

EAST AYRSHIRE COUNCIL

CORPORATE GOVERNANCE COMMITTEE 10 FEBRUARY 2004

RACE RELATIONS (AMENDMENT) ACT 2000 COUNCIL WIDE YEAR 1 SUMMARY UPDATE REPORT

Report by the Depute Chief Executive/Director of Corporate Resources

1. PURPOSE OF REPORT

- 1.1 To provide a joint summary report on the actions undertaken by the Council as a whole as well as the specific departmental actions by the Department of Corporate Resources in response to the Race Relations (Amendment) Act 2000 during Year 1 of the Council's Race Equality Scheme.

2. BACKGROUND

- 2.1 The Council at its meeting of 24 October 2002, approved the adoption of a Race Equality Scheme for East Ayrshire in line with the Race Relations (Amendment) Act 2000.
- 2.2 The Race Relations (Amendment) Act places a general duty on public bodies to:
- (i) Eliminate unlawful racial discrimination
 - (ii) Promote equality of opportunity
 - (iii) Promote good relations between persons of different racial groups
- 2.3 It was agreed that each department would prepare and submit a report outlining the impact of the Act upon their particular service area by undertaking an initial assessment of functions and policies. This initial review formed the basis of a three year action plan which in turn would allow for a full review of the service and policy areas to take place.
- 2.4 Year 1 reviews were to be completed by the 30 November 2003 for reporting to the appropriate service committee in the 1st quarter of 2004.

3. CORPORATE OVERVIEW

- 3.1 58 policy/function areas were identified and approved by the appropriate service committees as High Priority for review during Year 1. Of this, 49 Full Impact Reports were conducted. This was in addition to the specific duties placed on the Head of Personnel to examine employment and training issues outlined at paragraph 4 to this report. The Education Authority also had a separate duty under the Act which was separate and in addition to the above.
- 3.2 Members will note that 85% of all Racial Impact Reports due for completion in Year 1 had been completed by the 30 November 2003 deadline for the Council as a whole.

A copy of the full documentation relating to Racial Impact Reports is available from the appropriate Departmental Director. This information will also be used in the reporting of progress at departmental level to service committees.

4. EMPLOYMENT

- 4.1 There is a separate and specific duty on the authority to ensure that employment practices comply with the Act. This is an ongoing duty and as such does not fall within the Year 1 to 3 programming.
- 4.2 In this regard, the discipline and grievance policies and procedures have been reviewed and areas for improvement identified e.g. revised Discipline and Grievance policies will be developed to ensure that statistical analysis by ethnicity is recorded.
- 4.3 The Quarter 4 2003 Staffing Watch return indicates that the Council currently employs 5,193 employees (excluding teachers). Of this number 0.9% have identified themselves as being from an ethnic minority background. No one identifying themselves as being from an ethnic minority background was involved in formal disciplinary or grievance procedures conducted during the period 1 December 2002 to 30 November 2003. During the same period the Council received over 5500 applications for employment of which 0.3% were received from individuals identifying themselves as being from an ethnic minority background.
- 4.4 The Head of Personnel has an additional responsibility for training within the scope of the Act. A training course video package has been purchased and will be rolled out on a "risk assessment" approach with key front-line employees being addressed first. It has been identified that not all employees will require to undergo this formal training programme and for some the provision of written information will suffice. Directors and Heads of Service have been tasked with identifying key workers to participate in the formal training course.
- 4.5 Furthermore, it has been identified that the monitoring of attendance at training courses and nominations via the Council's EAGER process is a requirement under the act. Steps have been taken to progress this requirement for training during 2004.

5. EDUCATION

- 5.1 There is also a separate duty under the Act for the Education Authority to promote race equality within schools. The detail of specific actions within Educational and Social Services will be reported separately to the Education Committee.

However, this Committee will wish to note the following key achievements. Documentation covering all aspects of the education service, including non-school services has been issued. A model race relations policy has been distributed to schools which is based on best practice nationally. All schools have been required to develop their own policy based on this model. It is a requirement that Head Teachers discuss the policy with staff annually and emphasise the duty to promote race equality issues. This builds on existing practice where, for example, there is an established system of reporting racial incidents (under Tackling Racist Incidents Within the Education Service). Schools also have programmes within the curriculum particularly in modern studies and personal and social education

(PSE) to discharge their duties under the Act and the National Priorities for improvement.

6. OTHER ACTIVITY

- 6.1** Publishing, Monitoring, Consulting and Reporting are key requirements under the Act. Paragraph 6.1.1 to 6.1.5 outline steps the Council has taken to ensure that the Council remains compliant with the act.
- 6.2** The Council has publicised the Council's Race Equality Scheme in particular and promoted race equality in general by issuing a press release highlighting the launch of the Council's Race Equality Scheme, developing and distributing two Race Equality leaflets - one for employees and one for members of the public highlighting the Council's commitment to race equality and advising people how they can access detail of the full Race Equality Scheme.
- 6.3** An Ethnic Minority Community Information Day organised by the Head of Community Support was held on 25 March 2003 to which members of the BME community in East Ayrshire were invited to find out more about council services.
- 6.4** The Council has played a key part in the establishment of the Ayrshire Race Equality Partnership. The Partnership comprises North and South Ayrshire Councils, the Police, Procurator Fiscals Office and NHS Ayrshire and Arran.

