparency around the criterion and how and why a decision has been made. People could then understand and accept decisions more
- We feel there is no consistent approach across social services teams to assessment and care planning. Each team interprets and applies the guidance differently. Each team/department write their own assessment...there should be a standard format for all.
- Young carer's assessments do not seem to be taking place and when they do the young person is often not told about it
- Communication between Adult Services and Child and Family Services seems to be problematic when it comes to supporting carers and the child - two different standpoints
- No provision for Welsh Speaking in respite or adult day services.
- There is very little available to assist carers of people with challenging behaviour. This is often to do with the condition and not a mental health

issue but nearly always treated as such. Need more people to understand the issues around challenging behaviour. No respite services available

- We should not have to keep fighting for everything. Carers should be valued and able to live life equally to everyone else. By not doing this, the Council is really short sighted because carers save society millions of pounds.

The Panel heard that a Carers Strategy was due to be written in 2017, it is still not in place. The Panel agreed that the Carers Strategy must be completed as a matter of urgency.

2.3.9 The Inquiry found a need to develop further opportunities for disabled adults to gain meaningful employment and to improve their skills. The Joining the Dots Team suggested that the Council move forward more with the different aspects of Social Enterprise. The Panel agreed believing that the Council could build on the already valuable contribution of the work of NEAT and Victoria Park Kiosk, recognising that a wider variety of opportunities needs to be developed, expanding on those already in place. A member of the public at a meeting said *'more needs to be available other than litter picking and catering for those people with different interests'*.

2.3.10 Young people at a Pupil Voice Event raised the issue of stereotypes within schools. They felt this was particularly evident in sport within schools, with some schools encouraging access to all sports by both boys and girls and mixed gender sports activities whilst others still only offer certain sport based on gender. They also pointed to different expectations between boys and girls around discipline. The Panel did agree with the young people who felt this was reinforcing stereotypical behaviour. This issue of the prevalence of societal norms in education has also been highlighted in the findings of the EHRC report 'Is Wales Fairer'. It was felt that schools should be working harder to challenge these norms and not reinforce them.

Young people said:

'I do feel that boys and girls are generally treated differently in my school when it comes to sports, like girls only get a chance to do netball. I would like to play football but told I cannot. Sometimes boys go outside for sport while the girls have to stay inside.'

'Schools should do more mixed gender sports, should not be judged as whether good enough based on whether a boy or a girl.'

2.3.11 We felt that there is a need to continue the work to make the council staff, councillors and governing bodies more representative of the community in which they serve. As with many workplaces, Swansea Council staff and indeed Councillors do not fully reflect the diversity of the community in which we live. The groups that tend to be under-represented include women in higher paid roles, ethnic minorities, disabled employees and those from the LGBT community.

Employers have a responsibility to ensure that workplaces are inclusive and

free from discrimination. However, inequalities can result from years of hiring practices that have excluded certain groups, usually unintentionally. It is important to ensure that Swansea Council is open to everyone in our communities, including groups that have historically not applied to work for the Council. Expressly encouraging applications from those in under-represented groups should be encouraged. The Panel believe there needs to be better promotion of staff vacancies and apprenticeships to different groups. Advertising should be more carefully designed to promote applications from LGBT and BAME people, disabled people, and women in male dominated roles (and vice versa).

The Panel heard that the Council publishes information on the Gender Pay Gap and that an action plan is in place to work to close this gap, one of the Council's Policy Development Committees looks at the annual report and resulting plan.

Councillors were of the view that we need to report on not only the gender pay gap, but also put systems in place to report on the other identified pay gaps like, for example, for disabled people and BAME, to draw attention to any inequalities in this area and plan to better support diverse staff in future.

The Panel recognised that the make-up of councillors needs to be more diverse in Swansea, which is also reflective of most Welsh Councils. The Welsh Local Government Association (WLGA) said in their response to the National Assembly for Wales Inquiry into diversity in local government *'that evidence shows that diverse decision-makers lead to better and more diverse decisions. Diverse decision-makers encourage public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all. It ensures that more diverse life-experiences shape our decision making'*.

Councillors considered what could be done locally to encourage interest in standing to be local councillor by a more diverse range of people. They heard about some of the national activity that took place before the local elections in 2017 in the [Diversity in Democracy Programme](#).

When the Panel met to the DLG, they asked whether any of them had ever considered standing for Council. As an example of the difficulties faced a member of the group said *'I considered it but cannot face it, so many barriers. There are huge barriers for disabled people and those with mental health problems. There is also the fear of victimisation or bullying when a disabled person speaks out'*.

The Panel discussed some of the good practice outlined in the WLGA response that could be considered by Swansea including:

- Councils having good links with school councils and youth forums, with many actively engaging young people in council business and the democratic process through mock election, meetings with councillors and local democracy week
- Some Councils have open days ahead of elections and a programme of mentoring and shadowing

- Making the role of the councillor more accessible including, for example, facilitating remote attendance.

