



Fairness and Equality – Leading in London

**Towards Good Practice: Key learning points from a
development project 2010 – 2012**

Report to London Councils

June 2012

Contents

Foreword by Cllr Marie Pye	4
PART 1 - Overview.....	5
Introduction.....	5
2010 – Time to rethink	6
2011 – Exploration: Expert engagement.....	6
2011 – Exploration: Child poverty and equalities	6
2011 – Transitions: Practitioner Events.....	6
2012 – Engagement: Members, Communities and the role of EIAs	6
2012 – Towards good practice.....	7
Part 2 – Exploration, Transitions and Engagement.....	9
Case Studies – Developing New Approaches.....	9
Case Studies – Developing Equality Objectives.....	13
Case Studies – Child Poverty and Equalities	14
Case Studies – EIAs and Knowing your Communities.....	16
PART 3 – Appendices: Reports, discussion notes and detail on case studies	19
Appendix A - Briefing Paper for the Fairness and Equality Panel.....	19
Appendix B - Notes of the Panel discussion	25
Appendix C - Equality Objectives Case Studies.....	31
Appendix D - Using Equalities to tackle Child Poverty in London.....	35
Appendix E - Joint LC and GLA event on equalities and child poverty in the Capital	44
Appendix F - EIA case studies/ Members Involvement (LC and LGIU event).....	48
Appendix G - Notes of the joint LC and LGIU event.....	56
Appendix H - Systems Thinking.....	61

Foreword by Cllr Marie Pye

Local authorities' resources continue to be constrained while the needs of local residents are increasing as a result of demographic changes and the difficult economic climate. As a consequence local authorities have sometimes found it challenging to maintain a focus on equalities, however, many have recognised the increased need for equalities and fairness in tough times.

London Councils and Capital Ambition have invested in equalities work since 2006, culminating in this London Councils' 2010-2012 project on Fairness and Equality: Leadership in London. London Councils is committed to ensuring leadership of equalities and fairness is an important and continuing aspect of public services in the capital. We commissioned OPM to work with us through this challenging period, to help us surface some of the learning and good practice which currently exists, and to build capacity and leadership for the future, and where appropriate, adopting a refreshed approach to meet changing circumstances.

In this three part report you will find:

- **Part 1** - An overview of the project activities and the issues considered by local politicians, experts and leaders on equality and equalities and policy practitioners,
- **Part 2** - Case studies which illustrate the different approaches taken by London local authorities to progress equalities and fairness in ways that take account of their particular place, politics and leadership; and
- **Part 3** - Appendices of the reports and discussion notes of the events organised by London Councils and OPM to explore and debate key areas of interest and opportunities for progress.

This report highlights what London Councils has done during this period and I hope you will find the case studies a practical tool that helps you think of different ways to improve mainstream service delivery in your locality. The report also raises opportunities to develop our ideas as to how best London Councils can continue to support the achievement of greater fairness and equality across London.



Cllr Marie Pye
Lead Member for Equalities
London Councils
June 2012

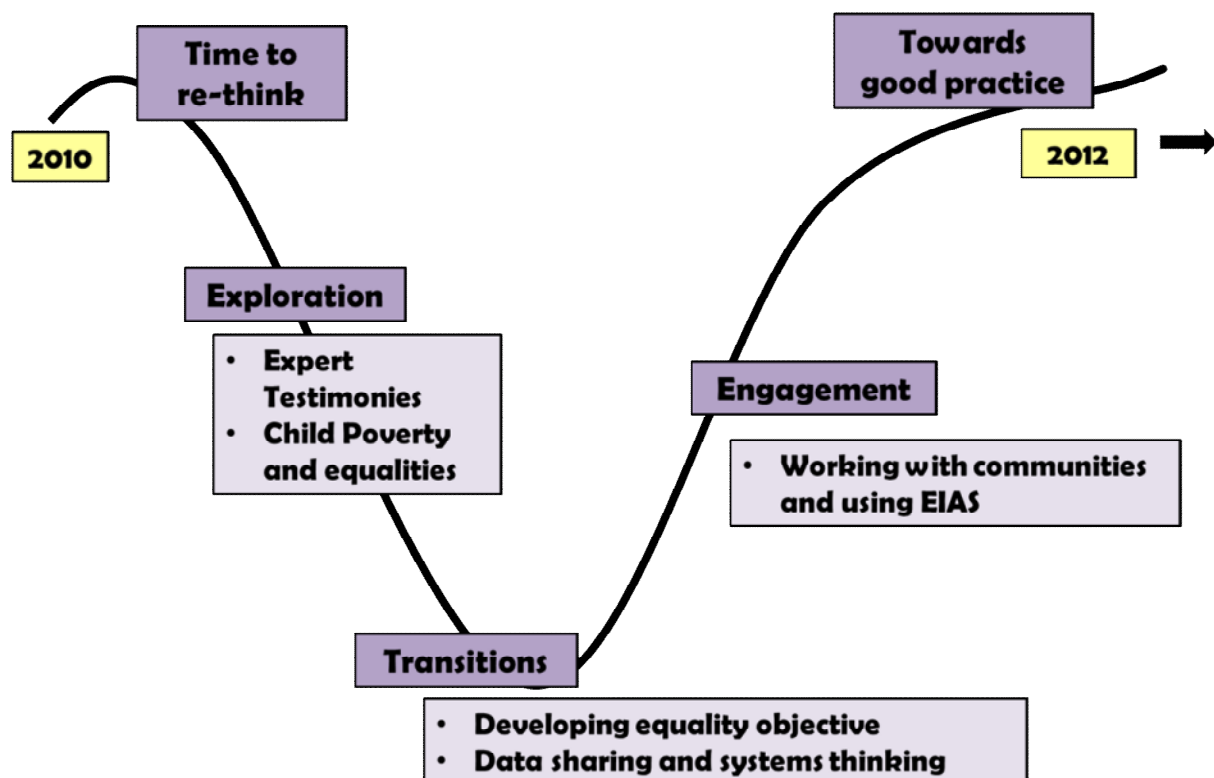
PART 1 - Overview

Introduction

When this project began in 2010 the equality and diversity agenda in London local government was in some respects different to the situation today. 'Fairness' and 'Big Society' as key concepts sat alongside the realisation that current levels of public spending were untenable, that tough choices followed the announcement of the Comprehensive Spending Review, and that there were very likely to be marked implications for equalities as these changes took effect.

In 2010 the new Equality Act came into force, harmonising and strengthening previous legislation, and creating a single Equality Duty covering all eight equality strands. The emphasis on increasing life chances for all is consistent with the 2007 Equality Framework for Local Government (EFLG) which places more emphasis on achieving positive outcomes than the previous Standard where the focus was primarily on good quality processes. London local authorities have been able to show steady progress against both the Standard and the Framework but, in the face of new challenges and some new opportunities, London Councils decided it was timely to invest in this project to encourage and support Leadership for London.

The duration of the project means that it and the world around it evolved as time went on. We have attempted to capture the stages and the nature of the work at each stage in the diagram below.



2010 – Time to rethink

With the advent of the new Coalition Government London Councils saw that there was value in encouraging leadership to take forward the fairness and equality agenda:

- What is the vision for London as a city working to reduce inequalities?
- What levers can local authorities and communities use to enhance fairness and equality?

Members we spoke to said they would welcome help with:

- Instances of good practice in different local authorities
- Appropriate use of equality analysis and EIAs
- Linking equalities improvement with longer term efficiencies

2011 – Exploration: Expert engagement

Interviews with a number of leading members and other experts covered:

- The need for a new equalities narrative
- The importance of bold leadership
- Work on data quality
- Effective engagement with communities
- Scrutiny and peer challenge

Participants said their tasks would be assisted by:

- Confidence in holding equality conversations
- Access to a regular London forum or network

2011 – Exploration: Child poverty and equalities

Key points here included:

- Child poverty and equalities are inextricably linked
- The next challenge is thinking about how equalities plays out in a commissioning environment.

2011 – Transitions: Practitioner Events

Equality objectives, data sharing and systems thinking

Key insights from these events included:

- The importance of equalities data to review progress and establish objectives as required by the Equality Act.
- The threat of judicial reviews was a significant driver for EIAs in boroughs.

2012 – Engagement: Members, Communities and the role of EIAs

In the discussion senior members noted:

- Many issues are becoming more complex
- Guidance from London Councils on current developments and issues would be welcomed.

Key themes emerged:

- Authorities are involving communities in EIAs as this process can mitigate the risk of judicial review and help target resources.
- Data quality is still a concern in many areas, and processes for data sharing with other partners is needed.

2012 – Towards good practice

Through the lifetime of this project we have encountered many powerful examples of individual and collective leadership, working towards increasing fairness and equality across London. Alongside this there is a strong desire for networking forums - both in person and virtually – where those who are committed to this agenda can share, learn and create improvements together.

The key points of learning and aspects of practice where we have been particularly aware of progress between 2010 and 2012 include the following:

- Many authorities are putting greater energy into developing **a positive narrative** on fairness and equality and finding new, innovative, approaches to continue to reduce inequalities.
- Emerging equalities approaches are more **actively and intentionally inclusive** and based on a focus on the needs of a particular place taking into account the demographics and politics of the borough.
- Members' community leadership role involves complex and sometimes difficult **dialogues with vulnerable service users** on the effects of budget cuts and options for mitigation. To this end members in some boroughs are taking a more active role in shaping consultation documents to have more informed dialogue.
- Equality Impact Assessments are proving to be valuable where **service user data** is used to identify the impact of budget cuts, explore mitigation possibilities and minimise the cumulative and disproportional impact of other government policies such as welfare benefit cuts.
- The drive for **better data quality** continues in the more proactive authorities; at the same time they are using the data that does exist to inform decision making.
- Establishing **effective consultation processes** for engaging community and voluntary organisations and adopting the principles of transparent and ethical decision-making is helping to maintain good community relations whilst making tough budget decisions.
- There is value in establishing **a safe space** for members and officers to explore equality and fairness dilemmas and opportunities. With greater freedom now to develop different approaches authorities can find their own distinctive local ways forward, provided they meet the general duties and specific legislative requirements. We met many interesting examples of specific local initiatives, some of which are described in Part 2.
- Most people we spoke to understand and support both the business case and the moral case for fairness and equality. They accept the need to be fair and reasonable in the stewardship of public resources and services. Many are doing a great deal to exercise their local leadership to reduce inequalities, and welcome opportunities to showcase and exchange good practice. However, working to improve fairness and equality across London as a whole remains a substantial and worthy ambition for all of London's leadership.

Part 2 – Exploration, Transitions and Engagement

Case Studies – Developing New Approaches

Meeting the 2010 challenges

Most local authorities reviewed their approach to equalities in 2010. Below we illustrate some of the approaches taken by London local authorities to maintain their commitment to **fairness and equality** based on the political and managerial leadership in the council. For example, Islington Council established the Fairness Commission; Waltham Forest, Tower Hamlets, Merton, Hackney and others focussed on equality impact assessments (EIA) to make budget decisions; Kingston Upon Thames and the City of London adopted a mainstreaming and user-centred approach to meeting the needs of their residents; the Greater London Authority (GLA) continued to work on Equal Chances for All based on mainstreaming equalities in all aspects of their activities; and the Olympic Delivery Authority (ODA) focussed their work on improving employment opportunities for particular groups under-represented in the construction and related industries.

Please note that none of these illustrations are intended to suggest that those who do not receive a mention here were not working towards equality or the authorities highlighted were not also engaged in a wider range of equalities initiatives. The project's intentions were to explore effective leadership practices and to showcase them, rather than to conduct a definitive survey.

The following examples were highlighted in the expert testimonies given to us by a number of individuals leading the work on fairness and equality in London. Members and leading practitioners were actively engaged in finding new and different ways to maintain their work on reducing inequalities. See Part 3 Appendix A and B to read the key findings from these discussions about the challenges and opportunities on fairness and equality in 2010 and beyond.

Islington Council - Fairness Commission

Islington Council wanted to expand the focus of their equalities work beyond the six strands and did this by setting up the Fairness Commission. Tackling economic inequalities was seen as a significant overarching way of addressing inequities across people with a range of other protected characteristics.

Leading Members in Islington were interested in the work of Richard Wilkinson and Kate Pritchard in the Spirit Level¹. The councillors found a strong narrative in the book on some of the root causes of unfairness and inequality and wanted to change the direction of their work on equalities, which until then was focussed on the six equalities strands. Islington council

¹ *The Spirit Level: Why Equality is Better for Everyone* by Richard Wilkinson and Kate Pickett (2009)

established the Fairness Commission in 2010 to help tackle economic and social inequality in the borough. This new approach was seen as all-inclusive in addressing fairness and equality with a potential to make a greater impact on the borough's residents and involved open engagement with local residents on the issues and their impact.

To read more about the recommendations and the council's actions on the report of the Islington Fairness Commission – Closing the Gap go to

<http://www.islington.gov.uk/about/fairness-commission/Pages/default.aspx>

Lewisham Council – A more inclusive and community based approach

Lewisham Council is working with its communities to develop a more integrated and inclusive approach to equalities. Recognising that equalities continues to be an important feature and factor in the borough, the strategy is to re-frame the work in ways that everyone can see the benefits for themselves as well as the community.

Lewisham Council took the view that fairness and equality remains a significant feature of the agenda for London. Their approach is to create an inclusive agenda for addressing the constraints on people's life opportunities and to address the shortcomings that limit the capacity of individuals and communities to advance and achieve their full potential. Recognising that pressures, particularly for vulnerable people are more acute in times of austerity, the Council has reframed its work to focus on why this agenda is important. Lewisham has been developing different ways of describing what the council is working towards that are more inclusive and where everyone can recognise themselves as affected. Lewisham has a strong reputation for equalities work, having achieved level 5 of the equality standard some years ago, which has helped with re-focussing and re-framing their work to make it meaningful to all sections of society.

See Part 3 Appendix C – Lewisham Case Study on Developing Equality Objectives

Also for more information on the comprehensive equality scheme 2012-2016 go to

<http://www.lewisham.gov.uk/mayorandcouncil/aboutthecouncil/equality-and-diversity/Pages/Comprehensive-Equality-Scheme-.aspx>

Olympic Delivery Authority (ODA) – Focussing on specific goals

The diversity of London was at the heart of the 2010 Olympics bid. The ODA established clear objectives around the difference it wanted to make using the new economic opportunities in the East End of London. The equalities team worked with contractors and suppliers using workforce and labour data to set specific goals to improve training and employment opportunities for local people. The goals were set so that they were realistic and achievable and made a difference in the local boroughs.

The six priorities underpinning the work for the ODA were: design and accessibility; employment and skills; equality and inclusion; health; safety and security; sustainability and legacy. ODA as a public body is therefore subject to the public sector equality duties.

The ODA equalities team had 3 key priorities:

1. Deliver the most accessible games possible – in terms of the physical infrastructure and design of sporting facilities, which are cognisant of the audience, athlete, spectators, the members of the Olympic / Paralympic authority or tourist, faith groups etc.
2. Inclusion – anybody that is involved feels they have a stake in the games – neighbouring communities, schools, SMEs.
3. Shifting the practice of the construction industry – so that their own approach to equality and diversity has moved on from where they started.

The impetus for the equalities work came from the facts that (1) the 2012 bid had diversity at its heart – grounded in key facets and factors unique to London given its demography especially in East London, and (2) ODA as a public body has statutory requirements on equality. The strategy and priorities were very focussed and clear outcomes were expected from the various contractors delivering on the Olympics infrastructure projects. This included an honest discussion about which protected categories were prioritised. The equalities team provided equal measures of support and challenge to the contractors to deliver on their commitments.

“It is our aim to make diversity and inclusion a key differentiator of our Games, celebrating the many differences among the cultures and communities of the United Kingdom”.

See Diversity and Inclusion as a key aspect of the Olympics in London

<http://www.london2012.com/about-us/diversity-and-inclusion/>

Greater London Authority (GLA) – Equal Chances for All - mainstreaming equalities

Equal Life Chances for All is the overarching approach in the GLA's continuing work on equalities and is informed and underpinned by the various detailed equality schemes and consultation. The responsibility for delivery of the outcomes lies firmly with the senior managers and the expectation is that equality is integrated into practice in all activities of the organisation.

Equal Life Chances for All remains the main theme for the GLA's work on fairness and equality. It is underpinned by the view that good practice and good management dictate that you treat people fairly and equally. The approach advocated by the Deputy Mayor is to mainstream the leadership and responsibility for fairness and equality to all managers and the role of the politician is to ensure accountability for decisions made and the outcomes achieved. *Equal Life Chances for All* is promoted as a unifying approach for London's diverse communities to help make real changes to the quality of life for all and to reduce the impact of the downturn on the most vulnerable, disadvantaged and new arrivals to the capital city.

"We talk about equal life chances for all and we truly mean it – we have 48 measures of success but these are not % or target based. If you start mainstreaming it and you practice good management that treats people equally then the financial benefits flow from there – you reduce the numbers of IT disputes, you improve your interview processes, you improve the stability of staff you employ and all this adds to strengthen to your bottom line".

The *Equal Life Chances for All* framework has been updated in 2012 and clearly demonstrates the mainstreaming approach. The GLA will ensure that equality is integrated into everything the organisation does, including how it obtains goods and services.

