BIRMINGHAM CITY COUNCIL

EQUALITY ACT 2010
PUBLIC SECTOR EQUALITY DUTY

CALL FOR EVIDENCE

BIRMINGHAM SUBMISSION
2013

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Equality Act 2010 - Public Sector Equality Duty: Call for Evidence Birmingham Submission 2013

Background to the call for evidence

On 15 May 2012, the Home Secretary announced a review of the PSED, as part of the outcome of the Red Tape Challenge spotlight on equalities. The review will establish whether the Equality Duty in the Equalities Act 2010 is operating as intended.
The announcement brought forward a planned review of the Equality Act (Specific Duties) Regulations 2011. The government is now combining it with a planned review of the general 'due regard' equality duty.

Terms of reference

Purpose: A review of the public sector Equality Duty (PSED) to establish whether the Duty is operating as intended.

Objectives: To provide a report for ministers by June 2013, on:

- how both the General and Specific Duties are working
- what are the costs and benefits of the PSED
- how organisations are managing legal risk and ensuring compliance with the PSED
- options and recommendations for changes or improvements in the way the Duty operates

Scope: The review of the PSED will:

- examine evidence about the effectiveness of both the General Duty and the Specific Duties, drawing on views from public bodies with first-hand experience of fulfilling the Duty, as well as from practitioners, voluntary bodies and private sector organisations upon whom the Duty has had an impact

- explore the impact of the Duty in terms of costs, burdens and a range of benefits (including policy improvements, efficiencies and equality outcomes)

- consider comparative models internationally to understand the range of levers available to help public bodies deliver equality of opportunity

- consider how the Duty functions in the context of the UK government's equality strategy and its new approach to achieving change, including transparency; devolving power to people supporting social action; and integrating equality considerations into policy and programmes

- examine the role of support and guidance given to public bodies and how legal risk is managed within different types of public bodies

- consider what further measures could be taken to improve operation of the Duty

This is Birmingham City Council's submission in response to the Government's call for evidence on the review of the Public Sector Equality Duty (PSED).

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BIRMINGHAM CITY COUNCIL
Working with the Public Sector Equality Duty

CABINET MEMBER SOCIAL COHESION AND EQUALITIES: 'OUR COMMITMENT'

As the Council's Cabinet Member for Social Cohesion and Equalities, I am tasked with assuring that we adopt a focused approach to "closing the gap" and ensure that we tackle the root causes of social and economic exclusion. In order to achieve these aims, I have been working with fellow Cabinet Members, City Council officers and partners from the public, private and voluntary sectors to develop a social cohesion strategy to make Birmingham a fairer and more cohesive city.

I believe that addressing inequalities and disadvantage in the city is the responsibility of us all, and doing so is essential if we are to maintain social cohesion between and across all our communities. Equality underpins the City Council's guiding principles of freedom, fairness and responsibility. But in the end, it will take all of us working together to continue to build the strong, modern and fair Birmingham that we all want to see.

Whilst social cohesion is relatively strong in the city, we cannot be complacent, the current economic climate may undermine this positive situation; there is still work to be done to address segregation in the city, child poverty, and community tensions, to name but a few. However, I believe by our continued working with communities we can mitigate to some degree the adverse impact of these issues.

The Council Plan Business Plan Measures 2013-14, as agreed at Cabinet on 25th March 2013 are designed to ensure significant improvement in service quality and outcomes for the people of Birmingham and have a particular focus on disadvantaged groups. Specific references are made with the plan to:

- 'Reducing the Gap' measures, to ensure we are aiming to close the gap between our worst and best performance, where relevant, and

- Social Cohesion measures

The Council Business Plan Performance Framework 2013-14 provides a presentation of the Council Business Plan set by strategic outcome and Directorate and Social Inclusion is at the heart of all targets for this Council.

We will only make a sustained impact upon inequality and deprivation if we work in partnership with local communities. The old-fashioned, top down approach has failed to deliver the fundamental change that neighbourhoods and individuals need. This has been the motivating vision behind the Council's vision for devolution and will also shape the forthcoming Neighbourhood Strategy.

Councillor John Cotton
Cabinet Member for Social Cohesion and Equalities

PSED REVIEW QUESTION – HOW WELL UNDERSTOOD IS THE PSED AND GUIDANCE / BIRMINGHAM CITY COUNCIL EXPERIENCE OF UNDERSTANDING RESPONDING TO THE EQUALITY DUTY/ SUPPORTING GUIDANCE

1. BIRMINGHAM'S VISION

The City Council is facing an enormous financial challenge in the years ahead as we grapple with the biggest cuts in Government funding in this country in modern times. National Government has set itself a target to reduce significantly the public spending deficit by 2017. The City Council has been making efficiency savings and changing the way it works for many years. Actions taken since 2011 have already led to savings of £275m per year, and our workforce has been dramatically reduced. But as the years go by it gets more and more difficult to do this without adversely affecting the services people receive.

We will continue to spend significant sums of money next year and beyond. We want to make sure this is invested in ways that achieve the best results for the people of this city, and in his Policy Statement to Council in June 2012 the Leader set out the vision for Birmingham:

Social Cohesion
An inclusive city in which many more people can play their part – a fair chance for everyone in Birmingham

In particular, we want to offer the best possible chance to the next generation - so a major theme of our work in the year ahead will be to improve the life chances of our young people and to support them in these difficult times. Whatever we think about the cuts, a responsible council must plan how to live within the severely reduced income we will have. We understand the financial difficulties that many people in Birmingham are facing at this time. We will do our utmost to ensure that spending reductions are made in a way that makes the least possible impact on those most in need.

One of Birmingham's greatest assets and strengths is its tremendous diversity and the way that different faiths and cultures come together to spark innovation and enterprise. If we are to achieve our aims then we must pull together, to find ways of coping with these difficult times and supporting our fellow citizens who are most in need. *

**Extract – Birmingham – Council Business Plan and Budget 2013+ Foreword by the Leader of the Council, Sir Albert Bore*

1.1 Birmingham's Approach to Equality, Diversity & Social Cohesion

Birmingham is, outside of London, the UK's most diverse city, made up of a wide range of cultural, faith and other communities. The city benefits from positive social cohesion within this diversity. According to the 2011 Census, Birmingham's population numbers 1,073,045 of which just over 30% are non-white *[see Appendix 1 – Birmingham's Census Headlines].* The city benefits from positive social cohesion within this diversity. We have only been able to achieve this through working with all our communities, as well as with our public and private sector partners to address inequalities in our city.

Promoting equality and tackling inequalities is at the heart of the current Council goals.

The Council's three priorities are fundamental to building a strong local economy and a fair society; and in these difficult economic times they become even more important. As we strengthen our economy we must make sure that we benefit from the talents of everyone in the city. As we take the difficult decisions necessary to tackle the impact of the global recession we are determined to do so fairly, protecting the most vulnerable and prioritising equal opportunities for all. [*See Appendix 2 – Key Strategies, Policies and Priorities]*

1.2 Reporting Structures and Processes

To meet these priorities the City Council has transformed the strategic approach to equalities in Birmingham, and established a new Cabinet portfolio: Social Cohesion & Equalities in May 2012.

Responsibility for Equality and Diversity is driven through the leadership of the portfolio of the Cabinet Member (Social Cohesion & Equalities). With the Social Cohesion and Community Safety Committee responsible for scrutinising and reviewing the policies and performance of the Executive and the Council as a whole. The Strategic leadership is provided by the City Council's Chief Executive - with the support of his Strategic Directors - who have overall responsibility for embedding equality, cohesion and integration at a directorate level. The Assistant Director (Social Cohesion and Equalities) oversees the authority's operational management for equality, diversity, cohesion and integration, and also meets regularly with the Chief Executive, the Strategic Director for HR and Equalities, and the Strategic Director for Resources.

Through this new approach, the Council believes that addressing inequalities and disadvantage in the city is the responsibility of us all, and doing so is essential if we are to maintain social cohesion between and across all our communities.

2. HISTORICAL SNAPSHOT

2.1 Incorporating the Disability, Gender & Race Duties into the Functions of the Authority

Birmingham City Council's vision for the city has always placed support for equality and diversity amongst our highest priorities. The City Council has a long-standing commitment to equality, and has been active in identifying and acting on best practice.

The Birmingham approach to equalities has been to systematically integrate diversity, equality and anti-discrimination perspectives into all areas of policy, at all stages of policy development, and at all organisational levels within the City Council. This approach is based on the principle that to address inequality and disadvantage cannot be the business of one section or key department solely, but should filter through into all areas of activity.

From 1997 to 1999 the City Council operated an integrated approach to equalities through the adoption of an Equality Action Planning Framework and process.

Changes in the agenda for local authorities highlighted the need for a new approach both in respect of process and strategic framework in order to connect and respond to the modernising agenda – two of the most significant drivers at the time were the

McPherson report and the Race Relations (Amendment) Act 2000 which presented public authorities with a new statutory general duty to promote race equality, as well as specific duties in respect of policy making, service delivery and employment. The city council responded to the requirements of the duty including publishing our Race Equality Scheme and the undertaking impact assessments on all our functions and policies, alongside an overarching Corporate Equality Scheme.

The Corporate Equality Scheme became the principal planning document for meeting equality-related issues in service delivery and employment. This scheme built on the processes that were introduced to deliver Equality Action Planning in the City Council and took full account of the national Equality Standard and the Race Relations (Amendment) Act.

A further commitment by the Government to extend the positive duty enshrined in the Race Relations (Amendment) Act to both gender and disability, additional legislation in the form of the Disability Equality Act 2005, the Equality Act 2006 and European regulations covering Religion and Belief, Sexual Orientation, and Age, resulted in the council producing individual equality schemes for Disability, Gender, Race, Religion and Belief and Sexual Orientation.

2.2 Compliance with equality legislation - Race, Gender & Disability Equality Duties

As outlined above the Birmingham approach to equalities has always sought to systematically integrate equality and anti-discrimination perspectives into all areas of policy, at all stages of policy development, and at all organisational levels within the City Council.

From the integrated approach to equality work in 1997 through the adoption of an Equality Action Planning Framework and in response to the Race Relations (Amendment) Act to the development of our Race Equality Scheme and the undertaking impact assessments on all our functions and policies.

Further developing a new approach both in respect of process and strategic framework in order to connect and respond to the modernising agenda – through our Corporate Equality Scheme which built upon processes that were introduced to deliver Equality Action Planning in the City Council and took full account of the national Equality Standard and the Race Relations (Amendment) Act 2000. The Corporate Equality Scheme linked equality objectives to the Cabinet and Corporate Plan, the Performance Plan and the Community Strategy and as such has a key role in contributing to corporate policy priorities.

