

Consultation findings report February 2019

## 1. Overview

The Council is legally required to set at least one equality objective every four years to help focus attention on priority equality issues. For 2019 to 2023, the council proposed draft five equality objectives to help drive equality and inclusion across all areas of the council's work, as well as demonstrate compliance with the Public Sector Equality Duty.

The proposed equality objectives, set out below, have been developed by drawing on a strong evidence base, including: the Council's equality gap analysis, workforce equality data and Birmingham's Community Cohesion Strategy which was shaped by views from across different community demographics.

During October to December 2019 the Council published a set of draft Equality Objectives and carried out a public consultation. An online survey was published on Council's BeHeard consultation website portal. Additionally, briefing sessions were held with staff networks and Trade Unions on the following draft objectives:

**Objective 1: Understand our diverse communities and embed that understanding in how we shape policy and practice across the Council.**

**Objective 2: Demonstrate inclusive leadership, partnership and a clear organisational commitment to being a leader in equality, diversity and inclusion in the City.**

**Objective 3: Involve and enable our diverse communities to play an active role in civic society and put the citizens' voice at the heart of decision-making.**

**Objective 4: Deliver responsive services and customer care that is accessible and inclusive to individual's needs and respects cultural differences.**

**Objective 5: Encourage and enable a skilled and diverse workforce to build a culture of equality and inclusion in everything we do.**

## 2. Responses to Consultation on the Equality Objectives 2019 – 2023

A total of 20 responses were received via the online survey, published on the council Beheard consultation portal. Of those, 19 were from individuals and one was from a voluntary sector organisation.

The comments made on the draft Equality Objectives are summarised in section 3 below and are provided verbatim along with an initial Council response in a table at the end of the document.

Briefings were held with trade unions and offered to the staff diversity networks, although only the LGBT staff network was able to take up this offer during the consultation period.

Elected members were also invited to comment as was the Cabinet Member for Social Inclusion, Community Safety and Equalities and Council's Corporate Leadership team.

### 3. Demographic of online consultation survey participation

The 19 respondents to the survey is a small response rate in the context of the overall population of the city so it is not appropriate to benchmark the demographic of this small group against the city. There was no representation from several demographic groups, most notably from young people.

The table below summarises the demographics of participants that responded to the online consultation.

**Table 1: Demographic summary of online participants**

<b>Age</b>		<b>Sexual orientation</b>		<b>Ethnicity</b>	
25 – 29	1	Heterosexual/ Straight	8	English/Welsh/Scottish/Northern Irish/British	9
30 – 34	1	Gay/Lesbian	2	Irish	1
40 – 44	1	Prefer not to say	4	Other Mixed/Multiple:	
45 – 49	2			Chinese	1
50 – 54	1	<b>Gender</b>		Kashmiri	1
60 – 64	2	Female	4	Indian Sikh	1
		Prefer not to say	1	Black African/Caribbean/Black British Other	2
<b>Disability</b>		<b>Religion/Belief</b>			
No	4	No Religion	2		
Yes (split as) :	4	Sikh	1		
<i>Mental Health</i>	2	Christian	4		
<i>Mobility</i>	1	Muslim	1		
<i>Vision/Hearing</i>	1	Prefer not to say	7		
Prefer not to say	5				

### 4. Summary of feedback

All respondents agreed with the five equality objectives and many respondents strongly agreed. A number of comments were made on the lack of diversity within the workforce and the need for greater accountability and interrogation of disciplinary and grievance data by protected characteristic and directorates, particularly for black, Asian and ethnic minority and LGBT employees. Suggestions to improve the diversity of the workforce included: Positive Action and monitoring of recruitment practice. It is clear from the online feedback and comments from trade unions that the equality impact assessment process is an important tool to help demonstrate equality considerations when producing policies and service re-designs.

Guide Dogs for the Blind commented that implementing the disability mainstreaming approach is a strategy through which concerns, needs and experiences of people with disabilities are made an integral part of the design, implementation, monitoring and evaluation of policies and programmes so that people with disabilities benefit equally, and inequality is not unintentionally perpetuated

Having a two-way flow of information and knowledge to citizens supports greater transparency of council decisions. Provide feedback after engaging with citizens, demonstrating the benefits and impacts of participatory democracy and making people feel that their voices have been truly listened to.

