REVIEW OF BRISTOL CITY COUNCIL'S EQUALITY AND DIVERSITY FUNCTION

JUNE 2018

Report author: Kamaljit Poonia
Independent Diversity Consultant



Review of Bristol City Council's Equality and Diversity Function
June 2018

Report author: Kamaljit Poonia, Independent Diversity Consultant
To: Tim Borrett, Acting Director of Policy and Strategy

Contents

Background and Scope 3

BCC Current Position: Analysis and Recommendations 5

1. Overall 5
2. Strategic Plan/Policies 7
3. Leadership 9
4. E&D Roles and Responsibilities 11
5. Staff-led Groups 13
6. Race and Women's Commission and Voice and Influence 14
7. Learning and Development – Culture Change 15
8. Communications 16
9. Conclusion 16

Background and Scope

A review of Bristol City Council's (BCC) Equality and Diversity (E&D) function was commissioned in March 2018 by the Head of Policy and Public Affairs. Underpinning the review was a concern that the council's E&D function had developed disparately over a number of years, losing some focus, and going forward a more strategic approach would improve efficiency and coordination.

To start this process it was agreed an independent diversity consultant would:

- Undertake a review of BCC's corporate approach to E&D, including models, structures, policies and processes currently in use
- Ask challenging questions, identify gaps and make recommendations to address these in line with BCC's ambition to become a high-performing and inclusive organisation internally and externally
- Address key issues such as, 'How can we build a culture that embeds equality into everything we do?' and 'What is required of our leadership to achieve this?'

This report is the result of that review. Its analysis and recommendations are informed by an audit of the current situation, including:

- A review of policies, structure and the role of teams and posts that have an equality brief

- One-to-one conversations with 15 key individuals, ranging from Members (including the Deputy Mayor), key council staff who have an E&D brief, representatives from the staff self-organized groups, a union representative and representatives from the Race and Women's Commissions

- 44 responses from an online survey asking for feedback on key issues of concern, barriers to progress and ideas for improvement

- Feedback from a stakeholder meeting that 31 people, including the Mayor, attended, who were asked to reflect on key emerging themes and recommendations and invited to raise any additional issues

- A review of E&D policies from other local authorities, such as Camden and Birmingham and core cities,; other civil service practice and the higher education sector.

Like other public sector organisations, BCC is legally obliged to be compliant with the Equality Act 2010.

The general duty set out in the act is supported by specific duties. In summary BCC needs to have due regard to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the 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.

To meet the aspirations of this duty requires going beyond a tick box, compliance approach to a more systemic and proactive approach.

The equality duty covers the nine protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Public authorities must also have due regard for the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status[1].

Bristol City Council needs to be satisfied it is meeting its legal requirements and the aspirations set out in the Council's new Corporate Strategy 2018-2023.

[1] This means that the first aim of the Equality Duty applies to the characteristic of marriage or civil partnership but that the other aims (advancing equality and fostering good relations) do not apply.

BCC Current Position: Analysis and Recommendations

1. Overall

It is important to note this short report captures a high level snapshot in time of key activities being undertaken to address equalities issues. It does not detail all the specific activities underway, many of which are well regarded. As this work is ongoing, the picture will change all the time, including activities undertaken since this report was commissioned[2].

The culture of an organisation is set in many different ways and is most effective when there is a systemic approach across an organisation. A culture with equalities at its heart would demonstrate the following characteristics:

- Clear ownership and accountability of the agenda from leadership at the top of the organisation, and distinct communications cascaded throughout
- Equalities embedded within an organisation's behaviours and values
- Interconnectedness between people
- A good understanding of the community an organisation represents and serves
- A learning development programme specifically designed to influence and promote the desired culture.

Success indicators for a well-embedded equalities culture would include:

- Managers addressing these issues as part of business as usual
- Clear analysis of the external environment and the impacts of services and actions from the perspective of equalities
- Evidence gathered from staff surveys demonstrating a positive approach to equalities, that is well-understood across an organisation
- High uptake of equalities training.

A range of programmes and activities to create this culture exist in different parts of BCC. These include leadership programmes, equality impact assessments and the dissemination across the council of its newly formed values and behaviours. The purpose of this review is to highlight gaps and identify areas for development.