See Part 3 Appendix C – GLA Case Study on Developing Equality Objectives

For more information on the GLA's work on equality go to
<http://www.london.gov.uk/publication/equal-life-chances-all-2012>

Case Studies – Developing Equality Objectives

Lewisham and the GLA provided good case studies on developing equality objectives as required by the new Equality Act 2010. These case studies were used to inform practitioners embarking on how to best approach this duty. Both Lewisham and the GLA achieved level 5 of the Equality Standard many years ago and consequently have a strong evidence base and data to help inform their priorities.

Lewisham

Lewisham developed a number of priority themes to address equalities based on detailed analysis of the demographic data and other data sets such as civic participation levels, hate crime, pupil performance, health outcomes and residents surveys. The themes were used to have detailed discussions with communities to inform the objectives. The five priority themes are:

- ***Tackling victimisation, harassment and discrimination***
- ***Improving access to services***
- ***Closing the gap in outcomes for our citizens***
- ***Increasing mutual understanding and respect between communities***
- ***Increasing participation and engagement***

The GLA

The GLA held extensive consultations, round table discussions and on-line surveys on their interim race, gender and disability schemes in anticipation of the new Equality Act. The outputs of these discussions were shared with every GLA department to be used to develop equality objectives. An annual monitoring report of Equal Chances for All covers the measures and outcomes of the equalities priorities.

See Appendix C for a detailed case study on the processes involved in establishing equality objectives and the accountability arrangements.

Case Studies – Child Poverty and Equalities

Two case studies are presented here with distinctive approaches taken by the boroughs on child poverty and equalities. Lambeth Council explicitly considers equalities data and its wider considerations into account whilst Kingston Upon Thames focuses on the individuals and their characteristics in their work on child poverty.

Lambeth Council – Using the equalities lens

Lambeth Council is using the equalities lens to focus and target its work on child poverty in the borough. The two policy drivers give the councillors combined levers to prioritise this work and to focus on cumulative impact on particular groups and communities. The equalities lens helps with understanding multiple disadvantages and complexities and to work towards targeting resources to make an impact where the needs are greatest.

Lambeth makes extensive use of EIA to inform their work on child poverty and these are experienced as very useful in exploring cross-cutting issues and enabling people to work together in addressing complexities.

Lambeth is one of the authorities to have signed the London Child Poverty Pledge to help poor London families raise their incomes and improve outcomes for children. Child poverty is also mainstreamed in the corporate plan thus ensuring that all departments make their contribution to reducing child poverty in the borough.

Mainstreaming through our corporate plan

Outcome	High level performance measures	Equality priorities	Indicators
More vulnerable and disadvantaged residents are able to live independently and as they choose	<ul style="list-style-type: none"> •There are positive impacts from services for elderly, disabled residents and their carers •Social and financial inclusion is increasing •Adult safeguarding is secured •More families are supported 	<ul style="list-style-type: none"> •The positive impacts of services for elderly, disabled residents and their carers are more equally realised by all groups •Inequalities in social and financial exclusion are reducing •The take up of support services for vulnerable or disadvantaged families is increasing 	<ul style="list-style-type: none"> •The proportion of children in poverty •The number of citizens with multiple debts to the council •Lambeth Adult Social Care Outcomes (LASCOM) questionnaire measuring users perceptions of the care and support they receive •The percentage of residents that feel their financial circumstances have improved •Adult social care safeguarding referrals •The number of children in receipt of free school meals •Increased take up of formal childcare by low-income working families

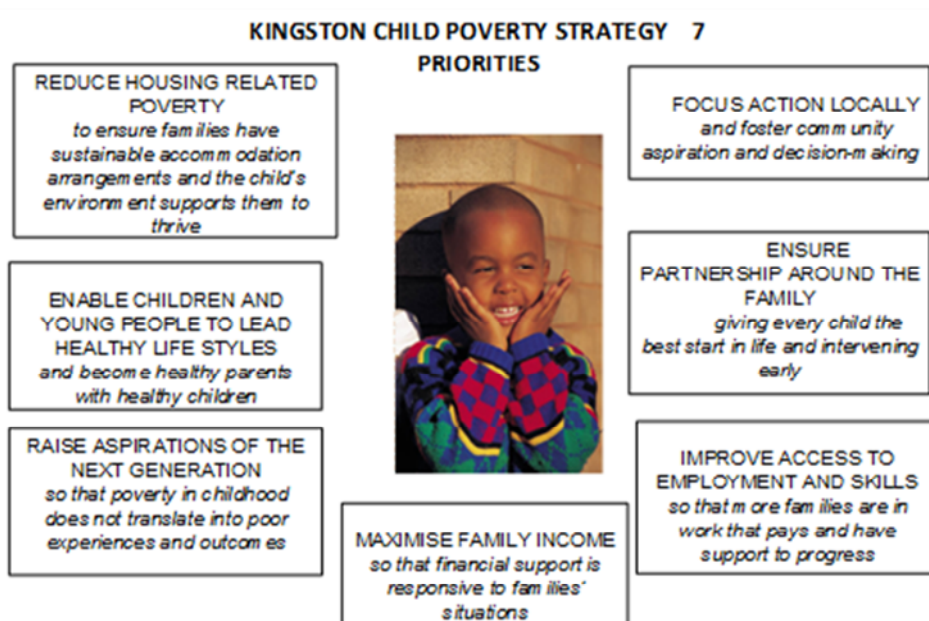
See the council's child poverty reduction strategy at:

<http://www.lambeth.gov.uk/NR/rdonlyres/F1EA416F-460C-460E-89E2-347AD7ABB28D/0/LambethChildPovertyStrategy2011To14.pdf>

Kingston Upon Thames Council

Kingston Upon Thames Council has clear strategic priorities to address child poverty in the borough. This work is lead by the Executive Member for Safe-Guarding and Children First and is focussed on child poverty in a generic way. The Council's approach to equalities is mainstreamed in how it works with individuals taking into account their individual characteristics as these relate to their needs.

Kingston Council's, One Council vision is "No families will be living in poverty and no children will be affected by the impacts of poverty". The council's approach is to have 7 strategic priorities to address child poverty. Kingston has a holistic approach to being user/ citizen focussed and to work with partners to improve the situation and circumstances for children to thrive.



The strategic priorities are set out below. For more information go to:

http://www.kingston.gov.uk/child_poverty_priorities_2011.pdf

See Part 3 for the briefing paper on Child Poverty and Equalities as well as the notes of the roundtable discussion on the paper and the two case studies.

Case Studies – EIAs and Knowing your Communities

Two case studies were discussed to explore the value of equality impact assessments (EIAs) in identifying the true impact of the proposed cuts on particular service user groups with protected characteristics and in complex social care services. Members considered the extent to which EIAs helped to shape the consultation documents, make explicit the nature of the impact, the extent to which it may be disproportionate and whether there can be any mitigation to the impact of the cuts on the particular groups. Fuller case studies can be found at Appendix F and the notes of the joint event at Appendix G.

Lewisham – EIA on Charges for Adult Social Care

Increased adult social care services charges were part of the overall budget cut proposals. Given the impact on older people, a full EIA was produced. The equalities data in the EIA informed the consultation documents and helped identify the impact on different groups, where it might be disproportionate and if any specific impacts could be mitigated. Members, after considering the impact on individual users and cumulative impact on these particular groups of other government welfare benefit changes, agreed the proposals but held back on increasing the charges.

The EIA evidenced high negative impact on the following service users with these protected characteristics: gender, disability and age (recognising that other characteristics such as race, sexuality and religion may be additional factors for people in the high negative impact categories). Although the EIA concluded adverse impact, the council was not able to consider these reductions as unavoidable. The EIA was to help to mitigate where possible, communicate the challenges through effective and targeted consultation, and evidence the consideration given to the EIA before making final decisions.

The Council did agree Phase I of the proposals as unavoidable given the scale of the cuts required but held back on Phase 2 increases based on the cumulative impact of other welfare benefit changes made by central government.

Lambeth – EIA on SEN Transport budget cuts

Changes to the SEN transport service were proposed in advance of a wide-ranging SEN and Disability Review in order to make early savings. Part of the driver for the reductions in this area was the pattern of overspending on this budget for some considerable time. The proposals included a change to current policy on eligibility and the modes of transport. The initial proposal modified by the EIA was to withdraw SEN transport altogether from all pupils aged 14 and over. The revised proposal was to find ways of providing for pupils with high needs whilst reducing and changing the provision in ways that also helped the Council achieve its policy ambitions of promoting independence where possible and desirable (e.g. by using public transport with appropriate support) and families cooperating where possible.

The EIA made it possible to identify high need individuals for whom SEN transport must be provided and identified a significant cohort who could use other less expensive forms of transport, including public transport. There were other positive outcomes such as building the skills and confidence to travel independently and prepare for adulthood. Mitigation also included working with under-fives on early identification, information giving and family support to ensure that over time fewer children required SEN statements.

EIAs were used to identify the detailed impact on individuals and families (for current and future users) as well as implications on statutory responsibilities. The EIA made effective use of service user data including equalities data to inform consultation processes with users and appropriate organisations in the statutory and voluntary sectors. The process also identified further gaps in data and the best estimates of expected impact of the proposals.

The Equality Panel and councillors were involved at various stages to shape the proposals and fully explore the impact and possible mitigations including modifications required to policy in this area. The Council agreed to implement proposals and to act on the mitigations.

See Appendix F for a fuller description of these case studies and the learning. See also the notes of the joint London Councils and Local Government Information Unit event on how the Members community leadership role is developing to include consultations on budget cuts and making greater use of EIAs to have more informed dialogue with communities.

PART 3 – Appendices: Reports, discussion notes and detail on case studies

Appendix A - Briefing Paper for the Fairness and Equality Panel

Panel meeting 2 June 2011

Background

OPM is working with London Councils to re-think and re-energise fairness and equality in the context of deep and pervasive cuts to public spending and the changing equality landscape. How can or should local government in London lead for fairness and equality in ways which contribute to London's position as a diverse world-class city?

The agenda for this Panel meeting is informed by the range of views and opinions expressed in OPM's conversations with a number of experienced and well informed leaders from across London. We spoke to 16 leading members, senior officers, commentators and practitioners, and we thank everyone who contributed for their time and willingness to engage. While the range of views is not necessarily representative it is varied and interesting. We report here an unattributed summary of different perspectives and insights from these conversations to set a context for the Panel's discussion.

Our expectation is that the outcomes from the discussion will inform the final stage of this project, keeping in sight London Councils' original objective for this work which is to offer effective ways of promoting fairness and equality through public service and community leadership, and as such be part of Capital Ambition's positive legacy. We hope all Panel contributors will be able to suggest ideas and practical options for supporting activities which can be developed and trialled in the final phase of the project. These may include networks and forums, perhaps under Chatham House rules, reporting on and publication of key messages through various media, specific skills development, good practice and critical friend exchanges, and so forth.

Key questions and illustrative responses: *(Many responses are relevant to more than one category with Leadership a key hub of connection. Where a particular view has been expressed by quite a few contributors this is indicated – remembering that this is an exploration of views, not a rigorous sample.)*

1. The new narrative - *What are the key components in telling a compelling story about the role and value of fairness and equality in the context of the new climate of austerity in London'?*

- The old E&D narrative has become tired; equalities as a concept has become foggy.
- It is interesting that 'fairness' has entered the discourse – as an indicator of reasonableness?
- Moving beyond protected categories to equality for everyone, while recognising that mainstreaming on its own is not enough.
- Take care not to get hung up on description at the expense of delivery.
- It's time for more sophistication and a more mature discussion – different audiences, different responses. Sharper focus on understanding communities, analysis of impact, awareness of Place.
- Make the link between equalities and good citizenship.
- Explain what the moral imperative means in practice.

- Communicate a few 'killer stats'; establish good examples of what 'fair' looks like and communicate it.

2. Leadership - *What are the main leadership challenges for fairness and equality in London? What and where do you believe leadership is most needed to promote fairness and equality in London boroughs and how can we achieve this?*

- Clear political and managerial leadership from the top; ensure cuts don't mean eye is taken off F&E.
- Tell more stories about positive outcomes.
- Role modelling is crucial.
- We have to do more to promote the vision and engage others; build relationships and trust; what kind of society do we want to live in?
- Challenge old assumptions that fairness is an intrinsic quality and overcome resistance.
- Be bold even when the messages are not good; acknowledge and take on the challenge.
- More people who are able to speak up and be listened to.

3. Evidence - *What kind of evidence do we need to really incorporate equality and fairness into our decision-making?*

- Need to work continually at data quality; use data to challenge old assumptions and target new initiatives; analysis is now a regular part of our culture.
- We need better information about impact; pre and post decisions.
- The process of EIAs can make them less rather than more relevant; EIAs don't help a lot at the development stage but the issues still need attention.
- EIAs don't always get serious thought but we need something like this.
- There isn't really a shortage of evidence, we need to take action on what we already know – but evidence doesn't tell you what to do.
- Data needs to be supported by qualitative inputs from residents.
- Some groups don't form an easy category for data collection to inform decisions about them.

4. Engagement Processes - *In what ways do we take fairness and equality outside town hall processes and involve the wider community?*

- Need a profound understanding of different communities. It's very important that we all engage with difference and learn from it.
- Find a better language to explain. (*several mentions*)
- Be bold even when the messages are not good.
- Build relationships, don't just rely on formal meetings.
- Case studies are the most interesting way of engaging – convincing people that there can be gains for all.
- Partiality in decision-making can be justified by reference to community views.
- You need the large scale survey but also panels for particular groups and wards.
- A more respectful approach.

5. Decision-making (resource allocation and other) - *What helps or hinders the incorporation of attention to fairness and equality in strategic decision-making and what about routine decision-making?*

- As structures dismantle need to protect the most vulnerable and make efforts to protect those who may have been left out in the past; awareness of compounding the impact on people.
- There are so many complicated things to think about; decisions can't be taken in advance of the evidence.
- Make links to business needs, and be very clear about outcomes expected.
- Robust EIAs, equalities in all our objectives, 'in our DNA'. (*several mentions*)
- Develop common understanding and easily accessible evidence.
- The gap widens however we look at it and progress will be slow and complex.
- Ensure your values inform decision-making, so can explain cuts to others.
- Mainstream by treating people as individuals not just a set of characteristics.
- Debate focused on cost effectiveness but still want to persist with equalities; is it all about economic equality or not?

6. Legislation- *Is the new Equality Act going to help or hinder? Do we need to rebuild the case for fairness and equality beyond legal compliance?*

- Even in a reduced form it will continue to be a driver (*several mentions*); it helps to be able to say it's a generic issue.
- The balance has gone too far – neither sticks nor carrots are sufficient; means we all need to do more; we need to rebuild to go beyond compliance.
- Legislation is not the same as best practice.
- It does have a role but you can do more with political will; build on this locally rather than being limited by it.
- The law can't help to mitigate cuts.
- More action is needed from EHRC.
- The Government should be more in evidence, make announcements.
- You do need access to good legal advice.

7. Holding to account - *What, in your view, are the most effective and useful means of demonstrating a public body's commitment to and achievements in fairness and equality?*

- It must be everyone's responsibility – not in a separate box; make responsibilities explicit.
- Dislike imposed targets but if scrutiny's not working it's hard to know what else to do; scrutiny could be tougher, peer challenge is not that robust.
- Ensure scrutiny adds value; use internal and external 'critical friend' arrangements.
- Write into Council performance requirements and present positively as a modern approach.
- With weakened Duty we must hold each other to account; create accountability through local partnerships.

- Need to focus on the softer stuff too; the atmosphere in the organisation matters – do people feel comfortable with their differences?
- Focus on the results we can control, then influence partners and through procurement.

8. Pan-London issues

- Role modelling by London Councils is crucial; influence LAs to do better on this agenda.
- Cuts mean people are being moved out of some Boroughs to others.
- Global migration; so much diversity – ‘fairness’ is different in different contexts.
- We can learn better in sub-regional clusters.
- There’s a positive role for the Mayor to profile fairness and equality in London as a world class city.

9. Anything else? - *What other areas should we be looking at in relation to advancing fairness and equality in London?*

- Handling the ‘mainstreaming paradox’ well is crucial. Do we lose the F&E issues if we just get on with it?
- The loss of the skills and experience of (e.g.) equalities officers is a major concern. *(several mentions)*
- A voluntary approach to training doesn’t work.
- The examples we hear about are often the easier successes, not the ‘wicked issues’.
- Decay in attention to F&E shows how little is really embedded.
- It’s hard to think about a diverse workforce when there’s little recruitment.
- What pressure is there if a council isn’t inclined to ‘do’ equalities?
- There is little reference to EHRC’s published priorities.

10. Next Steps

- There is reduced time and capacity but we need spaces to share learning, encourage progress, and hold each other to account.
- No current forum for a network of people like us to meet. *(several mentions)*
- Fund an independent equalities officer in every borough.
- Create case studies of good practice which help us to not reinvent the wheel; the financial situation means it makes sense to work together.
- All role descriptions should include responsibility for equalities.
- Specific training for service managers/leads.
- More and better peer scrutiny and challenge.
- Communicate aspirations and energise others; be ambitious.

Skills and competencies needed:

- Ability to engage confidently in equal discussion.
- Learn to ask the right questions and to build trust with groups.

- Use of simpler and clearer language which makes sense to people. (*several mentions*)
- Working effectively with politicians.
- Community and collaborative leadership.
- Data analysis; understanding impact.
- Systems working and development.
- To articulate tensions and work effectively with dilemmas.
- Taking a few personal risks, getting out there, engaging.