The Corporate Equality Scheme was the strategic base for advancing equality in respect of race, gender, disability and lesbian, gay bi-sexual and trans people. We adopted the Social Model of Disability, adopted British Sign Language as a community language, committed to the development of an Independent Living Centre. In 2005 Birmingham City Council became a member of the Stonewall Diversity Champion programme as a reflection of our commitment to be an employer of choice for all. Over the last seven years the City Council has made submissions to the Stonewall Workplace Equality Index, and in 2007 for the first time Birmingham City Council became one of the top 100 employers in the UK featured in the Stonewall Equality Index.

In addition each Directorate was required to develop an annual Directorate Equality Action Plan, drawn from the Corporate Equality Plan with the aim of improving opportunities, access and delivery of services for groups that are socially excluded, disadvantaged or discriminated against.

As a Council we have made significant progress on equality related issues, which supports us to continue to comply with the Equality Act 2010 today. We use the Equality Framework for Local Government, as a measurement framework for assessing our progress.

2.3 Equality Act 2010 Public Sector Equality Duty

The Equality Act 2010 introduced a new Public Sector Equality Duty, which replaced the separate duties relating to race, disability and gender. The general equality duty came into force in April 2011 and the specific duties came into force in September 2011. Birmingham City Council as a Public Authority is subject to the general equality duty in exercising its functions and therefore as with the previous duties the Council continues to demonstrate due regard to the three aims of the general duty.

The City Council's approach to the current and previous duties remains consistent and proactive, due to the governance procedures in place and the mainstreaming approach to Equality and Diversity. The aims of the Equality Act 2010 General Duty – as with previous equality legislation - primarily remain the same. As a public body the Equality Act (2010) requires us to certain statutory duties, when exercising our functions, to have due regard to the need to:

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

These are commonly known as the three aims of the Public Sector Equality Duty (PSED) imposed by the Act. The Council must consciously consider these aims as part of the decision making process.

The PSED does not prevent the Council from making difficult financial decisions. It does, however, require all decisions to be made in a fair, transparent and accountable way, with full consideration of the needs of different individuals and communities and the potential impact on groups defined by reference to 'protected characteristics'. To the extent that any disproportionate impact on such groups which results from particular proposals cannot be avoided by mitigating actions, these proposals cannot proceed without amendment unless the Council decides that their aims are sufficiently important to justify the disproportionate impact, and that such aims cannot reasonably be achieved by means which are less damaging in their impact. Similarly, to the extent that particular proposals are otherwise likely to interfere with the pursuit of equality and/or good relations between persons of different groups defined by reference to relevant characteristics, considerations will have to be given to whether these outcomes are justified by the aims pursued. The analysis which is required in order that these decisions can be made is found in the Council's Equality Analysis documentation.

‘Having due regard’ involves considering the need to remove or minimise disadvantages between those who share a particular characteristic and those who do not. It requires us to take steps to meet the needs of people from groups defined by reference to protected characteristics, where they are different to those from different groups. We need to encourage those in groups defined by reference to protected characteristics that are under-represented in public life to increase their rates of participation. The PSED also requires the Council to tackle prejudice and promote understanding between and across all our communities.

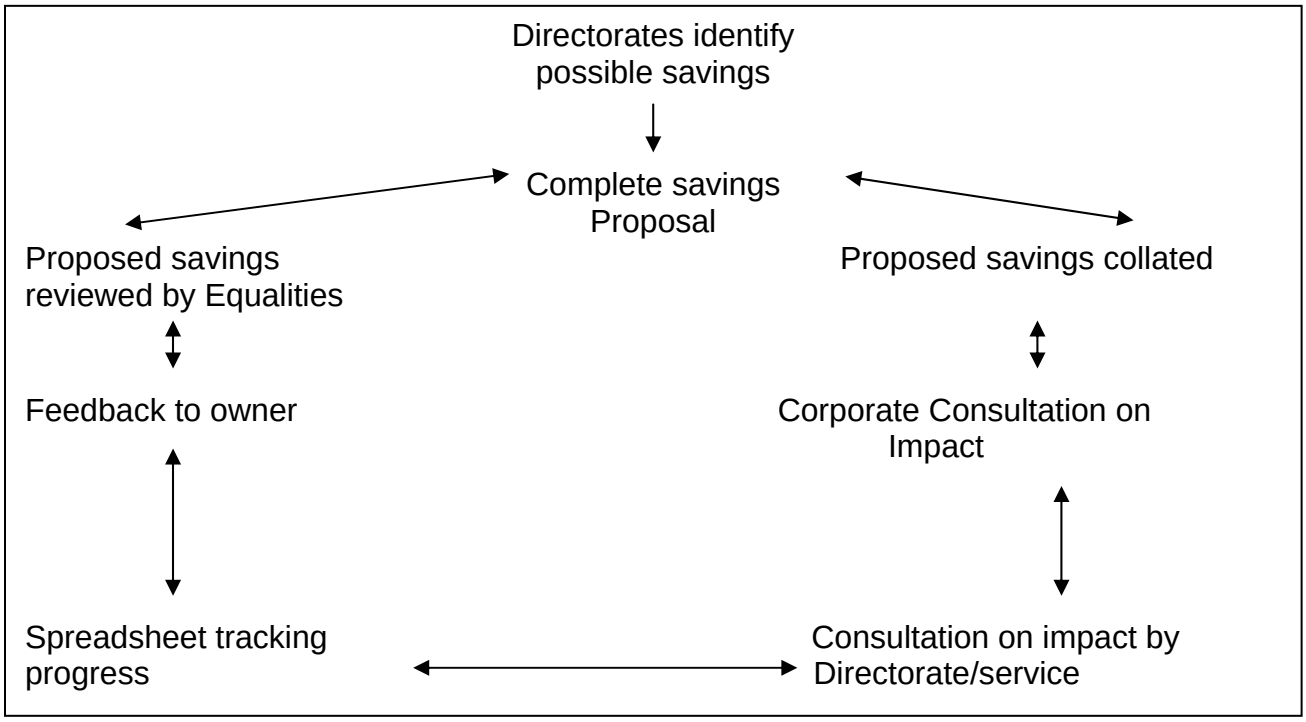
The City Council takes account of the potential impacts of its policies and decisions on equalities, social cohesion and social inclusion, through a risk analysis process referred to as Equality Analysis (EA). This ensures that the potential implications of such proposals on those within groups defined by reference to the ‘protected characteristics’ covered under the Equality Act 2010 are considered.

The Council must consider the equality implications of proposals when making decisions, whilst also having regard to any countervailing factors, which it is reasonable to consider in the relevant circumstances. These factors may include budgetary pressures, economic and practical factors.

2.3.1 The Council’s Equality Assessment Methodology

The Council has established a Corporate Business Planning Working Group which provides advice and guidance on finance, equalities, consultation, legal issues and Human Resources implications. The group also monitored progress by service directorates on equalities, consultation and Human Resources. The progress on Equality Assessment and consultations is monitored through a consultation tracker.

The Equalities function has maintained a close watch on the progress of the individual savings proposals from across the Council, and the extent to which each has gone through the approved two stage Equality Assessment process. The City Council has taken a robust approach to this round of planning. From an Equalities point of view, the sequence is as follows:



The City Council's tool for ensuring fairness in decision making – the Equality Assessment – has been used during this savings round. Initial EA screenings have been carried out, where appropriate, on 2013-14 budget proposals. These have helped the Council to identify emerging impacts and have led to more detailed assessments where initial screenings have indicated potential disparate impacts on groups defined by reference to protected characteristics, or other equality concerns. The initial EA screenings look at how individual proposals might relate to one another and consider how a series of proposed changes to services could impact cumulatively on particular groups of people.

EAs are living documents that change and are updated as the equality implications of a decision and any alternative options or proposals are considered. This section aims to provide an overview of what our analysis is currently telling us and to highlight emerging themes that may have a wider impact on groups defined by reference to protected characteristics. It also considers how we can use this data to inform the Council's further work to promote fairness and reduce socio-economic inequalities. Members wanting to read the initial EA screening assessments will find them in offices of the Social Cohesion and Equalities Division.

The EAs, and this summary of them, have helped Councillors to debate issues, review decisions and look at the viability of alternatives and mitigating measures in order to ensure that the Council meets its PSED and other legal duties.

As part of the Council's mainstreaming approach to equalities, it is the responsibility of managers to ensure that equalities considerations are taken into account ***as part of*** decision-making by elected members and Chief Officers. This is particularly important when it comes to savings: the requirement is that public services pay due regard to the need to reduce discrimination, increase equality of opportunity, and improve relations between groups. All decisions must take account of these objectives.

It is essential that Officers understand that in preparing any Equality Analysis they need to ensure that key decision makers, chief officers and elected members are provided with objective advice and evidence. Both officers and members must have due regard to the need to eliminate unlawful discrimination and harassment; advance equality of opportunity (including by minimising disadvantage, meeting needs and encouraging participation in public life by those from under-represented groups, and by taking particular steps to take account of disabled persons' disabilities); and foster good relations between persons who share a relevant protected characteristic and those who do not.

These equality considerations do not preclude changes in services being made, but do require that the significance of these steps from an equalities perspective, both individually and holistically, be fully appreciated

A consistent approach to this is fostered through the Council's Corporate EA form. Council officers are able to adapt this, to incorporate further detail or information, when looking at different types of service provision.

Click on link to view EA form and Guidance Information (Size: 665 Kb Type: doc)

The EA process ensures that thought is given to:

- What the proposal is
- What evidence, information or other intelligence has been used to develop the proposal (this includes information about who uses our services, who doesn't use our services, satisfaction surveys and national and local research and information)
- What engagement has taken place or is needed with stakeholders around the proposal
- How some groups could be impacted (positively or negatively) by the proposal ('groups' for these purposes are those defined by reference to a 'protected characteristic' as set out in the Equality Act 2010)
- How the proposal may impact on equality of opportunity for those from groups defined by reference to any of the protected characteristics, and/or on good relations between persons of such groups
- How the proposal may impact on social cohesion and social inclusion
- How any negative impacts can be removed or reduced
- The extent that any negative impacts cannot be eliminated, whether and how such impacts may be justified

EAs have been developed alongside the budget proposals, and are drafted by senior management in the appropriate service area of the Council with support from the Council's specialist equality advisors. EAs have informed the proposals put to EMT and have been used to help decision making throughout. EAs will continue to be reviewed as we consult with staff, service users and others on our detailed proposals.

Lead officers for equality and community engagement have reviewed all of these EAs relevant to the budget savings proposals.