The Partnership have secured a grant from the Commission for Racial Equality to examine current accessibility and quality of services being delivered to the BME community with a view to improving services for all in the Pan-Ayrshire area. In addition to the award from the CRE each of the partnership agencies has agreed to contribute funds. The Policy and Resources Committee, at their meeting on 18 December 2003, approved the contribution of £3,500 for fiscal year 2004/2005 to assist the Partnership in their initial projects.

- 6.5** The Council continues to consult the BME community through a variety of channels including the Ethnic Minority Consultative Forum as well as analysing feedback through the Council's official complaints procedure.

7. CORPORATE RESOURCES DEPARTMENTAL RESPONSE

- 7.1** Within Corporate Resources 15 policy/function areas were identified and approved by the Sub – Committee of the Policy and Resources Committee as High Priority for review during Year 1. Of this 6 Full Impact Reports were conducted.
- 7.2** None of the Racial Impact Assessments conducted during Year 1 reviews identified any evidence or reason to believe that any racial groups are treated unfairly or in a discriminatory manner. It was further identified that all the functions/policies reviewed were commensurate with the three parts of the general duty.
- 7.3** Personnel Services will develop and introduce revised Disciplinary and Grievance policies and procedures to reflect the requirement to record by ethnicity the number of individuals involved in these processes. These will be submitted to committee, as appropriate, in due course.

- 7.4 The Head of Personnel will report on an annual basis key statistical employment indicators as outlined at paragraph 4 above during quarter 1 of the committee cycle.
- 7.5 In respect of the 9 racial impact reviews previously identified by Administration and Legal Services for completion during Year 1 it was decided, having conducted an initial review, to re-prioritise these reviews, which will now be conducted during Years 2 and 3 of the Race Equality Scheme. Given that the policies and practices identified for review have been developed in line with national and local equality standards it is not believed the re-scheduling of reviews will have a detrimental impact on race equality.

Moreover, interim arrangements have been made to include the reception at both Council Headquarters and Lugar within the contract presently being negotiated with Translation Services by the department of Homes and technical Services on behalf of the Council. Arrangements have also been made for reception staff at both offices to receive appropriate training in the use of that service. It is anticipated that this step will benefit all Administration and Legal Services staff who require, from time to time, to engage in direct contact with members of the public at both of these locations.

8. FURTHER ACTION COUNCIL

- 8.1 The Act legislates that the Council publish an account of the work it has carried out in respect of race equality. To this end the results of Year 1 Reviews will be summarised and included in the Council's Annual Report.
- 8.2 There were no contraventions of the general duty identified in the Racial Impact Reports. However, a general observation would be that while service areas already have monitoring mechanisms in place it is incumbent on departments to ensure that a) these are appropriately maintained b) that the information gathered through any monitoring exercise is analysed and appropriate action taken. Moreover, the Council will also require to ensure that it continues to use as broad a vehicle as possible for promoting both its services and its commitment to race equality. The Ayrshire Race Equality Partnership and translation services sourced by the Department of Homes and Technical Services will go some way to ensuring that the above takes place.
- 8.3 Departments will continue to report on an annual basis their progress against their Departmental Action Plan to the appropriate service committee. The Depute Chief Executive/Director of Corporate Resources will compile a composite report that will be reported annually to this committee.
- 8.4 The Race Equality Scheme outlines the requirement for race equality to be built in to all that we do. To ensure that this happens all new policies and functions proposals will require to be evaluated prior to submission to committee for Council adoption. Guidance and standard documentation to assist departments in this process has been developed and distributed.

9. FINANCIAL IMPLICATIONS

- 9.1 Development of departmental responses to the specific duties of the Act will be considered by directors as they develop their service responses to the legislation and will be reported to service committees in the normal way.

10. POLICY/LEGAL IMPLICATIONS

- 10.1** The continued compliance by departments of the Council's Race Equality Scheme will ensure that the Council complies with the requirements as laid down by the Race Relations (Amendment) Act 2000 and by the Scottish Parliament.

11. RECOMMENDATIONS

- 11.1** The Committee is asked to:-

- (a) invite the Director of Corporate Resources/Depute Chief Executive to submit an annual update report outlining the Council's progress against the Race Equality Scheme and associated departmental action plans and;
- (b) otherwise note the content of this report.

Fiona Lees
Director of Corporate Resources/Depute Chief Executive
GH/EG
21 January 2004

LIST OF BACKGROUND PAPERS

- 1.** Report by the Depute Chief Executive/ Director of Corporate Resources to Policy and Resources on 11 February 2003.
- 2.** Report by the Depute Chief Executive/ Director of Corporate Resources to Policy and Resources on 24 October 2002.

Anyone wishing further information concerning this report should contact
Graham Haugh, Head of Personnel, telephone (01563) 576092.
A copy of the full documentation is available for the appropriate Departmental Director.