LGBT staff need to feel safe at work and feel confident that any homophobic and Transphobic comments are dealt with swiftly. The council needs to do more to improve self-disclosures of LGBT Staff and more data will help identify any pattern of discrimination.

The Commonwealth Games to promote a legacy that enhances accessibility across the West Midlands. All those involved in the planning of the Games to mainstream accessibility.

The full detail of comments are presented in a table at the end of this document with some initial response from the Council internal Equalities steering group.

## **5. Summary of Consultation meeting with the Trade Unions**

Representatives from GMB and Unison attended a consultation meeting. All present at the meeting agreed with all five equality objectives. The discussions focussed on Objective 5, the meeting highlighted the following comments:

- The Council needs to consider the impact of service redesigns and restructures on employees, these exacerbate mental well-being of employees.
- The quality of Equality Impact Assessment (EIA) needs improvement, the lack of details and impact of proposals are not always completed. They need to be quality assured before they are presented to Trade Unions.
- The Council needs greater diversity of employees across the council, particularly at senior levels. The organisation should reflect the diversity of the City.
- TUs would like access to employee monitoring reports on grievances, disciplinarys, dismissals and career progression by protected characteristics. This evidence base would either substantiate or question the patterns of discrimination disproportionately experienced by the members from BME backgrounds and disabled staff.
- Homophobia, racism, and disability discrimination should not be tolerated in the council; the council should be seen to take action against homophobic attacks and racism.
- The council needs to take a consistent approach in investigating employee misconduct, and compliance with HR policies, such as sickness policy - within the context of equality. Investigations should be independent.

Trade Unions welcomed the opportunity to continue the dialogue with management and the equalities team to help implement the Equality Objectives.

Response to the Trade Union Comments from the Council Equality Steering Group:

- The Council undertakes Equality Impact Assessments (EIA) as part of the service redesign process and staff are supported through the Employee Assistance Programme during the process.
- There is a programme of work supporting staff across the Council to prepare for change through the Owning and Driving Performance programme and there is also a Council-wide staff health and wellbeing programme which supports staff going through service redesign.
- The Council has an ongoing piece of work to review the EIA approach for service redesign, it remains a requirement of the corporate process of the redesign process, this sits alongside a wider training programme for staff on the EIA process.
- In relation to diversity of the organisation. The Council has a Diversity and Inclusion action plan which includes a specific workstream on diversity across the organisation, supporting inclusion through apprenticeship, refreshing our learning and development offer and supporting our staff diversity networks.

- The Council routinely monitors diversity information in grievances, disciplinarys, staff entry and exit. We publish this annually as part of our statutory duty on equalities and we are reflecting on how to utilise this data in line with the Local Government Association best practice guidance.
- The Council has a clear position that does not tolerate discrimination and there are clear policies in place to protect staff and we are developing a public facing policy to address this in public/staff interactions.
- In relation to the comments about investigation of misconduct, it is Council policy that where there is suspected employee misconduct there is an independent investigation commissioned.

## **6. Summary of the Consultation meeting with the Staff Diversity Networks**

The Equality and Cohesion and Equalities Manager attended LGBT+ & Allies Staff Diversity Network launch event to discuss the equality objectives. Similar meetings were offered to the other staff diversity networks but did not take place.

The key points highlighted from LGBT staff network discussion were:

- LGBT staff need to feel safe at work and feel confident that any homophobia is dealt with swiftly.
- The council needs to do more to improve self-disclosures of LGBT Staff, to help identify any patterns of discrimination
- Need to recognise issues of intersectionality that impact across more than one protected characteristic.
- Equality impact assessment should identify adverse impacts of policies on LGBT people.
- The council should support the work of the LGBT+ & Allies network.