The quality assurance process has provided a central overview of all proposals and their potential impacts upon groups. This led to more detailed assessments on a series of 'cross-cutting' themes incorporating key areas.

The Council recognises it is essential that it undertakes an appropriate, comprehensive approach to the equality analysis and assessment of its proposed future developments to its policy and related spending plans. Examples of areas where Equality Analysis have been undertaken are the impact of certain aspects of the Welfare Reform Act, Home to School Transport, and the eligibility criteria for Adult Care, and review of the Housing Allocation Policy in terms of community and voluntary work.

The consultation and equalities assessment work has identified a range of mitigations that the Council would need to put in place in order to progress the savings proposals on which it is consulting.

The Council's level of compliance with the legislative requirements for both consultation and equalities assessments are therefore sufficient to enable the Council's Director of Finance (s.151 officer) to be satisfied, when taken in conjunction with his wider assessment of the Budget's composition, that the budget proposals now before the Council are based on robust estimates.

2.3.2 Equality Act 2010 Public: Specific Duty - requirement to publish our equality information and objectives

Birmingham has significant levels of deprivation in some areas, and has fallen further behind other parts of the country in the last decade. Inequalities persist in health, life expectancy and education – as illustrated by the composite measure "Index of Multiple Deprivation." A low ranking indicates an area of high deprivation. *[See Appendix 3: A Profile of Birmingham]*

Birmingham City Council recognises its specific duties under the Equality Act 2010 to publish equality information and objectives which demonstrate compliance by the council with the specific duties. The information that we have published is in relation to both our employees and the people affected by our policies. In response the City Council published its first year equalities information on 31 January 2012.

To demonstrate compliance with the broad principles of the equality duty the council has integrated consideration of equality and good relations into its' day-to-day business. In doing so we have considered how our functions can affect different groups in different ways, and how this might contribute to greater inequality and poor outcomes.

As a result of this process the council is able to consider how we reflect equality considerations into the design of our policies and the delivery of our services, including undertaking an analyses of the impact of proposals being considered, and for these issues to be kept under review, as a way of positively contributing to the advancement of equality and good relations.

Through our Excellence in People Management business transformation programme we have developed a number of ways to support our employees and managers – giving everyone the tools to maximise their potential and provide the best services possible.

Our work around equalities is subject to an ongoing review and assessment and improvements are being sought where gaps have been identified. As such the information that emerges will be posted on our website as it is developed.

Click on link to see the type of Information published and our draft objectives Equality and Diversity. Our objectives are reflected in the three key strategies for Birmingham, our key policy priorities and priority actions outlined in Planning and Delivering Services section of this report.

2.3.3 Equality and Procurement - How equality duty has been integrated into procurement

Birmingham City Council as an Authority is legally responsible for complying with the general duty in its undertaking of procurement and therefore is committed to equality and diversity in employment and service provision and will ensure compliance with all legislation covering anti-discrimination.

Where public functions are contracted out or where the duty does not directly apply to a contractor, the City Council will assess suppliers' and service providers' commitment to equality in their contract in order to comply with its obligations under the duty. The

requirement to comply with the general duty applies to all procurement regardless of the value. The Council strives to ensure services are equally accessible to everyone and appropriate to the diverse needs of all sections of the community they serve and will continue to promote Equalities and Diversity in all category strategies. The City Council has in place:

Standing Order Process: Our Standing order process was updated to reflect the public sector equality duty as outlined in the Equality Act 2010, to ensure suppliers' equality and diversity policies are inclusive.

West Midlands Forum – Common Standard for Equalities: The Council is a member of the West Midlands Forum and operates the Common Standard for Equalities in Public Procurement, which assesses service providers' performance on equality in employment.

Social Value: Following the passage of the Public Services (Social Value) Act 20121 the City Council appointed the Birmingham & Solihull Social Economy Consortium (BSSEC) to work with the council, social enterprises and voluntary organisations in Birmingham to create a framework which can guide stakeholders through the Act and help those involved – whether as purchasers or providers – implement the legislation and realise social value.

Social value: what's already happening?

Current BCC policy drivers which already have a social value dimension include:

- Commissioning for outcomes

- New service delivery options, including commissioning from the third sector, the devolution of services to new locality-based commissioning, and the establishment/externalisation of services in new mutual and social enterprise structures (e.g. Buy for Good2 and Think Venue, Think Third Sector3)

- The **Procurement Policy for Jobs & Skills** – a successor to the West Midlands Framework for Jobs & Skills, this applies to all contracts over £1m. BCC Employment Access Team works with procurement to set appropriate targets and clauses in contracts. The purpose is to ensure that people from targeted communities can benefit from training and job opportunities and to date this has helped create 882 new jobs. BCC was the first authority to include non-construction contracts in such a policy.

- **Find It in Birmingham**, an online portal and business networking initiative to support small businesses, SMEs and social enterprises with access to tender opportunities, new supply chains and business opportunities

- **The Birmingham Business Charter for Social Responsibility**,4 a set of guiding principles to which BCC will adhere and which it will also invite suppliers and partners to adopt in order to help foster the economic, environmental and social well being of the city. The charter will also form part of the terms and conditions of new Council contracts.

2.3.4 Corporate Equality Monitoring

As a Council we recognise the importance of equality monitoring as a mechanism for mainstreaming equalities into service delivery planning. It helps to identify any disadvantage associated with age, disability, gender, race, religion and belief, and sexual orientation, and therefore to plan improvements with regards to these respective communities. The Council's equalities monitoring is underpinned by a number of important principles.

Guiding principles

- The monitoring process should be oriented towards developing our services and practices that promote equality between different groups of people. Collecting data should not be treated as an end in itself. It is important that the data collected is analysed and any emerging issued identified and acted upon

- It should be proportionate to the risks involved, including the risk of adversely affecting access to services - for example, by lengthening unduly an application process. The two data protocols are designed to help ensure that the number and detail of questions asked is proportionate to the nature of the data gathering exercise.

- People should be encouraged to provide the information, although the questions are voluntary. It is up to the respondent to decide how to answer a question.

- Monitoring data categories should be consistent across the Council to ensure comparability, wherever possible – For example, using the same ethnic categories or age bands.

- the data should be kept strictly in accordance with Data Protection Act principles

- Monitoring questions and categories should mirror those used by ONS as much as possible to provide for comparability.

- Where possible, monitoring data should be collected once and stored so that the service user/employee does not have to provide it again, apart from occasional updating where relevant.

- Where services are delivered on behalf of the Council, arrangements should be in place for the collection and where appropriate, monitoring a reporting of equality data.

Employment Monitoring

The City Council equality monitoring information is captured and collected through various mechanisms within the Council. This allows the Council to assess the demographic make-up of their workforce. The Council also monitors at particular

2.3.5 Equality Framework for Local Government

The Equality Framework for Local Government (EFLG) is a performance improvement and benchmarking tool. It builds on and develops the work council's have done on the Equality Standard for Local Government (ESLG). The framework is the national standard for measuring an organisation's commitment and ability to mainstream equality.

Progressing towards excellent in equality and diversity

Birmingham City Council was benchmarked as **'achieving'** against the new Equality Framework for Local Government (EFLG), following a peer review by the Local Government Improvement & Development Agency formerly known as IDeA (Improvement and Development Agency). Birmingham City Council is continuing to work towards achieving "Excellence" as we recognise the significance of the EFLG in as a way of documenting the authority's 'achievement journey' to the 'excellent' level. Progress against the EFLG supports the Council's three key priority actions and the strategic outcomes as detailed in the Community Strategy, Council Plan. It also provides links with key assessment frameworks such as compliance with the equality public duties; and will help meet high standards of customer care.

The three levels of performance

The framework is designed to allow authorities to benchmark their performance, but instead of five levels in the previous standard there are now three levels of performance - Developing, Achieving, Excellent.

The individual level sets out the characteristics of an authority at each stage alongside key actions and examples of evidence of performance.

Common performance framework

The Equality Framework for Local Government contains a common performance framework for compliance integrating the Public Sector Equality Duty. The City Council continue to assess its overall performance across five areas of performance:

Knowing your communities and equality mapping - The Council aims to base its policies, procedures and other actions on sound evidence and research around the needs of Birmingham's communities. Good equality analysis enables the council to understand the differences in outcomes and opportunities experienced by people in different communities in key areas of life

Leadership, partnership and organisational commitment – the Leadership of the Council – both political and managerial – have a strong vision for equality and improving equality outcomes. The Leadership of Birmingham City Council recognises the importance of working in partnership with local partners in health, police, fire and rescue services, and the voluntary and community sector, with regards narrowing equality gaps and improving the life chances of different groups in the City.

The Council Business Plan sets out the approach we are taking to address the challenges facing the city, and the way in which we will manage our budgets, priorities, equality analysis, equality objectives, monitoring and scrutiny, effective communication, commissioning and procuring services, participation in public life, and fostering good relations.

Community engagement and satisfaction - comprises two main elements within the framework: (a) Engagement structures and (b) Effective engagement.

Responsive services and customer care **-** The Council Business Plan sets out the approach we are taking to face the challenges facing the city, and the way in which we will manage our budgets, priorities, people and assets since, despite the very large cuts

imposed on Birmingham, we will still be spending a significant amount of money in the city in 2013/14 and beyond. We understand the financial difficulties that many people in Birmingham are facing at this time. We will do our utmost to ensure that spending reductions are made in a way that makes the least possible impact on those most in need.

We want to make sure this is invested in ways that achieve the most important results for the people of the city. [For more information on the Council's Business Plan 2013+ agreed by full council on 26 February 2013 visit the Council's website - http://www.birmingham.gov.uk/budgetviews]

A modern and diverse workforce - The people who work for and with the Council are at the forefront of our ambition to deliver the best possible services to our customers.

3. SOCIAL COHESION PROCESS

The Approach
The Cabinet Member for Social Cohesion and Equalities is tasked with assuring that a focused approach is adapted to "closing the gap" and ensure that we tackle the root causes of social and economic exclusion.

During the year, the initial findings from the **Giving Hope Changing Lives, the Birmingham Social Inclusion Process** were published, proposing some short, medium and long term recommendations for consideration and action. At the end of March 2013 the White Paper, Making Birmingham an Inclusive City was issued (see appendix 1), containing the final recommendations from the Birmingham Social Inclusion Process. The White Paper is framed around seven commitments designed to make Birmingham a fairer, more equal place and to give everyone the chance to fulfil their potential and take part in the life of the city. The commitments are:

- Commitment One: Support families and children out of poverty
- Commitment Two: Embrace super diversity
- Commitment Three: Protect the most vulnerable
- Commitment Four: Connect people and places
- Commitment Five: Create a city that values children and young people
- Commitment Six: Empower people to shape their neighbourhood
- Commitment Seven: Address safety, isolation and loneliness

The City Council's Cabinet received the findings of the Social Inclusion Process in January 2013 and gave its approval to the seven social inclusion commitments. An action plan is being developed to set out how the recommendations will be implemented, who needs to be involved and how success will be measured.