May 2011

We are grateful to the following contributors:

Alice Maynard – Director of Future Inclusion

Cllr. Andy Hull - Chair of Islington Fairness Commission; Chair of Communities Review Committee

Cllr. Angela Mason – Deputy Leader, LB Camden; EHRC Commissioner

Barrie Neal – Head of Policy and Governance, LB Lewisham

Cindy Butts – Member of the Metropolitan Police Authority

Cllr. Derek Osbourne – Leader, Royal Borough of Kingston upon Thames

Cllr. Edward Lord – Chair of Capital Ambition; Deputy Chair of Local Government Improvement Programme Board and Lead Member for Equality and Social Inclusion Board; Councilman, City of London Corporation;

Jane Brown – Head of Equalities, LB Waltham Forest

Cllr. Judith Blakeman – Leader of the Opposition Group, Royal Borough of Kensington and Chelsea

Lorraine Martins – Head of Equality and Inclusion; Olympic Delivery Authority

Cllr. Marie Pye (Chair) – Lead Member for Equalities, London Councils

Cllr. Michael Armstrong – Lead Member for Transformation, LB Havering

Richard Barnes – Deputy Mayor of London

Sophia Looney – Head of Policy, Equalities and Performance; LB Lambeth

Stella Manzie – Chief Executive, LB Barking and Dagenham

Cllr. Stephen Alambritis – Leader, LB Merton; EHRC Commissioner

Appendix B - Notes of the Panel discussion

London Panel meeting on 2 June 2011

Introduction

Cllr Marie Pye welcomed everyone to the meeting.

A lot of thought has gone in to this project with London Councils. There is a perception of a significant gap in London on leadership around equality and fairness. We therefore wanted to bring people together to share their thinking and to consider the way forward for equalities informed by the report from OPM. There are different challenges at the current time but also opportunities. We know that there are legislative changes but the agenda is not dominated by this – we need to focus on what the equality challenges are, what are the hot issues – equality or other challenges – in the public sector? We want practical outcomes from today. We will have some strong advice for OPM to help us and the public sector not forget about equality but to move it forward.

Fairness and Equality – Leadership and Transformation

OPM presented the main themes that emerged from the interviews with leading players working on equalities and fairness in London. Helen thanked the people who had contributed their time, their views and their experience.

This note simply reflects the views expressed at the meeting. OPM will use the interviews and the discussion to produce a programme of development activities to enhance the leadership and transformation capacity in London.

Discussion

What is fair? And do we need to re-think equality?

- Is it about allocation of resources, fairness is not the same as equality. Does it depend on place? What is the definition? For some it is an absence of bias but can be problematic if you are pursuing positive action processes, where you are demonstrating bias. Concept is problematic.
- Does equality need re-thinking and re-energising? Is this anything to do with cuts? It is a daily part of what we do in the GLA.
- The Chair felt that it needed re-energising perhaps. The economic situation has had a negative impact on best intentions. Sometimes decisions are not made with the impact on equality in mind. EqlA in many places is a box ticking exercise which has given equality a bad name. In addition we are viewing the public sector in a different way now, more enabling than delivering and this will change how equality is progressed in the future.
- At the GLA, the view is that equality and diversity language applying to individual groups is overused and overplayed. The approach we are promoting is “Equal Life Chances for All” and Diversity Works for London. We need to link economic policy to social justice and make it the responsibility of all managers to deliver it. Through procurement we expect the private sector to make their contribution and this is strengthened by the business case for a diverse supplier base, employment, awareness of markets and customer base.
- The MPA has a different take on this - Fairness to people can mean having a voice to impact on decisions that are made, be able to influence, make informed choices, engage with communities and participate in the labour market. It also makes an impact on the morale and motivation in the workplace related to the extent to which people feel valued and supported by the organisation.

Public sector and private sector responses

- The drivers are different when the public sector has commissioned the private sector to improve their business and deliver social outcomes and economic development. There are pockets of good practice where procurement is used effectively.
- Both public and private sectors can be good on equality, the important thing is to understand the customer focus. However, neither have grasped why it is important in terms of efficiency and systems. The system as a whole will be more efficient if it is equality and fairness led. People don't think widely enough, even EqlAs are still too narrow and focused on what you are doing or not doing rather than the system and the wider impact and unintended consequences.
- In the private sector there is a greater focus on the customer and why should this be different in the public sector? E.g. a good understanding that money flows from the customer and the need to understand them and be responsive e.g. Tesco shopping and targeting. Shifting and changing mindsets and processes seems more challenging in local authorities.
- Labelling what the private sector does with its focus on customers is not equality but what the private sector does better is not to upset the people – the Olympic ticket sales process was cited as unfair and that the private sector would have behaved differently – however, the public sector can't choose its market in the same way as the private sector can.
- We need to make sure we don't see the private sector through rose tinted glasses. It is too simplistic to say that they both need to understand the customer base – there are structural differences and understanding who you are doing it for is important.
- If you take EqlAs from being tick boxes, hoops to jump through and turn it on its head and see it as a process that benefits people, adds value and protects the reputation of public bodies, then that is the case for doing it. There are public and private organisations that have embraced this approach albeit that the private sector deals with commercial goods and public sector with social goods. Should they approach the equality agenda differently? The private sector knows that it will go out of business if it is not responsive but the funding source for public sector comes through regardless. We also need to look at the impact of other legislation – there will be huge equalities implications from localism, housing policy, all of which need to be worked on.
- It is a question of training everyone to be fair and take a holistic approach to individual needs and finding ways to meet them – fair but not necessarily equal treatment.

Leadership in times of austerity

- Community leadership is crucial. A longer term plan is needed based on the understanding of the cumulative impact of the cuts and developing strategic approaches to respond.
- If we look at the changes that are taking place during economic stringency, equality does not need a re-think but people have drawn their horns in which indicates that equality is not embedded and needs re-energising. The language will not work whatever you call it until people understand why it (inequality) is not OK and what does it look like when it is OK.

What would a refreshed business case for London look like? – Leadership and role modelling

- We should be setting the bar high – this is the right thing to do.
- Leadership - No need to re-think model but continue to improve things and make progress. The GLA is building on Equal Life Chances for All – moving away from

difference dividing people to unifying what people have in common. Leadership in this area does not make you popular. There is a tendency towards denial at the moment but you have to keep highlighting there are issues which still need to be addressed and action needs to be taken – needs political leadership that unites people and has a clear sense of purpose.

- It is important to have discussions, developing a sharper focus on what the outcome looks like, not to be frightened to have to make difficult decisions – recognising that during tough times people will retract into their tribes – how do we retain our focus on why this is important? Lewisham is developing different ways of describing what the council is working towards in ways that everyone can recognise themselves in. Conflicts may be inevitable but if we have a clear vision, values, recognise difference and work towards common goals, we can make more progress.
- Leadership – It is tough to keep equalities high up the agenda – politicians switch off and often the projects and areas of interest they champion side-lines equalities. It is not about re-thinking but re-focusing. Where has it made a real difference? Make the business case and keep it high up the agenda – don't want to focus on making the legal case – don't want to end up in court – or use the 'nuclear' option.

What is the gap between vision and practice?

- Not sure about how **policies and action work out in relation to the vision** e.g. in transport, what plays out in practice does not often relate to the vision – we become more cynical when there is no congruence.
- There are significant changes to staff terms and conditions – people are thinking about equality impact and can also see the **economic impact** argument.
- Do you use threat of legislation? Do you recognise the business and social case for equality? **Role of scrutiny?** What needs to be done to keep the issues alive?
- Focus on the drivers – the public sector needs to do the best with less, focus its resources – then equality is more important – **need political drive** around this case. Some good examples where attention to equalities helps make the best decisions would be helpful.
- Fairness – balancing services open to all and targeted services – need to be **open and transparent** for people to see and understand.
- Scrutiny – not enough public support. Need to adopt education model – people who are knowledgeable sit on Overview and Scrutiny – **need training for people to do this effectively**.
- **Communicating in ways that get people's buy-in** – sometimes benefits for everyone are not immediate.
- **Managing risks** – e.g. what happens with neighbourhood forums start taking planning decisions – how representative will they be? Will we have a situation where more affluent people take decisions. How will community right to challenge work? Who will be able to influence services through this mechanism? Shared Services – another area where you need to build in different needs based on localities, diverse needs etc. Community right to buy – who will bid for community assets? – Politicians may be able to ask questions about equality in these circumstances as they will have some say, but this is not the case with everything.
- There is the question of who is accountable to whom. There is a ministerial task force on equality – what are they doing? How are they connected to local government? How can this be **joined up strategically** – agreed frameworks, priorities and outcomes. Where is the link to the EHRC priorities - there is a need to join these things up.

- Now there is a need to have a **rigorous focus on what is being achieved** – the GLA sees the general duty as a positive step. We need to be more positive in talking about combating disadvantage and promoting equality as per the duty. Our **team works as internal consultants** on thinking through the general duty and what they can do in practice.
- There have been a series of **successful JRs** related to whether or not the general duty to have due regard is followed – more people need to know about this.
- We need to stay positive – the **GLA and LC working together** on the kinds of networks that will help and support others in London.
- We need a **positive story to tell** – e.g. biggest outcomes from EqlAs that has a broader and deeper impact rather than dealing with things at a superficial level.
- People genuinely don't know what it looks like when it is right e.g. lots of disabled people on a bus – they can't see it and they don't understand it. Need to **communicate more what it can be like for everyone**, how everyone benefits.

Way forward - Interventions needed and offers made

- Accessible and engaging language – say what you mean when you are talking about equality in the current context – talking about equality for particular groups can be one of the biggest barriers. We can be clear about what we mean when we say that we are working on increasing choice, improving access, improving opportunities for everyone. Articulating a vision and values in ways that everyone can recognise themselves in the language – A sharper focus on what we are in business to deliver. Lewisham is happy to share its work on re-framing equalities objectives, clarifying what we really want to achieve and how we will bring equalities groups together. We are clarifying what we can achieve at a higher level and what is in it for everyone i.e. how everyone will get some benefit.
- Opportunities to share intelligence on how to define equalities objectives in a confidential space – Chatham House rules.
- Political leadership and how this is delivered in action – particularly around ensuring that people who have not had access to participating in the economy and in community and social life are not left behind; politicians ensuring value for money for all residents; good governance – being clear about the impact on performance and what the impact (of equality / inequality) is on the business.
- Need a strategic action plan with one or two objectives we can work together on – facilitated by London Councils or GLA. These objectives should address systemic legacy issues that need to be addressed and that these should be followed through with rigorous performance management. There have been many strategic groups, fabulous reports, we know the issues and what we are doing to impact on enduring inequalities – a collective effort and resources could make a real difference. The MPA can offer time, support and data sources to support such an effort.
- The GLA would like to work with London Councils on leading this agenda. It would be helpful to have joint leadership and create space to share and support networks taking a practical approach to tackling big topics around economic issues such as apprenticeships (access and outcomes) and to devise a work-programme to address inequality experienced by some groups on issues that matter to people. The GLA can offer access to data from the London data store and the London skills observatory where good equality monitoring data is available and can be analysed and used more effectively.
- Layered governance around these issues can be hugely frustrating for organisations which are advising statutory bodies or championing access and equality such as the TfL Disability Advisory Group. The national government for example is putting forward a

localism agenda, at the local level cuts are being made to voluntary organisations, government says it's up to local authorities how they spend their money – different layers of governance are needing to re-frame policies and rationales and people are getting caught up in these spiralling stories. There is a real need for openness and transparency and an honest narrative about what can and cannot be done. From the perspective of an advisory body, we need to work together through some dilemmas to take a realistic approach to find ways forward together for example meeting the needs of parents with buggies and wheelchair provision on buses.

- There is a clear need/ role for leadership to help define the work on promoting equality without using the word equality (impact and outcomes). It would be helpful to identify the drivers in the current economic context such as doing the best with less and finding some good examples to demonstrate how addressing equalities does make a difference at different levels. The Leaders Committee need to be engaged with this thinking and examples would help. There is a need to up-skill and share how equalities objectives are being articulated differently to galvanise support around outcomes. Can't go back to how this work was done, or the networks that existed before but for the GLA and LC to create spaces where movers and shakers can discuss the big equality issues for London. The current issue is about modernising the approach. London Councils can definitely work on key issues for London with staff and members leading this work in London Boroughs.

Present:

Cllr Marie Pye – London Councils; LB Waltham Forest

Cllr Michael Armstrong – LB Havering

Richard Barnes AM – Deputy Mayor of London

Fay Scott – MPA

Paul Aladenika – LB Lewisham

Terry Day – GLA

Dr Alice Maynard – Future Inclusion

Doug Flight – London Councils

Lai Chong-Siltola – London Councils

Helen Brown – OPM

Tim Whitworth – OPM

Munira Thobani – OPM

Apologies

Cllr Andy Hull – LB Islington

Cllr Angela Mason – LB Camden

Cllr Judith Blakeman – LB Kensington and Chelsea

John O'Brien – London Councils

Lorraine Martins – ODA

Cindy Butts – MPA

Barrie Neal – LB Lewisham

Jane Brown – LB Waltham Forest

Stella Manzie – LB Barking and Dagenham

Sophia Looney – LB Lambeth

Appendix C - Equality Objectives Case Studies

Lewisham case study

Approach taken to developing equality objectives

Lewisham's draft equality objectives reflect the aspirations the council has for citizens and local communities as well as relevant data that has been drawn together from around thirty different sources. These datasets comprise everything from demographic information collected by central government to local data on civic participation, hate crime, pupil performance, health outcomes and resident feedback. The analysis of this data has helped to paint a picture of the borough and any disparities in resident experience that equalities objectives should seek to address. The council is developing its work around:

- tackling victimisation, harassment and discrimination
- improving access to services
- closing the gap in outcomes for our citizens
- increasing mutual understanding and respect between communities
- increasing participation and engagement

There is scope for the five draft themes to resonate with each of the protected characteristics, without resorting to the more traditional approach of constructing plans, targets and actions for each of those groups in isolation.

Using data to prioritise objectives

A starting point for deciding how to prioritise objectives has been to understand the diversity of the communities Lewisham serves, and the views citizens themselves have about equality and fairness. Amid the conversations Lewisham has been having with residents about savings, residents appeared to have a clear sense of what constitutes fairness – including maintaining support for the most vulnerable. To that extent, the council is of the view that creating the opportunities through which to develop a common understanding is crucial as it builds an evidence base that allows the council to prioritise and focus effort on those areas of greatest concern.

Involving communities

Realising they already had a huge amount of citizen feedback available to them, Lewisham wanted to avoid creating new set-piece consultation exercises around the objective-setting process. Large-scale public events can 'have their place', they acknowledge, but are not necessarily the best way of engaging people and finding out what interests or troubles them.

Lewisham began instead by asking 'what information do we already have on local views and needs relating to equality?' and 'what existing vehicles do we have to find out more?' The regular programme of local assemblies provided one forum, for instance. Pulling together the insight data that was already out there, this has been interrogated, mapped and presented back to community groups to make sure the council's interpretation is consistent with local aspirations. This meant that instead of starting from another blank piece of paper, the council has been able to consult more smartly and take the conversation further.

Lewisham's narrative around its approach to fairness and equalities work

For Lewisham, the legislative requirements set a minimum standard but their own narrative around fairness and equality aims to go beyond that, to crystallise their local ambition to make greater strides. They reflect that they have come as far as they have because of the efforts of their communities, not simply because of what the law has required them to do, and that continuing to nurture equality in future will need that ownership and commitment by local people to continue.

Furthermore, with the end of the old comprehensive equalities scheme, the council has taken the opportunity to mature the local debate about equality and imbed this more universal understanding of what it means and why it's so important to all citizens. A central plank of this local narrative is that equality is not exclusively about specific groups, but about everyone, and that the persistence of inequality is bad not just for individuals but for the whole area, because it creates barriers to the health and prosperity of an entire community. As such, the narrative is one of shared goals, of common aspirations and expectations of what we, collectively, want life in Lewisham to be like.

In taking that narrative into the community and enabling local organisations and individuals to be 'custodians' of it, Lewisham is also making the statement that people are an asset; that equality is not just about the council helping people in need as passive recipients, but that progressing equality requires those same people to bring their own views, ideas and energy to bear.

The impact of austerity

Lewisham is clear that the message about the value of equality cannot be watered down by economic constraints, even if the resources available to do the job are limited. At a time when people are undergoing greater economic hardship and public services are changing, ensuring that everyone is enabled to access opportunities is more important than ever – both for individuals and communities, and for the wider economy. This serves as an important reminder that it is the most vulnerable who can be most acutely affected. Sustaining economic demand and social cohesion, they argue, depends significantly on an understanding of how prejudice, discrimination and disadvantage can mitigate against economic success.

In practical terms, budget constraints inevitably mean that the council's equalities work – like other areas of activity – will need to happen with fewer resources. In that sense, austerity impacts on equalities as it impacts on everything else, but it has not dictated the approach the council is taking. Financial realities confirm the efficacy of the council's decision not to construct work streams, targets and budgets for each of the eight protected groups under the new legislation, but this is an approach based on what would be most effective rather than what they could afford.

Accountability arrangements for the equality objectives

Lewisham is proposing that once agreed the draft equality objectives will be built into its service plans, which will be reviewed and updated annually. To monitor impact, the council will use existing data sets that are already updated annually and which can indicate whether or not progress is being made. Alongside this, efforts will also be made to further extend the coverage of data gathering, where gaps have been identified. An annual report will present findings on how successfully the equality objectives have been achieved – this will be published online.