Response to the Staff Diversity Networks from the Council Equality Steering Group:

- The Council recognises the points raised and is working closely with the staff diversity networks to improve self-disclosure and ensure all staff are familiar with the zero tolerance policy for homophobia and discrimination in the workplace. In Spring 2020 all staff were required to complete mandatory equality and diversity training to support raising awareness of policies and also improve inclusion. The LGBT Executive Champion has also supported the LGBT+ Allies Network to develop its work plan and provide additional awareness training across the organisation.

## **7. Response to the consultation from the Guide Dogs for the Blind Association**

The Guide Dogs for the Blind Association welcomes the opportunity to respond to this consultation and would be pleased to meet with BCC to discuss how the Equality Objectives 2019-2023 offer an opportunity to ensure the council is working hard and to best meet the needs of the 29,000 plus people living with sight loss across the city.

Our vision is of a world in which blind and partially sighted people can enjoy the same rights, opportunities and responsibilities as everyone else. We campaign for equal access to goods and services, transport, the street and built environment, health and rehabilitation services.

This consultation response focuses on how BCC can ensure that the needs of those living with sight loss are met, embedding accessibility across the city and ensuring best practice for people

with visual impairments underpins all policy decisions. We unprecedented levels of redevelopment across Birmingham and the 2022 Commonwealth Games fast approaching, there are an abundance of opportunities to improve transport infrastructure and accessibility of buildings and the built environment for people living with sight loss; these must be made the most of. Further, the council can build upon the proposals outlined in its Equality Objectives 2019 – 2023 to recruit and support blind and partially sighted employees and to embed the principle of disability mainstreaming across all its departments.

Ultimately, Guide Dogs welcomes the proposed objectives but encourages the council to be more specific in terms of commitment to disability as a protected characteristic. Further, the council should be more ambitious, allowing Birmingham to lead the way on inclusivity, equality and accessibility over the next four years and beyond.

We particularly welcome the commitment to equality impact assessment in Objective 4. We are aware of councils that have not undertaken these with dreadful consequences. Whilst the Equality Act doesn't cover N Ireland (they have retained the Disability Discrimination Act), Lisburn council was the subject of a Judicial Review following its decision to reduce the kerb heights. The High Court in Belfast found that Lisburn City Council had unlawfully breached its Section 75 duty when it developed its Public Realm Scheme. The legal judgement recognised that technically speaking, an Equality Impact Assessment is not a legal obligation, but argues that it is the ideal way for a council to show that is its honouring its Public Sector Equality Duty.

#### Mainstreaming Disability

In addition to the objectives outlined in the proposal, BCC should commit to mainstreaming disability in all decisions they make, especially those which impact the built environment of the city.

Implementing the disability mainstreaming approach is a strategy through which concerns, needs and experiences of people with disabilities are made an integral part of the design, implementation, monitoring and evaluation of policies and programmes so that people with disabilities benefit equally, and inequality is not unintentionally perpetuated. Disability mainstreaming aims to put accessibility at the forefront of people's minds and therefore goes further than Objective 1 (outlined in the proposed objectives) as it embeds understanding in a more formal manner.

When mainstreaming, sight loss must be considered in all policy decisions as non-inclusive policy design can significantly impact inclusion in everyday life, access to learning, independence and mobility and ability to access employment and an independent income.

#### Design principles and formal accessibility guidelines

Birmingham is currently experiencing unprecedented levels of redevelopment. Too often environments are built in a way that can prove both inaccessible and, in some instances, unsafe, for people with visual impairments. Guide Dogs advocates the need for inclusive principles to underpin the design of both new and existing streetscapes and we advise that BCC devises a set of built environment guidelines and general design principles to ensure this. These should be developed in conjunction with the sight loss sector and people living with sight loss across the West Midland and shared with all those responsible for planning, design and construction across the region. The council could use the 2010 Guide Dogs publication, Inclusive Streets: Design principles for blind and partially sighted people as a starting point for this. Any contractors should be required to sign an agreement stating that they will adhere to the set of principles/guidelines before projects are given the go ahead.

By mainstreaming disability and adopting accessibility guidelines, the need for expensive retrofit in the future and the potential for making costly mistakes regarding inclusivity will be mitigated.