3.1 Community Engagement

The current Equalities legislation requires the City Council **to eliminate unlawful discrimination, harassment, victimisation and other unlawful conduct prohibited by the Act** - in other words, address discrimination; **to advance equality of opportunity between people who share a protected characteristic and those who do not** - meaning to address potential and existing inequalities; **to foster good relations between people who share a protected characteristic and those who do not (Equalities Act 2010)** - the legislative basis for community/social cohesion. All these duties require the City Council to engage with communities.

To achieve this we designed the Birmingham City Council *Community Cohesion Strategy* and established the *Community Cohesion Forum*, whose membership is drawn from a number of community networks representing active Third Sector bodies. In particular, the City Council through the Social Cohesion and Equalities division has been working to support the work of the Bangladeshi Council; Bangladesh Multi-Purpose Centre; the United Building Legacy (formerly the African Caribbean network); the British Arab Federation of the West Midlands Network; Pakistan Forum; the

Pakistan Community Development Network; the Indian Community Development Network; the Chinese Community; the Council of Black Led Churches; the Birmingham Pride Community Trust; the Birmingham Disability Resource Centre; the Disability Network; Baran Baran (Kurdish community); Birmingham Somali Council; the Yemeni Association; Birmingham Advisory Council for Older People (BACOP); Kashmiri Community Empowerment Network; East European Network; The Council of Sikh Gurdwaras; Women of Cultures; Aspiring Women; WAITS; BVSC; Birmingham Settlement; Compact. These are but a few examples.

Regular meetings are held with network members and we work with these networks and groups to ensure they have the right governance in place: helping them with developing their constitutions, elections, and importantly assists them in working up their delivery plans against Council objectives. For example, supporting these networks to organise homework clubs, to help their young people improve their school achievement levels. The outcome of this work has seen levels of achievement in the Bangladeshi, African Caribbean, and Pakistani communities improve. We have also supported communities to address issues of mental health, drug abuse, hate crime, Islamophobia and youth disengagement through awareness events, and supporting these networks to develop their own bespoke services.

It is through its engagement with communities and the Third Sector that the City Council, working in partnership with the West Midlands Police, was instrumental in containing the 2005 and 2011 disturbances. In addition, the City Council through the Social Cohesion and Equalities Division's close working relationship with communities and its Third Sector organisations resulted in disturbances in the city being kept to a minimum when external bodies outside of Birmingham come in and cause trouble in the city, as was the case on two occasions when EDL came to the city.

3.2 Social Cohesion Forum

The Social Cohesion Forum nurtures and resources a sense of belonging and togetherness for all who live and work in Birmingham.

Through the following areas:

- Promote cohesive relations between people from different backgrounds, communities and postcode areas.
- Enable people to challenge positively unfairness, all that seeks to divide weather through inequality, discrimination, exclusion, poverty or ignorance.
- Promote, where possible the strengths of Birmingham’s rich cultural diversity, regionally, nationally and internationally.
- Provide opportunities to build trust with each other through more shared community events, opportunities for collaborative working and engagement.

3.3 Birmingham Faiths Round Table

The Birmingham Faith Round Table provides a forum for the city's faith communities and City Council to work together in order to build relationships based on trust and to identify and develop the role of faiths within the life of the city.

The Faith Round Table provides a resource to:

- Promote Social Cohesion across all communities in Birmingham
- Provides contributions to the development of moral values and an ethical framework for life in the city
- Nurture a sense of being one city, celebrating and finding strength in diversity.

3.4 Faith Map

The 'Birmingham Faith Map' hosted on-line at **www.Birminghamfaithmap.gov.uk** and sets out places of worship or gathering within the City for those wishing to participate in Faith activities. It shows the contribution, of the relevant faith organisations to life and Social Cohesion in the City of Birmingham, and enables citizens of, and visitors to, Birmingham to locate relevant faith resources and facilities.

3.5 Community Networks

The City has developed a variety of consultative networks. The setting up of these networks have helped the community to better channel their concerns to the Council in a collective format. These networks provide a conduit from which to consult with the City Council on policy matters and issues affecting their communities. The Networks have produced business plans that identify issues of common concern and outline how these can be best tackled using traits that are common to all communities.

3.6 Community Events/Programmes

The City Council has supported Voluntary and Community organisations events and programmes to promote Social Cohesion address inequalities and celebrate community achievements.

3.7 Birmingham Reducing Gang Violence

The Council also supports the Birmingham Reduction of Gang Violence (BRGV). This it does by working in partnership with West Midlands Police, and specialist Third Sector organisations, such as Mothers in Pain, Cope, Continental Star, and many others. Reducing gang and youth violence is a strategic priority for Birmingham.

3.8 Community Safety / Hate Crime

Hate Crime continues to be closely monitored, and a review of future support for tackling Hate Crime in the city is underway.

3.9 PVE

To ensure that the city is secure and safe the City Council leads on the Preventing Violent Extremism programme. It does this by working in partnership with community groups, and by commissioning Third Sector organisations to deliver against the strategic objectives of the Birmingham Prevent delivery plan, the funding of which is provided by national government.

4. WORKING IN PARTNERSHIP

The Leadership of Birmingham City Council recognises the importance of working in partnership with local partners in health, police, fire and rescue services, and the voluntary and community sector, with regards narrowing equality gaps and improving the life chances of different groups in the City

4.1 Public Health / Prevention and Partnership Working

On 1 April 2013 the City Council took responsibility for providing a range of public health services previously managed by the Birmingham PCTs. The main services that will transfer include sexual health, smoking cessation, drugs and alcohol abuse and promoting healthy lifestyles. The Council's new role in Public Health provides a significant opportunity to make real progress in improving the health and wellbeing of our citizens and will be working through the Health and Wellbeing Board across many different organisations to improve public health and address health inequalities between the rich and poor and working through the Health and Wellbeing Board to achieve this, making Birmingham an exemplar of Health and Wellbeing.

The Adults and Communities Directorate is committed to working more closely with partners such as GPs and the wider NHS to extend Telecare, and carry out early intervention and prevention work. Prevention and working in partnership is a priority for our Children's services – increasing fostering and adoption, preventing children going into residential care and improving their life chances.

4.2 Third sector

Birmingham City Council works in partnership with West Midlands Police and Third Sector organisations, such as Young Disciples, City United, Tyga Youth Forum, Continental Star, Big Sisters, The Feast, Free@Last, Compact, and many other Third Sector groups to address youth disengagement and cohesion issues in the city.

This work is undertaken in partnership with West Midlands Police and Third Sector organisations, such as Birmingham Settlement, the Handsworth and Lozells CommUNITY project to address tensions within and between communities. Tensions are monitored daily across the city and where there is potential risk of any of these escalating into disturbances, and therefore disturbing the peace, the City Council and police take evasive action.

Faith communities have been the spearhead and spine of the voluntary sector and been the backbone of welfare work in Birmingham. One of the ways the Council helps to ensure that it works closely with the various faith Third Sector organisations within the city is through *The Faith Round Table*. This is a network of faith organisations representing faith groups in the city who discuss with Council officers how they can further make a contribution to the strategic objectives of the city, develop projects to maintain and build on the strong cohesion that exists within the city, as well as discuss and gain their views on how the Council, can support their existing valuable work.

4.3 CommUNITY Project

The CommUNITY Project was established in September 2008 as part of a range of initiatives following the Lozells Disturbances of 2005 to support a focussed and specific programme of work aimed at delivering on transformational and long term vision for the areas.

PSED REVIEW QUESTION: HOW ORGANISATIONS ARE MANAGING THE LEGAL RISK AND ENSURING COMPLIANCE WITH THE PSED

5. HOW BIRMINGHAM CITY COUNCIL MANAGES THE LEGAL RISKS / ENSURES COMPLIANCE WITH THE DUTY

5.1 Corporate Business Planning Process

As with all local authorities the City Council recognises its responsibility to comply with the Equality Act and its duties, and the need to take account of the EHRC statutory guidance when making its decisions. Clear guidance has been provided to all managers and officers on the significance of the Equality Assessment process, the importance of consultation with citizens and the need to comply with the public sector equality duty.

This is supported by a Corporate Business Planning Working Group which was established to provide advice and guidance on finance, equalities, consultation, legal issues and Human Resources implications. The group also monitored progress by service directorates on equalities, consultation and Human Resources. The progress on Equality Analysis and consultations is monitored through a consultation tracker.

The Corporate Business Planning Working Group provides a quarterly update to the Chief Executive's Governance Board including progress on equality assessments, and escalating issues of high priority/risk in respect of equality. This sits alongside a quarterly report from each service directorate to the Deputy Leader's Star Chamber.

5.2 Processes for supporting compliance

- There are designated Directorate Equality Champions in each service Directorate. The Equality Champions report directly to the Strategic Directors and relevant directorate management teams. Through this arrangement the City Council is able to successfully continue mainstreaming of equality, diversity and cohesion.
- Senior Managers/Equality Champions are responsible for the governance and quality assurance of EA Assessments in their Directorate.
- The Social Cohesion and Equalities Division maintain a close watch on the progress of EA Assessments undertaken across the City Council.
- Completion of EA Assessments systematically carried out across the City Council and partnership organisations that deliver services on behalf of the City Council, utilising the agreed corporate form and documentation
- All Directorate maintain a schedule/tracker of EAs – with arrangements for quarterly progress monitoring
- Cabinet approval process - Cabinet Reports are accompanied by EA reports.
- Equality Analysis Task groups - membership to include officers from Equalities, Legal, Human Resources and Finance sections.
- Training provision is available on the completion of Equality Analysis (EA) Assessments.
- In-house medias utilised to ensure staff are informed of PSED requirements
- Publication of Equality Information annually – all directorates are required to publish their equality information annually
- Publication of Equality Objectives every 4 years – each directorate has identified specific equality objectives to deliver the Strategic Priorities of the Council.

