

OLDHAM MBC

The Equality Standard for Local Government Toolkit

August 2003

Introduction

Welcome to Oldham Metropolitan Borough Council's 'Equality Standard for Local Government (ESLG)' toolkit. The toolkit has been devised to ensure step by step practical guidance and a resource reference for staff involved in the Equality Standard process.

The ESLG provides the opportunity and performance management framework for Oldham MBC to deliver positive changes in a comprehensive and consistent manner. A cultural shift from a 'specialist' & departmental approach to mainstreaming equality will be key to successfully implementing the ESLG across the Council.

The Level reached of the ESLG is now a Best Value Performance Indicator and is also a key aspect of the Improvement Plan for Oldham Council. Achievement of the levels of the ESLG will also go some way to meeting our requirements under the Race Relations (Amendment) Act 2000. The Council has committed to achieving the following levels by the following dates

Level 1	March 2004
Level 2	March 2005
Level 3	March 2006
Level 4	March 2007
Level 5	March 2008

This Toolkit relates specifically to level 1 of the Standard and a review will be undertaken by the Diversity and Cohesion Unit on an annual basis to reflect the new target level.

2. The Equality Standard for Local Government

2.1 Background

The ESLG has been developed under the joint guidance of the Employers Organisation for Local Government, the Commission for Racial Equality and the Equal Opportunities Commission, with contributions from the Disability Rights Commission and the Audit Commission.

It builds on the experience of the Commission for Racial Equality, which developed a Race Equality Standard for Local Government in 1995 and embraces the principle that 'quality means equality'.

The Standard provides a framework through which local government can address its legal obligations under anti-discrimination law (Sex Discrimination Act 1975, Race Relations Act 1976, Disability Discrimination Act 1995) which prohibits discrimination in the delivery of services and employment. In addition, it helps local authorities conform to the Race Relations Amendment Act 2000 which places a specific duty on all local authorities to promote racial equality and develop a comprehensive and systematic equalities practice as an integral part of the governments strategy for modernising local government.

The need for an active approach towards anti-discrimination is underlined by the findings of the Macpherson Report on the *Stephen Lawrence* enquiry, which highlighted the way that institutional discrimination can affect the way organizations operate and the way services are provided. The report provides the following definition of institutional racism:

“ The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture and ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people” (Macpherson Report, 1999, para. 6.34)

The Standard is a means to combat the processes described in the Stephen Lawrence Enquiry Report that are part of the culture of administration and governance in Britain, which extends across other forms of discrimination, notably gender and disability.

2.2 Benefits

The ESLG provides a framework for integrating all the equality related initiatives that the Council is undertaking to provide a systematic way of developing an anti-discriminatory approach to service delivery and employment. The approach will ensure that equalities are effectively mainstreamed across all departments and services.

Specifically the ESLG will:

- **Provide a systematic framework for the mainstreaming of equalities**
- **Help the Council meet its obligations under the law**
- **Integrate equalities policies and objectives with Best Value**
- **Encourage the development of anti-discrimination practice appropriate to local circumstances.**
- **Provide a basis for tackling forms of institutionalised discrimination.**
- **Provide a framework for improving performance, over time.**

In addition to the above the ESLG will help the Council achieve its commitments in the improvement plan.

2.3 The Standard

To ensure all aspects of Local Government work are covered, the ESLG has retained the principle of progress through a series of levels which was established in the CRE Standard for Local Government *Racial Equality Means Quality* (CRE 1995). The Standard is arranged as a series of stages, presented as levels 1-5.

Level 1 Obtaining commitment, establishing consultation frameworks, establishing policies and procedures

Level 2 Action planning, setting targets, implementing consultation frameworks

Level 3 Establishing and implementing monitoring and information systems

Level 4 Evaluating targets and measuring progress

Level 5 Clear outcomes demonstrating good equality practice

In each level there are four specific areas of activity and achievement.