Whilst recognising ongoing and current work is being undertaken with respect to the E&D agenda, the overall consensus from the feedback is that focus on the agenda has been lost and work is not joined up across the institution.

Furthermore, previously-established E&D practice has to some extent been lost; pockets of good practice exist, but with inconsistencies across the council and at times a basic compliance approach being taken in some areas.

For example, processes such as equality impact assessments (EQIAs) are often undertaken after, rather than before, service design or service changes have been proposed; in addition the knowledge, skills and aptitude to understand how this agenda applies to service areas varies widely across the council. This has already

[2] All information about BCC's learning and development programme and the organisation's Values and Behaviours is available on BCC's intranet, 'The Source'

been identified as an issue; training has been developed and is underway. Training alone, however, will not embed this as a core proactive activity: to fully implement this as a core practice, the wider culture and leadership issues need to be addressed and EQIAs used as a useful process and 'tool' that can help to mainstream E&D.

It was also reported that culturally there is a mixed picture with respect to E&D practices. For example, where there are managers who understand the issues and are already committed, there is good practice. However, there were also perceptions of systemic issues amongst some staff with a 'protected characteristic' not being addressed, as well as reports of inappropriate language and behaviours going unchecked.

Further to this, austerity measures will inevitably have impacted on staff restructurings and downsizing, and it is felt that as a result of this, proper consideration had not been given to the capacity of the council to deliver strategically and effectively on the requirements of the E&D agenda.

Recent pressure has been placed on BCC to improve its work on issues relating to race, following the conclusions from the Runnymede Report, ('Bristol: a Divided City? Ethnic Minority Disadvantage in Education and Employment', January 2017) and from the Multi-Agency Learning Review commissioned following the murder of Bijan Ebrahimi in December 2017. The council and its partners have started to address these issues. Perhaps, given the high reputational impact of this work, more could be done to communicate both internally and externally the steps the council is undertaking to progress this work.

2. Strategic Plan/Policies

Current Situation
The last corporate BCC Equality Plan ran from 2012-15; since then there has been no overall strategic plan for E&D within the council. The lack of such a plan, owned across the council, explains to some extent why there is a lack of focus and direction. Without such a plan/strategy it is difficult for the council to measure whether it is successful or not in meeting its E&D aspirations and expected outcomes.

The council has, however, recently developed and published a new Corporate Strategy, which integrates equality into its commitments. The Corporate Strategy speaks strongly to the E&D agenda, from its overall aspiration: 'We play a leading role in driving a city of hope and aspiration where everyone can share in its success', to having 'Fair and Inclusive' as a theme; embodying principles such as to 'Plan inclusively with everyone in mind, but with a particular focus on our children and their future', and 'Contribute to safer communities, including zero-based abuse or crime on gender, disability, race, age, religion or sexuality'; as well as Values and Behaviours with which 'We show respect. We treat each other fairly'.

This presents an opportunity for a new and current E&D plan/strategy to be fully aligned with the aspirations of this strategy and an ideal time for the council to develop a comprehensive plan/strategy, which has an internal and external focus.

Further to this a new plan/strategy should clearly set out a narrative that articulates a more cohesive thread explaining how the various current initiatives and future actions interlink and contribute towards the overall aspiration/goals of the council.

The council's Equality and Community Cohesion Policy also appears to be out of date and the agenda has clearly moved on since its initial conception. A new policy needs to be developed using good practice that sets out a corporate commitment and aspirations. The Community Cohesion aspects of this policy are now being driven through a range of other mechanisms and may sit better to alongside a new Corporate Equality and Diversity Policy.

New policy development should clearly set out the case for E&D, going beyond the legal requirements, to the business case and inclusion, in terms of doing what is right for the city and in influencing partners the council works with.

There has been some interesting work done in the business sector recently that can help to inform good practice and promote the drive for impactful diversity practice. Two helpful articles are: 'Diversity as Strategy' – David A. Thomas[3] and 'Diversity Matters' – Vivian Hunt, Denis Layton, and Sarah Prince.[4]

The findings of the 2015 report 'Why Diversity Matters' studied over 1,000 companies across 12 countries using two measures of financial performance – profitability (measured as average EBIT margin) and value creation (measured as economic profit margin). The updated Mckinsey 2018 report – 'Delivering Through Diversity', demonstrates the bottom-line benefits of leadership diversity and built further on these findings to show that:

---

[3] https://hbr.org/2004/09/diversity-as-strategy

[4] https://assets.mckinsey.com/~/media/857F440109AA4D13A54D9C496D86ED58.ashx

“Companies with the most ethnically / culturally diverse boards worldwide are 43% more likely to experience higher profits.”