GLA case study

Approach taken to developing equality objectives

At the end of last year, the GLA produced interim race, gender and disability equality schemes which underwent public consultation via a series of round table events and through online surveys. These involved organisations with specific equalities interests, as well as a wider public audience. As the GLA explained during its consultation exercises, these were only ever intended as drafts until the Equality Act was introduced, and the feedback received on these draft schemes would be disseminated to every GLA department to form the basis of the organisation's new equalities objectives. The team tasked with developing the new equality objectives worked with the policy teams of each directorate to explore how they could make progress on the priorities that were emerging. This involved discussion about what it was felt each directorate could expect to achieve and how its success would be measured. This created a long-list of equality objectives co-created with each of the GLA's directorates. These have since been reduced down to a smaller set for the GLA as a whole to live up to.

The equality objectives that the GLA is now committed to have therefore grown out of public consultation and its own policy staff, across the organisation. The team leading the work has now presented its complete set of objectives back to staff, along with information on what they are required to do and by when. The team plans to run open surgeries once a month where colleagues can ask about the new legislation, their responsibilities as individuals, and the requirements around equality impact assessments (EIAs). The message to staff is that EIAs should not feel like a bureaucratic inconvenience, but can provide a helpful safety net in certain situations, hence the key thing is to realise when they can be most valuable. Guidance for staff is also available online.

The impact of austerity

One specific challenge created by councils' financial pressures is that of in-house expertise being lost and not replaced. This creates an added incentive to mainstream strong equalities awareness and practice throughout organisations. The Equality Act also requires that 'decision makers' are aware of the requirements of the Act and the impact of decisions taken.

The nature of the GLA means that its role is more about influencing a positive outcome for Londoners and supporting the way that services are delivered, rather than delivering those services itself. The Mayor and the GLA see their main responsibilities around equality as promoting a strong business case for equalities and ensuring it is an integral part of its own core business – why it is vital to progress, to monitor, and to engage all parts of an organisation in the process. The climate of austerity makes it particularly important that public services remain convinced of its value, yet the GLA at the same time has to be mindful that resources for all areas of council activity are under pressure. They acknowledge that councils will be taking tough decisions about spending, but the message is that those tough decisions still need to be made fairly, and scrutinised with that in mind to avoid the financial impact and reputational damage of possible successful legal challenge.

Using data to prioritise objectives

As part of the 'Equal Life Chances for All' framework, an annual monitoring report is produced detailing a series of measures including data on school attainment, employment and civic participation. These are flagged on a traffic light basis and are regularly updated, highlighting the critical areas relating to equalities, and therefore stimulating debate with the GLA's partners about certain topics as priorities for London. On top of that, the GLA has sought to prioritise objectives where it is in the best position to have an impact, so prioritisation means asking the questions, 'what are our statutory responsibilities' and 'where does the mayor have the most influence?' This meant that much was retained from the old

equality scheme around themes such as health and housing, along with some new ones related to sport and volunteering. GLA staff were told the objectives they worked-up for their part of the organisation had to have an impact on equality and make some kind of difference to communities – even if it would take longer than a term of office to achieve – and that ‘inward-looking’ objectives would not be sufficient.

What is the GLA’s narrative around its approach to fairness and equalities work in London? Has the new legislation changed this at all from what it was previously?

Neither the new legislation nor the economic climate is altering the GLA’s core narrative around fairness and equalities. Its ambition of ‘achieving equal life chances for all’ aims to sum up the Mayor’s commitment to equality and fairness, as reflected in the London Plan and in the Strategic Plan for London.

Equality and diversity is one of the Statutory Deputy Mayor’s portfolios, and directors actively follow progress. The Equal Life Chances for All Delivery Group, which leads on turning the GLA’s equalities framework into a reality, is chaired by Statutory Deputy Mayor Richard Barnes. It also brings together senior equality managers from the fire service, police, and Transport for London. Together, these organisations are working consistently to ensure they are living up to the requirements of the legislation – and their own commitments that go beyond that.

What will be the accountability arrangements be for the equality objectives?

Officers are at present developing a monitoring process, to be launched early next year, when staff will be reminded what their objectives are and when they need to be realised. Each directorate will have a designated contact in the Diversity and Social Policy Team to offer support and follow progress. Directorates will report on their progress each year, and an annual compliance report will summarise performance from across the organisation to the GLA’s directors. These reports will also be made available to a wider audience online as part of efforts to be as transparent and accountable as possible.

Appendix D - Using Equalities to tackle Child Poverty in London

Briefing paper for joint London Councils and GLA event, 8th December

Introduction

Child poverty is estimated to cost around £13bn to the economy each year through benefits and lost tax, National Insurance and earnings². London's children are far more likely to live in poverty than children in other parts of the country. As jobs become more precarious, the cost of essential goods continues to rise and the real value of benefits falls, low income families are coming under increasing pressure, with potentially serious consequences for the Capital's children.

Recent initiatives at national level include: independent reviews of poverty and life chances, early intervention, and Early Years Foundation stage (led by Frank Field, Graham Allen, and Dame Clare Tickell respectively); the Child Poverty Act 2010; the new Child Poverty and Social Mobility Strategies; and the Social Mobility and Child Poverty Commission, which will be up and running from next year.

At a local level, the Child Poverty Act creates new duties on London Boroughs to develop integrated approaches to tackling child poverty. Effective local strategies require recognition of the unequal way in which child poverty affects different groups and communities in London. The recent riots hint at some of the possible consequences of not paying sufficient attention to the patterned nature of child poverty in the Capital.

With attention shifting to how precious resources can be spent to best effect and for long-term impact, the child poverty agenda presents both an opportunity and threat to policy makers and service providers. In recent years the evidence on the need to both raise awareness and align policies has become accepted as key. Given the work across London on promoting the concept of a Fair City it is timely that a closer consideration is given to where child poverty and inequalities intersect.

The London Councils event on the 8th of December provides an opportunity for leaders from across London to explore how they can ensure, in tackling child poverty, that they safeguard the life chances of the City's most vulnerable young people, promote equality and maintain community cohesion in difficult times.

Below we set out some questions to inform the discussion at the event; data describing the scope of child poverty in London; the Government's approach to these issues; and reactions and proposals for practice from a range of bodies.

Questions for discussion at the London Councils event on 8th December

- To what extent is your borough using the equalities lens to develop effective strategies to tackle child poverty?
- How does child poverty affect children and families with different equalities characteristics in your Borough? Is there quantitative and qualitative data available to you to inform your decisions?

²Figures cited in Child Poverty Needs Assessment Toolkit: Child Poverty Factsheet, Improvement and Development Agency for Local Government. Original data from Estimating the Costs of Child Poverty, Joseph Rowntree Foundation.

- What are the choices to be made in balancing immediate term relief for families at risk of child poverty with longer-term support to boost life chances and or promote social mobility?
- What are you learning from your consultations with families from different communities and with different equalities characteristics in drawing up your strategy?
- How is your Borough and partners developing an integrating approach to child poverty which covers the four blocks of: employment and skills; family and life chances; financial support; and place and delivery? How does equalities feature in this process/approach?
- What levers does the local authority use to tackle child poverty? What new partnerships or collaborations might be needed? Can equalities help raise child poverty up the agenda?
- How might you use the Equalities Act together with the Child Poverty Act and other legislation to drive changes?

Child poverty in London: the scope and scale of the issue

Poverty rates in London are higher for children, working-age adults and pensioners, but the gap in rates between London and the rest of the country is highest in relation to children. Thirty-eight percent of London's children live in low-income households (compared to 30% elsewhere)³. Poverty is also often a harsher experience for children in London, with higher numbers having to do without basic activities and pleasures, including going on school trips and having friends over for tea⁴.

Data from the London Poverty profile indicates that while the number of children living in low-income *workless* families has dropped by 150,000 since the late 1990s, to 280,000, the number of children living in low-income *working* families has risen 40% to 330,000⁵ (a shift largely explained by the numbers of children living in families where one adult works part-time).

Rates of child poverty are significantly different in different parts of the City⁶. Based on data provided by HMRC, the proportion of children in poverty is, for example, five times higher in Tower Hamlets than it is in Richmond; and perhaps surprisingly some inner West London Boroughs face significant problems with child poverty; this is largely attributed to changes in Local Housing Allowance rules. Overall, it is higher housing costs in the Capital that largely account for higher rates of child poverty compared to the rest of the country; the difference in poverty measured before and after housing costs is much greater in London than elsewhere.

³Source: London Poverty Profile. Current data is based on an average rate for 2007/08-2009/2010. Though high, this rate actually represents a fall from a high of 41% in the period 1997/98-1999/2000. Over this same period, working-age poverty in the Capital has been increasing. Original data from DWP's Households Below Average Income.

⁴Source: London Poverty Profile. Current data is based on an average rate for 2007/08-2009/10. The comparison relates to the time period 1997/98-1999/2000.

⁵In the London Poverty Profile, families are defined as working if any adult is engaged in paid work, including part-time work.

⁶Source: London Poverty Profile. This graph uses a measure of poverty devised by HMRC. All children living in households receiving out of work benefits are considered to be living in poverty under this measure. Those living in households receiving tax credits whose income is still below 60% of before housing costs median income are included.

Child poverty and equality

Equality is identified thorough ten dimensions: longevity; physical security; health; education; standard of living; productive and valued activities; individual, family and social life; participation, influence and voice; identity, expression and respect; and legal security.

'Fairness and Freedom: The Final Report of the Equalities Review' (Cabinet Office 2007) says (p.3):

Taken together, these ten dimensions reflect a strong consensus about the bundle of measurable properties that will tell us most clearly whether one group of people enjoys life chances equal to another; and whether, year on year, society, or any group within it, is experiencing greater equality or not.

There is increasing awareness of how **early years experiences** may impact on equality of life chances for different groups of the population. Life chances are related to individuals' well-being and cover a range of opportunities that people can experience into their later life. These include, for example, the likelihood of being in employment over individuals' lifetime, the chances of obtaining educational qualifications and the chances of good physical and mental health. This is known as 'intergenerational persistence' (Johnson & Kosykh 2008). From this research two observations link inequality to child poverty:

Outcomes and achievements in adulthood are closely linked to cognitive and social competencies developed in childhood. The early effects of poverty linked factors on children's growth and development is receiving greater attention and therefore raising the priority of early interventions.

Early years development (both cognitive and social) depends on individuals' family background and parental behaviour. While child poverty is about economics there is a broader set of concerns of the impact on issues such as aspiration, self esteem and confidence.

The original requirement for government to publish annual accounts of progress on child poverty has now been extended to include information on life chances.

Responding to child poverty requires an understanding of those **groups most at risk** of poverty and disadvantage (CPU2010). Groups and communities in which child poverty is particularly prevalent are:

- **Lone parents:** across the country, 46 per cent of children in lone parent households live in poverty, compared to 22 per cent in two parent families. There are important differences in the characteristics of lone parents living in London compared to those living elsewhere. For example, lone mothers in the Capital are less likely to be in paid work and more likely to have never worked⁷. Some of this difference relates to lack of affordable childcare. There are 4.3 children per childcare place in London, compared to an England average of 3.8 (with significant variation across London from 2.9 in Bromley, to 7.2 in Newham)⁸. Differences also relate to the growth of part time work among lone mothers in the country as a whole (something that has not happened in London where lone mothers who work are typically in full-time employment).⁹

⁷ Lone Parents in London: Quantitative analysis of differences in paid work, Stephen McKay, January 2004.

⁸ Source: London Poverty Profile. Original data from Ofsted, 2011.

⁹ Lone Parents in London: Quantitative analysis of differences in paid work, Stephen McKay, January 2004.

- **Large families:** in the country as a whole, 36% of children who live in families with three or more children are at risk of being in poverty, compared to just 27 per cent of families with one or two children. Larger families face additional costs and have higher rates of worklessness (related in turn to lack of affordable childcare). Planned changes to housing benefit (capping the amount a household can receive and restricting the number of bedrooms to a maximum of four) are likely to hit larger families in the Capital further.
- **People with disabilities:** having either an adult or a child with a disability in the family increases the chances of being in poverty as a result of increased costs of living and poorer employment outcomes. Those families that have both a disabled child and a disabled adult increase their risk of poverty by 12 percentage points (to 39%).
- **Black and minority ethnic groups:** while 27% of White children in the country live in poverty, rates are 48% within Black and Black British households and 63% within Pakistani and Bangladeshi households. This is largely attributed to lower rates of employment among these groups (which in turn is related to poorer educational outcomes). Estimates for 2006 show that BME Londoners of working age have an average employment rate of 58 per cent, compared to 75 per cent for White Londoners (this disguises a huge range, from just 39 per cent for Bangladeshi Londoners to 69 per cent for Indian Londoners)¹⁰. In work poverty rates are also higher for BME groups.

A report by **Barnado's** highlights other vulnerable groups at greater risk of child poverty, including: children of asylum seeker families that are not allowed to work in the first 12 months of their application; and young people living alone (especially those leaving care), who receive less benefit and lower wages than older people.

A third dimension linking issues of inequality and child poverty, as highlighted by the Equality and Human Rights Commission, is that of '**intersectionality**' (or the ways in which people may be disadvantaged by their membership of more than one equalities group). For example, they have pointed out that Black African and Black Caribbean women are more than three times as likely to be lone mothers as women from any other group, Black women (despite being the most economically active of all women) are the most likely to be in poorly paid work with unsocial hours, and three out of ten lone parents have a sick or disabled child. The EHRC also point out that parents from some groups (for example certain BME communities) may be less likely to take up any formal childcare that may be on offer¹¹.

The equalities dimension of child poverty may become even more pertinent over time, with projected changes to London's profile. For example, although the overall resident population of London is projected to increase to 8.27m by 2026, the White population is projected to decline (with all growth coming from BME groups with a younger age profile¹². The largest per cent increases are projected to be in the Other, Chinese and Pakistani groups, which it is estimated will increase by 65.8 per cent, 45.9 per cent and 40.3 per cent respectively. By 2026, it is estimated that 39.1 per cent of London's population will be from a BME group, compared to 32.5 per cent in 2006, 29.9 per cent in 2001, and 20% in 1991. By 2026, 53% of 15-19 year olds are projected to be from a BME group, and 36.2% of working age adults (from 28.7% in 2006).

¹⁰ Source: Data Management and Analysis Update: Employment Rates by Ethnic Group, January 2008. Data from Annual Population Survey. The differentials between BME groups and the White population remain broadly similar, even when students are excluded from the analysis.

¹¹ EHRC Response to Ending Child Poverty: Making it Happen, March 2009.

¹² Greater London Authority: Round Ethnic Group Projections, February 2008

The Government's commitments to and strategy for tackling child poverty

The Child Poverty Act 2010 (which received all party support) commits the Government to a new set of ambitious targets to reduce child poverty by 2020. While most previous poverty alleviation initiatives have focused on tackling relative poverty, the Act sets out four different, legally binding, income-based targets¹³:

- Relative low income (the numbers of children living in households with equivalised income below 60% of the median in that year). This measures whether the incomes of the poorest families are keeping up with incomes in the economy as a whole. The target is to achieve less than 10 per cent, from the current rate of 20% or 2.6m children (before housing costs).
- Absolute low income (numbers of children living in households with equivalised income below 60 per cent of the 2010-11 median income, adjusted for inflation). This measures whether the income of the poorest families is rising in real terms. The target is to achieve less than 5 per cent, from a rate of 12% in 2008/9 or 1.6m children.
- Combined low income and material deprivation (this is a wider measure of living standards). The target is less than 5 per cent from a 2008/9 rate of 17 per cent or 2.2m children.
- Persistent poverty (this is defined by the Act as living in relative poverty for at least three of the last four years). The target will be set in regulations by 2015. Twelve per cent of children are thought to have lived on persistent low income between 2005 and 2008.

Under the Act, the Government is required to produce child poverty strategies that run through to 2020 and are refreshed every three years. Strategies will set the action required to meet the targets set out in the Act and Government will be held to account for its progress through annual reports to Parliament.

The first strategy, *A New Approach to Child Poverty: Tackling the Causes of Disadvantage and Transforming Families' Lives*, runs from 2011-2014. It places an increased focus on the very poorest and on measuring people's experiences of poverty over their life course. It argues that an approach which focuses on boosting household income alone is likely to be both too expensive and ineffective. Instead, it argues for a stronger focus on tackling worklessness (through welfare reform), debt (by building financial capability), strengthening families (through relationship and parenting support), tackling educational failure (by a renewed focus on early years and the pupil premium), addressing poor health (by tackling the wider social determinants of health and building self-esteem and resilience).

In its focus on opportunity, aspiration and stability the strategy complements the Social Mobility Strategy, *Opening Doors, Breaking Barriers*, which aims to make life changes more equal at critical points in the life course, including at early years, GCSE level, and first steps into the labour market. The Social Mobility Strategy commits the Government to developing new life chance indicators. Importantly, it also draws attention to certain groups at enhanced risk of living in relative poverty, including: families with a disabled member, children from black and ethnic minority families, lone parents and those living in large families.

Will it work? Reactions to the Act and the new Strategies

The Child Poverty Act has been widely welcomed by campaigners. However opinion is divided about whether the two new strategies will enable the Government to meet the targets set out in it.