- **Leadership and Corporate Commitment**
- **Consultation and Community Development and Scrutiny**
- **Service Delivery and Customer Care**
- **Employment and Training**

2.4 Self-assessment

An important feature of the Standard is the principle of self-assessment. Through action planning, monitoring and reflection on outcomes, the Standard embodies a process of self-assessment, which will provide a continuous loop back into the policy process. It is important that all stages of the self-assessment process are documented in order to maintain a continuing record of progress and the rationale for change in policy objectives. The records from the self-assessment process will form part of the external scrutiny process through audit, best value and through the local community.

2.5 The audit process

The audit process will provide the key point of assessment for progress through the levels of the Standard. The Council is required to produce documentation for all service areas to demonstrate their achievement against levels of the Standard.

Achievement of a level within the Standard will be based on an assessment of the whole authority. The essence of this is that the Council will only be able to claim the lowest level achieved within it.

Auditing will be a key instrument in setting specific national targets for equality to be included within local authority action plans. These targets will be established as Performance Indicators through the Audit Commission and will be evaluated as part of the annual audit.

3. The Process

At the beginning of each financial year Departmental Equality Champions will be provided with a 'Oldham MBC Equality Standard Toolkit' in a ring binder format. The purpose of this is to ensure that departments collate evidence and implement the Standard consistently.

- Departments will be individually named on the cover of each ring binder.
- Guidance on required documented evidence reflecting the yearly 'Level' and 'Area' questions will be included in the ring binder.
- The folder will be divided into four sections reflecting the ESLG areas.
- Questions reflecting the ESLG Areas & Level will be individually placed in each of the four dividing sections.
- Each section will have labelled transparent pockets reflecting the questions. Departments will be expected to put documented evidence into the pockets.
- Names and Contact numbers of Departmental representatives and the Equalities and Diversity Unit will be included at the back of the folder. In the first year each Department will be given copies of the ESLG and also the guidance that accompanies it.

Any further national publications related to the Standard will be forwarded to both the Equality Champions and the ESLG Validation Group.

Departmental Equality Champions will be responsible for collating the evidence and information in the folder. Completed folders, once endorsed by the Departmental DMT or SMT, will be forwarded to the 'Validation Group' for consideration and assessment. Once validated by the Validation Group, a report will be prepared for presentation to Scrutiny and finally Cabinet

There may be occasions when some departments, after self assessment, have completed a 'Level' before the annual deadline. In such occasions, departments will be encouraged to start work on the next 'Level'. However the information will not be validated and reported to the Audit Commission during the allocated year.

4. Guidance

The Equality Standard for Local Government is a sequential auditing and development tool with each rising 'Level' requiring greater levels of

skills, time scales, resources and planning. Each subsequent level will be harder to achieve and success will be dependent on the effectiveness of the previous years performance. It is therefore essential that departments forward plan in terms of staffing, time and resources for future years which will require increased levels of work.

4.1 Evidence

Evidence is a key element to the successful implementation of the Standard. Evidence of equality policies, procedures and work is available from both corporate & departmental sources. Adopting corporate policies/procedures/action plans/strategies instead of developing departmental ones may be sufficient evidence. However, departments which adopt any corporate policies/procedures/action plans/strategies will need to demonstrate endorsement by their Departmental Management Team and explain how the policy is being implemented.

A fuller explanation and examples of evidence required for each area is given in the Departmental Equality Standard Toolkit.

4.2 Cross Referencing

Due to the duplicative nature of the ESLG 'Area' questions, it will be acceptable for departments to make reference to evidence in another area/s without repeating the information and duplicating documented evidence. This will need to be clearly noted.

4.3 Departmental Remit

Certain departments due to their limited or internalised (non-customer) remits may not be able to provide evidence for some Standard areas. However, it is vital that departments indicate this by giving an explanation or reasons in their completed portfolio of evidence.

5. Departmental Equality Champions and the Self-Assessment Process

The self-assessment process requires a strong corporate commitment and it is important that Departmental Equality Champions play a central role. This will be to manage the self-assessment and audit process and ensure that there is accountability and effective consultation.

