

Birmingham City Council

Report to Cabinet

8th September 2020



Subject: EVERYONE'S BATTLE, EVERYONE'S BUSINESS: TACKLING INEQUALITY IN BIRMINGHAM

Report of: Jonathan Tew, Assistant Chief Executive

Relevant Cabinet Member: Councillor John Cotton, Social Inclusion, Community Safety & Equalities

Relevant O &S Chair(s): Councillor Carl Rice, Co-ordinating O&S Committee

Report author: Suwinder Bains, Equalities and Cohesion Manager

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference:		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

1.1 This report sets out the next steps in Birmingham City Council's on-going commitment to tackle the social and economic inequalities in our city. It provides Cabinet with an update on the extensive work already being undertaken to embed equality and inclusion across all aspects of the Council's activities.

1.2 Simply meeting our Public Sector Equality Duty alone is insufficient to addressing the challenges facing citizens and communities across Birmingham. This report outlines our statement of intent to tackle inequality, going beyond our immediate statutory obligations in order to identify and dismantle the structures that discriminate against or limit opportunities for too many of our citizens because of

their race, disability, age, religion, sex, sexual orientation or class – or a combination of these characteristics.

- 1.3** The unprecedented socio-economic crisis created by COVID-19, together with the global calls for justice articulated by the Black Lives Matter anti-racism movement have starkly highlighted the extent to which injustice, inequality and discrimination persist within our society. We have a duty to respond by accelerating our efforts to mainstreaming equality, diversity and inclusion – putting it at the very centre of all our work as a local authority and collaborating with our partners to ensure that the whole city is championing these values.
- 1.4** Poverty still scars too many in our city and destroys the life chances of too many of our fellow citizens. Tackling poverty is not just a moral obligation, it is essential if we want our city to grow and thrive economically and socially. That is why we are working with our partners to make Birmingham a Real Living Wage City and will continue to sponsor, facilitate and support initiatives to tackle both the effects and the root causes of poverty in communities.
- 1.5** As one of the city’s major employers, we want to lead by example and take positive action measures to remove barriers to advancement within the council, in order to address the serious lack of Black, Asian and Minority Ethnic representation at senior level. We want to cultivate a workplace where diverse backgrounds and perspectives are valued. This will help drive the best outcomes for the communities we serve.
- 1.6** Birmingham is a richly diverse city; a home to many different communities, interests and perspectives. An equal city must ensure that all these voices are heard and represented, by taking active steps to engage, listen and learn, especially from those who have traditionally struggled to be heard. To do this, we will explore the potential for establishing a Citizens Assembly or similar body to steer our activities.
- 1.7** We will deliver our commitment to expand the Council’s Equalities and Cohesion team, so we have the in-house expertise and leadership to deliver on our commitments to tackle inequality right across our city.
- 1.8** Partnership, collaboration and cooperation are the essential building blocks of an inclusive city. That is why we will work with citizens, communities and partners to take forward our proposals outlined in our statement of intent. We want to listen to the views of our staff, communities and a wide range of stakeholders, from grass root community organisations, faith-based organisations, practitioners and public sector policy makers on how we can work collectively to deliver meaningful change.

2 Recommendations

- 2.1** To note the progress to date and the Council’s organisational commitment to advancing equalities.

2.2 To approve the commencement of a wider conversation, seeking the views of communities, citizens and partners on our proposals to drive meaningful change, as set out in Appendix 1.

2.3 To note the City Council's Equality and Cohesion Action Plan 2020 will be reviewed to reflect the feedback from the wider engagement on our approach, as set out in Appendix 1. The action plan will be presented at Cabinet in November 2020.

3 Context

3.1 Birmingham is an incredibly diverse and vibrant city, with a rich and varied cultural and religious heritage. The 2011 Census of population estimates 46.7% of the population belong to an ethnic group that is not White British. This is up from 34.4% in 2001: an increase of 12.3%. Since 2010 the number of older people has increased by 13% in Birmingham, from 138,000 in 2010, compared with 149,400 in 2018. The 2018 population projections suggest that by 2029 there will be 9,200 over 90's compared with 8,000 in 2019: an increase of 16.2%.