¹³ All figures on current or 2008/9 rates are taken from the Child Poverty Strategy 2011-2014

The Institute of Fiscal Studies argues that the Government has no real plan in place to meet its targets and these are unlikely to be met without a 'colossal increase in benefit spending' or a 'remarkable transformation' in the structure and performance of the labour market¹⁴. The IFS predicts that relative child poverty will remain constant between 2009-10 and 2012-13, before rising in the years to 2015-16 as real earnings return to growth. They predict that absolute child poverty will rise continuously, and by more than relative poverty, to 2013-14, and fall slightly after that. These predictions for 2020-2021 are that relative child poverty will rise from its current level of 20% to 24%, and child poverty against the 2010-11 poverty line will reach 23%. Both rates are considerably higher than Government targets in the Act.

Interestingly, IFS analysis suggests that the effect of introducing Universal Credit by itself should reduce relative poverty significantly. However, they argue this shift will be more than offset by the effect of other changes to the tax and benefit system, most significantly the linking, from April 2013, of benefits to the Consumer Price Index rather than the Retail Price Index.

The **Child Poverty Action Group** has campaigned for greater recognition of the links between child poverty and social mobility, arguing that experiences of poverty in early life damage life chances. They argue that the Government's social mobility strategy is not likely to succeed without renewed efforts to tackle income inequality. CPAG emphasise the importance of increasing participation of parents in the workforce (by creating a bigger supply of appropriate jobs and providing good quality and affordable childcare), as well as doing more to address in-work poverty.

The Joseph Rowntree Foundation has been supportive of the Social Mobility Strategy's life-cycle approach and the new indicators announced in the Child Poverty Strategy. However, it has criticised both strategies for re-badging existing activity and containing little that is substantively new. It has also criticised the Child Poverty Strategy for giving scant attention to parental and children's health and access to childcare and early education. It has been critical of the Social Mobility Strategy for failing to identify a strategy for growth that will support poverty reduction.

Save the Children have argued for a clearer focus on severe poverty and more emphasis on targeted economic and labour market development in those areas where severe poverty rates are high¹⁵. They have also argued for more support for low income parents to boost their skills and help them find work (and more support for those who wish to remain working part-time by raising the earned income level at which lone parents can claim full benefits). The organisation has also called for increases in the minimum wage, and Government encouragement for employers to adopt the living wage.

Taking action at local level

Part Two of the Child Poverty Act 2010 places duties on local authorities and named statutory partners to cooperate 'with a view to reducing and mitigating the effects of child poverty in their areas'. The Act requires partners to prepare and publish local child poverty needs assessments and develop joint child poverty strategies, linked to their Sustainable Community Strategies. As the responsible authority, top tier authorities are charged with establishing and coordinating local partnership working.

¹⁴ Child and working-age poverty from 2010-2020, Institute of Fiscal Studies, October 2011

¹⁵ Severe Poverty: Locally and Nationally, Save the Children, February 2011. Save the Children define severe poverty as those living in households with incomes of less than 50% of UK median income (after housing costs) and who also lack some basic possessions e.g. a warm winter coat.

The Government provided some seed funding to local authorities to support them to meet the duties, but decided not to issue formal statutory guidance, giving partners flexibility to decide how best to respond to their own local issues. Informal, non-statutory advice suggests local authorities: consider their role in tackling child poverty both as service providers and employers, work to encourage the pooling of resources to tackle child poverty in their area, and actively involve other important stakeholders who are not named partners in the Act, including the voluntary and community sector, schools and colleges, the housing sector, and employers¹⁶. The importance of area based strategies and the role of partnership and engagement with families and communities is strong feature of recommended good practice.

- Understanding the profile of families with children living in poverty in each borough is essential. Recent research has demonstrated that all the way down to ward level there can be notable variations. (NFER 2010) Just as national child poverty rates mask the variation between authorities, so headline results for local authorities can mask potential variation within them.

The **Child Poverty Unit** commissioned Local Government Improvement and Development (LGID) to produce a Child Poverty Needs Assessment Toolkit to help local areas carry out their assessments¹⁷.

- Understanding the evidence on the impact of different strategies and clarity on the underpinning theory of change is advised. The toolkit advises local areas to structure their needs assessments (and the local strategies they inform) around the four key themes set out in the national strategy (employment and skills, family and life chances, financial support, and place and delivery) with particular attention to at risk groups, including teenage parents, BME communities, looked after children, and children in workless families (see box below). There is an expectation that many different local strategies will feed into and support the achievement of local child poverty goals. The child poverty strategy building blocks are outlined below.
- Understanding what works and learning from validated best practice.

¹⁶ A Guide to Part 2 of the Child Poverty Act 2010: Duties of Local Authorities and Other Public Bodies in England, Child Poverty Unit (Department of Education), 2010.

¹⁷ <http://www.idea.gov.uk/idk/core/page.do?pagelId=22025996>

Employment and skills Worklessness and in-work poverty Promoting parental employment Tackling barriers to work – e.g. childcare, flexible working arrangements	Family and life chances Improving life chances and breaking the cycle of intergenerational poverty for disadvantaged children and young people Improving health, education and employment opportunities. Intervening at key stages in the life-cycle
Financial support Boosting income of poor families Exploring potential for benefits to have a positive impact on child poverty (increasing take up and improving incentives for work) Building financial capability	Place and delivery Exploring how housing, transport, crime and community agendas can support anti-poverty approaches Exploring how localism, co-production and community based solutions can support this agenda
At risk groups	

Nine child poverty pilots began in 2008 and ran until March 2011, involving around half of the local authorities in England. Each of the pilots tested different approaches to reducing child poverty. The most recent evaluation report has identified the range of interventions that can make a difference to rates and impact.

Targeting and Engaging Parents and Families

The evaluation evidence indicates that combinations of approaches are required to identify targeted parents and families and to promote referral and self-referral. These include: publicity; outreach; data-led approaches; persistence; and, work with partners.

Increasing Employment and Employability

The local evaluations continue to show that a high demand exists for flexible and holistic approaches to supporting parents towards employment.

Alleviating the Impacts of Poverty

The pilot programme evaluations continue to evidence how the provision of resources to parents and families can bring immediate relief to those experiencing poverty. Flexible funding, signposting and supporting access to local provision were all shown to be of value.

Addressing Barriers

To address the range of barriers flexible and resourced packages of personalised support that are coordinated through a casework or case-management approach are required. Access to affordable and flexible childcare continues to be reported as critical.

Innovation

Each of the pilot programmes were notable in their innovation – including new models of delivery, the modification of existing approaches for individual circumstances or target groups involved, and by developing new partnerships for delivery.

Sustainability

Learning from across the programme indicates that innovation can cause tension and meet resistance as it challenges established practice, and that embedding new practice requires dedicated time and resources, sustained and targeted activity and high level leadership..

Examples of practice

In addition to the national pilots, Local Government Improvement and Development supported a Beacon Councils scheme for child poverty (as part of Round 10 of the Beacon scheme), which includes Tower Hamlets, Cornwall and Newcastle¹⁸.

Under this scheme, Tower Hamlets developed a new strategic framework for addressing child poverty, structured around four themes: removing barriers to work (including improving access to job related support for parents at children's centres); developing pathways to success (creating a new 'passport to learning' – a simple record of adults' achievement); breaking the cycle of poverty (through ambitious targets for school improvement and a personalised approach to supporting young people not in employment, education, or training); and mitigating the effects of poverty (through a new monthly bursary for the most disadvantaged young people to enable them to spend through a swipe card on a range of cultural, sport and leisure activities).

It is important to make reference to the current context for local authorities and their partners in a time of reduced budgets and increasing poverty. There is an increased need to plan and prioritise and to learn from across the country. It is imperative that ALL potential levers available are used effectively and that ALL resources are aligned in tackling child poverty. As the evidence shows, understanding and acting to protect at risk groups guided and supported by work on inequality may be a significant step forward for London.

The Child Poverty Unit has developed a 'core offer' of support to local areas to help them address child poverty¹⁹. In addition to the Needs Assessment Toolkit, this comprises LGID's Community of Practice on child poverty²⁰, training and support for the children's workforce²¹, and funding for a number of child poverty pilots.

¹⁸ Preventing and Tackling Child Poverty: The Beacon Scheme, IDeA

¹⁹ www.dcsf.gov.uk/everychildmatters/childpoverty

²⁰ <http://www.communities.idea.gov.uk/comm/landing-home.do?id=1362979>

²¹ www.cwdcouncil.org

Appendix E - Joint LC and GLA event on equalities and child poverty in the Capital

Notes of the roundtable discussion held on 8th December 2011

Helen Brown from OPM chaired this meeting which was jointly hosted by London Councils and the Greater London Authority.

Cllr Rachel Heywood from Lambeth Council and Cllr Patricia Bamford from Kingston Council gave short presentations on their authorities' work on child poverty. The presentations looked at this issue strategically, given the new duties.

The discussion was initiated by the key themes from the briefing paper by OPM which identified the following areas of inquiry, looking at child poverty issues through an equalities lens:

- Data
- Differentiated effort
- Balancing the short and the long term
- Learning from consultation
- Integrated effort
- Levers for change
- Equalities Act

Data

Using free school meals as an indicator of poverty is unhelpful, inaccurate and stigmatising. It is difficult to see why we still stick to it. There is a need to be much more radical and look at the big financial impact on families with children.

Differentiated effort

This discussion is posed as looking at child poverty through an equalities lens, the question is what other lens is there? Manifestly it is about fundamental and growing inequalities. Are we saying in boroughs where 1 in 3 or 1 in 2 children are living in poverty is normal? How are the rich, rock stars and the like contributing to reducing poverty? We have to recognise that it is not an individual responsibility but community and society's responsibility.

There is a need to have discussions about child poverty at the same time as discussions about equality. EqlAs are an important way in which this can happen. The work in Lambeth is very interesting in making these links. With mounting concerns about the financial climate, welfare reforms and associated increase in mental health problems, EqlAs can be a very useful tool. In Lambeth's experience EqlAs are intellectually useful in exploring cross-cutting issues and enables people to work together in addressing complexities. It is a very useful way in getting partners and users involved in working differently in challenging and testing everything we are doing and to be as fair as possible. The EqlAs are about giving that confidence.

It is not always easy to sell targeted initiatives in our organisations. TfL has found it difficult in the operational aspects of taking a proactive and targeted approach to bring in young people and women who would not ordinarily have opportunities and access to the full range of work, including professional roles. TfL decided to go to them, explain and offer opportunities for these groups to experience different roles e.g. one young man was given experience to work with a lawyer and was inspired to become one. TfL have a pilot with 22 young people being taken in. We can learn lessons about the need to as well as how we can raise the aspirations of young people.

Balancing the short and long term strategies

Learning from consultation

Integrated effort

Levers for change

Equalities Act

The briefing paper does not say much about what local authorities can do on child poverty through public health responsibilities but Kingston has appointed a Children's Health Commissioner who will help secure support from health partners.

A number of councils will be involved in commissioning and it will be important to be clear about what we want.

There are shadow health and well-being boards which are integrating health and adult social care. Brent council (subject recently to JR) is using the equalities lens to address the impact of welfare changes to the additional demands made on services e.g. housing and school places. Brent has had 5 regeneration areas where they have improved housing through New Deal for Communities and are working with schools to integrate services, including commissioning services for youth.

Many are concerned with the question of what is happening to the infrastructure through which to work at local levels to make an impact on outcomes related to child poverty. The current austerity measures are leading to many in the voluntary and community organisations delivery closing down. How will local authorities deliver to these communities without the voluntary and community sector? Race on the Agenda are using the Child Poverty Act and cross referencing this with the Equality Act and other relevant legislation to develop a toolkit intended to support front line delivery agents. The toolkit is in final draft form and will be available shortly and includes material on engaging with decision-making structures. Since the supplier side is diminishing, how will the need to develop markets in this area be addressed?

There has been some re-thinking going on in LSPs in working with families where it has been shown that efficiencies can be found by doing preventative and proactive work. In many areas it is known who these families are and it is very stigmatising – the situation is also more complex now with people moving in and out of poverty.

Lambeth is addressing youth and other children's services through community led trusts. They are being supported to start delivering services, including health led services – however, it is difficult to build capacity quickly. There are positive aspects of giving resources to communities who know what the needs are and can be responsive. Community hubs around the voluntary sector are disappearing and we need to find ways of preserving this capacity.

Can we assume communities to be altruistic? Can they provide for themselves? These are the challenges, often we use stigmatising and labelling language, for example, in consultations we talk about prioritising the protection of vulnerable people and that we will spend money in a targeted way e.g. young people at risk and what we do is speak in code translating into we will not do anything for all other young people.

In relation to child poverty, are we saying that this is bad? Presumably we are – is child poverty in a ward in Lambeth (and others) normality? How do you tackle this? In Tower Hamlets we have a tight knit Bangladeshi community which is also stigmatised by being Muslim. What are we saying about these issues in the context of the Equality act and public sector duties? The duties to tackle discrimination and disadvantage and promote good relations are all inter-related. Equality therefore is fundamental to child poverty and tackling

child poverty is fundamental to tackling equality. The question then is how do we embed this approach in local authorities.

This is a very difficult time to be a councillor. There is a lot to tackle around child poverty in London – you just need to look at the poverty profile. Currently the trend is showing an increase in in-work poverty as a result of full time jobs being re-structured into part-time jobs. People are not being paid enough or they are not working long enough. There 2 key issues to address and they are employment and housing. Changes to housing benefits will impact on people moving from central London to outer London areas and putting services under even greater pressure e.g. schools, housing, childcare etc., London Councils and the GLA need to think about this. Sutton is already experiencing this and it is a real issue now and will get worse. People are moving into multiple occupation as benefits are reduced. There is over-crowding and children are moving from place to place – often this is happening to the same families.

Outer London boroughs have been looking at these migration patterns for the last 14 months, Waltham Forest for example is a net importer of people due to changes in housing benefit. There are significant child poverty and equalities issues arising – a huge surge of families will lead to increased class sizes and rationing services at children's centres. How do we not lose sight of the equalities dimension and cumulative impact and how do we manage community relations in this context? There is concern that when Universal Credit comes in people will end up on the streets.

We know that these things will happen and at the same time the Equalities Act is in place with clear public sector duties. You could embed what you want to do in the authority's business plans – How can the Equality Act be used in the situation where everything is going to get worse?

The Equality Act is here and local authorities are about to publish information this month about what they will base their equalities priorities on – this might include child poverty, inclusion of BME, jobs / employment. The challenge locally is what actions can be taken to tackle high levels of unemployment? Currently it is very difficult for SMEs to contact London boroughs to find out how they can contribute or work together. Local authorities have got to stimulate some activity to give hope and energy to people who can contribute to creating pathways into jobs and encourage entrepreneurship.

Employment is a priority making sure young people have routes into employment. The work that TfL has done on career fairs, and using procurement levers to build in requirements to take on apprentices is a good model to follow. Lots of contractors are involved in public services and more could be done in partnerships. There is a need to mobilise people around this. Adult Education could be more proactive and targeted more towards progression as well as other initiatives to change life chances of people trapped in cycles of poverty.

Tackling worklessness is a core programme to address many of the issues of poverty, including child poverty. There are real concerns about what Jobcentre Plus can do to make the impact that is needed. Young people, when asked, say they want a house, a girlfriend or boyfriend and a job. Sadly, gang culture provides for these needs.

In East London, Westfield has created many jobs for 18-25 year olds. These types of developments are good but we also need to ask deeper and harder questions. For example, we have the most expensive transport, childcare is very costly, in the Olympic area what sectors are jobs being made available in and how can we ensure that communities who have missed out get these opportunities.

Councils have to make very difficult decisions to balance the long term and the short term. For example, funding is made available for the most disadvantaged which will skew support to those who are on the periphery of employment – the shift to longer term support has a huge impact on finances and therefore on the ability to do short term work.

The JRF are undertaking research into in-work poverty in London as well as how local authorities are implementing the budget cuts. LSE is also looking at poverty profiles. Currently there is little co-ordination of data on impact and sharing this information will be very important. This kind of forum in London Councils can play an important lobbying role.

Who needs to do what?

We now have things like payments by results, if we can be clear about what outcomes commissioners want child poverty could feature more.

There are a new set of equalities indicators from IPPR which are cross borough and have cross party support on some of them.

Everyone needs to be conscious of child poverty in all areas of local authority work. Child poverty should be addressed as an equality and fairness issue.

We need to be absolutely vigilant in looking at all indicators and intelligence we are using to address child poverty.

Local authorities need to believe that they can create solutions with the fantastically diverse communities in London.

We need to make sure that child well-being is also addressed in the work on child poverty.

Closing

A note of this discussion will be available to help take some of this thinking forward as local authorities respond to their new legal duties on child poverty.

Child poverty and equality are so closely linked together that working on child poverty is working on equalities – not sure local authorities see it in this way, child poverty helps us see that equalities is an issue for us all.

We need to continue the theme of doing equalities work in tough times bringing political leads together and share what we can learn from each other. We need to continue to think about equalities in a commissioning environment.

Appendix F - EIA case studies/ Members Involvement (LC and LGIU event)

Case Study 1 – Charges for Adult Social Care Services

Background to the proposal

Council needs to significantly reduce its budget and this proposed change was included amongst many others to meet an overall reduction of £87M.