Through this new approach, the Council believes that, in line with the EHRC advice that there is clear understanding across the Council of the:

- the need to consider equality issues thoroughly in the context of the duties before any significant individual decisions are made or any policy is introduced or subject to significant change
- equality assessments may provide important evidence as to whether the authority has complied with its duties
- if another organisation or person is carrying out a function under guidance by the public authority, the responsibility for ensuring that the general duties are met remains with the public authority
- the duties apply not just to decision makers but also to those who implement them
- in demonstrating due regard that when making decisions (and in our day to day activities) the council must consciously consider the need to eliminate discrimination, advance equality of opportuity and foster good relations. This includes when we plan and make decisions about our procurement

5.3 Consultation and Engagement with citizens

As a Council we recognise that we need to ensure that the Council engages and consults effectively with all sections of the community, including staff and voluntary and community organisations, affected by any decision.

REVIEW SCOPE : Consider how the duty functions in the context of the UK government's equality strategy and its new approach to achieving change, including transparency; devolving power to people supporting social action; and integrating equality considerations into policy and programmes

6. PLANNING AND DELIVERING SERVICES

6.1 Equality Legislation alongside other key legislative requirements

The City Council is bound by a number of pieces of legislation related to the various functions or services of the Council. Some of these contain within them a requirement to ensure that the relevant service area promotes equality. This supports the City Council in its overall efforts to promote equality and comply with the General Duty. Examples include:

Housing – Equality Code of Practice in Rented Housing (EHRC): All public sector landlords are regulated by the Homes and Community Agency. The regulatory function includes elements on equality and diversity.

Health and Social Care: The Adult and Communities Directorate is responsible for dealing with vulnerable people, and the very nature of this work is geared towards providing accessible services for those in greatest need. The Quality Care Commission which regulates all Social Care providers requires consideration of equality and diversity measures within the care provision.

Education – The Education Act

6.2 Delivering Services – Strategic Directorates

Our approach to planning and delivering services is based on our vision of an inclusive city, seeking to work for a better future for Birmingham and its citizens despite these difficult financial circumstances. The principles guiding our decisions will therefore be:

- Putting **fairness** at the heart of our decision-making by targeting resources to those most in need
- Early intervention to **prevent** more costly problems from occurring later on
- **Working co-operatively** with other public agencies and enlisting local people, community organisations and the business community to tackle local issues
- Getting real **value** in commissioning by paying for services that deliver the right results, encouraging social responsibility in business and valuing the contribution of community, voluntary organisations and social investors
- A **smart** city – using new technologies – crucial to Birmingham's future jobs and prosperity in a global market

In order to work effectively towards our goals, each Directorate has their own high-level action plans, which are set out in summary below. These plans describe the visions and strategic intentions of each Directorate, clearly setting out how they will respond to the challenges we are facing in Birmingham.

Adults and Communities

Vision and context
We have known for a number of years that the traditional approach to adult social care was flawed and contained unaffordable pressures. This is why we set out on a journey of Transformation in 2009 and now have in place the things that the draft Care and Support Bill advocates - preventing, delaying or reducing people's needs for care and support through access to enablement services, and better information and advice so that they can plan ahead for their needs.

Strategic Intent
For 2013/14 our proposal is clearly 'to do more of the same', the task before us from 2014/15 means that we have to work more closely with partners, such as GPs and the wider NHS to make the changes that will bring the necessary savings across the social care and health economy in the way envisaged by the Leader's Policy Statement.

For 2013/14 **our priorities** – in accordance with the Leader's Policy Statement and the Community Strategy – will be:

- To deliver services to citizens who are assessed as having either 'substantial' or 'critical' unmet needs

- To safeguard all vulnerable people and continue to improve our safeguarding practice

- To embrace our new Public Health role and promote wellbeing through the work of the [Shadow] Health & Wellbeing Board

Children, Young People and Families

Vision and context
The Children, Young People and Families Directorate has a critical role to play in creating an economically thriving city, in ensuring that people have the education and skills to make the most of job opportunities and that the population is healthy and able to live well in cohesive communities.
The Directorate sees itself as taking the lead in developing effective partnership arrangements and collaborative working to improve the outcomes that we seek for children and young people so that, as adults, they are prepared and enabled to succeed economically, be healthy and contribute to safe neighbourhoods.

In light of the ongoing Council Improvement Notice with regard to safeguarding and the recent Ofsted inspection findings, including the need to keep focused on improvements, front-line social work, child protection and fostering teams will be the primary areas for protection from further spending reductions.

Strategic Intent
The overarching vision for children's services is: *"Every child in every part of the city should achieve their potential. We will provide early help and support to those children and families who need it and, working together, will ensure that every child has the belief, aspiration and support to be their best".*

Furthermore, the Leader's Policy Statement is clear that, in delivering Birmingham's future for young people, we will:

- Work to ensure safeguarding improves to a consistently excellent standard by ensuring we have high quality support services to allow children to be kept safely at home wherever possible.
- Where children do need to be looked after, provide care of the highest standard, with timely adoption and fostering placements used to provide an environment where children will thrive.
- Work with schools to develop a Birmingham Baccalaureate to ensure that learning and employability are at the centre of the curriculum; introduce an enterprise culture in all schools; create a new innovative Birmingham Co-operative Model to support collaboration across schools; build on children's centres; and ensure young people have the appropriate support as they make the transition from children's to adults' services.

Realising these priorities requires a "whole system" approach where the effectiveness of our work with partner agencies (including the health service and the police) in developing prevention and early help are critical.
Our aim is to provide more effective support in partnership with other agencies to enable children and young people to be better supported, cared for and protected in communities.

Children, Young People & Families - Summary of High Level Actions
Our Organisational Development Plan (ODP) provides detailed improvement actions necessary during 2013-14 to deliver our higher level aims and objectives. Following the unannounced Ofsted inspection in September 2012 the Directorate will **safeguard vulnerable children**, **tackle inequality and deprivation** and address youth unemployment through apprenticeships and the Birmingham Baccalaureate, **laying the foundations for a prosperous city**.

Corporate Resources

Vision and context
Corporate Resources plays a leading role in driving the Council's direction, supporting decision-making and the implementation of decisions, managing external relationships, providing effective business intelligence and a clear policy steer. There are a number of national policy initiatives that will have an impact on the services delivered by the Directorate and in particular the following are highlighted:

- The introduction of the Welfare Reform Act 2012 and the new framework of Universal Credit (including the potential transfer of administration services to the Department for Work and Pensions)

- The Localism Act 2011 introduced new governance frameworks and a number of rights for citizens to manage assets, to direct the provision of services and to challenge Council Tax proposals

Strategic Intent
The Directorate plays its part in delivering the Leader's Policy Statement with regard to the Community Strategy by focusing on the following three areas:

- Good governance is the essential platform for the Council
- Strategic Direction - the Directorate will play a leading role in the development of future policy and strategy direction, in the light of national and local changes and challenges
- Supporting our Customers **-** ensure a customer service ethos

Development and Culture

Vision and Context
The Directorate contributes to the City Council's policy priorities to:
- Improve economic growth, reduce economic inequality, tackle deprivation and increase employment opportunities
- Promote social cohesion by providing access to economic opportunity
- Support a rich and diverse cultural scene for residents and visitors.

Strategic Intent
We are working to increase investment in the city and encourage growth and enterprise so that more people have access to wealth and employment. We work in partnership to improve skills development, increase access to employment, make the city greener and create an enterprise culture to support economic growth and regeneration across the City Region.

Development and Culture - Summary of High Level Actions
The Directorate is focused on boosting Birmingham's employment and prosperity, ensuring that the city **succeeds economically** and that the people who live and work here **enjoy a high quality of life**.

Local Services Directorate

Vision Statement

Local Services Directorate was created in October 2012 and will be responsible for the delivery of a wide range of services that will support all citizens of Birmingham. The services will be delivered primarily through the new District Committees but there will also be services that are delivered on a City-wide basis where this provides better value for money.

The Directorate will also be responsible for the provision of existing and new council housing and other services including Community Safety, Customer Services and Adult Education Services.

The services provided by the Directorate will make a major contribution to the Leader's Policy Statement and Vision for the Future. Some of these contributions are set out below:

Tackling Inequality and Deprivation

- Provision of existing and new affordable housing and preventing homelessness
- Community safety services including tackling anti social behaviour
- Improving access to services through our local neighbourhood offices and provision of independent legal advisory services
- Promoting long term improvement in the life time prospects for all citizens through our strategic and community library services, adult education services and provision of youth services
- Provision of essential services to support people during difficult times including bereavement services

Laying the Foundations for a Prosperous City

- Ensuring a safe environment through our emergency resilience planning services
- Supporting small and medium sized enterprises through our market services

Involving Local People and Communities in the Future of their Local Area

- Supporting District Committees with the delivery of key local services including housing management, youth services and adult services
- Setting up new tenant engagement and participation structures to support the delivery of council housing

Strategic Intent

The Local Services Directorate will focus on the following key priorities when planning services:

- Providing excellent services for the citizens of Birmingham to tackle inequality and deprivation, improving service standards to a level considered 'best in class' and higher than other major cities and urban authorities
- Working with our local communities to develop services that meet local needs, and to encourage active participation by all citizens by supporting volunteering and building community capacity and cohesion.

7. OUR EMPLOYEES

Birmingham City Council's leadership wants people to work for and with the Council to build a brighter and successful future. In these difficult financial times, the challenges

for local government require imaginative, courageous, innovative and bold people. The Council has reduced its workforce by c7,500 people between April 2010 and March 2013. It will continue to face significant efficiency and funding challenges over the forthcoming years. In 2013, it expects to see around 1,000 people or c850 full time equivalents less posts. The Council has managed the reductions in a measured and planned way, which has seen less than 10% of this reduction being achieved through compulsory redundancy.

The Council wants its employees to help drive up standards and actively lead the necessary service remodelling to meet a new era of change. It seeks to promote behaviours and working practices that recognise and respect the differences between people and help them to fulfil their potential.

To provide transparency around the pay for non-schools employees within the organisation, the Council now publishes a Pay Policy Statement as part of the requirements of the Localism Act 2011. The Council is obliged under the legislation to review this annually and make the statement available for the public from April of each year. This will be the second statement and, for 2013/14, it highlights the reduction in the pay multiple from 16.8:1 down to 14.5:1 between the highest and lowest paid employees, having been influenced by the implementation of the Living Wage from July 2012. The full statement is attached at Appendix 3

People must be able to do an excellent job. They must be equipped with the skills and necessary development to succeed and where possible have career pathways that give more freedoms to maximise potential. Making sure that people do what they do best and use their strengths to their fullest potential is uppermost in this strategy.

The Council is committed to involving all our employees in our Fresh Start engagement programme. Fresh Start is an innovative approach to the engagement relationship that exists between employer and employee (often termed the psychological contract). It is a key part of the recipe to form a productive and inclusive culture at Birmingham, with a leadership that listens and is open to new ideas in order to deliver on the unprecedented financial challenge the organisation faces. Fresh Start is already taking a fresh approach to the Council's core values of Belief, Excellence, Success and Trust – enabling our workforce to be accountable for maintaining and improving outcomes and improving lives of the people who live in Birmingham.