The Panel heard about the successful [Access to Elected Office schemes](#) used in Scotland and England. These provide financial support for disabled people standing in elections. Welsh Government have explored a similar potential 'door to democracy' fund. It is anticipated that a future programme will be rolled out in Wales and this was welcomed by the Panel.

- 2.3.12 Better collection of equalities employment information is required. The Panel reviewed the information provided for the Equalities Plan, expressing concern that in its current form it is not fit for purpose because it does not reflect correctly details about the staff employed, those leaving or making job applications. Councillors were told this is because completion of certain characteristics by employees or applicants was not mandatory. Councillors believe more assurance may be required so that staff or applicants feel that the information given is confidential and will be used appropriately. It was felt that lack of completion of personal data could be 'a perception issue' about why the questions are being asked and for what the data will be used.

The Staff Survey asked:

Would you be willing to give the Council this information in order to help monitor equality and diversity within the organisation?

| | | | |
|------------|--------------------------|-----------|------------|
| 67 (57.3%) | Yes | 10 (8.5%) | No |
| 31 (26.5%) | Yes but only anonymously | 9 (7.7%) | Don't know |

The Panel would like to see a way developed of encouraging completion using the Stonewall Toolkit '*what it has got to do with you*'. This can then be a tool used in a campaign to contact staff encouraging completion of personal data.

*Monitoring and evaluation are central to ensuring any activity is successful. They are the means of checking whether an organisation's diversity policy is being implemented effectively. They provide valuable management data, which can assist the organisation in making the right strategic and operational decisions to ensure it employs and retains a skilled and diverse workforce. **Stonewall***

The Panel heard that Human Resources and Organisational Development has recently started to build current data on grievances/bullying and harassment complaints and that this will be able to be analysed going forward. There is a clear role for the Strategic Equality Group to monitor and act on this data.

Recommendations:

- Implement a high-level cross council Strategic Equality Group
- Promote "SMART" working with our equality forums, ensuring they all have clear terms of reference, work plans and schedules. Ensure better engagement with Council departments and Councillor Champions. Facilitate the establishing of Women's and Inter-Faith Consultative Forums
- Complete the Carers Strategy as a matter of urgency
- Collect better data on our workforce and develop better resources to encourage staff to give their personal data, for example, based upon a

toolkit by Stonewall '*what it has got to do with you*'. Report on 'pay gaps' such as disability and BAME, as well as gender in the future

- Develop further opportunities for disabled adults, including looking at expanding our social enterprise base
- Work with teachers and learners to tackle issues around gender stereotyping in schools particularly relating to sporting activities.

2.4 **Ensuring effective policy, practice and processes are in place that meet and help embed the Equalities Duty**

- 2.4.1 The Cabinet Member for Better Communities (People) explained that the current Equality Plan finishes in 2020 so it will shortly be revised and that preparations for that will soon begin. She said that the new plan would set clearer strategic direction for equalities, which the departments will deliver.

The Panel agreed with the Cabinet Member that the objectives in the new Plan must result directly in improved outcomes for people. Currently there is no overall assessment of the success of the plan; it is therefore difficult to make a judgement on its impact. Councillors felt it important that the Plan have political oversight in future. Revision of the plan should look at what it should and should not contain, how those items are decided upon and its format and ease of access. It was felt that the new Plan needed to be outcome focused and streamlined in design. The Equalities and Human Rights Commission have offered to work with Swansea in developing the new Plan; we should take them up on this offer. The Panel would like to see the key elements of the Plan produced co-productively. The final Plan must be available in accessible formats and these kept online. The Panel were keen to feed the outcomes of this Inquiry into that process.

- 2.4.2 The Equalities Impact Assessment (EIA) process is the way in which the Council assesses the impact of council decisions in relation to equalities matters. This is one way the Council plays due regard to Public Sector Duty (Wales) Act. In Swansea EIA's are integral to the decision making process and departments are advised to undertake it as early as possible in any initiative, ideally at inception. The Panel heard failure to undertake one or doing so after a decision has been made may invalidate the decision, or in the very least leave it open to challenge or judicial review. An EIA screening or full report must accompany any report for decision presented to Committees, Executive Board, Corporate Briefing, Cabinet or Council.

The Panel recognised that it is important the EIA process is consistently applied and to a high standard. It must demonstrate engagement has taken place. The EIA should be a living document, which can be left open throughout the project and continuously updated as appropriate, like for example, the EIA for the City Centre Redevelopment.

The Panel heard from the Head of EHRC in Wales that not all public bodies use stand-alone EIAs and some are using integrated software in the form of online portals that have shared live forms. This is something we could look at in Swansea in the future.

The Panel found the EIA process itself to be strong but, in practice, is dependent on the knowledge and understanding of individuals and this was felt to be inconsistent across departments. It was hoped that the introduction and further development of Equality Staff Representatives within Council departments would help to improve this. Although it was felt that it will only be the case if they are fully engaged in that role, attend regular co-ordination meetings and partake in training. It was felt that commitment to this from all departments will be key in its success. The Panel heard that dedicating time to this may be difficult but it is better to have people doing the role from within the departments who understand the departmental issues, as well as the equalities aspect.

