

Cabinet

Date of Meeting: 13 April 2021

Report Title: Refreshed Equality Objectives and Equality, Diversity and Inclusion Strategy 2021-2025

Portfolio Holder: Cllr Jill Rhodes, Public Health and Corporate

Senior Officer: Jane Burns, Executive Director of Corporate Services

1. Report Summary

- 1.1** The Council recognises that promoting equality and inclusion will improve public services for everyone. We want Cheshire East to be an area of equitable opportunity, where everyone has a fair chance and people from all backgrounds take part in community life.
- 1.2** Over the lifetime of the previous equality objectives and its supporting strategy we have come a long way in embedding Equality, Diversity and Inclusion (EDI). However, we recognise that there is more to do. We are committed to tackling inequalities, celebrating diversity and promoting equality – as an employer, in the services we provide, in partnerships, and in the decisions we make.
- 1.3** In accordance with Regulation 3 of the Equality Act 2010 (Specific Duties) Regulations 2011 (“the Regulations”), the Council must prepare and publish at least one equality objective once every four years.
- 1.4** In 2017, the Council published a set of four equality objectives and a supporting Equality and Diversity Strategy. These have informed the work that has taken place over the last four years and it is now time for these to be refreshed.

- 1.5** An officer EDI Board is responsible for the delivery of the Council's equality objectives and its supporting strategy and has guided and supported this refresh exercise.
- 1.6** Initially, four equality objectives were proposed, and were presented for formal public and staff consultation which took place between the 6 June 2020 and August 31 2020.
- 1.7** Following the feedback on the consultation, a task and finish group was convened to review the findings of the consultation and consider how best to reflect them. As a direct result of the feedback, a fifth objective is now proposed for approval below. Appendix 1 gives the detail.
- 1.8** There have been two recent EDI developments. The first is a motion proposed by Cllr Stewart Gardiner and agreed by Council on 17 February 2021 to reaffirm support for the International Holocaust Remembrance Alliance (IHRA) definition of anti-Semitism as a key pillar of the Council's equality and diversity policies. The second is a request by the Member Equality and Diversity Champion, Cllr Marilyn Houston, that the APPG definition of Islamophobia is adopted by the Council. This is in the context of the Council's commitment to celebrate all faiths and a willingness to respond as appropriate.
- 1.9** A refreshed Equality and Diversity Strategy is included as Appendix 2, for approval.

2. Recommendations

2.1 Cabinet is asked to:

2.1.1 Approve the following five equality objectives at Appendix 1:

- **Include** - Listen and involve all voices.
- **Inspire** - Celebrate and promote the diversity in our borough and surrounding areas and make the most of the positive opportunities this brings
- **Integrate** - Deliver and promote accessible and equitable services for all.
- **Inform** - Be a council which empowers and cares about people.
- **Impact** - Support and deliver meaningful change.

2.1.2 Adopt the All-Party Parliamentary Group on British Muslims' definition of Islamophobia.

2.1.3 Reaffirm support for the International Holocaust Remembrance Alliance (IHRA) definition of anti-Semitism.

2.1.4 Agree the Equality and Diversity Strategy 2021-2025 for Cheshire East (Appendix 2).

3. Reasons for Recommendations

3.1 Public bodies subject to the General Equality Duty must, in the exercise of their functions, have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.
- Foster good relations between people who share a relevant protected characteristic and those who do not share it.

3.2 Under the Equality Act 2010, the Council is required to produce and review every 4 years, a set of equality objectives.

3.3 Each of the five equality objectives make a direct contribution to supporting the delivery of the Council's Corporate Plan and its Vision for an Open, Fairer, Greener Cheshire East.

3.4 Council on 17 February 2021 reaffirmed support for the International Holocaust Remembrance Alliance (IHRA) definition of anti-Semitism as a key pillar of the Council's equality and diversity policies. This was originally adopted in 2018. It would be sensible to formally include it within the updated Equality Strategy, hence inclusion here.

3.5 Cllr Marilyn Houston EDI Member Champion has asked that the Council adopts the All-Party Parliamentary Group on British Muslims' definition of Islamophobia by Cheshire East Council.

“Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness.”

If we are to achieve an open and fair society, we must tackle the issue of Islamophobia in our midst, and in wider society with serious commitment and action.

The adoption of the All-Party Parliamentary Group on British Muslims' definition of Islamophobia by all local councils would contribute to this.

The APPG opened its enquiry into a working definition of Islamophobia in April 2018.

<https://static1.squarespace.com/static/599c3d2febbd1a90cffdd8a9/t/5bfd1ea3352f531a6170ceee/1543315109493/Islamophobia+Defined.pdf>

From hate crimes motivated by anti-Muslim feeling, buttressed by stereotypes and racist caricatures prevalent in social and media discourse, to policies which perpetuate discriminatory outcomes for Muslims, a definition of Islamophobia is vital if we are to take seriously an “explain or change” attitude in response to inequalities faced by our British Muslim Citizens. The APPG was clear that the inquiry would be a widely consultative exercise to ascertain a working definition of Islamophobia which could be broadly accepted by British Muslim communities and operate across governmental, public, community and private sector organisations, with the aim of ensuring that any impairment of the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life by British Muslims could be adequately addressed and dealt with by the relevant bodies appropriately. As was heard throughout the inquiry, how we define and understand an issue or problem informs how we then respond to it. The ‘harm principle’ guided the deliberations on the appropriate limits to free speech in arriving at the working definition of Islamophobia. The definition proposed has been developed through conscientious deliberation that has sought to negotiate the tensions arising between freedom of speech and freedom of religion in full recognition that in a democratic society these negotiations are not just possible, as evidenced by the adoption of definitions relating to other forms of group-based hostility such as anti-Semitism, but necessary at a time when Muslim communities in the UK are experiencing heightened levels of Islamophobia. The AAPG recommends the adoption of the following definition following widespread consultation with academics, lawyers, local and nationally elected officials, Muslim organisations, activists, campaigners, and local Muslim communities:

Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness.

Again, it would be sensible to formally include within the updated Equality and Diversity Strategy, hence inclusion here.

- 3.6 The updated Equality and Diversity Strategy 2021-25 is attached at Appendix 2. It reviews progress against the previous strategy, updates the demographic profile for our borough and identifies priority actions for the next 4 years. The actions will be supported by clear timelines and measures of success so that progress can be assessed.

4. Background

- 4.1 The Equality Act 2010 and the General Equality Duty requires public authorities to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations, when making decisions and setting policy.
- 4.2 Guidance from the Equality and Human Rights Commission suggests that equality objectives should be viewed as part of an organisation's business planning processes, to ensure they are aligned to business priorities, and are an integral part of business performance.
- 4.3 A draft set of Equality Objectives for the Council were developed and agreed by the officer EDI Board and put forward for public consultation during the summer of 2020. Due to impact of COVID-19 and the recognised challenges for robust consultation, it was agreed that the consultation would be extended to cover a 12-week period.
- 4.4 The consultation was promoted in many including;
- Feature articles in the Council's internal "Team Voice".
 - Council website and internal staff Centranet.
 - A Twitter, Instagram and social media "campaign".
 - Direct email contact with various organisations to raise awareness of the consultation and for wider promotion with:
 - Town and Parish clerks
 - Leisure Centres
 - Communities and Partnerships newsletter and general email distribution list (over 300 individuals from strategic partnerships and the VCF sector)
 - South Cheshire Multi Cultural Forum
 - Services and teams within Cheshire East
- 4.5 There were 351 responses received to the online consultation survey. Based on the feedback received from both the survey and a task and finish group, five equality objectives for approval are proposed:
- **Include** - Listen and involve all voices.
 - **Inspire** - Celebrate and promote the diversity in our borough and surrounding areas and make the most of the positive opportunities this brings.
 - **Integrate** - Deliver and promote accessible and equitable services for all.

- **Inform** - Be a council which empowers and cares about people.
- **Impact** - Support and deliver meaningful change.