The Fresh Start programme aims to influence:

- Employee engagement levels
- Levels of sickness and absence and employee health
- Levels of stress across the Council
- Employee commitment to and pride in Birmingham City Council
- Staff managing work / life demands to improve quality of life and capacity to deliver a sustainable service
- Levels of morale and motivation and job enjoyment (taking personal responsibility as well as organisation)
- Employee productivity, quality and customer responsiveness levels - making a difference to service delivery
- Improving staff and organisational capacity, capability, resilience and performance; and
- Making a clear link between employee morale and productivity and making a difference to the lives of the people in Birmingham

The leadership is committed to:

- Implementing the Living Wage
- Expanding My Birmingham Rewards employee benefits
- Devising new communication channels and improving existing ones
- Reviewing the conduct of Performance Development Reviews including simplifying scoring and supporting mechanisms
- Developing a feedback mechanism for employees to give feedback on their managers
- Developing a leadership academy with development opportunities for all employees
- Working on raising levels of staff health and well being
- Conducting a whole council 'workforce diagnostic' survey in 2013; and
- Having a genuine staff suggestion scheme including social media tool.

In this climate, having a clear People Strategy that supports the Council Business Plan is of paramount importance. The Business Plan sets a clear business vision and sitting at the heart of this is our People Strategy.

7.1 Our People Strategy Priorities

There are four workforce priorities, which form the strategic themes in the forthcoming year and onwards:

- Improving morale and motivation
- Organisational change
- Organisational compliance
- Organisational performance

Priority 1: IMPROVING MORALE AND MOTIVATION

The Fresh Start programme recognises the importance of employee voice and recognition. The Council, through its workforce, wants to change outcomes and improve opportunities for the people who play an important part in the prosperity of Birmingham. This programme will: develop clear leadership and management standards; invest in employee health and wellbeing; and put performance development and reward at the heart of business objectives. The Council will implement the Living Wage, reviewing the organisational and financial implications on an annual basis prior to changing the payment rate

Birmingham will:

- Build a shared expectation of working for the council
- Encourage staff to volunteer and build civic pride in the city
- Reward our people for taking risks and finding better ways to solve problems; and
- Ensure that within organisational priorities, staff have the opportunity to shape their own work and direction of services

Priority 2: ORGANISATIONAL CHANGE

Having visionary and effective managers / leaders who are able to lead and engage people through the transformational changes is fundamental to helping empower people.

Managers will need to be able to manage the changes effectively, involving staff in shaping the changes and influencing how services will be run in the future. Managers / leaders will need to develop teams that are agile, flexible and committed, and will

themselves need to be agile in order to adapt to changes in their role and be able to manage effectively across different teams and with larger spans of control.

The Council will ensure that manager / leaders are developed and supported to fulfil their roles, engage staff and develop a culture of innovation and strong performance whilst being supported to assess and manage risk effectively.

Birmingham will:

- Have effective managers / leaders who are able to provide direction, build trust in what we do and engage their teams;
- Encourage a culture of innovation and managed risk taking, working in close collaboration with partners using organisational design principles; and
- Provide opportunities for all of staff to enhance their skills and talents.

Priority 3: ORGANISATIONAL COMPLIANCE

The Council needs to operate in the most economically efficient and effective way. Key to this is having people management policies and processes that are lean and effective. Ensuring that managers and staff can access the right advice through Human Resources (HR) services at the right time and in the right way is paramount

Birmingham will:

- Continue to enhance its People Solutions HR intranet services based on customer feedback
- Ensure fair employment terms and conditions including the Living Wage and Equal Pay
- Have job families that evolve with service redesigns and different models of delivery; and
- Plan the future workforce requirements, address transition matters fairly and continue to foster social inclusion and a diverse workforce base

Priority 4: ORGANISATIONAL PERFORMANCE

At a time of reducing resources and rising customer expectations, it will be increasingly important for all employees to adopt a performance culture in which high performance is valued and sustained and underperformance is actively addressed. It is important to focus staff in their areas of strength so that they can be deployed in roles that maximise their personal contribution and performance.

Birmingham will:

- Build a high performance culture, with Performance Development Reviews being a mechanism where managers can actively support individuals to improve their performance
- Ensure that staff are clear about how their work contributes to the delivery of their service and know what is expected of them; and
- Receive regular feedback and recognition where staff have excelled

Achieving this People Strategy will be the key to delivering the Community Strategy and vision so that the Council plays an important role in the heart of this vibrant city and in the lives of the people who live in, work in and visit Birmingham.

7.2 Workforce Planning

The council has a robust method which forecasts and plans the workforce requirements needed to meet the demands of our citizens, ensuring that the council has the right people, in the right place, at the right time with the right skills. This allows for effective

service reorganisations and planned and managed headcount reductions. The council has a well-developed employee performance management process which monitors and controls the levels of necessary staffing, employee costs, diversity profile, absence rates and performance levels. This is reported to the management teams on a monthly basis.

7.3 Equalities

Diversity and equality matters are at the heart of the employee strategy. The council recognises and celebrates staff groups which are part of the statutory nine protected characteristics. The council has a robust equality assessment framework which is embedded into the business planning processes. This is designed to illuminate, minimise or balance any potentially discriminatory or negative consequences of any proposed policy decisions.

7.4 Corporate Employee Network Support Groups

Birmingham City Council supports three Corporate Employee Network Groups (Corporate Black Workers Support Group (CBWSG; Disability Advisory Network (DAN) and the Lesbian Gay Bisexual Transpeople (LGBT)). In 2010 the Assistant Director (Equalities and HR) established the Corporate Employee Network Support Group. The Chair and Vice chairs of each Group meet with the Human Resources Officer, bi monthly to share and discuss Birmingham City Council business and Network Group issues. The Employee Network Groups provide a framework to work with the City Council managers and their members to identify and address inequality to benefit employees and foster positive and productive working relationships.

The Groups are funded by Effectively Managed Corporate Business (EMCB) and act as a conduit for consultation on employment related issues such as, training and career development issues for employees and provide an understanding of equality issues and values to inform the development of relevant BCC polices. They also provide support to employees within the workplace, through a variety of support mechanisms.

An update report on the Groups activities, successes and achievements is presented adhoc to the Effectively Managed Corporate Business/ Employment and Human Resources Committee and relevant Cabinet members. This group consists of senior officers across the City Council.

Each Group has regular meetings with their members and an Annual General Meeting and conference. Group executive members and members of each group are allowed time (subject to staffing arrangements/line manager approval) to attend their Network group meetings.

The Groups worked together to formulate an overarching and consistent Terms of Reference that informs the core values for all Birmingham City Council Employee Network Support Groups. Some of the core framework areas that govern their role relate to:

- Group objectives/ Business Planning;
- Supporting Employee Engagement and Directorate Projects;
- Executive Group/Membership/Attendance;
- Budget arrangements.

As well as working independently with their Group members, the Networks undertake cross Group joint working to look at the areas of:

- Performance Development Record (PDR) Objectives for members of each Executive Group;
- Participation on Equality Analysis Task Group meetings;
- Involvement in the City Workforce Data consultation exercise;
- Work force engagement;
- Testing of the Equality and Diversity E-Learning Foundation Model, Training for all staff;
- Providing mediation and Advocacy support.

7.5 Stonewall Workplace Equality Index

The Stonewall Workplace Equality Index was launched in 2005. The index was developed by Stonewall in order to challenge the UK's leading organisations to improve their workplaces for lesbian, gay and bisexual staff.

In 2005 Birmingham City Council became a member of the Stonewall Diversity Champion programme as a reflection of our commitment to be an employer of choice for all. Over the last eight years the City Council has made submissions to the Stonewall Workplace Equality Index and in 2007 for the first time Birmingham City Council became one of the top 100 employers in the UK and featured in the Stonewall Equality Index, and have made significant progress in pursuing our commitment to equality for Lesbian, Gay and Bisexual people, who live, visit the City and who work for the City Council.

The Index enables ongoing engagement with staff internally and externally to maintain key areas of good practice to meet the requirements of the Index and to enact sustainable improvement each year to progress and to maintain a place in top 100 employers in the UK.

The Stonewall Top 100 Employers list is compiled from vary organisations submissions to the annual Workplace Equality Index. The Index consists of a 25 question survey designed to sample workplace culture, covering key areas such as policy, staff engagement, learning, development and support, monitoring, supplier policies, community engagement and staff feedback survey.

Birmingham City Council is currently placed 45 in the Index for their 2013 submissions and their LGBT Employee Network Group, has achieved the Index – STAR Performing Network Group Awards in 2010, 2012 and 2013, recognising employee network groups valuable contribution to the experience of LGB staff in their organisation.

PSED REVIEW QUESTION: WHAT CHANGES IF ANY WOULD ENSURE BETTER EQUALITY OUTCOMES

At this stage Birmingham City Council do not believe that there are any significant changes required to the PSED. It may however be useful to continually review the guidance based on any developments/subsequent case law.

PSED REVIEW QUESTION: WHAT ARE THE COSTS AND BENEFITS OF THE PSED

Birmingham City Council would view the benefits of the Public Sector Equality Duty outweighing any costs in the sense that it is a comprehensive tool for achieving services improvements.

APPENDICES

APPENDIX 1 - BIRMINGHAM CENSUS HEADLINERS

The Census is carried out by ONS and is the most reliable source of data about the population. The data generated by the Census is also critical in enhancing our understanding of the local population. Birmingham City Council is planning to make effective use of Census information in the planning and provision of local services based on customer needs.

Key Findings for Birmingham

Birmingham is estimated to have a population of 1,073,045. This is an estimated increase of 95,958 people and a percentage increase of 9.8% compared to Census estimate of 2001. Birmingham has an estimate of 545,239 females and 527,806 males.

Birmingham is growing at a faster rate than England & Wales (7%), West Midlands Region (6.3%) and the West Midlands Metropolitan area (7.1%).

Area	Population - 2011 Census
Birmingham	1,073,045
West Midlands	5,601,800
England & Wales	56,075,900

Households: The household estimate for Birmingham is 410,700. The average household size for Birmingham is 2.6, this is slightly higher than the West Midlands Region and England and Wales average of 2.4.

The results confirm that Birmingham is an increasingly young population. The Census recorded 404,200 young people under the age of 25 in Birmingham. This is 37.7% of Birmingham overall population.