The Departmental Equality Champions will therefore:

- Agree the framework for self-assessment audit within the authority
- Oversee the self-assessment and audit process
- Be responsible for reporting on the progress of self-assessment and audit
- Report on the outcome of self assessment and audit

5.1 Principles of self-assessment

It is important that all departments/service areas familiarise themselves with the principles (and practice) of self-assessment as part of the equality commitment made at Level One. Self-assessment should be integrated with other consultative processes

There are a number of approaches that can be taken to self-assessment and it is important to ensure that the framework, the collection methods, the process for collection and the methods of analysis are planned in order to achieve an assessment, which is reliable and can be trusted. The basic principles for self-assessment used here are adapted from the CRE's document Auditing for Equality (edited and compiled by Stella Dadzie, 1999).

A self-assessment will be successful if it is:

- **Representative:** Representativeness in the assessment process will help to ensure that the views of all stakeholders are taken into account. Staff from all levels or tiers within the authority and/or department, including part-time, shift and seasonal workers, should be encouraged to participate. This ensures an overview of the authority's strengths, weaknesses and achievements from a range of organisational perspectives. It also encourages a view of the self-assessment as something done by staff rather than to them.
- **Participative:** Participation by staff should be encouraged through structures, which allow them to engage freely in the assessment process. Established power relations such as line management can undermine effective participation and the assessment methodology should establish structures to overcome these barriers. Those conducting the self-assessment should be aware of the needs of staff who, because of language or impairment, may require particular support or equipment in order to take part.
- **Consultative:** A consultative approach encourages awareness of the issues and ownership of the results. This is essential if staff are to support the [assessment's] findings and implement the resulting Action Plans. The use of questionnaires will need to be supported by departmental briefings and other consultative forums, particularly within large authorities. Where possible, existing user groups, staff groups, trade unions and employer networks should be consulted.

- **Consistent:** Consistency is best achieved by ensuring that those responsible for conducting the self-assessment are well trained, fully briefed and properly prepared for the role. As well as enhancing the self-confidence and credibility of individual assessors, this ensures a shared understanding of the task and a common approach to the collection, collation and verification of information.
- **Transparent:** Transparency encourages openness and a willingness to participate. If staff is unclear about the motives for the self-assessment or lack confidence in the process, they may not wish to co-operate. Clear messages should be given about the Standard, the purpose of the [assessment], issues such as confidentiality and accountability, and how the response will be used.
- **Objective:** The results of the self-assessment will lack credibility if they are not seen to be objective. To this end, the accuracy of the information gathered will need to be verified and evidence produced to support the findings...
- **Integrated:** The self-assessment and its outcomes should be integrated into the authority's existing quality assurance cycle and not seen as a separate or 'bolt-on' exercise. It should support the wider programme of staff development and training to develop skills and knowledge, and complement activities that promote a learning culture. ...
- **Productive:** The self-assessment process should bring about change and achievements should be publicized in order to encourage the involvement of staff and the local community

In addition to the principles set out above, the assessment should be built upon sound auditing principles that encourage a systematic approach to the identification of evidence and a rigorous approach to verification and evaluation. The assessment framework should include details of the way in which the authority will manage the process.

5.2 Skills & Experience required to achieve the Equality Standard

The ESLG is a comprehensive performance management framework. It covers the following wide range of functions that require an array of skills and experiences:

- ◆ Auditing
- ◆ Data collation and analysis
- ◆ Policy Development

- ◆ Staff/Employee development
- ◆ Monitoring
- ◆ Consultation
- ◆ Publicity
- ◆ Action & Resource Planning
- ◆ Review & evaluation

During each rising 'Level' the above areas of work will increase. In Level one for example the focus will be placed upon Auditing, Consultation and perhaps Action Planning. At 'Level Five' all functions and areas of work will come into operation. Year on year, Departmental Equality Champions and departmental representatives allocated with responsibilities may need to progressively update their skills. As a minimum, staff involved in the process are expected to have a basic understanding of:

- ◆ Equality issues (in particular race equality)
- ◆ Performance Management
- ◆ Policy Development

Not having an understanding of the above areas should not exclude staff. Departmental Equality Champions are encouraged to identify staff in the context of career development, to participate in the process. Training for nominated staff if appropriate will be identified and delivered.