- 2.4.3 The Panel heard about the designated Councillor Champions that cover a range of equality issues. The role of champions is to provide a voice for traditionally under-represented groups or issues, which need to be kept at the forefront of Council business.

After speaking to the Equality Forums and staff it was felt that this role needed to be more visible, recognising that they can play an important part in developing, communicating and supporting equalities. The Panel felt that there should be a better-defined role for Councillor Champion's better communication links with departments and the relevant Equality Forums.

- 2.4.4 The Panel welcomed the introduction of the Equality Staff Representatives, who are volunteers from each council area that will act as a link within departments in relation to equalities matters. We heard that their particular role is to advise and support staff in EIA process. Councillors were concerned that this role is limited by the capacity of the volunteer in their 'day job' because they have taken on this aspect in addition to their current roles.

When the Panel met with a group of 16 staff equality representatives they said that they saw their main role as assisting, giving advice and providing challenge on EIAs. Many pointed out that it was a new role for them so they would like help, training and support as required. They had received some initial training but recognised that more is needed, especially as the role develops. They have received some support from Access to Services Team but recognised that a lot more now falls on departments because the Access to Services Team has diminished. They did say that time is an issue, that like with co-production proper full engagement carried out for EIAs is time and resource intensive. They welcomed their role in getting the equalities message out there and embedded in departments. They had very little awareness of the role of Councillor Champions and were interested in making those links. They did feel that equality and diversity was taken seriously in the Council; saying it was not perfect and that it was about translating intention into action but they were surprised about how much better Swansea was doing in comparison to other local authorities. They did feel staff are much more comfortable with engagement and do have a more engagement 'mind set'. One concern is that time and capacity to release staff in some areas, to be able to do training, can be difficult.

The staff equality representatives think that the following can be done to

promote and improve diversity:

- Recruitment and Selection process needs to be looked at
- Engaging with and reaching out into communities more
- Using different modes to get messages out there
- Review the Councils website
- Improve access online to EIAs.

The Panel considered it important that:

- All Equality Staff Representatives have the capacity to fully engage with this role including attending training and the regular co-ordination meetings. The Strategic Equality Group should keep this under review and it be addressed if a department is not fully engaging, otherwise any improvement in consistency will be patchy
- The role is clearly defined and the staff representatives understand the expectations of the role
- Staff representatives are linked to a wider knowledge base/support network for advice, guidance and support.

- 2.4.5 Council policy and practice must be regularly reviewed to ensure equalities are widely and consistency embedded across the whole Council. We must ensure that when we amend or produce one policy it is not in isolation from other policies/strategies, as this can result in the creation of barriers and/or disadvantaging sections of our community.

'The policies are all in place to make these things happen but on some occasions I feel that these policies actually highlight differences with people and end up doing the polar opposite.' Staff Survey

Council policy must be reflective of what the Council wants to achieve. For example, we want the Council to be more reflective of the communities we serve. Council policies, therefore, must encourage applications from people with protected characteristics being employed and we must understand the current make up of our employment base.

'The staff policies are not reflective of LGBT, BME and other minority backgrounds. The Council should do more to support the staff LGBT group, have the Council represented at Prides and should support minority groups through positive action. The Council should also make the services that can be tailored to minority groups easier to access.' Staff Survey

If we want a more diverse workforce, we as an authority have to change our approach to recruitment and employment practice. Human Resources are working with Poverty and Prevention to improve the Council's Recruitment and Selection process. This will include a review of the existing Recruitment and Selection policy to ensure that it provides everyone with the ability to easy access employment opportunities advertised by the Council. The Panel welcomes this.

- 2.4.6 Councillors had a number of concerns with regard to of the quality, execution,

consistency and uptake of training on equalities and it is one of the key findings of the Inquiry.

The Panel heard that there is a selection of online training relating to equalities as well as some half-day, face-to-face sessions for staff. There is also a module on the manager-training programme and there is a section within the recruitment and selection course. Councillors heard that the uptake for equalities training is low, even the mandatory courses. The people the Panel spoke to clearly felt there needs to be a package of training that is consistently applied across the council. While there are many good examples of how staff respond and assist users well, there were a number of issues identified including the consistency in knowledge about 'making a reasonable adjustment', staff attitudes and understanding of unconscious bias.

From the evidence gathered and the feedback received from the consultation sessions the indication is that we need to focus on improving:

- the quality, relevance and delivery of training – involving others and real life scenarios designed to ground training. Some staff, such as those in 'frontline' services, need more detailed training where for others online courses may be suitable
- the skills and knowledge of Departmental Equality Representatives and Councillor Champions
- identification of gaps in knowledge and ensuring attendance through the staff appraisal process
- the use of skills, knowledge and experience on offer from equality forums to help improve and ground our training
- the monitoring and encouraging of uptake including collecting data on attendance and ensuring mandatory courses are completed.

'Staff attitudes and knowledge of 'making a reasonable adjustment' vary widely, some go out of and some give no assistance at all.' DLG

It would be beneficial for those working on the front line especially to have a direct understanding of some of the key barriers that people experience when accessing services. Recognising how they react and respond to service requests is vital to their role. Assistance from equality forums and/or people with protected characteristics in this staff training could help to improve this.

