

Southwark Council

Independent Review of the Council's Equality and Diversity Framework

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1.0. Background

In addition to the corrective actions taken, following criticisms of the Council by the District Auditor, the Local Government Ombudsman and the Council's Overview and Scrutiny Committee about planning failures affecting Camberwell nightclub, Imperial Gardens, the Council decided, in July 2004, to set up an independent review of its strategic policy-making, its implementation, the impact of actions in achieving equality and diversity targets and the equality implications of planning and regeneration decisions.

2.0. Terms of Reference

The terms of reference agreed were:

- i. To review and assess existing policies within the equality and diversity framework to determine comprehensiveness, appropriateness and any potential adverse impacts.
- ii. To review and assess implementation arrangements, the practices and processes, their effectiveness and the scope for achieving equality outcomes.
- iii. To review and assess whether there is an effective framework to respond to allegations of discriminatory effects and outcomes, including in relation to businesses.
- iv. Producing a report with findings and recommendations.

The Review commenced in late September 2004.

3.0. Methodology

- 3.1. The Review involved an examination of existing policies and the processes applied in the formulation of such policies with regard to known equality considerations such as facts of disadvantage, exclusion and discrimination as it affected different sections of the Southwark community. In particular, an examination of how mainstream policies incorporate such considerations was undertaken while analysing how equality outcomes were identified and measured. "Equality outcomes" are the measurable results of actions taken to ensure that all diverse communities benefit equally from universal-type services (e.g. street cleaning) and that no particular groups of people are excluded or disadvantaged in accessing service provision intended to meet their particular needs. The involvement of community representatives as part of consultation, participation and evaluation arrangements was also an important consideration in the Review. Interviews were held with a range of key staff, elected members and members of the public who contributed to the Review by offering views and evidence for consideration. Their views and perceptions are valid reflections of how they see equality and diversity policies achieving their objectives of tackling discrimination, unequal treatment, access to opportunities and improving relationships and understanding across all communities. Whilst it is accepted that these contributions do not necessarily reflect all the valid views held by different people about the Council's E & D policies, they nevertheless were offered to provide valuable insights and experiences for the Review to consider.
- 3.2. A more specific examination of planning and regeneration policies, practices and processes was undertaken to determine how these contributed to fair treatment with equality outcomes for small business developments and, in particular, black and minority ethnic led businesses. Consideration was given to issues arising from the previous reports produced by the District Auditor, the Local Government Ombudsman and the Council's Overview and Scrutiny Committee, in addition to submissions made by interested community groups, local businesses, staff and other interested parties.

- 3.3. An Annexe to this report incorporates a schedule of all parties and individuals who either made written submissions, or attended interviews as part of the Review. It does not include the names of those individuals who asked for their identities not to be revealed and who only gave evidence to the Review in strict confidence. The Annexe also incorporates a schedule of policy documents and reports produced and considered by the Council as well as some submissions from members of the public already in the public domain.

4.0. Policy Development and the Equality & Diversity Context

4.1. Over the past three decades, Southwark Council has developed and adopted extensive equality and diversity policies. These have evolved and changed with the passage of time and varied circumstances. Over recent years, the Council has acknowledged its responsibilities for compliance with anti-discrimination legislation and has been positive and progressive in stating its intention to be an example of best practice in this arena.

4.2. The Council's vision with regard to its Equality and Diversity Statement is:

" We believe that the diversity of our population is one of our most valuable assets. Our vision for Southwark is based on the belief that our community has entitlement to equality of opportunity and access. This entitlement should be built on shared values and mutual respect and sense of belonging, where every member of the community can exercise their right to participate fully in the range of services and activities to which they are entitled".

The overall goals are to:

- i. Improve quality of life
- ii. Improve social cohesion
- iii. Achieve active citizenship.

With priorities to:

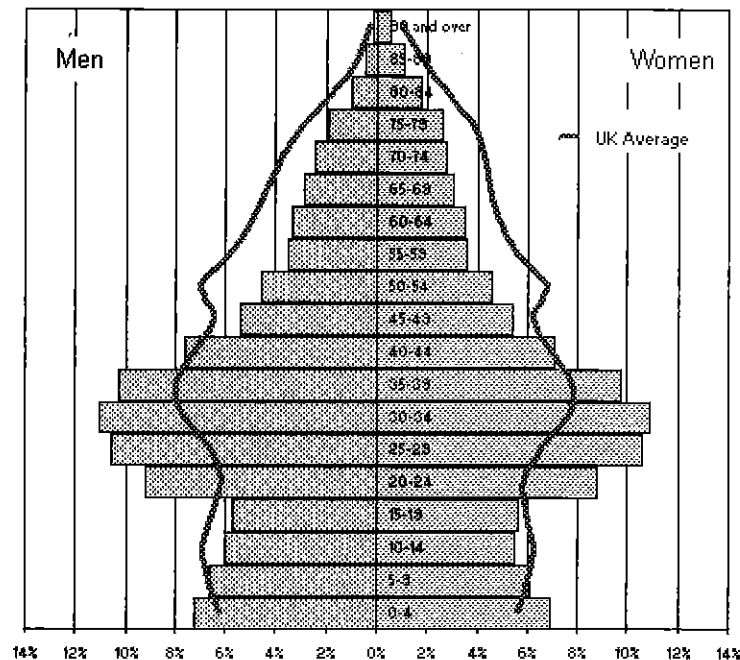
- i. Exercise its role as a community leader at all levels across the democratic spectrum; working proactively with partners to develop a common set of values based on basic human rights, tolerance and shared respect.
- ii. Develop and implement strategies as an employer that ensure equal access to recruitment, training, career development, promotion and retention and to fair treatment under the disciplinary procedure.
- iii. Ensure that equality and diversity is mainstreamed into access to, and provision of, Council services and work with partners to ensure that services are sensitive to the differing needs of the entire community.
- iv. Develop channels for participation to ensure that the hardest to reach communities are consulted on issues, so that their views can inform decision makers at all levels within the Borough.