Departments should use this exercise to develop and nurture minority ethnic, women and disabled staff to obtain new skills and experiences.

6. Links Between the ESLG and Diversity Excellence

There are clear links between the ESLG and the Diversity Excellence model which the Council is in the process of implementing. It is envisaged that from April 2004 the Diversity Excellence Model will be the tool that the Council uses to implement the ESLG.

Whilst the Council is implementing the Diversity Excellence Model, work still needs to be undertaken on achieving Level 1 of the ESLG which needs to be achieved by 31 March 2004 (as outlined in the Improvement Plan).

The implementation of both processes will run concurrently with Departmental Equality Champions also overseeing the implementation of the Diversity Excellence Model. In this way it is hoped that both models can be successfully implemented with the minimum duplication of work.

In doing this it is also likely that there will be more concrete linkages between the two models which will lead to a robust system of equalities benchmarking throughout the organisation.

7. Partnering

One of the key elements of the Equality Standard for Local Government is to provide a mainstreaming framework for councils to consistently promote equality and diversity throughout the organisation. Historically the approach to equality has been left to the equalities officer and as such has led to a fragmented approach across departments.

As a result a 'Partnering' Scheme is proposed, giving an opportunity for departments to work in partnership and share best practice with each other. This will:

- Allow greater cross cutting work, ensuring equality transcends departmental boundaries.
- Enable departments to seek solutions from a different perspective
- Create a 'critical friend' to bounce ideas off.
- Encourage Peer support
- Enable staff to obtain new knowledge and skills outside their departmental 'box'.
- Provide practical expression to Oldham's corporate Core Values.

Partnered departments will be expected to mutually convene meetings, establish terms of reference and if appropriate set up systems to share information.

The Partnered departments are: **(to be decided)**

- Education and Social Services
- Environmental Services, Chief Executive's and Regeneration

Guidance on Partnering

The listed advice below is designed to be a general guide, flexible and non-prescriptive. Departments will need to ascertain within the suggested framework the most effective method of partnering which is best suited to their needs and work demands. As guidance the following framework for partnering work is suggested:

Amount & timing of meetings

Meetings between partnered representatives to take place just before and after the Departmental Equality Champions Meetings. This will equate to a maximum of 8 meetings a year. However, it is up to departmental representatives to decide how many meetings would be sufficient.

Gathering & Sharing Evidence

This should not be a 'one way' process, where one department undertakes most of the evidence gathering work, whilst another benefits from the experience. It is suggested time scaled milestones be mutually agreed in terms of when tasks would need to be completed. To make the process manageable and efficient it is proposed that partnered departmental representatives agree to focus on different tasks at a time. At follow up meetings, representatives will be able to provide invaluable advice to partnered colleagues about how they achieved their allocated task/s and vice versa. This will enable departments to learn from each other as well as making the whole process quicker.

On Completion

Before departmental portfolios of evidence are endorsed and forwarded to the Validation Group their partnered department should informally assess the evidence and give constructive feedback.

Ongoing Advice & Guidance from the Equalities and Cohesion Unit

Each department will be allocated a member of staff from the Equalities and Diversity Unit, who will provide ongoing advice & guidance. This will complement the information provided through the Departmental Equality Champions with departments benefiting from one to one meetings focussing on their particular needs.

Review of the Departmental Equality Champions Role

The role, work and structure of the Departmental Equality Champions will be reviewed on an annual basis. Reviews will be undertaken by the Equalities and Cohesion Unit in conjunction with the Departmental Equality Champions at the beginning of each financial year.