Compared to the 2001 Census the most noticeable growth is seen amongst the number of young adults in their twenties (26%) and people in their late forties (24%). The number of preschool children is also significantly higher than in 2001. Although the City has seen a fall in the number of people aged 65 and over, the number of people age 90 and over has increased by 18.5%, with very elderly men showing an increase of 54.5%.

Disability: 107,380 (10%) of Birmingham residents provide unpaid care for someone with a disability.

Gender: 64.2% of Birmingham's population aged 16-74 (71% of men and 57.7% of women) was actively working or seeking work. This is lower than the rate for England (69.9%) and West Midlands (68.3%). In 2001 there were 410,556 people economically active.

LGBT – the 'Out and About' research conducted in 2011* - estimated there are between 60-100,000 Lesbian, Gay, Bi-Sexual or Trans (LGBT) people living in Birmingham.

Ethnicity: More than half of Birmingham's population (53.1%) is made up of White: English/Welsh/Scottish/Northern Irish/British, 13.5% are Asian/Asian British: Pakistani, 6.0% are Asian/Asian British: Indian and 4.4% are Black/African/Caribbean/Black British: Caribbean.

Figure 1: Ethnicity

Ethnicity	Population	England & Wales %	West Midlands %	Birmingham %
White: English/Welsh/ Scottish/Northern Irish/British	570,217	80.5	79.2	53.1
White Irish	22,021	0.9	1.0	2.1
White: Gypsy or Irish Traveller	408	0.1	0.1	0.0
White: Other White	28,990	4.4	2.5	2.7
Mixed/multiple ethnic group: White and Black Caribbean	24,720	0.8	1.2	2.3
Mixed/multiple ethnic group: White and Black African	3,223	0.3	0.2	0.3
Mixed/multiple ethnic group: White and Asian	11,186	0.6	0.6	1.0
Mixed/multiple ethnic group: Other Mixed	8,476	0.5	0.4	0.8
Asian/Asian British: Indian	64,621	2.5	3.9	6.0
Asian/Asian British: Pakistani	144,627	2.0	4.1	13.5
Asian/Asian British: Bangladeshi	32,532	0.8	0.9	3.03
Asian/Asian British: Chinese	12,712	0.7	0.6	1.2
Asian/Asian British: Other Asian	31,148	1.5	1.3	2.9
Black/African/Caribbean/Black British: African	29,991	1.8	1.1	2.8
Black/African/Caribbean/Black British: Caribbean	47,641	1.1	1.5	4.4
Black/African/Caribbean/Black British: Other Black	18,728	0.5	0.6	1.7
Other ethnic group: Arab	10,910	0.4	0.3	1.0
All categories: Ethnic group	10,894	0.6	0.6	1.0

Source: Office for National Statistics *© Crown Copyright 2013* - Corporate Research Team Customer Knowledge

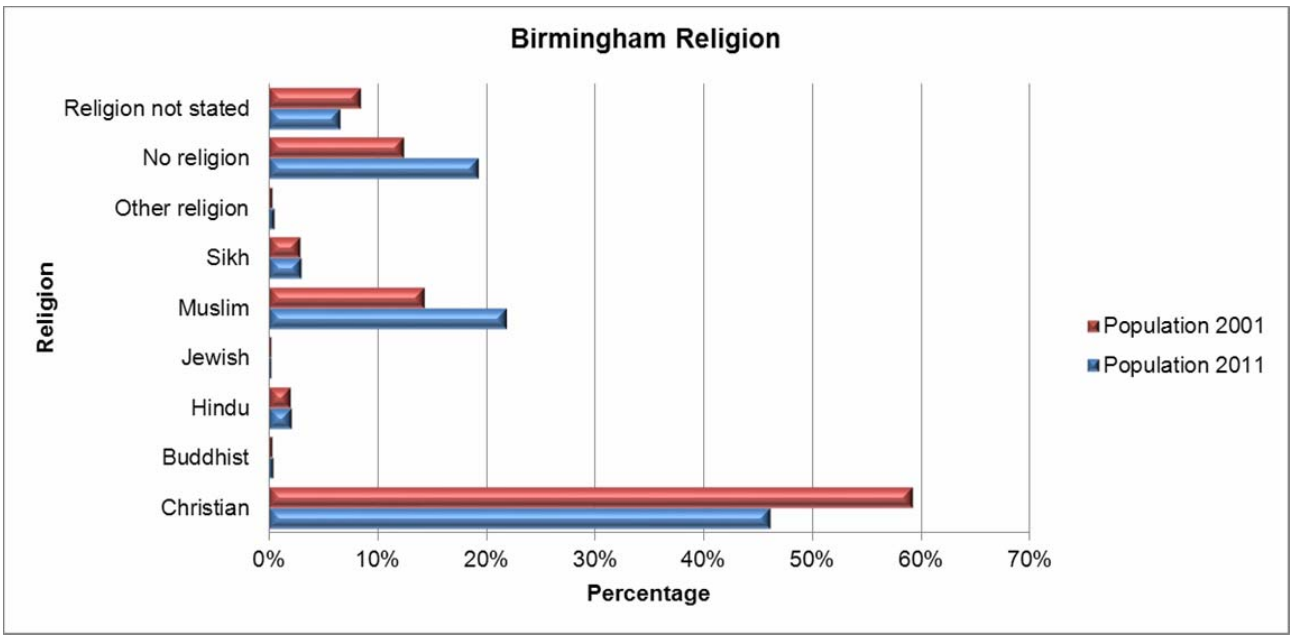
There were some changes to the 2011 Census ethnicity categories. In particular, the categories 'White: Gypsy or Irish Traveller' and 'Other ethnic group: Arab' were added.

Figure 1 – shows the Ethnicity breakdown by percentage for Birmingham residents. White: English/Welsh/Scottish/Northern Irish/British = 53.14%. More than half of Birmingham population (53.1%) is made up of White: English/Welsh/Scottish/Northern Irish/British, 13.5% are Asian/Asian British: Pakistani, 6.0% are Asian/Asian British: Indian and 4.4% are Black/African/Caribbean/Black British: Caribbean.

The Birmingham Pakistani community is extremely higher than England & Wales (2.0%) and West Midlands (4.1%). In 2001 the Pakistani community counted for 104,017 persons, this means there has been an increase of 39.4%. Birmingham Indian community is higher than the England percentage of 2.5% and slightly lower than the West Midlands region 3.9%. Since 2001 there has been an increase of 15.91% (8,872).

Religion: Between 2001 and 2011 the percentage of Birmingham people affiliating themselves with the Christian religion declined by 14% as did the category religion not stated. There has been a 70% increase in the number of people reporting themselves as having no religion. The proportion of people identifying themselves with the Muslim religion has grown by 67%.

Figure 2 – Birmingham Religion



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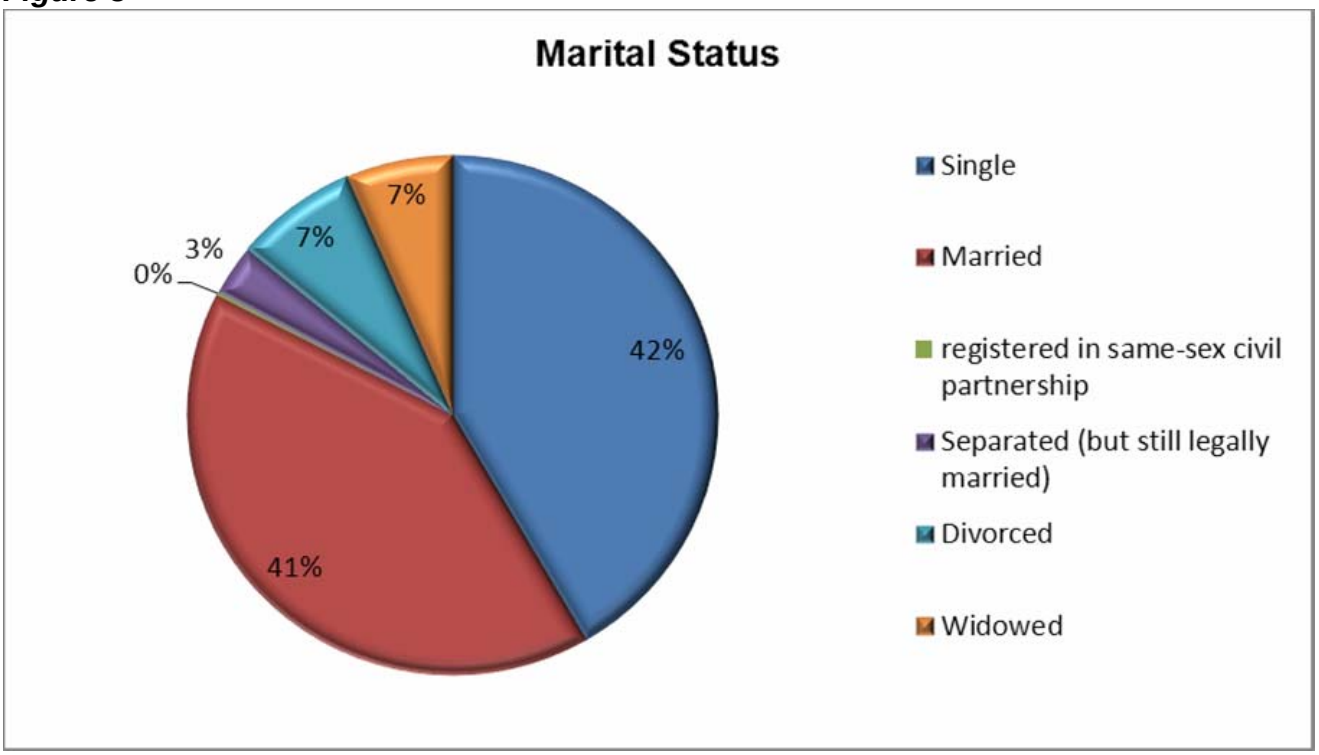
Marital Status

The 2011 Census showed that the largest marital status group in Birmingham was single (never married) group 344,818 (41.6%). This is an increase of 70,015 (5.5%) of the population. In 2001 the largest marital status group was married 302,595 (40.45%). In 2011 there has been a slight increase of 36,681 (0.6%).

Civil Partnership (a new legal partnership status) were a very small proportion of the total (0.2%), this percentage is the same for England & Wales and the Region.

The number of usual residents separated (but still legally married) increased very slightly 4,579 (0.3%). 62,168 residents registered themselves as divorced compared to 54,453 in 2001 and 6.5% of the population widowed, slightly lower than the England & Wales and West Midlands percentages.