- v. Review policies to ensure compliance with legislative requirements and continuous assessment to achieve best practices.
- 4.3. Southwark Council has thus been pursuing comprehensive policies in order to meet its obligations for compliance with anti-discrimination and equality legislation as well as meeting the identified needs of its diverse cultural communities. Those communities have contrasts of affluence and poverty, with some afflicted by all the experiences of urban deprivation and racial disadvantage.
- 4.4. The demographic trends highlight starkly how Southwark's population has evolved and continues to change as it becomes one of Britain's most diverse boroughs with a wide range of characteristics identified by race, ethnicity, language, culture, gender, sexuality, religious belief, disability and poverty. For example, table 1. shows a breakdown of ethnic groups in Southwark over a period of time, showing the diversity and multi-cultural nature of the Borough.

Table 1. Table showing the demographic changes in Southwark by ethnicity over a ten-year period (1991, 2001 Census: Southwark Data).

Ethnicity	2001	1991	% Change
White British	52.17	N/A	
White Irish	3.13	N/A	
White Other	7.71	N/A	
<i>All White</i>	62.9	75.6	-12.7
Black African	16.1	7.2	+8.9
Caribbean	8.0	8.3	-.3
Other Black	1.9	2.2	-.3
<i>All Black</i>	26	17.7	+8.3
Bangladeshi	1.5	1	+.5
Chinese	1.8	1.3	+.5
Indian	1.5	1.2	+.5
Pakistani	.5	.4	+.1
Other Asian	.6	1.2	-.6
<i>All Asian</i>	5.9	5.1	+.8
White & Black Caribbean	1.37	N/A	
White & Black African	.8	N/A	
White & Asian	.55	N/A	
Other Mixed	1.02	N/A	
<i>All Mixed</i>	3.74	N/A	+3.74
Other	1.5	1.7	-.2

Figure 1. Showing demographic data pertaining to the age and gender of Southwark's inhabitants (ONS: 2001, P:\Research\Analysis\Census\First Analysis\00BE.gif).



- 4.5. As the 17th most deprived borough in the country, there is a large challenge in responding to different and special needs alongside major redevelopment in some areas. This is particularly so, when having to be responsive to new incoming communities, managing change in the light of new legislation and having to meet diverse social and economic concerns affecting residents and businesses in the borough from a variety of perspectives. Children, young people, older residents and people with disabilities represent a significant part of the population requiring specific policies and programmes to meet their particular needs.
- 4.6. Policy-making is a crucial part of the local authority administration in meeting extensive and growing demands, needs and expectations in order to manage a process of delivering statutory provision and discretionary services within available resources. The Council's actions have to secure approval, acceptance, awareness, involvement and participation as a key part of the process in keeping both the council apparatus informed of the public's views and also for citizens to be informed of decision-making, how and why decisions are made and the likely effects thereof. The role of elected Councillors as the representatives of the local people, as decision-makers and as accountable entities forms a vital part of the process. Southwark

Council has put considerable energy and resources to facilitate such processes effectively.

- 4.7. The council seeks to provide facilities and services to meet the broad needs of the population in line with statutory responsibilities and powers. It has to do so within limited resources and within a framework of operational effectiveness, through high individual and collective performance levels. Performance management and review is an important part of the process for the Council in maximising its effectiveness. Over recent years it has had to add an explicit dimension to its needs analysis and its policy responses in order to meet the equality and fair treatment requirements of its increasingly diverse population. This has been necessary for efficiency and effectiveness in provision of services for all inhabitants of the borough. Across a spectrum of anti-discrimination legislation covering characteristics including race, ethnicity, gender, sexuality, disability, religious belief and human rights, (in addition to regulations on age discrimination by 2006), there has evolved an equalities and diversity framework, which is pivotal for equalities considerations being at the centre of policy-making.
- 4.8. The Annexe contains a list of some of the key reports and documents on equality and diversity-specific policies that have been formulated to improve the Council's performance in meeting the specific needs of different groups of people within Southwark and submitted to the Review for consideration: These equality-specific policy commitments recognise existing discrimination and disadvantage and commit to provision designed to redress such situations so that the Council avoids perpetrating inequalities and meets its legal requirements.
- 4.9. The main players in policy formulation are the Senior and Chief Officers who provide professional advice and recommendations, the Councillors who are the decision-makers, and influential community groups who may be consultees on specific policies or may make formal representations on any concerns they have. The recent introduction of Community Councils also provide opportunities for local input on a range of issues relevant to those communities, although, at this stage, they are yet to realise their full potential.