And that:

“Companies in the top-quartile for gender diversity on their executive teams were 21% more likely to have above-average profitability than companies in the fourth quartile. For ethnic / cultural diversity top-quartile companies were 33% more likely to outperform on profitability.”

Though the purpose of local authorities is more complex than many private sector organisations, it would be useful for the council to learn from other sectors, as well as paying more attention to making the internal business case for diversity.

Finally, a policy should distinguish between what is policy per se, what is guidance, and what is the action plan/strategy that will deliver on the policy, as well as taking the opportunity to reiterate the values of respect and appropriate behaviours required of all staff, and create a culture which will endure. This requires linking up the work at leadership levels, the equality analysis of community impacts, the ‘values’ work and other learning and development activities.

In terms of risk, the council is in danger of not fulfilling its legal requirements according to the Equality Act 2010, given the lack of an overall updated plan with accompanying published equality objectives and reports on progress.

Recommendation

- As a matter of urgency the council prioritise the development of a new Equality and Diversity Policy and Strategy aligned to the new Corporate Strategy and in consultation with key stakeholders.

---

3. Leadership

Current Situation
Views from respondents indicates there is currently a perceived disconnect between the Leadership Team's aspirations on E&D and how these are communicated to the organisation. Decisions made or endorsed by the Leadership Team do not always filter through to the rest of the organisation. A recent example of this has been the issue of time allocation for Chairs of staff-led groups away from usual duties. A decision endorsed by the Leadership team to allow time away does not appear to have been communicated to middle managers, resulting in difficult situations for those involved.[5]

Further to this, the Leadership Team itself has been in flux, with changing roles and some new people being recruited. This has inevitably resulted in a lack of ongoing momentum with respect to the E&D agenda. However, the recruitment of key leadership roles is currently underway and provides the opportunity to take a fresh approach to E&D within the council, and for the team to discuss how they can take a proactive approach to this agenda.

Within the new structure published in December 2017, the newly-appointed strategic lead for E&D has been allocated to the Executive Director for Communities. This provides a good opportunity to place a renewed focus to E&D and to have discussions with the whole Leadership Team on how this agenda can be most effectively, consistently and actively taken forward.

The strategic lead will obviously play a key role in championing E&D across the council. However, responsibility for the agenda lies with the whole Leadership Team and to transparently demonstrate this as part of its working practice would signal a clear intention to the rest of the organisation that E&D is an integral part of the work, ethos and culture of the council. This would help set the culture of the council, forming the foundation of an integrated, mainstreaming approach.

By taking collective ownership, the Leadership Team can set priorities, tone/culture, be accountable and hold others to account, provide clear direction and enabling support for middle managers to implement decisions. The link to middle managers is crucial in taking this agenda forward as day to day decisions will be made by them. Mechanisms for better communication and developmental support on E&D for middle managers need to be considered.

Dispersed leadership, and therefore mainstreaming ownership of E&D, needs to flow through to all central and service departments. The creation of E&D Champions within each department/ directorate (a model used in the civil service and other organisations such as the University of Southampton, who have improved their work on Equality Diversity and Inclusion), should be considered by the Leadership Team.

Downsizing appears to have impacted on some manager's willingness to consider positives about difference; when resources are diminishing, issues such as E&D can get 'squeezed out', if clear direction is not given to managers about prioritisation.

[5] Since the review was undertaken this has recently been rectified with further decisions taken by senior managers.

Such a model could be supported by having an enhanced central E&D team (see section 3) and would allow service specific actions to be identified and linked strategically to a new Corporate Equality Plan / Strategy.