The Panel did find the training information/data provided in the current Equality Plan to be extremely limited. This information was found to be meaningless to the reader, and could be seen to have been produced to satisfy a tick box rather than to drive improvement. A system to collect better information needs to be put in place so that the Strategic Equality Group and managers can monitor that data and ensure effective take-up by staff.

Those staff who responded to the staff survey said:

How would you rate your awareness of equality and diversity issues?

| | | | | | | | |
|---------|------|---------|--------|--------|-------------|--------|------|
| 40 | Very | 68 | Fairly | 7 | Fairly poor | 1 | Very |
| (34.5%) | good | (58.6%) | good | (6.0%) | | (0.9%) | poor |

Do you agree or disagree there is adequate training opportunities available for staff around Equality and Diversity within the Council?

| | | | | | | | |
|---------------|----------------|---------------|-------|---------------|----------|-------------|-------------------|
| 15 (13.2%) | Strongly agree | 58 (50.9%) | Agree | 35 (30.7%) | Disagree | 6 (5.3%) | Strongly disagree |
|---------------|----------------|---------------|-------|---------------|----------|-------------|-------------------|

Have you ever received any equality and diversity training at the Council?

93 (78.8%) Yes
25 (21.2%) No

If not, why not?

| | | | |
|------------|--|-----------|--------------------|
| 19 (61.3%) | Never offered | 5 (16.1%) | Not relevant to me |
| 3 (9.7%) | Unable to attend sessions due to other commitments | 4 (12.9%) | Other |

Clearly whilst the majority of staff feel there are adequate training opportunities available around Equality and Diversity issues, a significant amount feel there is not, and almost a quarter of respondents have not received any.

The Panel feel that it should be a key role for the proposed Strategic Equality Group to review, explore and drive improvements in equalities training.

2.4.7 The Panel concluded that better internal communications with staff was required to specifically address equalities matters and keep them on the agenda, this should include:

- to inform of and proactively encourage take up in training, awareness raising
- provide a basis for what is considered as acceptable attitudes/behaviour
- celebrate good work
- advice on how to challenge negative views effectively/appropriately

Recommendations

- Develop a new Equality Plan co-productively. Ensure it is more streamlined and outcome and impact focused. The Council take up the offer from the EHRC Wales to work with us on our Plan
- Clarify and further promote the role of Councillor Champions, ensuring better engagement with consultative forums and establish links with the Strategic Equality Group
- Clarify expectations of those acting in the Equality Staff Representative role. We would expect those nominated to be able to take part in co-ordinating meetings and training, and that they are linked to a wider knowledge base/support network for advice, guidance and support
- Complete the review of Recruitment and Selection Policy as a matter of urgency. This should include looking at better promotion of staff vacancies and apprenticeships to different groups, consider advertising these more carefully to promote representation of BAME, disabled people, LGBT, veterans and women in male dominated roles (and vice-versa)
- Review training opportunities to ensure they are fit for purpose. Including:
 - a) Ensure better uptake of equality related training amongst staff, especially front facing staff
 - b) Ensure middle managers have completed training and encouraging staff

- to do so
- c) Developing training with equality groups where possible
- d) Ensure the opportunities to do these are repeated regularly, particularly around unconscious bias, using alternative formats and making a reasonable adjustment
- e) Smarter Working with others to meet our duty well by investigating the sharing of some training and consultation activities with other large organisations and/or procure jointly to improve economies of scales
- Develop an internal communications rolling programme, led by the Strategic Equality Group, to promote training, challenge negative views or attitudes and provide positive messages to staff.

2.5 Improving the accessibility of council services

2.5.1 The Panel learnt from their engagement with the Equality Forums/Groups about the wide spectrum of accessibility issues that people face including physical accessibility/buildings, online and the website, telephone, face to face/attitudes, and language. When the Panel spoke to the different Equality Forums and Groups, they asked them *whether they had experienced any unfair barriers to accessing a service with the Council*. They said:

- Accessing the loop system can be problematic
- It is important for people who chair meetings to understand the impact of not being able to communicate easily and make allowances for that
- Transport can be difficult, availability of routes and accessibility of vehicles
- Council paperwork often not inclusive to everyone.
- Sometimes find staff not respectful in the way they treat you
- Physical access can be an issue, particularly in the Guildhall with very limited public disabled parking and the building difficult to access
- Many staff do not understand what 'making a reasonable adjustment' means so can be difficult to access services
- Council staff do not understand many of the issues people face.

The inquiry explored how well we are meeting our Equalities Duty in relation to accessibility, including what is being done to reduce or mitigate barriers to accessing our services. The Panel concluded that more needs to be done in this area and have detailed their concerns and suggestions for improvement as follows.

2.5.2 Firstly, high on the agenda of all the Equality Forums the Panel spoke to was the use of alternative formats and the valuing of different communication methods to reach and engage service users and the wider public.