Figure 3



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APPENDIX 2 - KEY STRATEGIES, POLICIES AND PRIORITIES

Birmingham's Key Strategies and Plans

Birmingham's key strategies and plans provide the context for all the City Council's overarching goals and services. These are:

Strategy	Description
Birmingham 2026	The city's Community Strategy developed in 2008 through extensive public consultation, and sets out a high level, long-term vision for the city and represents the shared ambitions for the city agreed between all local agencies (available on our website – http://www.birmingham.gov.uk/2026)
Leader's Policy Statement (LPS) 2012	Sets out the Council's vision for Birmingham and three priorities in delivering this vision. The LPS initiated a series of work programmes to deliver the vision in the medium term.
Council Business Plan and Budget 2013+	Sets out the Council's resource plans for the next 1-3 years, including changes to particular service areas and budgets (available on our website http://www.birmingham.gov.uk/budgetviews.

Birmingham's Policy Priorities

The Leaders Policy Statement identified a clear vision for the City, to deliver this the City Council's objectives have been reshaped into **three key priorities** that underpin our vision, and all our strategies and plans, and how we act in all that we do.

Priority One

Tackle inequality and deprivation, promote social cohesion across all communities in Birmingham, and ensure dignity, particularly for our older people, and safeguarding for children

Priority Two

Lay the foundations for a prosperous city, built on an inclusive economy

Priority Three

Involve local people and communities in the future of their local area and their public services – a city with local services for local people

This section briefly describes how that is working in practice.

Priority One:
Tackle inequality and deprivation, promote social cohesion across all communities in Birmingham, and ensure dignity, particularly for our older people, and safeguarding for children

Birmingham is one of the most deprived local authorities in England. Almost a quarter (23%) of the city's population lives in neighbourhoods in the 5% most deprived nationally. There are significant differences in educational achievement, health, life expectancy and worklessness across the city. Birmingham is a growing city. Birmingham has a diverse and constantly changing population of just over one million residents, with over half under the age of 35.

What is the Council doing about this?

Making sure that the things we do and fund **contribute positively to social cohesion and to "closing the gap"** between the most and least deprived. We will stop doing things that are not working and will be more rigorous in finding alternatives that do work.

Working with communities to develop solutions to meet their differing needs and helping to foster the **community strength that really changes things at a neighbourhood level.**

Working to find new ways of providing affordable social care, including investigating the feasibility of a **'peace of mind offer'** to find ways of helping reduce social isolation.

Reviewing our arrangements for commissioning services. We believe that community and voluntary organisations, co-operatives and social enterprises can deliver the very best services.

Working to make **significant improvement to child protection services within the next 12 months, and raising awareness of corporate parenting responsibilities across the Council.**

Priority Two:
Lay the foundations for a prosperous city, built on an inclusive economy

If Birmingham is to compete in the global economy of the future the city must seriously improve in terms of education, skills, investment, connectivity and research.

What is the Council doing about this?

Working to make Birmingham an **'Entrepreneurial City'** and Britain's easiest place to start and grow a business. This includes **supporting job creation**, **improving Birmingham's skill base**; working with businesses to develop **new economic growth zones**; introducing a **"Business Charter for Social Responsibility"** policy that values the way our providers contribute to the city as well as the prices they charge; linking **education with business growth –** including a **new Birmingham Baccalaureate**; supporting the expansion of **Birmingham Airport** and delivering **the New Street Gateway development.**

Birmingham City Council was one of the first in the country to pay a **Living Wage** to all its employees – many of whom are women in front-line roles such as cleaners and kitchen assistants. This is now being promoted amongst Birmingham businesses and those with whom we have contracts as part of our Business Charter for Social Responsibility. It is helping individuals and families, improving productivity and boosting the overall well-being of Birmingham's citizens. It is making a real difference, and we will continue to press hard for its adoption throughout the city.

Working to make Birmingham a technologically 'SMART' city by collaborating with experts to ensure that the city offers state of the art digital infrastructure to support today's businesses and citizens.

Working to make Birmingham a 'green' city – including consulting on a new planning policy – 'Your Green and Healthy City' – and our Energy Savers programme to reduce energy use in homes and businesses.

Priority Three:
Involve local people and communities in the future of their local area and their public services – a city with local services for local people

What is the Council doing about this?

Since May 2012 we have passed control of **some 50 services** and budgets to **District Committees** so that there is a stronger focus on local priorities.

Developing **an ambitious programme for how we work at neighbourhood level.**

The vision drives the Council's direction, and the policy is implemented through six work programmes:

- Jobs and prosperity & Education and skills
- Crime and police
- Health and social care
- Housing Localisation
- Re-inventing the council

The work on these programmes is delivered by the Strategic Directorates. The Council is comprised of five Strategic Directorates:

Adults & Communities, which provides social care services that, help adults in Birmingham to live as independently as they can and to be part of their local communities.

Children, Young People and Families, which provides early help and support to those children and families who need it and, working together, will ensure that every child has the belief, aspiration and support to be their best.

Corporate Resources, which has a leading role in driving the Council's direction supporting decision making, implementation of decisions, managing external relationships and providing effective business intelligence.

Development and Culture, which stimulates economic growth and reduced income inequality, promotes social cohesion and supports a rich and diverse cultural scene for residents and visitors.

Local Services, responsible for the delivery of a wide range of services that will support all the citizens of Birmingham, primarily delivered through the new District Committees.

Each Directorate is responsible for the implementation of the Leader's Policy Statement and the Council's contribution to the achievement of the Birmingham 2026 Sustainable Community Strategy outcomes. In order to work effectively towards these goals, each Directorate has their own high-level action plans. These plans describe the visions and strategic intentions of each Directorate, how they will respond to the three aims of the general duty in developing the priorities within their business plans, and clearly setting out how they will respond to the challenges we are facing in Birmingham.

APPENDIX 3 - A PROFILE OF BIRMINGHAM

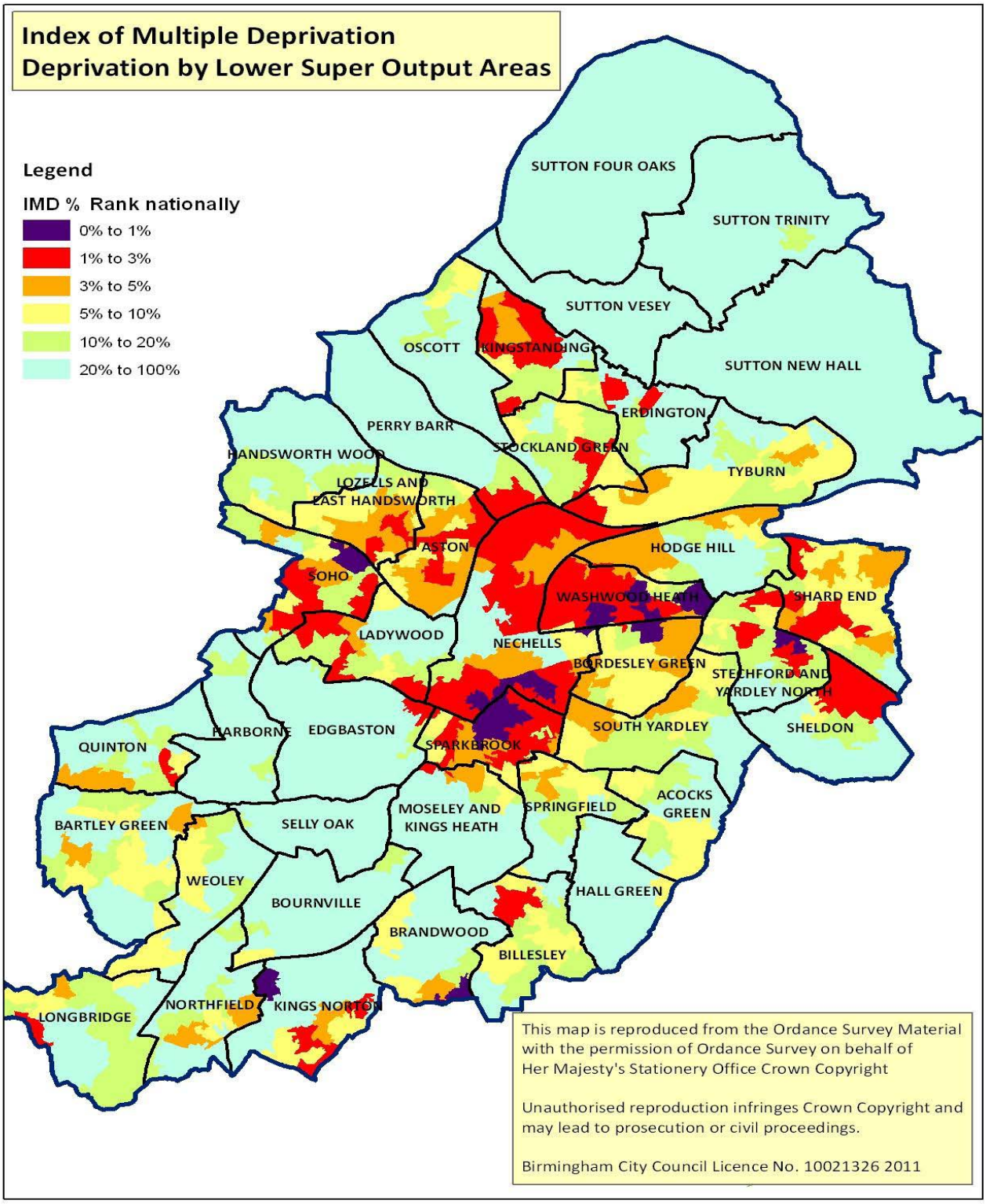
Birmingham is a large urban authority at the heart of the West Midlands region. Outside of London, it is the UK's most diverse city, made up of a wide range of cultural, faith and other communities. We have the youngest population of any major European city - over half the population is aged under 35. The 2011 Census showed that the city has grown more quickly than previous official estimates, and faster than the national average rate. The city benefits from positive social cohesion within this diversity. We have only been able to achieve this through working with all our communities, as well as with our public and private sector partners to address inequalities in our city.

The ethnic make-up of the city is significantly more diverse than that of the UK as a whole, and that diversity is expected to increase significantly over the next 20 years. This is potentially a key strength of Birmingham in the global economy.

Birmingham is the largest city economy in the UK outside of London with a growing reputation as an international business location. Whilst Birmingham still maintains a significant manufacturing heritage (e.g. Jaguar Landrover), it has seen rapid growth in high value-added sectors like the retail business and professional services.

Over the last decade voluntary organisations have been encouraged to become more and more involved in the delivery of public services: by 2010, nearly a third of charities and social enterprises said they were doing so.

Index of Multiple Deprivation



2011

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