3.2 In Birmingham between 2018 and 2022 the number of children aged under 15 is projected to increase by 3%. Of these, children aged 0 to 4 will increase by 1.5% to 86,000 children, but the largest increase is amongst the 10 to 14 age group, which increases by 6.0% to 84,900. Child poverty rates in parts of the city are above 50% and these are in areas with high populations of children from Black Asian and Ethnic Minority backgrounds. In the 2011 Census, 98,181 citizens reported a disability or long-term health problem that limited their day-to-day activities a lot, and a further 99,720 reported a similar condition that limited these activities a little. Birmingham's population is made up of 50.5% females and 49.5% males. Many of the issues such as poverty, low pay and skills, mental health and homelessness - continue to disproportionately affect women. Estimates suggests that the Lesbian, Gay and Bi-sexual population in the city of is between 42,650 and 59,700.

3.3 Global events, national policies and wider socio-economic factors, experienced at a local level, have placed significant strain upon individuals, families and communities living in Birmingham. The resources available to meet these challenges have become increasingly stretched, creating concerns over the opportunities to access services and ensure an equitable distribution of provision to communities.

3.4 The Council strongly believes that inequality must be tackled through policies and programmes that improve individuals and families' social and economic circumstances and remove discriminatory practices.

3.5 Experiences of access to opportunities in education, housing, employment and health are determined by structural barriers. Tackling structural inequalities must be at the heart of our collective city-wide approach to give individuals and families the agency to make meaningful life choices.

3.6 We have a moral and legal duty to challenge these structural barriers and promote equality of opportunity for all residents and our employees regardless of which protected characteristic or combination of characteristics to which they may belong. These characteristics, as defined by law, are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, sex, religion or belief, sexual orientation.

4 Our Statutory Duty

4.1 The Councils approach to equality in the workplace and service delivery is shaped by the Equality Act 2010 and Public Sector Equality Duty (PSED) which requires public bodies, in carrying out their services and functions, to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and any other conduct that is prohibited under the Equality Act 2010.
- 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 that do not.

4.2 In October 2019, the council completed a council-wide review of equality, diversity and inclusion to ensure we were meeting our legal obligations, but also to identify gaps to deliver improvements in policymaking, service delivery, and employment, including resource allocation. The review was based on self-assessment against the Local Government Equality Framework (EFLG), and analysis of the workforce equality data and the gender pay gap report. The framework enables understanding across five key performance areas:

- Knowing our Communities - analysing and using information
- Effective leadership, partnership and organisational commitment
- Involving our communities
- Responsive services and customer care
- Skilled and committed workforce

4.3 Findings of the review identified policy areas where we needed to do more to advance equality and provided a strong evidence base to develop the council's equality objectives for 2019 – 2023.

4.4 In October 2019, the recommendations of the review to deliver mainstream equality, inclusion and diversity were approved by Executive Management Team, with a view to provide regular updates on progress by the Cabinet Member for Social Inclusion, Community Safety & Equalities. An Equality, Diversity and Inclusion action plan was developed to take forward the recommendations.

5 Equality Objectives 2019-2023

- 5.1** Our approach to equality and tackling inequality is to make it our everyday business. Our equality objectives provide a framework to help deliver this ambition.
- 5.2** In March 2020, Cabinet approved the Council's five Equality Objectives for 2019 – 2023. These were developed in consultation with elected members, staff, Trade Unions, staff networks and published on BeHeard to garner wider public views.
- 5.3** Each of the five equality objectives contributes towards achieving the Council's corporate outcomes and the aims of the Birmingham's Community Cohesion Strategy. The objectives seek to tackle inequalities and the differences in outcomes related to the protected characteristics and/or socio-economic background, recognising the need to address the drivers of inequality and discrimination as well as the direct and indirect impact on citizens.
- 5.4** The Council strongly believes that whilst social class is not a protected characteristic under the Equality Act 2010, we cannot ignore the prevalence of poverty and social and economic disadvantage in our city. Therefore, the Council has taken a decision to consider the socio-economic impacts of our decisions, ensuring that the inequality of outcomes arising from socio-economic disadvantage is considered alongside the potential impact upon other characteristics.