The proposed change

- Increase the charge for meals from £3.00 to £3.50 from 1st April 2011.
- Increase the percentage of net disposable income considered to 90% in April 2011 and 100% in April 2012.
- Increase the maximum weekly charge for services from £290 to £395 in April 2011 and to £500 in April 2012.
- A minimum level of Disability Related Expenditure (DRE) should be taken into account without the requirement to provide receipts, this rate to be £5 p.w. from 1st April 2011 and reviewed in April 2012.
- DRE should only be taken into account for clients receiving a disability related benefit.
- The Council's Fairer Contributions Policy will be based on 100% of service cost and that existing subsidies should be removed from in-house services over 3 years.
- Income Support Buffer should remain at 35% in April 2011 but be reviewed in April 2012.
- Carers services provided at home and reablement services will continue to be free to eligible users.
- Options for charging for transport will be developed.
- Options for variable charges for meals prepared at day centres will be developed.

Process to identify impact and make decisions:

- Identified this proposal as requiring a full EIA – major change having high impact²² on vulnerable people in the borough;
- Need to follow statutory guidelines and local authority policy on consultation (3 months needed for this process – build in to the time line / maintain council's reputation on consultation);
- Consideration of Department of Health guidelines;
- Detailed analysis of known impact on service users (using service / equalities data available);
- Use comparative data on charges across London boroughs;
- Preparation of detailed consultation documents including illustrative impact on individuals in different circumstance (See snap shot illustration in appendix 1);
- Consultation documents presented to Scrutiny Committee including the consultation process and timetable;

²² Authorities have guidelines in place to help determine whether a proposal is likely to have high, medium or low impact on equalities groups and then apply the EIA processes accordingly.

- Detailed consultations led by officers with some members in community leadership role;
- Reports presented for decision-making including suggestions for mitigation;
- Refer back for additional information on the impact of other national policies impacting further on the people affected by the proposals (cumulative impact); and
- Decisions taken.

EIA and Mitigations

Conclusions (Based on EIA (includes consultation with people the changes will directly impact and stakeholders)

Equalities Category	Assessment of potential Impact. Positive and Negative, High, Medium, Low and Nil	Reason for this assessment
Gender	High - Negative	Disproportionate amount of those affected are women
Race	Nil – Low Negative	There are no disproportionate amount affected but there are specific inequalities that could make BME service users more vulnerable
Disability	High Negative	The change affects disabled people is society disproportionately
Age	High - Negative	The change affects elderly people in society disproportionately, particularly women over the age of 75
Sexual orientation	Nil	There are no know impacts
Religion & Belief	Nil	There are no known impacts

- The overall assessment of the EIA is that the savings proposal will have an adverse impact across the following equality groups: age gender and disability (evidenced).
- The EIA concludes that the proposals to increase the charges for non-residential care and to increase the charge for meals on wheels will have a high negative impact on women, those over 75 years old and those with a disability.
- Full mitigation will not be possible, and if adopted, the proposals will have a negative impact on some service users. However a number of measures are proposed to minimise the impact.

Mitigations:

- Maintaining the income buffer at 35% rather than the 25% minimum required by government guidance. This allows the clients to retain an extra 10% of their income.

- Setting a minimum Disability Related Expenditure Rate of \$5.00 for April 2011 and increasing that rate to £10.00 in April 2012.
- Adopting a phased approach to the implementation of some changes. This would follow the full implementation of personal budgets thus enabling users to purchase services directly from providers.
- Continuing to ensure that all clients are receiving benefits to which they are entitled.

Final Decision

Implement phase 1 of the charging policy with the mitigations. Suspend phase 2 due to the cumulative impact of other national policies on welfare benefit reductions including housing benefits.

Learning

- In making changes the EIA is not about avoiding impact but to explicitly recognise the impact, mitigate where possible, communicate the challenges through the consultation process and evidence the fact that consideration has been given to the EIA in making the decision.
- Really understand the demographics of the borough and the client groups impacted by the proposals. Bring to this what is known e.g. large BME population but in relation to the proposal, one of the largest vulnerable groups is older white women – it is through looking closely at the data that judgements can be made about likely impact on different protected category groups and whether the impact is disproportionate.
- Officers have ideas and make judgements about impact and possible mitigation. This is added to, or challenged, by the detailed and extensive consultations. Various subjective views, ideas for mitigation, or indeed where proposals are supported emerge in the process, which are then reported to members.
- EIAs and stakeholder consultations are resource intensive however, effectively targeted can add value.
- To do consultation properly on these types of policy changes requires a good and thorough EIA to provide the evidence to support effective dialogue. As such EIAs cannot be disentangled from a good consultation process.
- If good quality EIAs are informing decisions then there is a better chance that there will be no surprises for members when we get to implementation.

Appendix 1 - from Section 3 of the consultation document – Examples of what these options mean in Practice

This section explains how the current rules are applied and how the proposed changes could affect some people.

Sanjay

Sanjay is a single person aged 35 living with his parents. He goes to a day centre twice a week.

His income is £154.90 a week. This income is made up of Income Support (with Disability Premium and Enhanced Disability Premium) and Disability Living Allowance (Care Component Middle Rate).

He has no household expenditure. He spends £8.00 a week on fares for his carer (Disability Related Expenditure).

His Income Support plus 35% buffer is £144.59.

To work out what Sanjay should pay towards the cost of attending the day centre we subtract the Income Support plus 35% (£144.59) and the Disability Related Expenditure (£8.00) from the total income figure of £154.90:

- Income £154.90 a week
- Minus Income Support Buffer - £144.59 a week
- Minus Disability Related Expenditure - £8.00 a week=£2.31 a week

Sanjay has £2.31 a week left to contribute towards the cost of his day centre.

However, under the current rules we will not charge more than 75% of this = £1.73 a week.

After a maximum charge of £1.73 p.w, Sanjay is left with £153.17 p.w. to meet other expenditure.

Ethel

Ethel, aged 80, lives alone and receives one hour of home care a week which costs £15.30. Her income is £234.05 a week made up of State Retirement Pension, Pension Credit (now including a Disability Premium) and the lower rate of Attendance Allowance. She owns her own house and has full help with her council tax.

Her buildings insurance and maintenance charges are £17.60 a week. She spends £14.50 a week on a gardener and the purchase of a stair lift (Disability Related Expenditure).

Her Pension Credit plus 35% buffer is £179.01.

To work out how much Ethel should pay towards the cost of her home care we subtract the Pension Credit plus 35% buffer (£179.01), outgoings (£17.60) and Disability Related Expenditure (£14.50) from her total income of £234.05:

- Income £234.05 a week
- Minus Pension Credit Buffer - £179.01 a week
- Minus household expenses - £17.60 a week
- Minus Disability Related Expenditure -£14.50 a week=£22.94 a week

Ethel has £22.94 left to pay towards the cost of her home care. Currently we will not charge more than 75% of this = £17.20. As her home care only costs £15.30 a week, she will be asked to pay £15.30 a week. If Ethel needed extra home care, and the cost of this rose to more than the £17.20 a week, she will only be asked to contribute a maximum of £17.20 a week irrespective of the cost of the package.

After a maximum charge of £17.20 p.w, Ethel is left with £216.85 p.w. to meet other expenditure.

Melvin

Melvin has savings of £30,000 so is assessed to pay the maximum charge for his services. Under our current rules the maximum charge is £290 a week. He receives home care costing £200 a week. Because of the level of his savings, he is charged £200 a week.

Roberta

Roberta has savings of £35,000 so is also assessed to pay the maximum charge for her services. She attends a day centre and receives home care. The full charge for services would be £310 a week but she is only charged £290 a week which is the maximum charge we currently apply.

Case Study 2 – Special Educational Needs (SEN) Transport

Background to the proposal

The whole of SEN related service is subject to a wide ranging Local Authority SEN and Disability Review. In addition the SEN Green paper will necessitate further changes as a result of simplified processes, reduced bureaucracy, more control to parents and more power to front-line professionals and local communities. The savings proposals are confined to savings which can be realised ahead of the far reaching transformation in this area. The EIA focuses on the savings proposals around SEN Transport for 21012/13 and thereafter. Budgets have been overspent for some considerable time.

Proposed change

To deliver an overall saving in SEN area by the following measures:

- Better use of shared routes either by bus or taxi with neighbouring boroughs.
- A reduction in the use of taxi provision by more flexible use of own fleet bus services.
- Savings to be realised via the re-tendering exercise for taxi services currently being discussed with Adults and Community Services Department and other boroughs.
- Better conciliation and partnership work with both parents and school to avoid recourse to and direction by SENDIST (Special Educational Needs and Disability Tribunal).
- Improved success rate at SENDIST by improved presentation of the LA case.
- Better support for SEN children via improved links with Mats which will improve conciliation and mediation services and satisfaction with local school places for children with SEN.
- Work with commissioning team to reduce placement costs where use of IBS placement is unavoidable

- Further savings are predicted as part of the current SEN review which is looking at all aspects of current provision.

The proposals will require a change of Local Authority policy on SEN Transport with two key policy changes proposed that relate to an ambition to increase independent travel for young people and prepare them for adulthood. The proposals include: secondary aged pupils 14+ who are ambulatory (able to walk unaided) should not continue to receive home to school vehicle transport with the exception of pupils with severe learning disabilities (This will include children with moderate learning difficulties and emotional difficulties); and a change in the way that eligibility for SEN transport is assessed which would take into account the consideration of whether families are in receipt of any other form of support towards travel (including disability living allowance, motability vehicle provided for the benefit of the child or young person) will not receive local authority funded home to school transport. Expected savings £400K from a budget of £2.91M. **NB** The initial proposal was to withdraw SEN transport from all pupils aged 14 and above).

Process to identify impact and make decisions - EIAs

- Identified this proposal as requiring a full EIA;
- Consideration of impact on statutory responsibilities;
- Detailed analysis of potential impact on current users (service data and equalities data available) and impact on future users;
- Consultation documents and methods for engaging users, families and other stakeholders (may also include councillors in their community leadership roles);
- Setting out the findings, gaps in data, and expected impact;
- Identifying mitigating actions, where possible;
- Presentation of the EIA and consultations to the EIA Panel; and
- Presenting the outputs of all these stages to inform final decisions.

EIA and Mitigations

Conclusions

Overall positive and / or negative impact of savings proposal

Protected Categories	Positive Impact – policy ambition to support independent travel	Negative Impact – loss of service
Age		
Disability	X	X
Gender Re-assignment		
Marriage / Civil partnership		
Pregnancy and Maternity		
Ethnicity	X	X
Gender	X	X

Sexual orientation		
Socio-economic	X	X

- Findings from consultation – Stakeholders were positive about the principles and policy change of proactively seeking to encourage children with statements of SEN to become independent travellers to enable them to be safe, healthy, enjoy and achieve, make a positive contribution to their community and achieve economic well-being. A number of children with SEN statements have expressed the view that they would prefer to travel on public transport just like everyone else.
- The proposals will support young people being educated in their local area and prepare them for adulthood as well as result in more efficient use of resources. To ensure this initiative is success, we will need to work with a range of colleagues in Adult and Community Services, Transport for London and within neighbouring boroughs and with parents to reassure them that this change in policy will not have any adverse impact on children and young people.
- There is a risk related to increased litigation as we change the content of statements to reflect new policies.
- However, long term benefits outweigh the risks as we will be supporting young people with a range of disabilities and SEN to be visible within their local community and responding to the views of young people who would prefer to travel on public transport just like everyone else.

Mitigations

- Enhancing work on services for under 5's, including early identification, information giving, support to families and preparation for schools to ensure over time that fewer children require SEN statements and SEN home to school transport.
- Ensure parents and children and young people affected by the change in policy are fully informed, provided with sufficient advance notice and supported in sourcing and using alternative means of transport
- Partnership working with Adults and Community Services will assist in exploring opportunities for personalisation and access to other resources by families that we may be duplicating e.g. provision of motability v SEN transport from the LA.

Final Decision

To implement the policy and act on the mitigations (The initial policy proposal was to include all children and young people aged 14 +).

Learning

- Held a very useful seminar for members on the Equality Act 2010 to explain that the emphasis is on the council to consider the impact, whether it is disproportionate for particular groups and to have considered possible mitigations.
- The EIA drew out for Members how disability is different for different children and the impact it can have is also different. Members made a decision fairly early on in the process that they did not want to see a blanket policy excluding all children and young people over the age of 14. The application of the policy should be on a case by case basis.

- The current context is making the EIAs use less protectionist language recognising that tough decisions need to be made.
- Members' role in scrutiny and challenge is very useful and can lead to further ideas on mitigation.
- Good quality consultation may be able to identify all the equalities issues however the advantage of EIAs is that it gives a more rigorous framework, focussing on different communities and service users that the proposals will impact upon and help to keep attention on mitigation.

Appendix G - Notes of the joint LC and LGIU event

Event held on 12th March 2012

Present:

Members from London Boroughs and guest (see list of attendees in Appendix 1)

Welcome and introductions:

Cllr Marie Pye, Lead Member for Equalities in London Councils, welcomed and thanked all those present for coming to the meeting. She was especially pleased to see councillors from a wide variety of authorities attend this particular session. Equality is her passion and it has been important to keep this on the agenda in these difficult times and to learn about the different ways in which councillors are doing this. It is even more important currently to consider how decisions are made, how communities are represented and involved and how services are delivered to meet diverse needs.

This event is one in a series of events on Fairness and Equality in London. Some events have involved Members, e.g. child poverty and equalities and two events were specifically for officers with lead responsibility in this area. This meeting is to explore how understanding and working with diverse communities and good Equality Impact Assessments (EIA) help to make good and transparent decisions. We want to share knowledge about what boroughs are doing, where they are making difficult and fair decisions and what difference the EIA is making to help the process. Members are mindful that the judicial review challenge has made many authorities defensive and is currently a key driving force for equalities, but that EIA are a positive tool to target scarce resources.

Tim Whitworth from OPM also welcomed members to the event. OPM is working with London Councils on equalities against the backdrop of difficult and challenging times resulting from the cuts in the public sector, recognising there is more to come. We are trying to look at the intended consequences as well as anticipate some of the unintended consequences of decisions, think about the impact on community cohesion and on the rights and responsibilities of citizens.

In the meeting today we are going to explore the opportunities in the new Equality Act; consider the role of members in bringing their understanding of diverse communities together with EIA to help make good decisions; and to explore how EIA processes help to surface the dilemmas and opportunities members face in making tough decisions, especially in health and social care cuts where many services are targeted towards people with protected equalities characteristics.

Emily Georghiou, from the Equalities and Human Rights Commission (EHRC) gave her presentation on the Equality Act 2010.

Emily set out the requirements of the Equality Act; benefits of the public sector equality duty; what the law requires, the EHRC expectations and opportunities to innovate (see slide set appended to this note of the meeting).

Emily's presentation focused on the positive aspects of the legislation. Everyone is aware that there will be impact on vulnerable and protected groups, the challenge is how to minimise and or mitigate this impact.

The EHRC will monitor the requirements on public bodies to publish equalities information and set equalities objectives. They will assess the quality of this information as well as how accessible it is to communities. Reports will be available later this year. Emily also set out

the tools available for innovation, which include EIA, The Essential Guide: Engagement, Equality Information; Objectives; Meeting the Duty in Policy & Decision-Making; forthcoming codes; the Equality Framework for Local Government; and good practice sharing (EHRC case studies and Knowledge Hub).

Q&A

Many issues are becoming more complex for councillors e.g. different forms of schools and how admissions criteria on siblings is administered differently, the involvement of consultants in delivering services rather than direct employees to people in the community – members are finding it harder to get information they need to influence. Commissioning is another example where the Localism Act would suggest the potential for decisions to be made closer to the people and their voices to be heard – it is not clear how this will be done as the accountability will remain with the local authority and the buck will stop with them. In schools there is a great deal of fragmentation and whilst control is being diminished, responsibilities are increasing. These are the kinds of issues London Councils need to consider and offer support and guidance to London boroughs.

Laura Wilkes from LGIU gave her presentation on Understanding Communities: using your knowledge of local communities to reconfigure services.

Laura's presentation and discussion with members focused on the difficult decisions that need to be made on service provision; understanding your communities is a vital part of the decision making process; equalities as a tool to enable this process; and members role in the decision-making process. (see slide set appended to this note of the meeting)

The following 3 discussion groups were set up and members had the opportunity to share and learn from each other.

Group 1 Discussion Questions – data

- What data do you need?
- What data do you currently have available to you? (EIA, observations, JSNA)
- How can this be used?
- Do you have any examples to share?
- Challenges / practicalities?

This group discussed an example of a consultation on Early Years' service. Decisions on this service were adjusted, people were involved from the start and councillors were involved in the consultation document that was sent out. Other examples included improving services by having representatives on decision making boards e.g. language provision in the breast care clinic. Authorities are involving communities in EIAs. In Waltham Forest, Cabinet reports are called in if there is no EIA and or mitigation. Councils are aware that EIAs help manage judicial review risks and help target resources. Language services can provide good data on demand if documents say that translations are available in all languages spoken in the borough. This data can help to make judgements about impact on different groups. Members were concerned about more and more services being web-based i.e. on-line registrations for service and making this accessible as well as capturing and using this data.

Group 2 Discussion Questions (Process)

- What is the process for decision-making in your authority? Where do members fit in?
- At what point are users / the community involved and how?
- How can you use your knowledge communities to shape the process?

- Do you have examples to share?
- Challenges / practicalities?