Evidence showed that Easy Read, plain English, and young people friendly versions have been produced for some key documents, like for example the Annual Review of the Equality Plan. This was welcomed but the Panel did feel that currently this does not go far enough. Considering the use of alternative formats should be mainstream to Council services. Awareness raising/training and information on this aspect needs to be provided so staff clearly understand and are committed to this aspect of the Equality Duty.

The Panel heard that the Council has its own Welsh translation service and has membership of the Wales Interpretation and Translation Services (WITS); a partnership used for all other translation required.

Councillors were of the view that projects at the outset need to investigate who their audience is, then decide upon what the best methods to communicate with them is; ensuring that those most affected are provided with methods of communication that they can engage with. Making 'a reasonable adjustment' must be considered.

- 2.5.3 Secondly, the Council's website design, content and accessibility came out strongly in the consultation exercise as an area for improvement, with people finding it hard to access, difficult to navigate, out of date and having complex content. It was felt that little regard has been given to disabled people in the design and the accessibility aspects and that the website as a whole lacked understanding from the user's perspective.

From the evidence gathered the Panel concluded that the:

- the website needs to be reviewed and key aspects redesigned co-productively
- seeing it from the user's perspective is key, not only to make sure we are getting across what we need to tell people but we must also look at what people actually access our website for
- content needs to be available in a wider range of alternative formats, word versions of PDFs and text only for tables available
- navigation across the site needs to be reviewed so information is not hidden away through many links
- there is a need to explore creating "hover over" images to illustrate key terms and more difficult concepts similar to easy read
- need to look for good practice examples of websites from other councils and organisations
- need to provide simple guidance, advice and training for content providers.

- 2.5.4 Understanding challenges to accessibility allows us to plan for a more inclusive environment. The Panel felt it was essential to involve disabled adults and young people in the development and improvement of the Council's physical environment. We must address issues and barriers that individuals with mobility and sensory impairments face. Evidence also indicates that eliminating physical barriers to access benefits everyone.

The Panel heard about the idea of Community Hubs and how they can benefit accessibility locally. Cardiff's Hub was cited as a good example. Swansea is currently piloting one such Hub in Clydach. It is currently testing the technology and communications processes, if this is successful there are five other sites that have been identified for consideration.

A Parent Carer attending a Panel meeting said 'we would like to see planning permission for buildings to have at least the bare minimum of accessibility and especially public buildings like schools. Thinking much bigger and building accessibility into policies. Need to work with people to develop this'.

Another example she gave was about the ability to access large events by disabled people. *'At the Airshow last year, we welcomed the efforts put in place to have an area for disabled people, but we were ultimately disappointed and could not attend because the Council was not joined up in ensuring people were able to access it via car or public transport.'*

Nearly every group the Panel spoke to highlighted the need for appropriate and accessible toilet provision. The Panel welcomed the development of a toilet strategy for Swansea and its associated consultation exercise using elements of co-production.

2.5.5 When the Panel met with equality forums, they asked them about the accessibility of Council services including about digital inclusion. Some of what was said included:

- Not everyone has access to a computer so still need to communicate in different ways
- Can be difficult getting a response to emails, sometimes no acknowledgement or no response at all
- Carers Strategy not in place so no clarity and consistency around care packages and carers assessments. Swansea committed to producing a strategy that was to commence in 2017 but not yet in place
- Young Carers assessments are not taking place regularly and when they are, the young person is not always told about it
- Lack of Easy Read and plain English documents. More valuing of alternative formats. Need to think about how you are going to communicate with your audience at the outset of a project
- More opportunities made available to ALN 16 year+
- Better understanding and use of 'a reasonable adjustment'
- Need more consideration for the visually impaired in relation to trip hazards on pavements for people who are visually impaired, including street furniture and rubbish and recycling bins thrown across pavements
- The Councils website is inaccessible and hard to navigate. Some websites have widgets that help people with impairments access them. What is on offer on the website is often not what people need; need to look at content from perspective of user
- Idea of community hubs good for improving accessibility of some services.
- Attitude of frontline staff can make things difficult, lack of understanding and empathy of equality issues
- Staff need better understanding of equality related issues including cultural sensitivities. It is about education and engagement with ethnic communities, getting a balanced view and not stereotypes
- Experiencing negative attitudes much more since Brexit, we all need to get ahead of this
- Job application process needs looking at to encourage more diverse applications
- Council staff, teachers and Councillors have training/awareness raised on how to challenge racist or hate behaviour and attitudes effectively.

In their own words some people said:

'I experienced homophobic abuse recently in Brynmill Park which has put me off using it. Could we have signs in public parks about them being inclusive and not tolerating bad behaviour including abuse and hate crime.' LGBT Forum

'Staff need better understand of equality related issues including cultural sensitivities. It is about education and engagement with ethnic communities, getting a balanced view and not stereotype.' BAME Forum

'Support for young people with ALN good until they reach adulthood and then there is very little support via colleges or other services. Pupils learn at school to have high aspirations when they leave school and there is nothing for them.' Joining the Dots Team

- 2.5.6 The Panel looked briefly at the ease of engaging with the Council's democratic structures including the information that is available about the role of councillors, for example, use of alternative formats. They agreed that like with many other services we need to improve our visibility and accessibility.