Appendix 1 Equality Standard for Local Government Validation Group – Terms of Reference

Role & Purpose of Group

The Equality Standard Validation Group will be responsible for assessing the portfolio of evidence forwarded by Departments in January each year. The inclusion of the Validation group in the process is to ensure objectivity and the engagement of key stakeholders.

Membership

The Validation Group will comprise of up to 15 individuals from various backgrounds, reflecting where possible the four audit areas. They are:

- 2 officers from the Equalities and Cohesion Unit
- 3 community representatives from organisations dealing in issues relating to equality and diversity
- 2 officers from neighbouring Local Authorities
- 1 minority ethnic staff member
- 1 member of staff with a disability
- 1 member of staff from the LGBT Community
- 1 representative from District Audit,
- 1 representative from The Commission for Racial Equality

Training will be provided to all members of the Validation Group to enable them to effectively and consistently validate completed departmental portfolios of evidence. In order to make the process manageable and achieve group consensus, as well as save on paper, the Validation Group will be split into sub-groups and allocated with the individual departments to assess:

Members of each sub group will be allocated a completed departmental portfolio of evidence to validate. The sub-groups will be chaired and serviced by a member of staff from the Equalities and Cohesion Unit.

3. Principles

The work of the Validation Group through an agreed terms of reference will be given to all validators and is under pinned by the following principles:

Confidentiality

In some instances departments may forward confidential or sensitive information. Members will be asked to sign a declaration stating that any information received will only be considered in the context of validation and not to be raised outside.

Objectivity

Members of the Group will need to ensure that any preconceived notions of Oldham MBC or its departments does not influence the validation process.

Information Sharing

Members of the Group allocated a departmental Area to assess will need to share information about their findings and involve the rest of the group.

4. Responsibilities of Validation Group Members

The Validation Group will be responsible for:

Attendance

Members are expected to attend two full Group meetings annually and the required number of sub group meetings depending upon the amount of evidence and work forwarded by departments for validation.

Acknowledgement

The Chair of the Validation Group will be responsible for formally acknowledging receipt of departmental portfolio of evidence.

Assessment

Each member of the Validation Group will be allocated a completed departmental portfolio of evidence for assessment. They will be responsible for presenting their judgement to other members of their sub-group and to decide whether a department has achieved the

prescribed CRE Standard 'level' within 4 weeks of receiving evidence. Any finalised judgement or recommendations will need to receive approval from the whole sub-group.

5. Validation Process

Standard Validation Form - To ensure a consistent validation process, members of the Validation Group will be given a '**Standard Validation Form**' to complete. The form will reflect Standard 'Areas' & 'Level' questions with columns allocated to provide information on whether a Validator believes a department has provided sufficient evidence or not.

The last 'recommendations' column should not be completed by individual validators. Instead this column should be completed at the subsequent sub-group meeting where a group consensus on proposed recommendations can be made. (Proposed Recommendation Form provided to Validators to indicate their suggested recommendations (see below))

This process is to ensure objectivity, reflecting the views of the key stakeholders on the respective sub-group.

A **Proposed Recommendation Form** will be given for individual validators to indicate how they believe improvements can be made. This will form the basis of discussions at the sub-group where an agreed recommendation will be written onto the last column of the **Standard Validation Form**.

The completed and consensually agreed **Standard Validation Forms** with possible recommendations will be forwarded to all departments. The form will indicate to any department which fails to achieve the prescribed 'level' what further work is required.

Before making any final decision validators will be expected to contact their respective Departmental Equality Champions to clarify any information or documented evidence forwarded. Approximately up to 4 weeks will be allocated for the Validation process.

6. Certificate

Once the Validation Group has agreed a department has successfully achieved the prescribed CRE Standard 'level', a **certification of recognition** will be issued.

7. Review of Validation Group & Process

The performance, process, structure and membership of the Validation Group will be reviewed on an annual basis. This will be conducted jointly by the Council's Equal Opportunities Unit and members of the Validation Group.