6 Community Cohesion: a collective vision of a fair and inclusive city

- 6.1** In 2018, the Council published its first community cohesion strategy: Forward Together to Build a Fair and Inclusive City for Everyone, which outlines a shared vision to promote fairness and equality.
- 6.2** The strategy sets out a collaborative approach in which residents, local organisations, the Council and city partners can draw on their resources, assets and expertise to ensure that Birmingham is a place where people from different backgrounds can come together, improve things for themselves and their communities. It sets out a citywide approach to tackling social and economic inequality.
- 6.3** Birmingham is proud to be a City of Sanctuary, extending a warm and supportive welcome to newcomers from across the world. But both global events and domestic challenges mean we must remain vigilant against threats to the cohesion of our city. We want to build consensus and capacity on inclusion at a local level. To develop our capacity and learning the council has partnered with 12 other cities to be part of the Inclusive Cities programme run by COMPAS (University of Oxford's Centre on Migration, Policy and Society). The Cabinet Member for Social Inclusion, Community Safety and Equalities is Birmingham's strategic lead on this knowledge exchange initiative. This initiative facilitates peer learning between five cities to share what works on supporting newcomers and longer standing settled communities.

7 Community Cohesion and shaping the Commonwealth Games Legacy

7.1 The Council believes that the cross-cutting thread of the Commonwealth Games legacy programme should be to drive out inequalities and provide opportunities for citizens irrespective of race, gender, age, sexual orientation, faith, disability, or social class.

7.2 This is the core ambition of the Council's Commonwealth Games delivery plan and we therefore do not regard Equality and Cohesion as simply another workstream or portfolio of projects – it is integral to all of the legacy themes and an opportunity to help change and challenge patterns of inequality in our city. We will ensure that the voices of our communities will be at the heart of our delivery plan.

8 Tackling inequality in Birmingham – so every citizen can aspire: the next steps

8.1 Despite our best efforts to put in place policy measures to tackle inequality, progress is not happening quickly enough, and the events of recent months demonstrate the extent to which we remain an unequal society. Opportunities for too many of our citizens remain a condition of their race, or class or sex – or a combination.

8.2 We want to see meaningful, real change. Over the short, medium and long term, Birmingham's success should be judged by the extent to which the aspirations of everyone can be fulfilled. We know this won't be easy, but that must not stop us doubling down on our efforts to see change happen.

8.3 Our approach will need to be both long term and systemic. We will need to rethink how we stimulate the right kind of economic growth in our city so everyone can benefit. We will need to think about how our Council and other public services work, so that they focus on those families and communities that we all too often describe as hard to reach, when in fact they are hidden in plain sight.

8.4 It's incumbent upon us to change how we work so that we see the reality of their lives and change what we do, in so far as resources and legislation allows us to do. This means involving people in the design and delivery of our services but also in decisions that matter to them.

8.5 To deliver our renewed approach that removes barriers to opportunity and closes equality gaps, we will review our existing Equality and Cohesion Action Plan 2020 to include the proposals set out in the three key areas where we want to take action. These are:

8.6 The Council will lead by example as an employer

8.6.1 We believe that Birmingham City Council should take a lead as an employer and our goal is to ensure that our workforce properly reflects the communities we

serve. While it will take time for us to attain this, we should in the meantime become a beacon for equal opportunities employment and leave no stone unturned in a quest to be a representative and diverse organisation. We will be introducing a “Rooney rule” for shortlists to address the current, visible imbalance in gender and Black, Asian and Minority Ethnic representation across the authority and ensure all council interview panels are representative. This is just one of the many positive actions we will be introducing to improve the diversity of our workforce.