Some people the Panel spoke to did say that accessing the Guildhall could be difficult with large number of steps, coming in the side entrance if you are in a wheelchair and the lack of public allocated disabled parking. This acts as a barrier to taking part in public meetings. Furthermore, the language used and formal procedure is often off-putting and hard to follow.

As Councillors, the Panel were dismayed at the lack of knowledge and understanding of our role amongst many people we spoke to and feel that we should all work harder to encourage more residents to engage with us, particularly those from more marginalised communities. The young people we spoke to indicate the desire to attend dedicated surgeries to talk to councillors on a more regular basis.

- 2.5.7 When the Panel spoke to the different Equality Forums/Groups they asked them *if they had ever engaged with the Councils democratic structures*. They said they felt that:

- Councillors could have a signification role in communicating information out into the community
- Could provide better information about Council meetings explaining how to engage and rules
- Would like more information available about how to engage with new projects and the consultation process
- Need better understanding and visibility of what the Councillor Champion's role involves. We would like an active champion that engages with our group
- Would like better links with decision makers
- Need to use more commonly used language that can be accessed by all your audience, need to be more down to earth and understandable
- Can be difficult to access some meetings in the Guildhall, accessibility is not ideal
- Find attitudes to disabled people can be negative at times and no one seems to challenge that in meetings.

2.5.8 When the Panel spoke to the different equality groups they asked them if *they had any suggestions about what would lead to a more inclusive environment*. They said:

- One point of contact with someone within the council who has understanding of the issues faced (Veterans Club)
- Raise awareness and improved training (all Equality Groups)
- More Community Hubs, Cardiff cited as good example along with the new pilot here in Clydach (Veterans Club, BAME Forum and Network 50+)
- Better signposting if unable to provide service, assist or have concerns (Veterans Club, BAME, LGBT)
- Include wider community in co-production activities (Carers, Network 50+, DLG)
- Need to improve staff attitudes, awareness and understanding of all equalities aspects (All Equality Groups)
- More use of alternative document formats (DLG, Carers, Join the Dots Team, BAME)
- More people able to use sign language, good access to loop system (Network 50+)
- School to be more consistently physically accessible and for attitudes of some schools to be more inclusive for children with a disability or ALN (Join the Dots Team, Carers, Big Conversation)
- Making large events in Swansea accessible to all (Joining the Dots Team, DLG).
- More co-production and better consultation mechanisms; look at services from the perspective of the user (All Equality Groups)
- Value equality groups, include and consult with them more, Council need to tap into their knowledge more. (All Equality Groups)
- Better more accessible website (All Equality Groups)
- Implement Human Rights based practice in all council work and review and monitor against these standards (DLG, LGBT)
- Transparency, sharing budgets and interdepartmental working (Carers)
- Training on unconscious bias particularly in interviewing and in first impressions (BAME, LGBT)
- Councillors because they have 'on the ground' knowledge have stronger role in communicating information out into their communities especially to those people who are harder to reach.

Some of these are reflected in the words of consultees:

'Swansea Council does go a long way in promoting diversity and this is recognised but it is also about doing with groups and not to them.' Parent/carer

'Swansea has an amazing wealth of cognitive resources including stakeholder reference groups. These are wisdom pots and should be used more.' LGBT Forum

Recommendations

- Support the continued development of community hubs across the Council area. Ensure that all staff involved have full equalities training

- Address the significant issues with the Council website as identified in this report, key aspects should be developed co-productively. Consider use of more 'hover over' facilities for key words where pictures are shown. Be mindful of problems with PDFs/tables for screen readers
- Develop more Easy Read and plain English resources
- Councillors should increase their visibility amongst equality groups. Consider holding surgeries or discussion aimed at young people, women, BAME, LGBT and disabled residents.

2.6 Improving how we work with and learn from others

2.6.1 The Welsh Government recognises the role of Councils and other large public organisations in eliminating unlawful discrimination, harassment and victimisation, as well as advancing equality of opportunity and fostering good relations between those people who share protected characteristics and those who do not. The Panel understand that the Council must pay due regard to these duties but they would like to see it also leading by example.

2.6.2 The issue of 'doing *with* groups/individuals and not *to* them' was raised a number of times throughout this piece of work by Equality Forums/Groups. Co-production and the ethos behind it was seen as important moving forward in identifying and helping to address this. We need to learn more from service users and the community so we can provide the best and most suitable services.

2.6.3 We must be smarter at working with others to help us meet our responsibilities and to do this well. This could include the third sector, Equality Forums and other public bodies. The proposed Strategic Equality Group could look into possibilities for sharing some training and consultation activities, this could include possible savings to the council through shared procurement and/or economies of scale.

Can we share, for example, training with other large organisation like for example the police, health, DVLA? There will be a number of areas of common ground particularly relating to the duties of large public bodies in Wales. This could also extend to some of our consultation activities. This could help provide more effective and economical training in a wider learning environment.