The experience of most present was that main decisions / proposals go to the Cabinet and councillors are involved as are other stakeholders. In some Councils, Panels have adopted processes such as 'speed dating' to talk to different people and as a mechanism to get more people involved. In Enfield, for example, residents are involved in ward based discussions on budget priorities and decisions were made taking into account differential needs addressing equalities issues. Residents are reporting satisfaction that councillors are engaging residents in ward budgets. "On your doorstep" is another example of using mobile libraries to go out to people and talk to them. Members felt there is a need to change officer mind-sets and to get them to work with councillors and to go out together to talk to residents. There is a need to change the culture and expectations in councils and in communities to review what contribution each can make.

Councillors discussed the need to start involving communities at the earliest stages, including an example of where decisions had been changed on the basis of EIA and consultation. Here, the proposal was to cut the budget for funded day care – but the decision, following the EIA and consultation was to retain elements of the budget.

Group 3 Discussion Questions - Scrutiny

- Using your knowledge about communities and the data you have available; what sort of questions do you want to ask?
- How can you ask questions to challenge the decision making process and lead to the right decisions?
- Do you have any examples to share?
- Challenges / practicalities?

The principal question for members is quality of the data. Questioning officers on this was not a slur but checking the quality of the data can help challenge officers and members to make the "best" or "good" decisions e.g. birth rate data to determine future demand for schools. Councils need culture change to facilitate better sharing of data with other partners. It was noted that the police are better at this than other partners.

Some members had no diversity and equality training available in their authorities and were keen to know whether this is mandatory for all Councillors elsewhere. Lack of knowledge and skill can make it difficult for members to intervene and influence their colleagues or to scrutinise decisions.

EIA Case Studies

OPM introduced the 2 case studies which are summaries of detailed EIA's undertaken in two separate London local authorities. The purpose of the case studies was to look at decisions about cuts in social care services specifically available to equalities protected groups i.e. older people and children with disabilities. These examples are more about EIA's as mitigation rather than being protectionist about current services and or budgets.

Members had the opportunity to review these case studies and highlight some of the challenges in doing EIA's well and how they can inform and influence decisions as well as help the authority comply with the public sector duty.

Case Study 1 – Charges for Adult social care services

Good	Not so good
<p>EIA looked at the kind of impact the proposal would have in order to make informed decisions</p> <p>The process of engagement changed some of the outcomes, it made a difference</p> <p>Cumulative impact taken into account</p>	<p>Equality data in context of the cut – danger of saying that the cut is as bad for one group as another and so it is ok to take the decision.</p> <p>Although comments made about multiple disadvantage for some groups, it is difficult to get exact data on cumulative impact to influence / mitigate all the direct and indirect impact.</p>

Case Study 2

Good	Not so Good
<p>Learning from the EIA how disability for each child is different and to apply the new policy on a case by case basis</p> <p>Evidence of talking to all stakeholders with all the necessary detail and data available – enabled stakeholder buy-in and contribution to potentially innovative service changes</p>	<p>More evidence of cumulative impact. Would have like to have seen more details on the broad range of disabilities and where children need to travel to. Not sure whether work with under-fives will make a difference. Not sure it covered how people could help themselves e.g. pay for transport. Where the decision was made on taking out “all” from the policy is not clear.</p>

OPM highlighted the dilemmas that members face in making these tough decisions and provided an ethical decision making framework which can give more confidence to both members and the public that proper and due consideration is being given by their elected representatives.

General comments

Need to change mindset and practice on EIA and consultations. Consultation documents designed to make informed decisions are something that we have a way to go on. It is often only where there is a JR threat that there is greater attention given to how decisions are made. It is often not clear how users and communities see this consultation as an empowerment exercise although there are some good examples e.g. personalised budgets in one authority where a detailed EIA was produced and extensive consultations carried out using different methods which led to decisions being altered through the process. Often it is difficult to look at individual decisions in isolation e.g. if older people have limited controllable resources then putting up charges is not going to be viable option. It is through dialogue and discussion that alternatives and mitigations can be achieved e.g. thinking outside the box and providing travel training can build confidence in people with disabilities.

Cllr Marie Pye noted that the very interesting discussions and highlighted how difficult decisions can be when we cannot rely simply on data. She emphasised the need to make good judgements and particularly stressed the benefits of using an ethical decision making framework. She thanked everyone for their attendance and contributions.

March 2012

Appendix H - Systems Thinking

Briefing paper by Dr Alice Maynard – Future Inclusion

Introduction

This paper is not intended to make you an expert in systems thinking. To a large extent, that's because it hasn't been written by an expert in systems thinking. Rather it's about understanding what contribution systems thinking can make to Equality Impact Assessment or Equality Analysis. There has been a great deal written about systems thinking, much of it academic in nature, and the mastery (one of the many concepts in systems thinking) of the subject can only be a long-term goal. Looking up the authors mentioned in this paper on the internet will help if you wish to find out more.

The purpose of this paper is to encourage a different approach to Equality Impact Assessment (EqIA) that takes wider account of the context in which the policy or activity that is being assessed is relevant. So, if the intention is to close a day centre in a locality, what is the wider context in which that day centre exists and operates, and how can those responsible take account of that context. This is very much a pragmatic take on the issues. The intention is to outline an approach that can be used to do a better job by enhancing understanding of the context in which EqIA is undertaken and its implications on people's lives.

What is systems thinking?

Systems thinking is as simple as it sounds. Everything is part of a system – the things we deal with on a day-to-day basis, the issues we make policy about, the things we analyse and the actions we take. Everything we deal with is embedded in a wider system in ways we recognise and understand, but also in ways we don't readily recognise or don't understand. When we make a change, we need to consider the system-wide impact of that change – how will the other parts of the system be affected? And how will the other parts of the system behave and react to the change we make? If we don't take all this into account, any changes we make are unlikely to turn out the way we intend, and they are significantly less likely to be effective in the longer term.

There are a number of schools of thought, and variations on those schools. This paper concerns itself with two that are helpful in EqIA, from Peter Checkland and Peter Senge.

Checkland

First, Soft Systems Methodology – mainly developed by Peter Checkland (a key resource is: *Systems Thinking, Systems Practice* Wiley 1999). This is generally taken to be a seven stage process, whose aim is to:

"generate radical thought by selecting some views of a problem situation as possibly relevant to improving it, working out the implications of those views in conceptual models and comparing those models with what exists in the real world situation"

The 7 stages are:

4. Identify the issue to be investigated
5. Formulate 'rich pictures' of the issue – try to describe it in as much detail as possible, and use symbols, drawing and diagrams as well as text, to add depth and enliven thinking.

6. Formulate root definitions – this is about expressing the worldview of the different players involved – a "concise description of human activity which captures a particular view of it". It incorporates what is known as the CATWOE model:

C = customers

A = actors

T = transformation process

W = world view

O = owners (of the process)

E = environment

There is no particular order in which these appear in a root definition, and they can be implicit rather than explicit. It can be useful to include constraints in the definitions.

7. Build (a) conceptual model(s) – of the root definition – how the world should be according to one (the chosen) worldview, not how the world is: The model identifies what activities (framed as verbs) have to happen in what order for the required outcome(s) to be achieved. For EqIA the worldview chosen would most helpfully be that of one or more of the equality groups.
8. Review the model(s) against the 'real world' – this is best done with the people affected by the issue and is an area where reference groups come into their own. For EqIA the 'real world' would be the one that will exist following the proposed policy or activity change.
9. Establish the changes to be implemented to address the original issue identified
10. Implement the changes – this would then lead to monitoring of the effects of the changes and an iteration (in due course) of (part of) the 7-stage process in the spirit of action research

Numbers 1, 2, 5, 6 and 7 are 'real world' stages – they involve people who have an interest in the issue identified. Numbers 3 and 4 are the 'pure' systems thinking stages and may not involve external stakeholders. The sequence does not necessarily have to be followed from 1 to 7. Starting at number 4, for instance, is entirely possible, but it has to be clear what issue is being addressed. At any point in the process, it's important to be clear what you're doing, and why you're doing it at that stage, rather than following the process rigidly.

Stage 5, comparison with the 'real world', will generate questions about the differences between the conceptual model and the real world. This may result in questioning 'why do it at all?' as well as the more obvious 'is this done well?'

In Stage 6, the changes arise out of the questions generated at stage 5. Changes can be in structures, processes or attitudes / behaviours, but they have to be feasible, given the nature of the system, and desirable, in the context of the culture (in its broad sense) of the organisation / community.

Senge

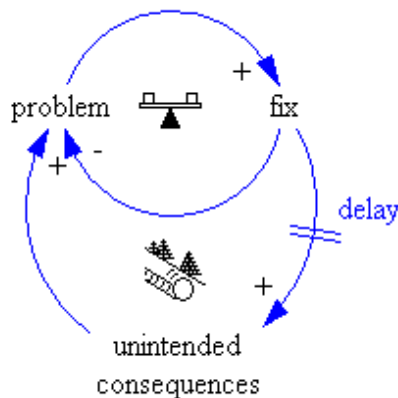
The second school of thought is Peter Senge's 'fifth discipline' (*The Fifth Discipline* Century Business 1990; *The Fifth Discipline Fieldbook* Nicholas Bresley Publishing Ltd 1994). This describes a way of representing systems in a diagrammatic form that can be useful in stage 4 of Checkland's process to develop the conceptual model. It helps in representing the way things are / should be, particularly the processes that operate in human systems.

Essentially, Senge's systems comprise two primary processes: balancing loops and reinforcing loops. Balancing loops are systems in stasis, where some condition applies to ensure that the system remains in balance. So, for instance, you get hungry, so you eat, then you get full, so you stop eating (usually!). Reinforcing loops create what we often call virtuous or vicious circles. In either loop there may be a delay, and there may be external conditions that influence the process.

Archetypes

Senge also identifies system archetypes²³ – these are 'classic' situations where an intervention has a particular impact.

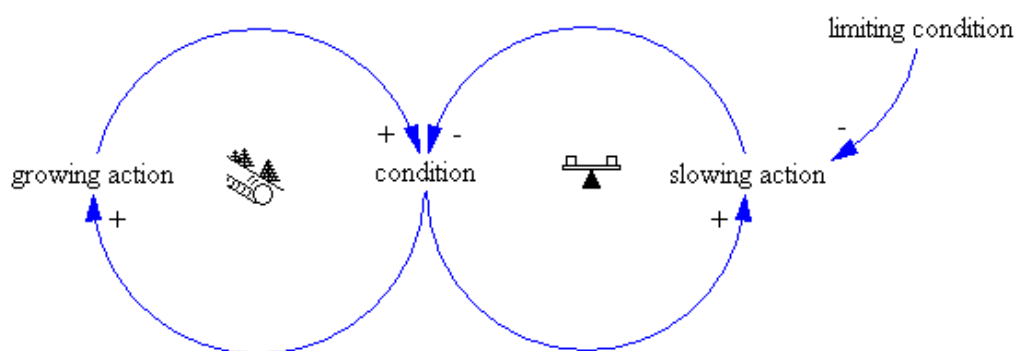
- Fixes that fail. In this diagram, there is a balancing loop (shown by the 'see-saw') where the problem is fixed by a particular intervention but, after a delay (represented by the double line breaking the arrow), there is a reinforcing loop (shown by the snowball) of unintended consequences that create the problem again.



An example of a fix that fails would be as follows. A local authority provides face-to-face translation services for people who wish to access the authority's services and don't speak English. This is expensive, so the decision is taken to set up a phone based translation service that will cut the costs. However, the phone based service proves very popular because it is easy to use, anonymous, and it can be accessed by people who were unable to get to the authority's service access points previously, the demand is far greater than predicted, so it is more expensive to run than the face-to-face service was.

- Limits to growth. In this diagram, the left-hand loop is a reinforcing loop incorporating a 'growing action' designed to create growth, but the right-hand loop is a balancing loop, where an external limiting condition prevents that growth from occurring:

²³All diagrams courtesy of B Jana http://en.wikipedia.org/wiki/System_Archetypes



An example of limits to growth is as follows. A local authority wants to encourage the number of new businesses starting up in the local area, so it researches the needs of start-up businesses, and provides a number of facilities and services to encourage them. However, poor local transport provision makes it difficult for the start-ups to employ local labour, so they are unable to grow as fast as they (and the authority) would wish.

Other examples of archetypes can be found at the end of the paper.

Why use systems thinking for EqIA?

There are a number of potential benefits from taking a systems approach to EqIA.

The development of rich pictures of the issue can highlight some of the problem areas that may not have been considered.

The discipline that formulation of the root definition(s) imposes in specifying explicitly the different worldviews of the policy makers and the customers, for instance, can provide immediate insights into the issue at hand. And the incorporation of constraints – whether the customers' or the owner's constraints – into the definition helps to ensure that the process addresses these.

It imposes appropriate pressure to take into account the views of the customer – of the people affected by the process – at least through existing research, and in the later stages, more directly with the customer.

The comparison of the conceptual model representing the worldview of equality groups with the 'real world' of the policy change clearly highlights areas where the impacts of change need to be mitigated, or the policy approach revised.

How does systems thinking work with the EqIA process?

It's important to be clear what the issue is that is to be considered. In the case of EqIA for a particular policy or activity, this may be obvious, but it's important to step back and consider whether, for instance, in making changes to a particular service for older people, the issue involves saving money, giving greater choice and control, restructuring part of an organisation etc.

Use relevant existing research, if possible, when formulating the root definition (identifying the worldviews of the stakeholders involved) as this will save time, money and consultation fatigue. There may be quite a bit of research available – not necessarily formal – that relates either to your own area of operation or to another relevant area. There are, however, likely to

be gaps in your organisation's understanding of the different perspectives of the relevant equality groups. Filling those gaps is highly advisable, rather than making possibly inaccurate assumptions, and this can either be done formally through further research, or informally in conversation/consultation. The important issue will be to monitor the outcomes of the EqIA and the subsequent changes to the policy or activity in order to determine whether the conceptual model that was built was successfully 'translated' into the real world to address the discrepancies between policy maker and equality group – effectively taking an action research approach to the process.

An example – closing a Booking Office at a railway station

Here is a very brief example of the systems thinking process applied to a Booking Office closure at a railway station. It should serve to give some indication of how the process can work.

1. Identify the issue to be investigated

The Booking Office at Little Bedlington railway station is to be closed in order to cut staffing costs. Two ticket machines will be provided at the entrance, a help point will be installed on the platform 'live' linked to the nearest staffed station and the station will become unstaffed. Passengers will be informed about alternative staffed stations on the line.

2. Formulate 'rich pictures' of the issue.

See figure below

3. Formulate root definition(s)

Visually impaired person

What happens: The staff at the booking office help me to make train journeys.

How does it happen: I am a regular train traveller for work, and I walk to my local station, Little Bedlington. I know the way, and it's a short journey. The member of staff in the booking office sells me a ticket to travel on the train. I use my signature card to buy one (I can't use a PIN) because I don't always have the cash available. They then escort me down to the platform and make sure I get on the train on the right carriage. They always phone through to my destination station to make sure that someone helps me off at the other end.

Why does it happen: Because I make train journeys easily, I am able to keep my job, which I find stimulating, and enables me to play a part in society, support my family and pay my taxes like everybody else.

Rail company

A system to enable travellers, including those with mobility impairments, to travel on the rail network **[what]** in order to enjoy the same service as everyone else **[why]**, using staff assistance where necessary **[how]** and where it is financially viable and viable in terms of available staff resources to facilitate this **[constraints]**.