Both objectives suggested above will help to truly integrate equality into the day to day working of the council.

#### Internal and external resources

In order to demonstrate a commitment to equality, all resources produced by the council must be accessible and functional with assistive technology. This includes websites (as per the Public Sector Bodies (Websites and Mobile Applications) (No 2.) Accessibility Regulations 2018, correspondence and social media.

#### Disability confident accreditation

In addition to requiring contractors working on projects pertaining to the built environment to commit to accessible change design principles, the council should expect the organisation it works with to be committed to equality. This is explored more extensively in our discussion of Objective 2, where we suggest that contracted companies should be required to have Disability Confident accreditation. Guide Dogs advocates that the Public Sector Equality Duty be considered by the council in respect of commissioning the procurement for services, suppliers and works across the city.

#### Birmingham 2022

The Birmingham 2022 Commonwealth Games and the £778 million central Government and City Council investment which accompanies them, provides the perfect opportunity to transform the experience of attending sporting events for people with sight loss. These games offer the chance to transform sporting venues and their transport links to ensure that, not only can visually impaired or blind people attend the Games themselves, but that these Games leave an enduring legacy of enhanced accessibility in the West Midlands.

We encourage those involved in the planning of the Games to mainstream accessibility. This includes, but is not limited to, the provision of inclusive ticketing, websites that are compatible with assistive technology, well trained volunteers, audio commentary available (headsets) for all events and the provision of spending areas for assistance dogs. Facilities should have optimum inclusive design features such as clear signage, tactile surfaces and good contrast. Guide Dogs employs a Policy Business Partner who was not only involved in the planning of the London 2012, but who continues to be a member of the Built Environment Access Panel which has been responsible for the inclusive legacy of the London Olympics including the post-games reconfiguration of the Olympic Park. We would welcome the opportunity to discuss how she might be able to share some of her insights.

To realise the above, a proportion of the funds leveraged for the Games must be ring fenced specifically for the provision of accessibility measures. Almost 20% of the UK population are disabled and 3% are registered blind/visually impaired so we would recommend at least 3% of the funds be utilised for this purpose. We encourage Birmingham City Council to attach a stipulation vis-a-vis funds for accessibility to the funding it provides for the games. Further, the setting of specific compliance quotas would be something that we would encourage. For instance, at the Commonwealth Games that were held in Glasgow in 2014 there were 160 dedicated Accessibility Volunteers to ensure a positive Games experience for those who required assistance or support – we recommend BCC requires the Games to have at least this many specialist Accessibility Volunteers, alongside other measures. Guide Dogs have a volunteer led sighted guiding service called My Guide. Most of our My Guide volunteers have regular commitments with people with sight loss and whom they have been partnered, but we also provide accredited training for volunteers and would be willing to discuss how we could assist with any volunteer training programme that are run prior to the Commonwealth Games. You can read more about that service here – <https://guidedogs.org.uk/services-we-provide/my-guide>.

Guide Dogs will be submitting a response to the Commonwealth Games draft transport strategy consultation and comments on the Birmingham Alexander Stadium planning proposals in due course and look forward to working with BCC and the CWG team to ensure that the games are accessible to those who are visually impaired.

Birmingham City Council Cohesion and Equalities team have arranged to meet with the Association to discuss how to take forward some of their suggestions.