Recommendations

- The Leadership Team discuss and agree their overall responsibilities on E&D and consider how they will actively demonstrate these
- The Strategic Diversity Lead on the Leadership Team develops an ongoing agenda item with the team, so that E&D is an integral part of the leadership work. Once clear, communicate what the strategic lead role will entail and which actions the Leadership Team has prioritized, to the rest of the organisation
- The Leadership Team consider how local teams/leads/champions can be established at appropriate levels, particularly in key service areas such as Housing and Social Care
- A team of champions from across directorates working together to promote this agenda and share good practice would be a useful asset
- Ensure that equalities is consistently measured and appraised through the Performance Management process

---

4. E&D Roles and Responsibilities

Current Situation
Currently three teams have an E&D specific role: Human Resources (HR) (2x officers, plus part of the manager role), the Central Equalities team (1.6 officers plus part of the manager role) and Communities (E&D forms a key part of the engagement and development brief of the communities' team).

HR has recently developed a workforce plan, to support BCC's Corporate Strategy, which addresses how Diversity, Inclusion and Equality will be embedded within the culture of the council.

The central Equalities team works on issues such as equality impact assessments and developing the city's Equality Charter, which sets out basic principles that organisations across the city can sign up to.

The Communities team is embedding E&D into its community development and empowerment activities.

These teams are, however, sometimes working in silos, and officers are not always clear about the exact role of other teams, or where synergies and overlaps between their work may exist.

This again reflects the need for a corporate E&D Strategy/Plan, which lays out key strategic priorities and actions, and articulates where responsibilities lie. It also reflects the impact of staff changes and moves, some due to restructurings as a result of austerity measures.

The role of Head of E&D in the central team was vacated a number of years ago and has not been replaced; the central team has been pared down even further over time. Lack of such a role has left a vacuum and incorporating the responsibilities of this role into other positions does not do justice to the amount of drive, knowledge and gravitas required to take forward this complex and large agenda, ideally supported in this by a set of equality champions drawn from across directorates.

In order to move forward with focus in the future this is an opportunity to relook at the situation. A strengthened central team located outside other departments and HR would be ideally situated to play the strategic role necessary to keep momentum going. It could make links between, and support, different parts of the organisation; interface with external partners; provide resources and information for staff to embrace E&D issues and act as a critical friend to the organisation when needed. Crucially, such a team is needed to ensure progress is made on any new corporate Equality Plan/strategy and that monitoring and evaluation is coordinated and reported to the Leadership Team in a timely manner. This team could potentially provide key support to the strategic lead for E&D on the Leadership team.

Recommendations

- Consider establishing a new post of Head of ED&I to lead on E&D from a senior enough position to have gravitas within the organisation
- Review the role of the Equalities team (which currently sits within Policy and Strategy) with a view to strengthening its role of corporate coordination and

ability to hold the organisation to account, as discussed above. Consider the way staff are structured between the Learning and Development/HR and this central Equalities team so that they are more aligned, and silos are reduced
- Establish mechanisms for on-going dialogue, more interconnected and joined up working between teams, and create opportunities for sharing problems and good practice across the council
- Review and improve the Equality Impact Assessment process and roll out as appropriate. As well as having a toolkit for this process, consider how equality questions can be incorporated into mainstream planning processes, to encourage a more proactive approach
- Coordinate an overall strategic approach, bringing champions together to ensure consistency across activities.

---

5. Staff-led Groups

Current Situation
BCC has a long history of supporting staff-led groups (SLGs) and currently there are four main groups: the Black and Minority Ethnic Employees Group (BMEEG), the Disabled Employees Group (DEG), Rainbows (the Lesbian, Gay, Bisexual and Transsexual Group) and the Young Employees Voice (YEV).

The exact role and scope of these groups has recently been agreed, following a report to the Leadership Team. This included the approval of paid protected time for SLG chairs by the Leadership Team.

It is important for such groups' roles to be clarified. Without purpose and clear actions groups are in danger of becoming talking shops or of taking a purely adversarial position. Effective groups and staff networks play a role in raising concerns and being part of the solution. In this way they can contribute to creating an inclusive culture within the organisation. Once roles are agreed, then clarity on how much time chairs of such groups need to be able to fulfil this function can be reached.

The groups currently seem to have stronger with links with Members than officers. Important as this is, it might be difficult to implement solutions unless there are channels for communication with senior officers as well. HR play a role in supporting these groups, however the issues they raise are broader than HR and therefore it would be effective to also have a link to the central Equalities team and to ensure the ongoing relationship with the Strategic Diversity lead in the Leadership Team is maintained, in order to feed in issues and enable a wider dialogue.