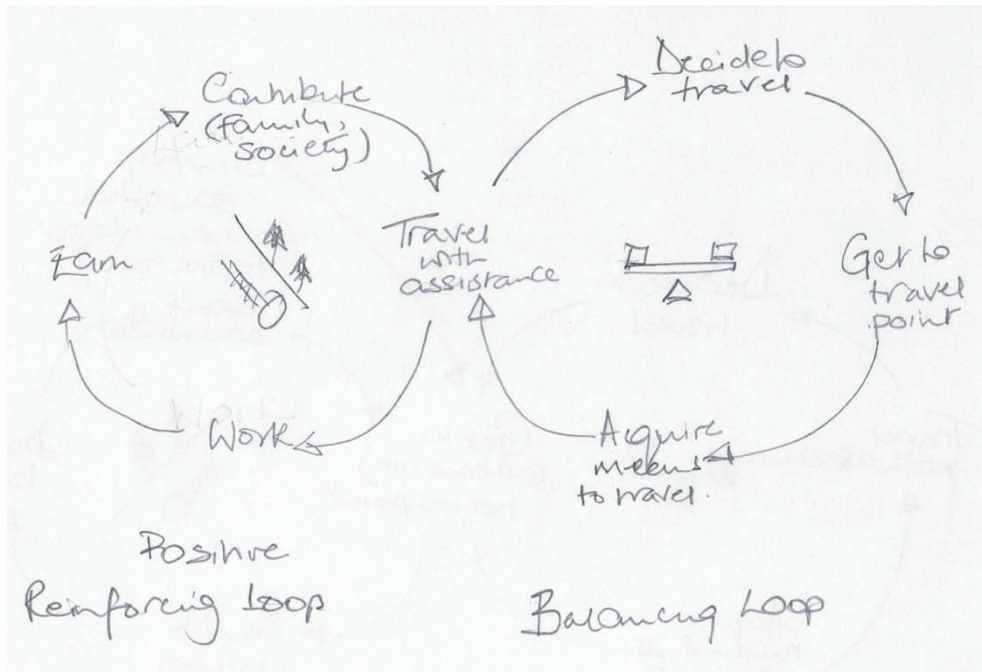
4. Build a conceptual model

We can 'build' a linear model of the various stages of the travel process:

Need to earn money → Need to get / retain job → Decide to travel to job → Get to nearby (easily accessible) travel point → Purchase ticket using signature → Get

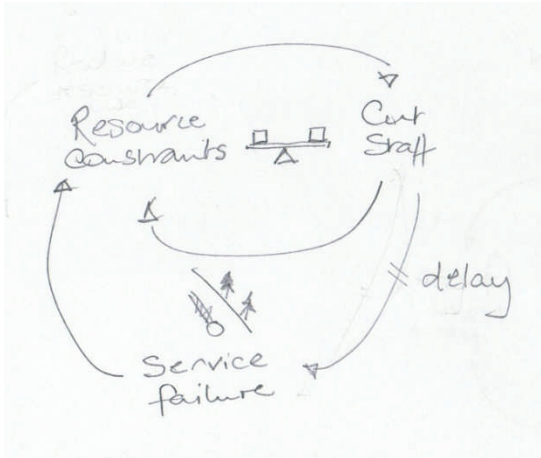
assistance to / onto / off train → Get to job → Earn money → Support family and participate in society

Or we can build a system model of the process:



Review the model(s) against the 'real world' – i.e. the proposed change:

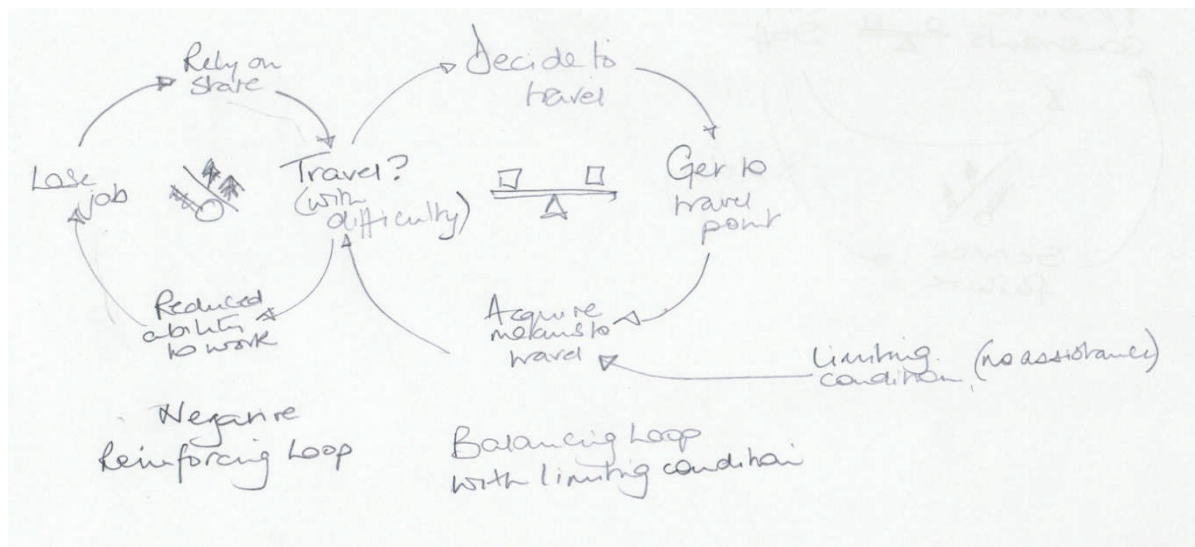
It may help to view the proposed solution as a 'fix that fails':



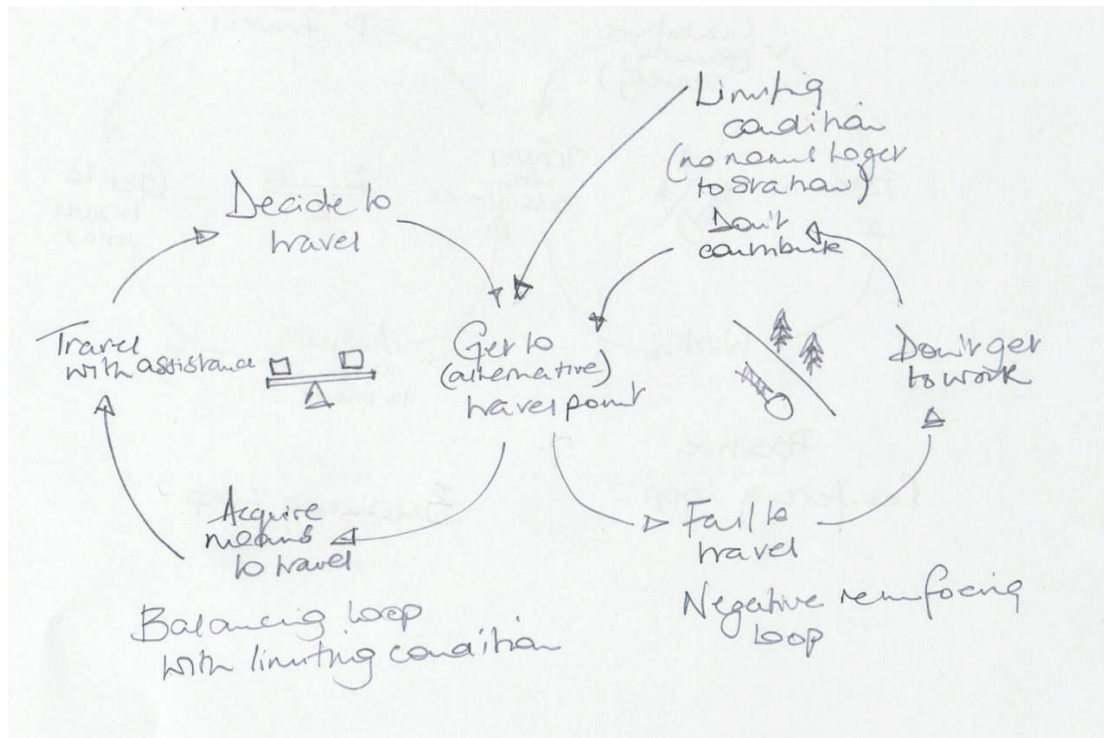
The decision to cut staff will, after some delay, create its own problems either at other stations with additional calls on assistance, or at the original station with calls for reasonable adjustments.

The comparison with the preferred conceptual model may fail in the 'real world' in one of two ways:

- a) The person cannot buy a ticket (the limiting conditions being inability to access the ticket machine and the requirement to use a PIN rather than a signature).



- b) The person cannot get to an alternative accessible station (the limiting condition being not being able to walk the additional distance) either all the time or some of the time.



5. Establish the changes to be implemented to address the original issue identified

Given the above, it may be that providing 'person-to-person' ticket purchasing at an alternative station will not be enough, and some way of enabling the person to continue using the same station will be required.

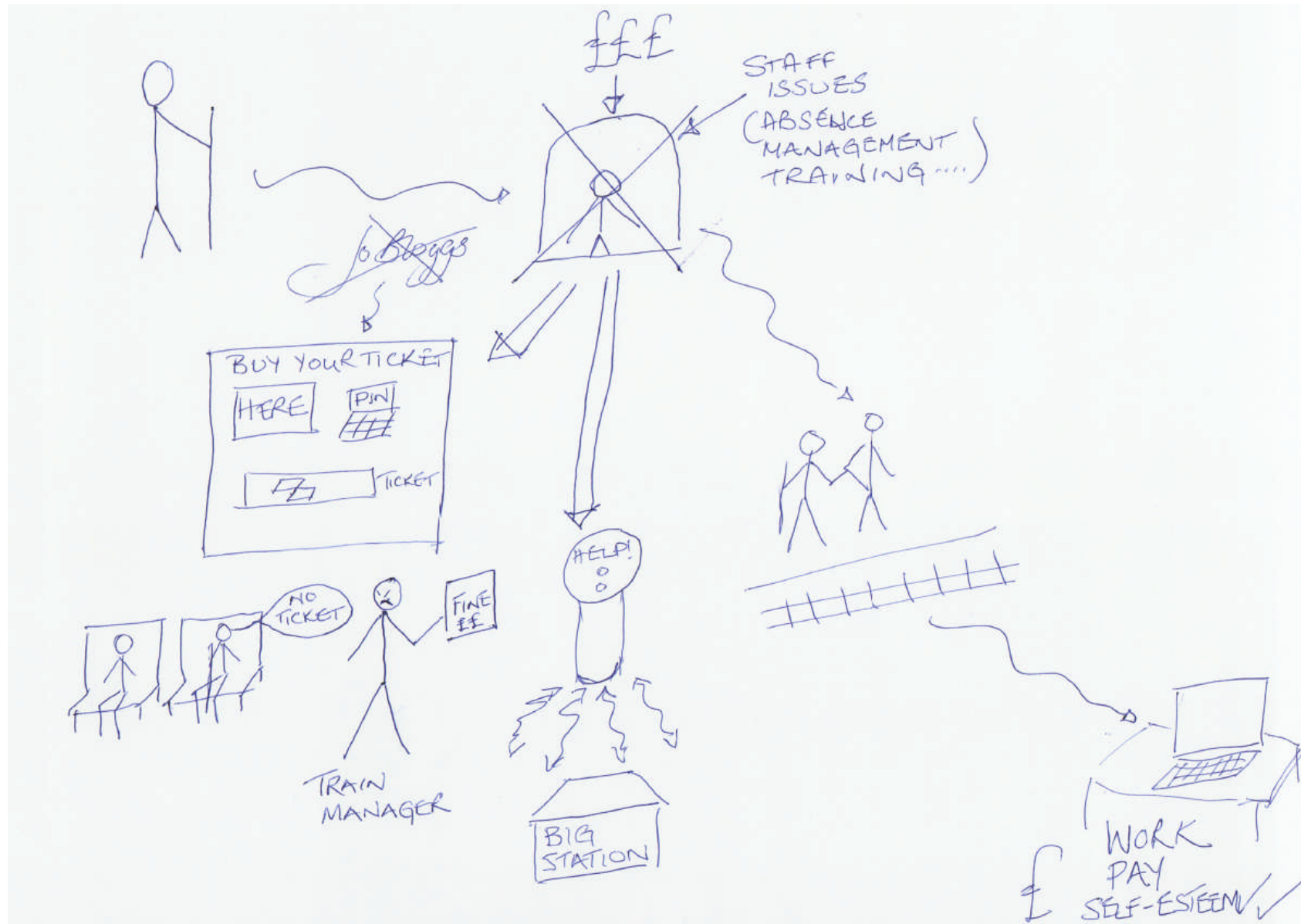
As far as ticket purchase goes, this could be 'permission' (in hard or soft form) to travel without a ticket and buy one at the destination station.

When it comes to assistance the appropriate change may be more difficult to determine and may be individually tailored.

Either way, this is the point where working with the customer is key to finding a satisfactory solution.

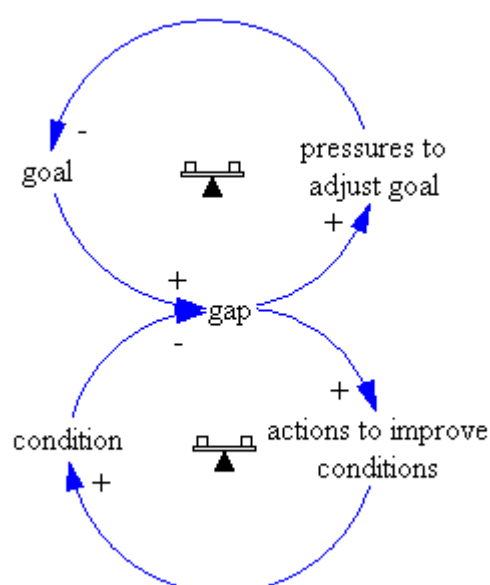
6. Implement the changes.

A Rich Picture

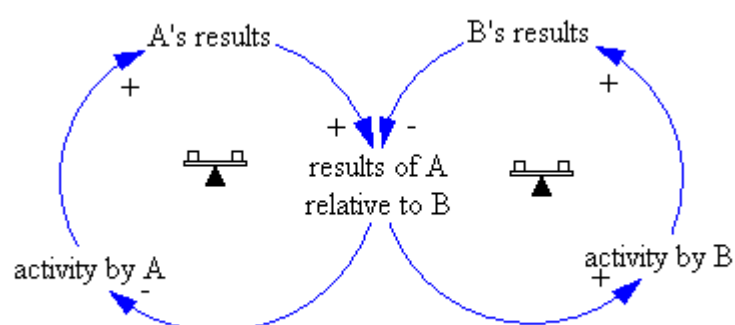


Annex – Other examples of archetypes

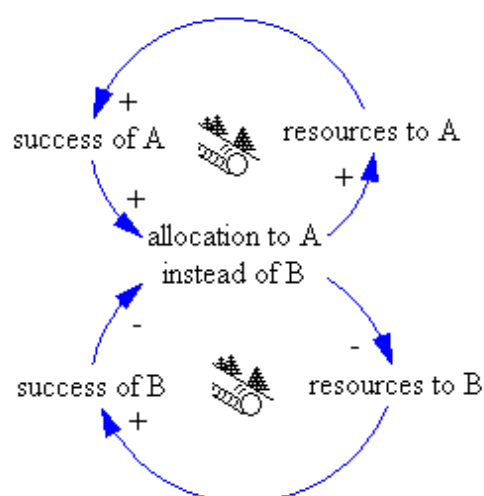
Eroding goals



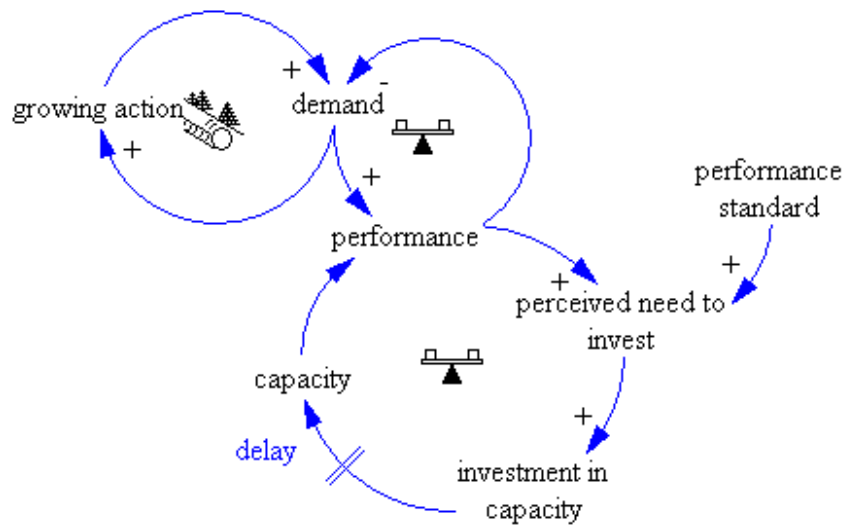
Escalation



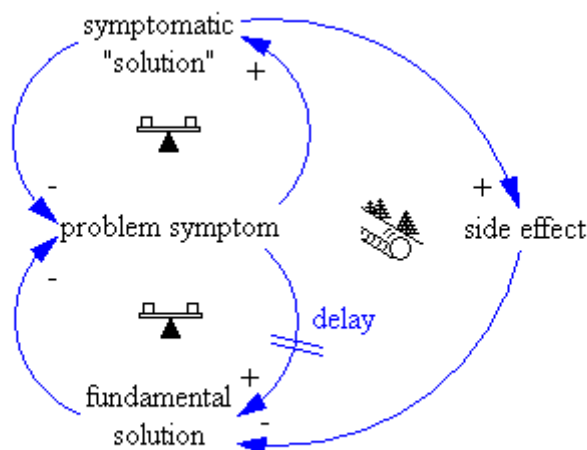
Success to the successful



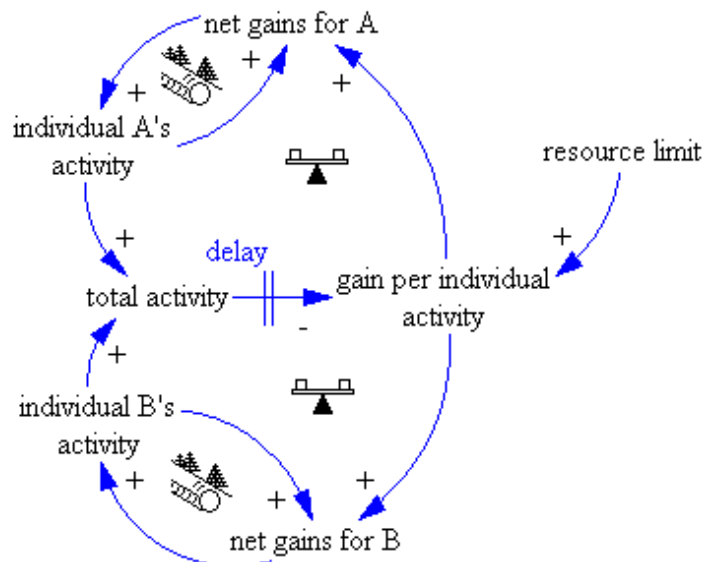
Growth and underinvestment



Shifting the burden



Tragedy of the Commons (scarce resources with no explicit limit on the exploitation by individuals / powerful groups)



London Councils
59½ Southwark Street
London SE1 0AL
web: www.londoncouncils.gov.uk
tel: 020 7934 9808

OPM
252B Gray's Inn Road
London WC1X 8XG
web: www.opm.co.uk
tel: 0845 055 3900
fax: 0845 055 1700
email: info@opm.co.uk

Published by: London Councils
Publication date: June 2012