**8. Verbatim Feedback from Consultation individual responses with initial response from Birmingham City Council.**

<b>Q1. To what extent do you agree with our proposed equality objectives for the four year period 2019 to 2023?</b>	
There were no free text responses to this question	
<b>Q2: Do you think we should include any additional equality objectives to this proposal? Additional objectives?</b>	
<i>Consultation Feedback</i>	<i>Birmingham Council initial response</i>
We should incorporate positive action to address significant in-balances in the population make up of Birmingham and the current make up of BCC Senior management. This should be along the lines of addressing the gender balance where we have made good progress.	We regularly review our staff demographic data to understand progress and issues for the progression of protected groups. We are actively developing a workforce Diversity and Inclusion strategy and action plan that will review day-to-day practices, including recruitment, to ensure we are an inclusive employer of choice, representing the population of Birmingham.
Use BCC data on disciplinary and grievance statistics by individual directorate's and list what percentage fell in protected groups.	Senior officers and directorate management teams receive regular workforce data that supports monitoring across a range of issues. Senior officers work with their directorate management teams to identify issues and take appropriate action. This work will be further supported by the emerging Workforce Diversity and Inclusion action plan.
Seems a good coverage so nothing further to add at this time. Just need to review regularly to ensure that they are in tune with culture and society at that time and take account of any local or national policies that may be introduced.	The Council's Equality Objectives 2019 to 23 will be regularly monitored and annually reviewed to reflect any relevant local and national policies changes.
Monitor recruitment to lessen discrimination on the grounds of age. (I do not feel there is enough awareness and monitoring of the effects of age discrimination).	Workforce demographics are regularly monitored through Council Leadership Team and directorate management team meetings. Current demographics show that 50% of BCC staff are aged 50+ so activities are focused on attracting people from across the age spectrum.
What we will do is work with our staff networks and equality champions to reduce the numbers of grievances related to discrimination issues, particularly from black, Asian and minority ethnic and disabled employees	During 2019 we actively engaged with the range of staff networks to bring them together as a Diversity Network. This will form the basis of further work through 2020 with our equality champions and based around the Workforce Diversity and Inclusion action plan.

<p>In Objective 5 it says you will: Encourage and enable a skilled and diverse workforce to build a culture of equality and inclusion in everything we do. What we will do is work with our staff networks and equality champions to reduce the numbers of grievances related to discrimination issues, particularly from black, Asian and minority ethnic and disabled employees.</p>	<p>No response, as unclear if the respondent is asking a question, raising an issue or supports the action against objective 5.</p>
<p>I think you should make it explicit that transport should be included within the Equality framework. There is a problem with cars killing people in Birmingham and this is partly due to the council failing to include equality within its framework. People of all diversities are discriminated by Birmingham Councils over reliance on the car and its privileging of the car as a way to transverse the city.</p>	<p>All service proposals are required to produce an Equality Impact Assessment before they can be approved. Service areas, including the council's Transport polices and services are required to embed the council's equality objectives across all its work. This will be monitored by the strategic Equality and Cohesion Group.</p>
<p>It would be helpful for providers where they have a contract with the council and have to show they meet these objectives to have access to equality toolkits similar to those which the council are proposing to use for their own workforce.</p>	<p>Each contract awarded by the council is required to contain a clause that includes a requirement for equality and diversity policies. The Supplier will need to adopt a policy to comply with its statutory obligations under the Equality Act 2010 and with all regulations and Codes of Practice, made under the Equality Act 2010. We are currently working to develop how managers can monitor this through routine contract management.</p>
<p>Action on departments and managers where they do not comply with the public sector equality duty. Root discrimination out of the workplace.</p>	<p>Senior officers and managers receive regular reports monitoring key HR data which they can use to oversee formal issues arising in their business areas to take action. This data is also reviewed by the Council Leadership team with key indicators reported up to Cabinet. Managers are responsible for supporting colleagues in their teams to treat each other respectfully and model inclusive behaviours.</p>
<p><b>Q3. Do you have any views on the steps we should take in order to fulfil each of our proposed equality objectives?</b></p>	
<p><i>Consultation Feedback</i></p>	<p><i>Birmingham Council response</i></p>
<p>Create a network of equality champions within the BCC. These champions should be trained and empowered to audit progress in our equality objectives.</p>	<p>The Council has established a network of Corporate Leadership Equality &amp; Inclusion champions. The champions work closely with our staff diversity networks and working is on-going to provide training and support. The Council's recently established strategic Equality and Cohesion Group will oversee progress against the Equality Objectives.</p>
<p>Undecided about the idea of Champions and the group of managers chosen to be Champions – it has not been terribly</p>	<p>The Council has developed the diversity champions in line with best practice nationally and we continue to review the implementation to ensure its fit for</p>