Recommendations

- The recently-approved agreement on staff-led group Chairs' time should be communicated to all managers, in order to facilitate implementation
- Clarify and develop channels of communication in response to the issues raised by staff-led groups.

---

6. Race and Women's Commission and Voice and Influence

Current Situation
There are currently two equality commissions in Bristol: one for women and the other on race. The brief of the commissions is citywide. BCC has allocated £5k to each commission to undertake its work. The Women's Commission uses a substantial part of this funding for activities associated with International Women's Day.

The Bristol Women's Commission was established in 2013, when Bristol signed the European Charter of Equality of Women and Men in Local Life, on International Women's Day. The charter is action-focused and the commission sends an action plan to the Council of European Municipalities and Regions (CEMR) every two years. Bristol is the only UK signatory and is well regarded in Europe.

The Race Commission was formally established in February 2018, through the work of the previous Race Manifesto group. The Race Manifesto group has worked on a number of race issues including working with key agencies across the city on their race action plans and advising an inter-agency HR leaders' group on taking forward action. This work has now been passed onto the commission.

The commissions have various representation from BCC, with both Member and officers on their boards, however it is unclear how they actively feed into the work of the council to influence improvements in a strategic way. There are inherent risks if these structures and practises are not clarified and embedded. Currently practice appears to be ad hoc; in order to get the most from such developments it is important to have a clearly agreed scope of influence and mechanisms to feed into decision making processes in a timely manner.

Recommendation

- Consideration should be given to how the two commissions formally feed into BCC's work so they can actively influence change.

---

7. Learning and Development – Culture Change

Current Situation
There are a wide range of training plans and programmes underway, detailed on 'The Source' (BCC's intranet), which are attempts to address some of these issues in a broad sense. However, they do not all have equalities fully embedded within them or have equalities as their core focus. All staff are expected to complete online training on E&D and this is a useful starting point. However it is perceived by some of the respondents to be inadequate. Participants in the review felt that a range of other activities should be made more widely available, as this would develop the ongoing capacity and confidence of staff on E&D issues[6].

Face-to-face ongoing training opportunities were considered to be vitally important in order for BCC to address issues of culture change as well as compliance. For example, some participants' flagged related experiences from other organisations such as the provision of standalone Unconscious Bias[7] training on an ongoing basis.

Opportunities to think through difficult issues and work out solutions were considered to be vital going forward, and should be utilised in team meetings, training and other activities.

In terms of mainstreaming, an audit should be undertaken of all training provided to staff, to see where E&D is or could be appropriately integrated, ensuring that it is visible and more widely available. More vigorous use of KPIs within the performance review framework is also required.

Recommendations

- Current online E&D training reviewed to see if it is still fit for purpose and publicised to all staff
- Other methods of providing ongoing face to face training at all levels, geared towards establishing a learning environment and culture change, are further explored and implemented
- E&D is viewed as a lens through which training and development is approached, to ensure that mainstreaming is achieved.

---

[6] There are many specialist training programmes run within the council, which do aim to address many of the issues raised, but it is worth noting there remains a requirement for a more wide-ranging embedding of equalities across all activities.

[7] Unconscious Bias content is included within recruitment training.

8. Communications

Ongoing communications are key to support this agenda, both internally and externally. For example, when positive initiatives are undertaken or priorities established, it is important to explain both internally and externally why this is the case and how the work is central to good service delivery.

Given that E& D initiatives can at times be characterised as being in conflict with other types of social and economic exclusion, it is important that communications show how E&D work supports addressing poverty and economic exclusion for all in the city.

9. Conclusion

In conclusion, this is a pivotal point for BCC in its journey with respect to E&D, and an opportunity to make changes to ensure that E&D is taken forward strategically and seen to deliver real outcomes for staff and the city.

I believe, on the balance of information studied and insight gained during this review, there is currently a serious risk of BCC not being compliant with the Equality Act 2010. The lack of currently published equality objectives and progress reports puts the council in a precarious situation.

It is also important that the work already underway within Learning and Development is further strengthened and promoted to support an inclusive culture, with stronger links created between this work and the wider work of the central Equalities and Communities teams.

The recommendations in this report seek to provide a more strategic and embedded framework for E&D in the council which should strengthen current practice and ensure compliance with legislation.

Kamaljit Poonia, Independent Diversity Consultant
15 June 2018