2.6.4 Learning from and with others is vital to the health of any organisation. It is important that we do this in relation to our equalities duty. We need to continue to investigate good practice elsewhere and this should not be restricted to just other councils. The Panel suggests that some areas that could be looked at in the near future could include recruitment and job application practice, the Council website and training.

2.7 Continuing to improve how we consult and engage

2.7.1 The Panel recognises that the Council carry out a wide range of consultation exercises as part of its day-to-day activities as well as those that are completed for large projects, policy changes and key council decision.

2.7.2 The Panel discussed consultation and the tools used and whether they are the most appropriate for our users. It was recognised that services use many different means to engage and consult with users and with the wider public, including for example surveys, events, and the face to face work the is done by Social Services.

The Panel did emphasise the need to reach out more into communities to get the views of those who do not normally engage with such activities. Also that our consultations must be more accessible to all. The Panel also heard that the current consultation strategy is old and needs reviewing and updating.

2.7.3 The Panel looked at some of the work the Council is doing around co-production. Co-production is the relationship where professionals and citizens share power to design, plan, assess and deliver support together. It recognises that everyone has a vital contribution to make in order to improve quality of life for people and communities.

The Panel explored the co-production activities that are taking place within the Council and with our partners, they heard that:

- That Social Services has been the department working most using co-production activities, but as a Council we are in the very early stages but have the ambition to do much more...councillors heard *'it is a work in progress'*
- There is a Co-production Development Officer based in the third sector with SCVS who promotes awareness, knowledge and support to the Council, health, West Glamorgan and the third sector
- The Co-production Network for Swansea launched in 2018
- The procurement process is being opened up to co-productive practices
- A number of areas of service improvement are being co-produced with citizens including, for example, Direct Payments Process and elements of the new Adult Services Framework
- The Council is in the process of developing a corporate co-production strategy expanding on the work done so far by Social Service. The Panel felt that the development of toolkit for staff to use would also be beneficial.

'Co-production needs to be done in a consistent manner, have terms of reference and be at times of the day people can actually make, which may be outside of normal office hours.' Carers Meeting

The Panel was interested in what we have learnt so far from our co-production experience, hearing that:

1. Genuine co-production is extremely time and resource intensive
2. Needs a certain amount of skill in building trust between those involved
3. Important to manage expectations
4. Difficult to find and include the really excluded people, must reach out more.

The Panel agreed with the Director of Social Services when he said *'when co-production is done well it will mean real decisions being made collectively. It should make the finished product better and more likely to provide the services people want.'*

The Panel supports the development of the co-production strategy.

2.7.4 The Panel recognised that by consulting effectively we could improve both our service provision, the making of policy and its implementation. It is therefore essential that we get it right. The Panel believe that our consultation activities need to:

- a) be clear and concise, using plain English and avoiding acronyms
- b) have a clear purpose that do not ask questions when a final view/decision has already been made
- c) be proportional to the potential impacts of the proposal
- d) given an appropriate amount of time
- e) consider the full range of people, business and voluntary bodies affected and target appropriately
- f) take account of the groups being consulted and consult in a way that best suits them where possible
- g) feedback to contributors

2.7.5 Equality Forums/Groups felt that earlier involvement and engagement in the development of projects, policy or service changes would be beneficial for both the Council and the service user, by influencing how they develop rather than the Council having to spend money going back and changing things later. The Panel recognised co-production is key to improving how we do this.

2.7.6 Through the Inquiry evidence gathering, the Panel heard about the need to feedback to contributors after a consultation exercise has taken place, whether this is through social media, press or individually via email. Some people also felt that certain consultations have been 'a tick box exercise', consulting on change but not really taking on board concerns and making original decision anyway. They could not understand why, in that case, we would consult rather than just inform people it is going to happen. It was felt strongly that consultation should have the true ability to influence change.

Recommendations

- Build upon the development of a Co-production Strategy with inclusion of a Toolkit for use by staff across the authority.

2.8 Protecting future generations

2.8.1 All the Inquiry conclusions and recommendations relate to the Wellbeing and Future Generations Act goal 'a more equal wales' *A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).*

The Panel did recognise the importance of protecting future generations in its work looking at equalities in Swansea. The Panel believes by building good equalities practice into Council plans, policies and service provision will not only improve equalities in the shorter term but will lay the ground for the long term goal of 'a more equal wales'. It was believed that the Council can meet its equalities duty well and influence the longer term goal of 'a more equal

Wales' by:

- Effective and rolling programme of equalities training. Regularly reviewing this to ensure current and reflective of the Council's needs
- The Council being more representative of the community it serves including both staff and councillors
- Strong leadership from the top
- Working more with communities co-productively
- Better links with and between community groups, forums and officers/councillors in equalities
- Better communication of key messages to staff and the public
- More accessible and inclusive services
- Aim to create a more inclusive education system in Swansea where disabled children and those with Additional Learning Needs can access education in their local school
- Working more with our partners to address particular challenges and/or where responsibilities are wider than the Council. For example, in reducing isolation and increasing accessibility through the development of better accessible transport links.