- 4.10. The competence of all those involved in these processes is critical to the success of achieving equality outcomes. Some elected members have indicated to the review that explicit training for members on equality and diversity has been weak and ineffective. In particular, a specific equality and diversity competence is the issue of most relevance to this Review. Training is a vital consideration for Senior and Chief Officers' competence in order to meet equality and diversity performance requirements. Equality and diversity decision-making would also be enhanced by having more participants as Councillors, Senior and Chief Officers' who are of BME origin, women, people with disabilities, religious minorities and people of various sexual orientation in order to reflect diverse experiences awareness and knowledge as part of these processes. There is much training provision for members and officers. Its appropriateness for making senior managers competent in equality and diversity, skill and experience has been challenged by some complainants.
- 4.11. It is also likely that not all Chief and Senior Officers attend the necessary training courses to acquire E & D competence and this should be mandatory and enforced. The Council is piloting a Diversity Solutions Training product in which some 40 staff have participated and the next phase will take in all Chief Officers and Divisional Service Managers. 110 Managers attended a Learning Day event on equality and diversity and community cohesion in June 2004. The Member Development Manual stresses the equality and diversity and planning needs to be addressed through training and this has been extended to include a recently offered package on Human Rights.

Nevertheless, training and coaching provision, particularly for Senior Officers and elected members should be reviewed thoroughly again to determine appropriateness for equality and diversity competence and all elected members, Chief and Senior Officers should attend such courses to ensure individual E & D competence.

Equality and diversity competence must be an essential requirement for all staff and members of the Council having regard to the deprivation, disadvantage and discrimination experienced by the diverse communities living and working in Southwark. As an essential requirement in all person specifications for job vacancies and as part of all performance appraisal

arrangements the Council should review its rigorous application to ensure maximum effectiveness.

- 4.12 The above recommendations are made to strengthen effectiveness. The Council's policy-making processes are found to be comprehensive and in line with best practices in local government. It has responded over the past three decades with a variety of extensive policy commitments on equalities and, in more recent years, has developed its commitment to fair treatment across the diversity spectrum to meet the needs of all cultural communities in Southwark and to provide good relations between all inhabitants. Such developments are similar to those developed by other public bodies engaged in responding to such challenges. The equality and diversity challenges to be found in Southwark are as considerable as or even more challenging than anywhere else in greater London and the Council's policy responses are soundly crafted and extensive.

5.0. Corporate Equality and Diversity Policy-Making

- 5.1. As already stated, over the past two – three decades, the Council has taken a strong and consistent corporate approach to developing and adopting policies specific to the equality and diversity challenge. It has increasingly profiled the particular needs and concerns of its diverse range of communities and sought to respond to these within the context of its duties specified in the array of anti-discrimination legislation and its commitment to eliminate unlawful discrimination and tackle social exclusion. For example, there is a programme of work specifically designed to ensure that the Council meets the “reasonable adjustments” provisions of the Disability Discrimination Act 1995.
- 5.2. The policies and their commitments are incorporated into the **Corporate Equalities Action Plan**. The actions set out therein provide the basis for monitoring implementation, measuring successes and achievements, identifying difficulties, planning new initiatives and assessing the impact of the efforts to achieve equality and diversity goals. In setting itself a yardstick for getting the equality and diversity goals and measuring its performance, the Council has used **the Local Government Equality Standard** and adopted proposals for Southwark to become a Pathfinder authority under the Government’s Community Cohesion Pathfinder Programme. These are all approaches which accord with best local authority practices and would be commended by all the appropriate advisory bodies and equality agencies.
- 5.3. In addition, and with specific reference to race equality and race relations, the Council adopted a **Race Equality Scheme** by May 2002, as required by all public bodies in accordance with the Race Relations (Amendment) Act 2000. The Southwark Scheme is regarded by those who were consulted as a good model for planning and implementing the actions needed and it is also regarded by the Commission for Racial Equality as a good working document. Such schemes have to be reviewed after three years and the results published and widely consulted on with local communities and agencies. This is a process in which the Council are now engaged and will ultimately lead to a revised scheme by May 2005. Consideration will have to be given to ensure that the new scheme captures all activities across the Council in a consistent

way, whilst blending the cutting edge approaches on race equality with other equality and diversity activities so that everyone can regard himself or herself as being treated fairly and equally. As important is the need for all staff and the wider public to know about the scheme which is not the case at present. The Council is committed to such a process and the matter has been under consideration by the external Equalities and Diversity panel. An action plan with targets and implementation dates should be urgently produced for wide-scale involvement of stakeholders in the Race Equality Scheme review process and this should be the subject of wide consultations, if timescales and effective engagement of the borough's diverse communities are to be achieved with a view to producing an exemplary and meaningful revised scheme by May 2005.