8.7 As Civic Leaders, we will challenge inequalities in every community

8.7.1 The COVID-19 crisis and the anticipated economic downturn will have a dramatic effect upon an already challenging pattern of inequality and poverty in our city. Income and wealth inequality negatively affect social mobility, which makes escaping poverty more difficult. The negative social effects of income inequality on educational outcomes, health, social mobility and crime and well-being is blighting too many lives. In parts of the city, over 50% of our children live in poverty – this cannot be right.

8.8 We will work with communities to properly understand the impacts and together, decide the immediate and longer-term measures we need to take to tackle inequality in all its forms. We will take an asset-based approach that recognises the capabilities and capacities of marginalised individuals and communities. This will recognise the benefits of our diversity rather than perceived as a problem to be fixed.

8.8.1 Many of the leadership bodies within the city, including the Council, have rightly been criticised for failing to properly reflect the diversity of our city with regard to race and gender. This has to change. We must act now, by actively developing a cohort of our future leaders who “look like Birmingham”, alongside our work to remove structural barriers that create inequities.

8.9 We will celebrate and share our city’s stories of diversity and dynamism

8.9.1 Birmingham’s heritage is a rich and diverse mix of stories, experiences, opinions challenges and opportunities. From the 18th century to the present day, it is a history of startling technological and economic innovation; of change and migration; of campaigns for basic democratic rights and hard-fought battles to secure social justice for every citizen. We will work to ensure that the stories of all our communities are shared, explored and commemorated appropriately.

8.9.2 Recent events have shown that we need a proper conversation about how we understand, commemorate and celebrate our collective history. Learning about migration and belonging offers communities across all ethnicities a fuller understanding of the cultural contributions that has shaped the city.

8.10 These are the key areas where we want to see meaningful change, delivered through a set of proposals outlined in Appendix 1. We acknowledge that we don’t have all the solutions to the complex challenges and opportunities that frame experiences of inequality. That is why we want to have a wider conversation on

our proposal to helps us better understand our city, and take actions that unite, challenge and inspire change. Over the coming months we will be holding a series of conversations across a range of stakeholders, including communities, voluntary sector organisations, statutory partners and council staff.

9 Strong leadership and governance - driving forward our renewed approach to building a fairer Council and City.

- 9.1** The Cabinet Member for Social Inclusion, Community Safety and Equalities will take a leading role in overseeing our vision and direction on our renewed approach.
- 9.2** The Equalities and Cohesion Star Chamber, chaired by the Cabinet Member for Social Inclusion, Community Safety and Equalities is set up to provide robust internal challenge and scrutiny of the Council's performance against the Equality Objectives, and drive sustained improvements to our internal equalities practice.
- 9.3** The Cabinet Member, together with colleagues, will lead and facilitate the citywide conversations on our proposals. These conversations will help shape the council's Equality and Cohesion Action Plan.
- 9.4** This action plan will sit at the core of our Council Delivery Plan to ensure all policies and plans are embedding our approach. We will put in place measures to monitor the progress of our actions and challenge ourselves when we're not achieving outcomes. We will expand our Equalities function to provide the rigour and challenge to ensure that we are following through with our commitments.

10 Our renewed approach to Equality, Diversity and Inclusion presents a reset moment for a 'new normal'

- 10.1** The potential long-term social and economic consequences of the pandemic are revealing themselves. If left unchecked, we will undoubtedly see a deepening of existing inequalities and these inequalities will be felt more starkly by the already socially and economically disadvantaged.
- 10.2** This structural nature of inequalities and their scarring effect on communities and our employees, needs a renewed and accelerated approach. This reset moment, creates an opportunity for a 'new normal' on how we progress our equality agenda.
- 10.3** We will be bold and open to having 'uncomfortable conversations' to understand the underlying causes of persistent inequality.
- 10.4** Our renewed approach sets out the key areas where the Council is best placed to influence major change, both in its role as a major employer and as the democratically accountable, civic leadership body for the whole city. But we are clear that if we want real change, tackling inequality must be everyone's business. We all need to step up. These are our proposals to tackle structural inequalities, but we want to work with everyone in Birmingham to ensure we get this right and deliver the fundamental change that people in our city need.