The Panel heard that a well-being measurement framework would be used by Public Services Board to analyse how we are meeting the Wellbeing and Future Generation Act goals.

3 RECOMMENDATIONS

It is recommended to Cabinet that it should:

Quick wins

- 3.1 Implement a high-level cross council Strategic Equality Group.
- 3.2 Develop a new Equality Plan co-productively. Ensure it is more streamlined and outcome and impact focused. The Council take up the offer from the EHRC Wales to work with us on our Plan.
- 3.3 Promote "SMART" working with our Equality Forums, ensuring they all have clear terms of reference, work plans and schedules. Ensure better engagement with Council departments and Councillor Champions. Facilitate the establishment of Women's and Inter-Faith Consultative Forums.
- 3.4 Clarify and further promote the role of Councillor Champions, ensuring better engagement with consultative forums and establish links with the Strategic Equality Group.
- 3.5 Clarify expectations of those acting in the Equality Staff Representative role. We would expect those nominated to be able to take part in co-ordinating meetings and training and that they are linked to a wider knowledge base/support network for advice, guidance and support.

- 3.6 Complete the Carers Strategy as a matter of urgency.
- 3.7 Complete the review of Recruitment and Selection Policy as a matter of urgency. This should include looking at better promotion of staff vacancies and apprenticeships to different groups, consider advertising these more carefully to promote representation of BAME, disabled people, LGBT, veterans and women in male dominated roles (and vice-versa).
- 3.8 Lead positive campaigns celebrating Swansea's diversity and zero tolerance for discrimination. Use the Swansea 50th Year as a City Anniversary to launch what will be an ongoing process.

Medium Term Actions

- 3.9 Review training opportunities to ensure they are fit for purpose. Including:
 - a) Ensure better uptake of equality related training amongst staff, especially front facing staff.
 - b) Ensure middle managers have completed training and encouraging staff to do so.
 - c) Developing training with equality groups where possible.
 - d) Ensure the opportunities to do these are repeated regularly particularly around unconscious bias, using alternative formats and making a reasonable adjustment.
 - e) Smarter Working with others to meet our duty well by investigating the sharing of some training and consultation activities with other large organisations and/or procure jointly to improve economies of scales.
- 3.10 Support the continued development of community hubs across the Council area ensure that all staff involved have full equalities training.
- 3.11 Address the significant issues with the Council website as identified in this report, key aspects should be developed co-productively. Consider use of more 'hover over' facilities for key words where pictures are shown. Be mindful of problems with PDFs/tables for screen readers.
- 3.12 Develop more Easy Read and plain English resources.
- 3.13 Build upon the development of a Co-production Strategy with inclusion of a Toolkit for use by staff across the authority.
- 3.14 Collect better data on our workforce and develop better resources to encourage staff to give their personal data, for example, based upon a toolkit by Stonewall '*what it has got to do with you*'. Report on 'pay gaps such as disability and BAME, as well as gender in the future.
- 3.15 Develop an internal communications rolling programme, led by the Strategic Equality Group, to promote training, challenge negative views or attitudes and provide positive messages to staff.

Longer Term Goals

- 3.16 Continue steps towards Swansea becoming a Human Rights City; explore how we could embed the UN Convention on the Rights of Persons with Disabilities and the UN Convention on the Elimination of Discrimination Against Women in the same way as with the UN Convention of the Rights of the Child. Ensure these Conventions are reflected in the Councils new Equalities Plan in 2020.
- 3.17 Develop further opportunities for disabled adults, including looking at expanding our social enterprise base.
- 3.18 Work with teachers and learners to tackle issues around gender stereotyping in schools particularly relating to sporting activities.

Recommendation for all Councillors

- 3.19 Councillors should increase their visibility amongst equality groups. Consider holding surgeries or discussions aimed at young people, women, BAME, LGBT and disabled residents.

4 ACKNOWLEDGEMENTS

The Panel would like to record its thanks to the following people who came and gave evidence to us:

- 50+ Network
- BME Forum
- Young People through Big Conversation
- LGBT Forum
- Joining the Dots Team
- Disability Liaison Forum
- Swansea Veterans Club
- Carers who attended the focus group
- Head in Wales, Equality and Human Rights Commission
- Cabinet Member for Better Communities (People)
- Cabinet Member for Business Transformation and Performance
- Chief Legal Officer
- Chief Digital and Transformation Officer
- Staff Equality Representatives
- Consultation Co-ordinator
- Strategic Delivery and Performance Manager
- Council Directors, Strategic OD and HR Manager
- All those people who contributed to the Inquiry through our public Call for Evidence.

5 ABOUT THE INQUIRY PANEL

The **Equalities Scrutiny Inquiry Panel** is a team of Councillors who are not members of the Cabinet. Their role is to examine a strategic issue of concern and to make recommendations about how policies and services can be improved.

Membership of the Panel

Louise Gibbard (Convener)
Lyndon Jones
Sam Pritchard
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Terry Hennegan
Susan Jones
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