- 5.4. Consultation with local communities, especially the intended beneficiaries of such policies, and their engagement with and support for the equality and diversity initiatives are all high priorities for the Council and regarded as vital to the success and achievements of lasting equality and diversity results. Section 6 of this report comments on existing consultation arrangements.
- 5.5. A key objective for the Council has been to integrate equality and diversity considerations into the mainstream of business planning, performance management, review and assessment in relation to all council activities. At Officer level the driving force for implementing equality and diversity policies comes from the commitment and leadership of corporate management. There is a **Chief Officers Equalities Sub-group** chaired by the Chief Executive. The group meets bi-monthly and examines progress in meeting the targets set in the Corporate Equalities Action Plan, focussing on service delivery improvements, and monitoring progress with the intention of reaching level 3 of the Local Government Standard during this current administrative year (2004-5) and level 4 during 2005-6. Moreover, the progress of assessing the impact of all equality and diversity actions and outcomes across the entirety of the Council is undertaken by the Chief Officers Equalities Sub-group. It is the intention of the Council to translate the Corporate Equalities Action Plan into a Strategic Delivery Plan in line with the Council's core processes for monitoring progress and compliance across the Council. This process is vital in embedding equality and diversity within the core processes of the Council and to enable elected member scrutiny as an automatic element in all review

processes, through both the Overview and Scrutiny Committee and any other specific sub-committee considerations. These processes are enhanced by inputs from external Forums and the **Equality and Diversity Panel**, which provide independent interrogation, rigorous scrutiny and ideas for adoption.

5.6. Whatever the Council does on equality and diversity and however much it claims to be effective, the critical judgements must come from the intended beneficiaries among the wider local public. Their involvement and engagement is another vital component in the equality and diversity framework for securing community and public support as well as listening to and responding to their views and concerns. Consultations with locally organised groups of people, using a variety of community languages are an important part of obtaining information and putting it out to the public in appropriate ways. Publicised information on equality and diversity activities also appear on the Council's Web-site. Seminars are held on specific topics to raise awareness and engage on the issues with relevant diversity groups of people. Most significantly there is the Equality and Diversity Panel, which comprises external members from the local community, who scrutinise and offer critical comments on the equality and diversity policies, programmes and their implementation. The panel members are experienced in specific equality and diversity concerns and are drawn from local interest groups. They bring an explicit understanding of the different groups of people whose needs are being responded to and can highlight failures, deficiencies, short-comings and weaknesses to be addressed. The E & D interests are covered across the spectrum of race, gender, sexual orientation, disability, religious belief and age.

5.7. The Panel meets regularly at six weekly intervals, with the intention of providing independent rigour to the impact assessments reviews as well as offering their experiences and expertise in order to make equalities and diversity plans meaningful to the lives of the people of Southwark. However, whilst acknowledging the volume and usefulness of this process, it has limitations in not being able to assess and verify fully what is happening on the ground. It relies on officers' own internal self assessment and scrutiny in the "**Equality Impact Assessments**" process to signify actions, progress and achievements. It needs to be supplemented by specific Service User Feedback to determine exactly what the intended beneficiaries experience

and whether or not they believe that the impact of the provision is the same as the officers'. No assessment of equality impact can be meaningful without the views of the intended beneficiaries. It is noted that as a result of such feedback in the past, actions have been taken to commission essential work such as in Housing Consultations and Planning with BME stakeholders. Thus it is recommended that the process of equality impact assessments and their consideration by the E & D Panel should include both quantitative data as well as qualitative information, especially customer, client and service user feedback.

6.0. Consultations, Involvement and Engagement

- 6.1. The Council places a very high priority on effective and meaningful consultations, involvement, engagement and participation with its diverse communities. Consultations take place on a wide variety of council initiatives and policy planning processes. Local liaison arrangements exist for specific service areas such as Housing's Tenant and Resident Associations, through neighborhood Forums with Tenant Management organisations as well as on one-off issues. In Social Services, extensive consultation arrangements with BME communities and other equality groups are effected through partnership Boards, Carers Forums, Workers Development Group, Maroon Project, Carers of Life Project, Day Care Assessment Project, residential consultation, Unaccompanied minors, Youth Council, "tell us what you think" consultation, looked after children, and family court assessment service feedback project.
- 6.2. The Council's Best Value Reviews assess the effectiveness of equality and diversity content in consultation structures and processes for each function and activities across the Council's success.
- 6.3. In spite of all the consultation and engagement programmes led by departments and also by central corporate initiatives, the Council needs to improve communications with local residents to get its positive messages across to all communities and the general public. The Council is not regarded any less as a public performer if compared to other local authorities with similar challenges of diversity and deprivation. Indeed year on year results from Residents' surveys show annual improvements in satisfaction levels with the Council. Well over half of respondents considered themselves to be satisfied with the way Southwark Council is being run. There are stark variations in views with those most satisfied with the Council being people resident in Dulwich, Borough and Bankside areas and residents who are full time workers with good incomes. People who are most dissatisfied with their areas and the Council reside in the relatively deprived areas of Peckham, Camberwell and are among the 60+ age group, people with disabilities, those who are relatively poor and BME communities. Around 48% of those interviewed in Peckham were satisfied with the Council; 50% of interviewees in Camberwell and 63% in Walworth thought that the Council's performance was satisfactory. The

Peckham Partnership End of Scheme Evaluation Report revealed that local people's perception was that the major regeneration scheme improved prospects for the area and made it a better place to live in, although most would prefer to be living elsewhere.

Thirty percent (30%) of the MORI survey said they found the Council staff unhelpful when contacted for help, 39% regarded them as uninterested in their problem, and 40% reported that they were unable to get a satisfactory outcome. The proposed new Customer Service Centres will be seeking to make inroads in reducing the present levels of dissatisfaction and particularly in those areas and with those communities who are most disaffected. In Camberwell and Peckham, only 11% of respondents had heard of Community Councils.