4.6 Appendix 1 includes a more detailed description of the objectives and what they mean in practice.

4.7 The EDI Board will be responsible for ensuring that the strategy is implemented, monitored, reviewed and updated, and will provide an annual report on progress.

5. Wards Affected and Local Ward Members

5.1 Councillor Marilyn Houston is the Member Equality and Diversity Champion.

5.2 All wards and all members are affected by the refreshed equality objectives and the supporting EDI strategy.

6. Implications of the Recommendations

6.1 Policy Implications

The implementation of the five equality objectives and the supporting Equality, Diversity and Inclusion Strategy will provide a framework to ensure that the Council embeds the equality agenda and its obligations under the Public Sector Equality Duty throughout all of its policies and supporting procedures. There are close links to the “Tartan Rug” index of multiple deprivation.

6.2 Legal Implications

Under the Equality Act 2010, Public Sector Equality Duty (PSED), the Council is required to publish equality related information and its equality objectives.

6.3 The PSED requires the Council to evidence due regard to the need to:

- Eliminate discrimination, harassment, victimisation, and any other conduct prohibited by the Equality Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it. This involves:
 - a) Removing or minimising disadvantages suffered by people due to their protected characteristics.

- b) Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- c) Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
- Foster good relations between people who share a relevant protected characteristic and people who do not share it. This involves:
 - a) Tackling prejudice.
 - b) Promoting understanding.

6.4 Finance Implications

A revenue budget of £20,000 per annum has been allocated to support the delivery of Equality, Diversity and Inclusion activity across Cheshire East. All spend is reported to and monitored by the EDI Board.

6.5 Human Resources Implications

6.5.1 Promoting and celebrating Equality, Diversity and Inclusion is the responsibility of all officers and members.

6.5.2 The Equality, Diversity and Inclusion Strategy and the annual work programme will be delivered within existing resources. The Council's Equality, Diversity and Inclusion officer will be responsible for co-ordinating key activity with the support of the Equality Champions network, directorate EDI groups and staff forums.

6.5.3 There will a requirement for staff and members to undergo training to support the delivery plan. This will include training on the legislative requirements, consultation and equality impact assessment.

6.6 Risk Management Implications

6.6.1 Non compliance with the Equality Act 2010 and the Public Sector Equality Duty and an inability to demonstrate 'due regard' to all nine protected characteristics yields a high risk to the Council re:

- Judicial review leading to key council decisions/policies/budget settings to be overturned.

- Significant financial penalties and legal costs.
- Reputational risk.
- Ineffectively targeted services (not knowing the protected characteristic needs of employees, customers and communities of Cheshire East). As a result, best value and cost-effectiveness is not achieved. The potential for the Council to be seen to endorse a discriminatory culture.
- A less diverse workforce could lead to a less creative workforce.

6.7 Rural Communities Implications

6.7.1 The Council is strongly committed to ensuring that our rural communities are not disadvantaged by any of our policies or changes in service delivery. The Equality, Diversity and Inclusion Strategy builds on the work to date to “Rural Proof” our decision making and embed “Rural Proofing” within our equality impact assessments.

6.8 Implications for Children & Young People/Cared for Children

6.8.1 The refreshed equality objectives and overarching strategy will drive further improvements in how we engage and consult with our children and young people, ensuring that they are not disadvantaged on the basis of any protected characteristic they may have.

6.9 Public Health Implications

6.9.1 Reducing inequalities is at the heart of what the refreshed equality objectives and Equality, Diversity and Inclusion Strategy aims to achieve. As reported in the Marmot review (2010), health inequalities are as a result of social and economic inequalities across the population. By ensuring that the Council proactively delivers on its Public Sector Equality Duty, the Council continues to support and address health inequalities in Cheshire East.

6.10 Climate Change Implications

6.10.1 The refreshed equality objectives whilst not directly having implications on climate change, will support the activity the Council wishes to take as it moves towards a carbon neutral Council by 2025. This includes the undertaking of robust consultation and engagement to ensure all voices are heard and that there are comprehensive equality impact assessments undertaken for all project and programme activity associated with the environment strategy and carbon action plan.

7. Access to Information/Bibliography

<https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england>

8. Contact Information

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