11 Consultation

- 11.1 All Cabinet Members have been consulted and involved in shaping the “Everyone’s Battle, Everyone’s Business” statement of intent
- 11.2 The Council’s Executive Management Team has been consulted on the “Everyone’s Battle, Everyone’s Business” statement of intent and comments have been included.
- 11.3 The Council’s Corporate Leadership Team has been consulted on the “Everyone’s Battle, Everyone’s Business” statement of intent and involved in the preparation of this report.

12 Risk Management

The Council has established an Equality and Cohesion Star Chamber, chaired by the Cabinet Member for Social Inclusion, Community Safety and Equalities to oversee the delivery of its Equality Objectives 2019-2023 to support compliance with the Public Sector Duty. In addition, a corporate Equality and Cohesion officer working group, chaired by the Assistant Chief Executive, supports the work programme of the Equality and Cohesion Star Chamber.

13 Compliance Issues:

13.1 How are the recommended decisions consistent with the City Council’s priorities, plans and strategies?

- 13.1.1 The renewed approach to addressing inequalities will be at the core of the Council’s Delivery Plan for the next two years. It will ensure our ongoing commitment to reducing inequalities underpins everything we do and is embedded in our plans and strategies.

13.2 Legal Implications

Section 149 of the Equality Act 2010 enacts a single general public sector equality duty (PSED) which applies to public authorities exercising public functions. The duty on public authorities to have "due regard" to the PSED in *section 149(1)* of the Equality Act 2010 is more than simply a requirement to have general regard. Real thought must be given to the PSED and its requirements.

Equality Act 2010 (Specific Duties) Regulations 2011 the council must prepare and publish at least one equality objective once every four years.

Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 impose a duty on specified public authorities with at least 250 employees to

publish gender pay gap information relating to employees, in order to demonstrate compliance with the public sector equality duty.

The actions in this report and adoption of the proposed objectives will ensure the above legal requirements are met

13.3 Financial Implications

- 14 The Financial Plan 2020-2024 approved by Cabinet provides additional funding of £0.646m for 2020/21, rising to £0.688m for 2023/24 ongoing with an additional one-off for 2020/21 of £0.050m to provide adequate resource to ensure strategic support to deliver the Council's deliver the Equality Objectives.

14.1 Human Resources Implications (if required)

- 14.1.1 As outlined above there is a proposed expansion of the resource and staff capacity to deliver the Council's strategic cohesion and equality function, currently 1.0 FTE. The Equality and Cohesion function will be recruited in September and October 2020 to provide an engine room in driving the Council's ambitions in both equality and community cohesion.

14.2 Public Sector Equality Duty

- 14.2.1 The Council has statutory duties under the Equality Act 2010. Collectively referred to as the general duty to promote equality. The Council also has a specific duty to eliminate discrimination, advance equality of opportunity and foster good relations between different people.
- Decision-makers are required under Section 149 Equality Act 2010 to promote equality for persons with the following protected characteristics: age, disability gender reassignment, pregnancy and maternity, race religion or belief, sex, sexual orientation. Decisions need to show due regards to:
 - Eliminate unlawful discrimination, harassment and victimisation and any other conduct that is prohibited under the Equality Act 2010.
 - 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 that do not.

- 12.5.1 The proposed actions in this report will ensure the above Public Sector Equality Duty is met.

15 Appendices

- 15.1 Appendix 1 - Everyone's Battle, Everyone's Business - statement of intent

16 Background Documents

16.1 Community Cohesion Strategy

16.2 Review of Equality, Diversity and Inclusion

16.3 Birmingham City Council Equality Objectives 2010-2023