- 6.4. It is against such a background that the effectiveness of consultation programmes must be assessed. It is clear that the Council is doing better year on year as reported back by residents themselves through annual MORI surveys. Yet there is more to be done in improving performance, a fact which the Council is continuously addressing. There are several key issues that are relevant to determine appropriateness of the processes used to engage with the public in Southwark and especially some hard-to-reach groups of people:
- i. Deprived communities without IT or unwilling to attend meetings
 - ii. Young people not very interested in consultation exercises which are not specifically targeting them and their own particular interests and concerns
 - iii. Reaching people through community involvement and development activities
 - iv. Language and communication difficulties
 - v. Methods of communication with residents
 - vi. In spite of best efforts of voluntary organizations and community groups, they are not always able or competent to represent all interests
 - vii. Building trust and confidence where lacking
 - viii. Two way process of consultations necessitating listening and giving regular meaningful feedback
 - ix. Visible and tangible evidence of benefits arising from Council activities.
 - x. Consultation inputs overlooked and explanations of decision-made as part of feedback are rarely provided.

6.5. There is clearly a good deal of consultation going on in Southwark between the Council and local people. In some instances there may be too much happening for ordinary people to respond to reasonably and sensibly. In some forums, representatives are hand picked from selected lists and appear regularly as consultees, even when they are incapable of responding to excessive demands. The Council accepts that residents are entitled to know what is proposed, what is going on, how it affects them and what opportunities there are for inputting their views. Thereafter they require feedback. They need to know what decisions are made, how and why they are made and to be clear about the benefits and/or disadvantages to be derived there-from. This happens at present but processes and methods require improvement such as greater outreach and specific feedback principles in communications being applied consistently. There is a crucial role for all elected members to perform in communicating messages to constituents in meaningful ways. Interface, personal, word of mouth communications are essential to build trust and confidence, to get positive messages across, to challenge and to counter misinformation, and to listen, learn and take forward the views of local people. It is an area of high commitment from the Council. Whilst leading members, who are better informed than others, are well positioned to do so, it is essential that all members are briefed, informed, and be competent to undertake these tasks if credibility is to be achieved. In the context of equality and diversity considerations the explicit contacts necessary to be made with women, elderly residents, BME residents, people with disabilities, the gay, lesbian, bi-sexual and transsexual communities, the multi-faith communities and other vulnerable groups of people will be an obvious priority for contacts and engagement. However, good relations, social inclusion and community cohesion necessitate responses which value each person, whatever their background. Each person's views must be regarded as equally important for the Council in order to avert resentment caused through perceived belief that preferential treatment is being given to others who are undeserving. Hence the very strong requirement for better informed member-interface with the public to explain issues, to counter misinformation and rumours and to deal with concerns in meaningful ways. In particular, cynicism has to be addressed, as people believe that they rarely ever get feedback, after giving their views, on what decisions were made, how they were made, why they were made and what difference those decisions would make in improving life chances or quality of life or fairer treatment. It is therefore recommended that communications, elected members interface with

local communities and feedback to residents on decisions made be improved with a view to promoting better understanding of the intended benefits of decisions made and to promote better relations between diverse communities in order to achieve community cohesion aims and objections.

- 6.6. Moreover, statutory duties under the Race Relations (Amendment) Act 2000 require consultations to be undertaken on race equality schemes, results to be publicized and other minority data to be collected, assessed, published and be part of on going consultations. As it is a requirement for the Council to “promote good relations between people of all racial groups”, it is incumbent that the Council engages with people from all backgrounds in the borough to generate commitments for social interaction in (especially among children and young people) multi-cultural activities and events, to counter prejudice and bigotry through publications, information and learning and also to build confidence and trust between local agencies and different communities so that they can be enabled to relate to each other in positive ways. Some proactive work is taking place to assess and address community tensions. The Council should nevertheless reassure itself that these systems are effective and are adopted consistently across the borough.
- 6.7. The Council should be helped in this process of promoting good race relations and tackling inequality by the local Southwark Race and Equalities Council (SREC). The SREC, at present has a wide-ranging approach to its work and would need to redefine its focus to attract wider support and enhanced credibility. The Council is assisting SREC in the process of redefining its focus so that there can be clear agreement on what programmes to prioritise to accord with its own equality and diversity strategies. A strong emphasis of its work at present is on helping victims of discrimination by providing advice, support and representation. This has been audited independently for accuracy and commented on by the Council’s review of SREC’s performance. Many of the cases handled are from Council employees and there must be scope for the Council to assist SREC in a clearly agreed programme of work which would assist the Council, its residents and represent value for money. Clearly one role which it can perform independently of the Council would be to draw attention to patterns of discrimination or exclusion from the public bodies, private employers and voluntary organisations in the borough. However, this critical role may be resented by those bodies, including the Council when they

are likely to have allegations made against them. Equally SREC has to acknowledge its own shortcomings in order to build a credible case for ongoing and other support as well as take on an agreed programme of activities. The recent review conducted by the Council as part of its ongoing monitoring of SREC's performance provides a basis for reinvigorating the organisation. One area to be addressed is that of new and younger members to be a part of SREC's organisation and for SREC to play a more leading role with the Council in promoting better race relations locally. The CRE has an interest in this and is involved in discussions on developing and agreeing an action plan.

