

Equality, Diversity & Inclusion Strategy 2024-28

Purpose of this Report

1. To provide Members with context and papers to support pre-decision scrutiny of the Council's draft Equality, Diversity & Inclusion Strategy 2024-28, programmed for presentation to Cabinet on 19 September 2024,

Structure of the Papers

2. Attached to this report to assist Member's preparations for the scrutiny:

Appendix 1: Cabinet Report titled:

Equality, Diversity & Inclusion Strategy 2024-28

To which are appended:

Appendix A: Equality, Diversity & Inclusion Strategy 2024-28

Appendix B: Cardiff Equality Needs Assessment: Executive Summary

Appendix C: Cardiff Equality Needs Assessment

Appendix D: Draft Equality, Diversity & Inclusion Strategy 2024-28

Consultation & Engagement Report

Appendix E: Single Impact Assessment

Appendix 2: Correspondence following previous scrutiny in March 2024

Reason for Recommendations to Cabinet

3. The report to Cabinet requires Cabinet:

... to note the outcome of the consultation and engagement exercise and approve the updated Equality, Diversity & Inclusion Strategy 2024-28 in accordance with the requirements of the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011.

Background & Context

4. Equalities policy is a fundamental part of the Policy Review and Performance Scrutiny Committee's Terms of Reference, requiring the committee to monitor and review Council policy and strategy in relation to equalities.
5. The Public Sector Equality Duty includes a requirement for public authorities to develop and publish Strategic Equality Objectives every four years. Therefore, the process of developing the Equality, Diversity and Inclusion Strategy for 2024–28, attached at **Appendix A**, has been underway throughout 2024, setting out five Strategic Equality Objectives detailing a number of actions for their delivery over a four-year period.
6. As a key stakeholder the committee has engaged in the strategy's development to this point. In March 2024 Members were afforded a policy discussion and undertook scrutiny of progress that included the equality needs assessment, bringing all existing data and evidence of issues facing those groups with protected characteristics together, arriving at the *Cardiff Equality Needs Assessment*, attached at **Appendix C**. The findings of this review have been summarised in the *Executive Summary*, attached at **Appendix B**.
7. The proposed Equality, Diversity & Inclusion Strategy 2024-28, has been drafted by taking account of the needs assessment, reviewing the Council's previous Equality & Inclusion Strategy 2020-24, reviewing local and national strategies, engaging with stakeholders and conducting a formal six-week public consultation between 3 June and 14 July 2024.

Legal Duties and Requirements

8. The Equality, Diversity and Inclusion Strategy 2024-28 details how the Council will meet the legal obligations as found within the Equality Act 2010 and Public Sector Equality Duty.

9. The Equality Act 2010 brings together and replaces the previous anti-discrimination laws with a single Act. It simplifies and strengthens equalities legislation and introduced a Public Sector Equality Duty (the 'general duty'), which replaced the separate duties on race, disability and gender equality.

10. The Public Sector Equality Duty covers the following protected characteristics:

- i) Age
- ii) Disability
- iii) Gender Reassignment
- iv) Marriage and Civil Partnership
- v) Pregnancy and Maternity
- vi) Race – including ethnic or national origin, colour or nationality
- vii) Religion or belief – including lack of belief
- viii) Sex (Gender)
- ix) Sexual orientation

11. The aim of the general duty is to ensure that public authorities and those carrying out a public function consider how they can positively contribute to a fairer society through advancing equality and good relations in their day-to-day activities. The duty ensures that equality considerations are built into the design of policies and the delivery of services.

12. When making decisions and delivering services, public authorities must have due regard to the need to:

- i) Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act;
- ii) Advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and
- iii) Foster good relations between people who share a protected characteristic and those who do not.

Specific duties in Wales

13. There are specific statutory duties placed upon the Council which set out what actions the Council must take to comply. The broad purpose of the specific duties in Wales is to help listed bodies in their performance of the general duty and to aid transparency. The specific duties in Wales were published by Welsh Government in April 2011.

14. A listed body in Wales must:

- i) Publish objectives to meet the general duty;
- ii) Publish a statement setting out the steps it has taken or intends to take to meet the objectives and how long it expects to take to meet each objective;
- iii) Make appropriate arrangements to monitor progress towards meeting its objectives and to monitor the effectiveness of its approach; and
- iv) Give appropriate consideration to relevant equality information it holds when considering what its equality objectives should be.

15. As part of this requirement listed bodies must also:

- i) Have due regard to the need to have objectives to address the causes of any pay differences that seem reasonably likely to be related to any of the protected characteristics; and
- ii) Publish an equality objective to address any gender pay gap identified or else publish reasons why it has not done so.