<p>successful in other areas. (Whatever happened to the BEST champions remember them?) The continual churn of managers at this level is also an issue and each new manager comes with their own ideas and so the focus on issues they are meant to be championing is either lost or diluted.</p>	<p>purpose and ensure all managers understand their responsibilities.</p>
<p>Perhaps each directorate should be compelled to provide a report each quarter to cabinet detailing their directorate progress on equality aims and issues. Directorates seen not be making much sufficient progress could be called before scrutiny to explain themselves and the actions to be put in place to improve performance.</p>	<p>The Equality Objectives for 2019 – 2023 are aligned to the strategic themes of the Equality Framework for Local Government (EFLG). This benchmarking tool will be used to measure the Council’s performance on its delivery of the Equality Objectives to help identify areas of excellence, but also areas in need of further improvement. Directorates will be asked to provide evidence of progress against the Equality Objectives. Progress will be overseen by a strategic Equalities and Cohesion group, chaired by the Cabinet Member for Social Inclusion, Community Safety and Officers.</p>
<p>Challenge and hold to account council bodies and organisations that do not demonstrate equality during the recruitment process.</p>	<p>The Council’s procurement policy states that supplier contracts approved by the council are required to comply with its statutory obligations under the Equality Act 2010, including recruitment, training and promotion.</p>
<p>We need to have clear communications of standing and accountability when it comes to Equality Objectives. It is still treated as an add-on rather than embedded throughout its practices in delivery for the citizens of Birmingham and for its staff who are delivering those services. Also, we need to not only provide training on Equality Impact Assessment Toolkit to all council senior management teams, but also to ensure that EI’s get the reviews as they have stated/promised.</p>	<p>The Equality objectives will be embedded across the council’s policy and practice. An Equality Impact Assessment is required for each new or amended policy or services area. No key policy decisions are approved without an EIA.  All managers are issued with a guidance to help complete an EIA. The Equality Impact Assessment Toolkit is being updated and training will be provided to all senior managers.</p>
<p>Include a clear complaints procedure with a dedicated named person and contact details. BCC is too big an authority to navigate to the right person when things go wrong. This is exacerbated if you have an equality issue.</p>	<p>The Council has a centralised complaints team and process that can be found by using the link <a href="https://www.birmingham.gov.uk/yourviews">https://www.birmingham.gov.uk/yourviews</a> All complaints recorded through the system or via the contact centre are coordinated across the council so that the appropriate response is provided. Complaints can be received, and contact made through a variety of channels such as online, via email, phone etc all of which are in line with the required accessibility standards.</p>
<p>Show clear management of evidence which can be seen by public for scrutiny.</p>	<p>We will publish an annual progress report against all Equality Objectives.</p>
<p>Monitor and hold to account managers and service heads where staff are not being treated fairly. Root racism and other discrimination out of the workplace.</p>	<p>Senior officers and managers receive regular reports monitoring key HR data which they can use to oversee formal issues arising in their business areas to take action. This data is also reviewed by the</p>

	Council Leadership team with key indicators reported up to Cabinet. Managers are responsible for supporting colleagues in their teams to treat each other respectfully and model inclusive behaviours.
<b>Q4 Do you have any additional comments that haven't already been covered?</b>	
<i>Consultation Feedback</i>	<i>Birmingham Council initial response</i>
Council fail to consider LGBT aspects of equality, particularly in terms of HR. Too much focus on other protected characteristics. Need to involve elected members more in promoting equality.	The Council has established a corporate LGBT champion and has relaunched the staff LGBT+ & Allies Staff Network in 2019.  Elected Members have received equality and diversity training in partnership with the LGA. This training will be run at least once a year.
BCC must by law enforce and act upon the public sector equality duty. It can start by ensuring full equality analysis takes place regularly. Action plans are required to highlight gaps and ensure managers implement them.	The Council has a statutory duty with regards to the Equality Act 2010 and Birmingham City Council requires Equality Impact Assessment to be undertaken for policy or implementation decisions. These are published alongside reports presented to Cabinet for decision.