- 6.8. Overall, the Council's Equalities Action Plan provides a sound all-embracing, Council-wide strategic framework for addressing the improvement and development of equality, diversity and social cohesion in the borough. It should also be developed and regarded as the appropriate lead programme in coordinating actions relevant for all equality and diversity groups of people. This is essential for consistency, fairness and coherence. The EAP has a precise focus covering the key areas of leadership, employment, access to and provision of service and participation. Whilst it does not cover every activity, if it achieves stated objectives in the key areas identified it has the potential to create a sound basis for the strategic delivery of coherent E & D policies, processes and activities. One major activity necessary to be made more prominent within the plan is the promoting of good relations between people from all backgrounds. This is already a more specific requirement of the Race Relations (Amendment) Act 2000 and will eventually be extended across all other aspects of anti-discrimination legislation as part of public duty requirements.

15.0. Conclusion

- 15.1. Southwark borough is one of the most deprived boroughs in the Country. Southwark Council is the largest social landlord in London with some 56,000 households as tenants. The borough has one of the most ethnic and culturally diverse populations compared with any other area in the UK. The most deprived people are concentrated in the poorest and overcrowded neighbourhoods. The quality of education is unsatisfactory and many young people are vulnerable to unemployment, anti-social behaviour, crime and social exclusion. There is continuous inflow and outflow of residents, creating uncertainty, instability and new daily challenges. The Council has explicit policies aimed at providing public and personal services for all of its inhabitants in equitable and fair ways and strives to avoid unlawful and unfair discrimination in all of its activities as a public body and a large employer. It has a cohort of very committed officers and members. In spite of its best efforts, and these are considerable, there is still dissatisfaction expressed by some residents about the borough, its public services and about the treatment they receive.
- 15.2. Undoubtedly, over recent years, the Council has seen more residents acknowledging improvements in service provision and this is evidenced in public attitude surveys and recognised by inspections and monitoring bodies such as the Audit Commission.
- 15.3. The Review has been wide-ranging across the Council's activities but it has been dominated by the concerns of BME small businesses and their reaction to regeneration and redevelopment proposals. Many of their complaints are summarised in the section on Regeneration and Planning as indeed are the Council activities aimed at overcoming identified weaknesses. The Council has already accepted the shortcomings identified by the District Auditor and the Local Government Ombudsman and have put in place, or are currently in the process of putting in place, the many measures to address these. There are examples of some success such as the Peckham Regeneration. Yet there are traces of cynicism and a lack of trust among some of the BME communities, especially among small businesses at the Elephant and Castle

and at Camberwell. What seems clear is that there is need for better community understanding and awareness of the planning and regeneration processes, through increased inter-face between members, officers and those sections of local communities with greatest needs. It is important to build mutual trust and confidence among these groups of people. They regard the Council's policies and proposals as sound and well intentioned but, perceive that their treatment by the Council has neither been fair nor adequate, even when the reality may be quite different. The Council has much to do, on a continuing basis, in building trust and confidence with such communities. It has to accept that some people have been treated badly, their situations require resolution and actions made known to convince the wider public that such mistakes or weaknesses will be eliminated in line with all the expressed policy commitments. Part of the problem arises from a strong perception that those who make the decisions are not familiar as they should be with all the diverse cultural communities of Southwark, their needs, problems and aspirations, notwithstanding the many initiatives in place and the progress being made. The continuing need to establish trust and confidence among all sections of Southwark's diverse communities should be regarded as a recognition of both how much good work the Council has already done and is doing, as well as the commitment of the Council to acknowledge identified weaknesses and respond to these positively in the context of the Council's equality and diversity policies and commitments.

15.4. The Council's Equality and Diversity Framework has evolved over three decades to what it is today. That has been a dynamic process of change and adaptation through having to respond to considerable shifts in personnel, organisational structure, legislation and regulations, government policies, fluctuating demography and community demands. At present the stated policies of the Council are comprehensive to meet its equality and diversity objectives as well as to comply with legislative requirements. The framework for policy formulation is sound.

- At member level, there is an Executive Member leading on Equalities
- The Chief Executive chairs the Chief Officers Equalities Sub-Group (COESG)
- The Corporate Equalities Action Plan provides the strategic direction for specific programmes and action.

Overall monitoring arrangements are effected through:

- COESG
- The Equality and Diversity Panel (EDP)
- The Equality Impact Assessments (EIA)

Other arrangements exist within departments to cover specific service delivery matters and to manage E & D issues.

15.5. It is the implementation of policies and programmes where improvements and enhancements are considered to be necessary and the recommendations made in this Review report are intended to help overcome the weaknesses identified. Those weaknesses associated with policy implementation, if not addressed, will continue to undermine the otherwise sound E & D activities and adversely affect what trust and confidence currently exists between the Council and its diverse communities, especially those who feel most disaffected.