Issues

16. Whilst Cardiff is the most ethnically diverse local authority in Wales and one of the oldest ethnically diverse communities in Britain, with over 80 languages used, it faces instances of long-standing and deep-rooted inequality. The Council policies must seek to tackle inequality of outcome; remove barriers; promote community cohesion; meet the needs of a changing city; and put in place robust organisational practice and legal compliance. (*Appendix 1, points 16-22*).

17. There are many examples of the Council's good practice to date - the Race Equality Taskforce; becoming the highest ranked local authority in the UK in the 2023 Stonewall Index; achieving UNICEF Child Friendly City status; working to become both an Age & Dementia Friendly City; Leading a city-wide response to welcome refugees and asylum seekers; Continuing to tackle Violence against Women, Domestic Abuse and Sexual Violence; Delivering Welsh Government's Community Cohesion Programme. (*Appendix 1 points 23,24*).

18. The Equality, Diversity and Inclusion Strategy 2024-28, attached at **Appendix 1**, sets out how the Council will meet the legal obligations as found within the Equality Act 2010 and Public Sector Equality Duty. The Strategy identifies five equality objectives detailing a number of actions for their delivery over a four-year period. Progress against these Objectives will be detailed in an Annual Report. The annual report will be subject to scrutiny before being considered and approved by Cabinet alongside the Annual Wellbeing Report.

19. The five equality objectives for 2024-28 are:

1. **A Fairer Cardiff:** We will reduce inequality and support everyone in Cardiff to fulfil their potential.
2. **An Accessible Cardiff:** We will work to ensure everyone can take part in all Cardiff has to offer, regardless of background or circumstance.
3. **An Inclusive Cardiff:** We will make Cardiff a city where differences are understood and celebrated, and where all communities feel like they belong.
4. **A Council that reflects its communities:** We will make Cardiff Council a more inclusive organisation which reflects the diversity of the people we serve, and where employees are confident to be themselves and are empowered to progress.
5. **Equality, Diversity and Inclusion at the heart of the organisation:** We will ensure that Cardiff Council's core processes support equality, diversity and inclusion.

20. The full results of the formal six-week public consultation are attached at Appendix D, and a quick reference to the key messages emerging (feedback) together with the Council's response is clearly set out at *point 43* of the Cabinet report (*Appendix 1*). These cover Employment and Progression; Education; Community Cohesion; Social Value & Community Wellbeing Benefits; Community Safety; Access to Services; Children's Services; Health; Physical Environment; Supporting Refugees and Asylum Seekers; Terminology; Climate Emergency; Supporting Carers.

21. The Strategy at **Appendix 1** approaches the task ahead in similar vein to the Corporate Plan. The clear framework is as follows for each Equality Objective:

- A **narrative** that will set out the challenges and potential gaps that need to be closed.
- **Steps** that the Council will take to achieve the Objective, each of which will be assigned a **Lead Member** and a **Lead Directorate** and states clearly the **Source Document** from which the step has originated (*note this varies, it may stem from the Council's Corporate Plan 2024-27; the Cardiff PSB Local Well-being Plan 2023-28; the Ask Cardiff survey; Cardiff & Vale RPB Joint Area Plan 2023-28; Cardiff Race Equality Taskforce recommendation; Workforce Strategy 2023-27; various Directorate Delivery Plans etc.*)
- **Key Performance Indicators** that will enable progress to be assessed annually.

Previous Scrutiny

22. Following consideration of the draft Equalities Diversity and Inclusion Strategy 24/28 in March 2024, the committee made six policy development recommendations. The Cabinet Member for Public Health and Equality responded that four of the committee's recommendations had been fully accepted, and two partially accepted. The correspondence is attached at **Appendix 2**.

Scope of this Scrutiny

23. The Committee has been invited to contribute to the development of the Equality, Diversity and Inclusion Strategy 2024-28. As such, the presentation included within the papers at **Appendix 2** will be delivered at the meeting, and the discussion will address each Objective in turn. The Executive summary of the Equality Needs Assessment forms a good basis for understanding the challenges the strategy needs to address. Members may wish to explore whether the draft strategy proposed will deliver the Council's Public Sector Equality Duty.
24. To support this item the following witnesses will be in attendance to provide a presentation and to respond to any questions from the Committee – Councillor Julie Sangani, Cabinet Member for Tackling Poverty, Equity and Public Health, Dylan Owen, Operational Manager Policy & Improvement; Babita Parekh, equalities team and Abbie Streeter, policy team.

Legal Implications

25. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

26. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATIONS

The Committee is recommended to:

- i. Consider the contents of this report, appendices and information provided during policy discussion at the meeting;
- ii. Capture its comments, observations and recommendations to inform the development of the Equality, Diversity & Inclusion Strategy 2024-28 during the Way Forward;
- iii. Consider whether it wishes to pass on any observations, or recommendations to the Cabinet prior to its consideration of the proposals in May 2024.

DEBBIE MARLES

Director of Governance & Legal Services & Monitoring Officer

5 September 2024