15.6. At the core of concerns to be addressed, is the issue of Equality and Diversity competence among members and staff, particularly those who make decisions and interface with the public. Extensive investment in training for both members and staff has been a long held commitment over the years and new programmes are being piloted and assessed with the aim of achieving greater effectiveness and relevance for E & D competence. This area requires vigilance and rigour. Recommendations are made to address the enhancements needed. Furthermore, there are several suggestions made to improve the Council's role as the Borough's leading employer in a number of areas where weaknesses have been identified. Notwithstanding the improvements which are necessary, it is acknowledged that the Council is already a good performer as an E & D employer in Britain. Of particular noteworthiness is the BME staff network which was set up in the Autumn of 2004, offering the prospect of BME staff being able to be more contributory than in the past in policy development and formulation, raising confidence among BME staff to challenge unfair treatment, enabling talent management for diverse under-represented groups of staff to be successful and enabling diverse staff group networks to be developed and supported by the Council.

15.7. Another of the core concerns is about the limited inputs made by disadvantaged and hard-to-reach communities in decision making. The Council consults with its local residents extensively and invests heavily in specialist staff to communicate with its diverse communities. In addition to the need for better co-ordination of such wide-ranging resources at local levels, it is necessary for consultees to get regular feedback on decisions made on issues they raise for consideration. This, when coupled alongside the failure for some people to get adequate responses to their complaints, contributes to dissatisfaction with Council Services and also adversely affects the mutual trust and confidence necessary to underpin successful E & D work and improving community relations. The council has a leadership role in promoting good relations between people of all backgrounds and, in partnership with other agencies, it has to set the standard for performance in these matters and encourage others to do likewise, including through its procurement activities. Suggestions for enhanced activities are made in the form of recommendations.

15.8. Specific E & D issues in different departments are identified in the Review report with suggestions made to address these. Of particular concern have been the failures in town planning identified in the District Auditor's Report, which was mainly about events between four and eight years ago. The Council has been addressing the weaknesses and failures identified but there still remains concerns and ongoing disputes which adversely affect how some communities perceive the Council and the treatment that they receive. Some BME small businesses continue to perceive their treatment to be differential and unfair and, in spite of the Council's efforts and initiatives, allege racial motivation and unequal outcomes. Among the submissions made in this respect are complaints, some of which have been referred directly to the Chief Executive for investigation and resolution and some of which are included in the Annex to this report as an indication of the sorts of concerns, allegations and submissions made to the Review and already in the public domain.

15.9. One of the recommendations made is for the short-term appointment of an independent E & D Auditor to oversee the enhancement activities and to equality-proof and to equality-audit decisions made. This would enable the Council to validate and verify the equality outcomes and impacts achieved,

thereby nullifying, where appropriate, any unjustified allegations of unfair and discriminatory treatment. This proposal, if implemented, would also enable the oversight of external feedback and input to the EIA processes with qualitative information made available to supplement the internal departmental assessment. It would also assist with the building of trust and confidence across all diverse communities and especially those residents and businesses who, at present, believe that they are the victims of unfair, differential and discriminatory treatment.

16.0. Summary of Recommendations:

(These are referenced to the relevant paragraphs in the main report)

- 16.1. Training and coaching provision, particularly for Senior and Chief Officers and elected members should be reviewed to determine appropriateness for Equality and Diversity competence and all elected members, Chief and Senior Officers should be mandated to attend such courses to ensure individual E & D competence (paragraph 4.11).
- 16.2. Equality and Diversity competence must be an essential requirement for all staff and members of the Council and should be an essential requirement in all person specifications for job vacancies, promotion and as part of all performance appraisal arrangements (4.11).
- 16.3. An action plan with targets and implementation dates should be produced urgently for wide-scale involvement of stakeholders in the Race Equality Scheme review process and this should be the subject of wide consultations if timescales and effective engagement of the borough's diverse communities are to be achieved with a view to producing an exemplary and meaningful revised scheme by May 2005 (5.3).
- 16.4. The Equality Impact Assessments should include both quantitative data as well as qualitative information, especially customer, client and service user feedback as part of the EIA process and for consideration by the Equality and Diversity Panel (5.7).
- 16.5. In order to address shortcomings in communications, information sharing and consultations, there should be improved E & D information available to elected members so as to generate greater interface with diverse communities and to provide consistent and meaningful feedback to communities and service users as well as promoting better relations between different cultural communities (6.5).
- 16.6. The Southwark Race and Equalities Council and Southwark Council should agree on an action plan for the reform of SREC to achieve more

representative membership, to have an agreed activities programme and to be a joint partner with the Council in promoting good race relations (6.7).

- 16.7. The Equalities Action Plan should highlight and prioritise targets explicitly aimed at promoting good race relations in the borough, which is a statutory requirement (6.8).
- 16.8. Southwark Council's workforce E & D data is comprehensive and improving. However, as several services are outsourced it is necessary to have E & D staff data for all external providers and contractors in order to assess E & D performance, compatibility with the Council's equality policies, compliance with E & D legislation and enabling the Council to meet its public duty obligations (7.2).
- 16.9. During 2003/4, £34.9 million was spent on agency staff which should be analysed with E & D classifications to assess E & D compatibility and to deal with alleged discriminatory practices (7.3).
- 16.10. Disproportionality exists for BME, women and staff with disabilities across different parts of the workforce and requires targeted action to address imbalances (7.4) and (7.5).
- 16.11. CEO and Directors to be tasked with the goals of making their respective Senior Management teams representative and reflective of BME and staff with disabilities (7.5).
- 16.12. More people with disabilities should be targeted by the Council with a view to improving their opportunities to be employed at all levels within the Council in greater numbers (7.6).
- 16.13. 66% of applicants for vacancies in 2003/4 were from BME people but only 46% of appointed people were from BME background and the reasons for the 20% fall away needs analysis and consideration of any appropriate action required (7.7).
- 16.14. Better quality monitoring data is required on applicants with disabilities and also to enable a better understanding of the equality and diversity prospects

of staff from different religious affiliations, those who are Lesbian, Gay, Transexual or Bi-Sexual and to enable effective preparation for dealing with forthcoming legislation to eliminate age discrimination (7.8).

- 16.15. On-going monitoring of each disciplinary case should be instituted, especially in the Environmental Cleaning Business Unit and in the Social Services Department to eliminate any potential scope for discrimination and to ensure that appropriate management action is taken to reduce the relatively high number of such disciplinary proceedings against BME staff. Such monitoring should extend to examine any discriminatory implications of the high proportion of BME staff who are on temporary and fixed term contracts in the Cleaning Business Unit (7.9).
- 16.16. The reasons for the levels of staff dissatisfaction need to be known and better understood. 360 degree independently facilitated reviews should be deployed involving key staff and managers, particularly in identifying potential for promotion to senior and top positions and in order to tackle identified concerns (7.11 and 7.12).
- 16.17. The delivery of equality and diversity outcomes, through the Accelerated Development and Talent Management Initiatives, require targets to be set and to be part of performance appraisals. The achievement of equality and diversity targets should figure specifically in Chief Officers', Senior Managers' and Supervisors' appraisals of performance (7.14).
- 16.18. The promotion of good relations between people of all backgrounds must be a priority for all schools, through learning and in curriculum, so that all children and young people have knowledge and understanding of different groups of people and the opportunity to learn with and from each other (8.8).
- 16.19. Greater diversity in the teacher workforce should be a clear target, as well as raising the quality of teaching in all schools (8.9).
- 16.20. A very high priority should be given to action aimed at increasing the level of active parental involvement in schools as partners in contributing significantly to improved quality of education, high standards, and improved attainment levels (8.10).

16.21. In addition to the wide range of measures being pursued to improve achievement attainment levels of pupils in Southwark schools, it is recommended that priority be given to recommendations 18, 19 and 20 above and:

- developing the role of school and community partnerships
- raising the profile of education by making “learning” attractive and exciting for young people, using peer group success, role models and mentoring to engage positively with pupils and students and challenging and rejecting robustly and consistently all unacceptable behaviour
- partnering with youth services to elicit young people’s views for the purpose of responding thereto and contributing to positive developments (8.11)

16.22. The Council will wish to be reassured that existing arrangements for assessing and responding to the potential for inter-ethnic youth conflict are adequate and effective (9.7).

16.23. Action is needed in Housing to address the shortfall in data and information about tenants’ feedback, users’ views and detailed analysis of complaints to include trends, diversity profiles and satisfaction levels on responses (11.6 and 11.7).

16.24. The reasons why there are high levels of dissatisfaction with housing services from BME residents need to be better understood and action taken to address known concerns (11.7).

16.25. Social Services’ Clients’ feedback and user surveys are essential as part of the information that should be available for both management purposes and as part of the E & D framework, the Equality Impact Assessments, the E & D Panel and the wider public. In addition, meaningful consultation with BME and new communities are necessary in determining needs and sharing information (12.4).

16.26. In Environment and Leisure services, better communication and more information sharing is required to ensure that all sections of the community

can have increased awareness of the services available and to engage with the diverse communities in more meaningful ways (13.4).

- 16.27. Cultural Awareness training needs to be extended for all staff across all areas of the E & L's department and its activities in order to make the department more E & D competent (13.5).
- 16.28. Monitoring data, especially complaints, client and service users feedback as part of effective Equality Impact Assessment process is inadequate and needs to be addressed urgently (13.6).
- 16.29. Specific attention should be given to promoting business development opportunities for people with disabilities notwithstanding the likelihood of the numbers always being likely to be small. (14.13).
- 16.30. Effective co-ordination is needed of existing resources and formats for reaching and engaging all sections of the diverse communities in neighbourhoods where regeneration, investments and developments are proposed. Team based activities, such as CIDU – led outreach and contact activities, should be the focus for community consultations (14.17).
- 16.31. Regeneration areas would be best served by each having its own Town Centre style management group with a one-stop-shop type facility leading on contacts, advice, information and consultation, harnessing all existing community based activities to achieve best utilisation of resources for awareness-raising and outreach to all vulnerable groups of people (14.17).
- 16.32. An explicit training programme for planners, incorporating learning to facilitate E & D competence is an urgent requirement for introduction (14.17).
- 16.33. E & D profiling, representation and considerations must be integral to all decision making on planning matters at Community Councils (14.18).
- 16.34. Composition of Committees and the officer hierarchy in regeneration and planning must in future reflect the borough's diversity or seek to redress imbalances with measures aimed at achieving equality and diversity outcomes (14.19).

- 16.35. An independent E & D Auditor be contracted to scrutinise such processes on a continuous basis, reporting to Scrutiny Committees and Community Councils as well as providing feedback to the network of public and all community organisations which have interests in equality, diversity and good community relations (14.19).