

# NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

## Council

27 January 2021

### Report of the Head of Human and Organisational Development - S Rees

#### Matter for Decision

**Wards Affected:** All Wards

**Report Title:** Strategic Equality Plan 2020-2024: Actions to meet the Equality Objectives

#### Purpose of Report

1. To consider the adoption of the actions developed to meet the equality objectives prior to their publication as part of the Strategic Equality Plan.

#### Executive Summary

2. The Council's Strategic Equality Plan, including its equality objectives and actions to meet them, was intended to be published in April 2020 but the coronavirus outbreak delayed this.
3. The Equality and Human Rights Commission suspended statutory requirements to publish Strategic Equality Plans until October 2020 due to the outbreak of the pandemic.
4. The period of the first lockdown and other events that took place during this time provided an opportunity to reconsider our equality objectives and actions taking into account evidence provided to UK and Welsh government committees; research findings on the impact of the coronavirus outbreak and the reported concerns of members of Black, Asian and minority ethnic communities in direct response to that and the consequences of the Black Lives Matter movement.
5. In light of the above, the equality objectives, which had been consulted on earlier in the year, were deemed to be an accurate reflection of those areas that cause concern, distress and anguish for many in our communities. Consequently the Council's Strategic Equality Plan, including the Equality Objectives, (**Appendix 1**) was adopted by Council on 23 September 2020.

6. However, it was also clear that the actions required further review and following a period of reflection and activity over recent months the actions have been revised and can be found at **Appendix 2**.
7. The actions, and the identified measures, will be reviewed early in 2021 to ensure they fit with and are embedded into a comprehensive approach to recovery. Consequently, timelines for actions, and any new or amended measures, will be added when the detail of the work becomes clearer.
8. Council is now being asked to adopt the actions developed to meet the equality objectives prior to their publication as part of the Strategic Equality Plan.

### **Background**

9. Under the Equality Act 2010 the Council is required to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations amongst and between people of different protected groups; the Public Sector Equality Duty.
10. In Wales, specific duties have been introduced under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 to help public bodies carry out the Public Sector Equality Duty. Under these regulations we along with other public bodies have a duty to develop equality objectives and produce a Strategic Equality Plan containing the equality objectives and other information.
11. Draft equality objectives and proposed actions were developed during 2019-2020 and were subject to period of public consultation between 16 January and 20 February.
12. While it was intended to present the Strategic Equality Plan, including the equality objectives and actions to Cabinet and then to Council for adoption the outbreak of the pandemic prevented that taking place.
13. With the Equality and Human Rights Commission suspending the requirement to publish Strategic Equality Plans until October 2020 there was more opportunity to review the equality objectives and actions in light of unfolding events.
14. Consequently the Strategic Equality Plan, including the equality objectives, was adopted by Council on 23 September with an assurance that actions would follow before the end of the year.

### **The Development of Actions and Recent Events**

15. Since the outbreak of COVID-19 it has become increasingly apparent that while all communities have been affected, Black, Asian and minority communities have

been affected disproportionately in matters of health, as key workers, with the severe effects on employment as well as in relation to accessible education for children and young people.

16. The brutal killing of George Floyd on 25th May 2020, along with other events in our recent history as well as the devastating impact the pandemic has had on Black, Asian and minority ethnic communities has brought into sharp focus the deep seated attitudes and behaviours that remain towards people from these communities.
17. As a consequence it was recognised that the actions originally identified, in existing strategies/plans, to meet the equality objectives would need to be reviewed to ensure we fully address the impact of these events on our local communities.
18. Additional actions have been developed, with the involvement of our workforce and Black, Asian and minority ethnic communities, to sit alongside the original
19. We recognise that this is not the end of our work. Not only do we need to implement and make progress but we are mindful that they, like our ever changing society and circumstances are not set in stone. They will be reviewed on a regular basis to ensure they remain relevant and appropriate to the needs of our communities.
20. Following Cabinet in December a slight amendment has been made to one of the actions to better reflect the Council's position in relation to employment contracts; the removal of reference to 'zero hours' contracts and the inclusion of 'casual and temporary contracts'
21. However, the actions, and the identified measures, will be reviewed early in 2021 to ensure they fit with and are embedded into a comprehensive approach to recovery. Consequently, timelines for actions, and any new or amended measures, will be added when the detail of the work becomes clearer.
22. Following Cabinet in December a slight amendment has been made to one of the actions in the employment equality objective to better reflect the Council's position in relation to employment contracts; the removal of reference to 'zero hours' contracts and the inclusion of 'casual and temporary contracts'.
23. Council is now being asked to adopt the actions developed to meet the equality objectives prior to their publication as part of the Strategic Equality Plan.

## **Financial Appraisal**

24. The equality objectives as included in the Strategic Equality Plan, will be met by those actions already identified in existing strategies/plans, or those due to be developed, as well as by a small number of new actions newly identified to address the impacts of the coronavirus pandemic, the BLM movement and other instances of identified race inequality.

## **Integrated Impact Assessment**

25. An impact assessment was undertaken in relation to the equality objectives which assisted the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016.
26. The impact assessment that accompanied the Strategic Equality Plan remains extant and is at **Appendix 3**.

## **Valleys Communities Impact:**

27. The actions will contribute to projects supporting the valley communities.

## **Workforce Impact**

28. Staff have been involved in the development of the newly identified actions, some of which will affect them directly, and it is anticipated that this participation will continue.

## **Legal Impact**

29. The actions have been developed to meet the requirements of the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011.

## **Risk Management**

30. We have a legal duty under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 to develop actions to meet the equality objectives and publish these, alongside other information, in a Strategic Equality Plan. Failure to do so could lead to a compliance notice from the Equality and Human Rights Commission, an independent statutory agency which was established under the Equality Act 2006.

### **Crime and Disorder Impact**

31. The Council has a legal duty under Section 17 of the Crime and Disorder Act 1998 to carry out all its various functions with “due regard to the need to prevent Crime and Disorder in its area”.
32. The actions contain specific proposals to prevent and address hate crime and domestic abuse thereby assisting us in discharging the crime and disorder duty.

### **Violence Against Women, Domestic Abuse and Sexual Violence Impacts**

33. The Council has a legal duty under Section 2(1) of the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 when exercising relevant functions to ‘have regard (along with all other relevant matters) to the need to remove or minimise any factors which:
  - (a) increase the risk of violence against women and girls, or
  - (b) exacerbate the impact of such violence on victims.’
34. The actions contain specific proposals to prevent and address domestic abuse thereby assisting us in discharging this duty.

### **Consultation**

35. This item has not been subject to external consultation, although a period of public consultation was undertaken as part of the development of the Strategic Equality Plan between the 16 January and 20 February 2020. In addition, local equality groups, as represented on the Council’s Equality and Community Cohesion Group have been involved in the development of these actions.

### **Recommendations**

36. It is recommended that Council adopt the actions developed to meet the equality objectives and authorise the Head of Human and Organisational Development to publish the actions as part of the Strategic Equality Plan.

### **Reason for Proposed Decision**

37. To meet the statutory requirements set out in the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011.

### **Implementation of Decision**

38. The decision is for immediate implementation.

## Appendices

39. Appendix 1 – Strategic Equality Plan 2020-2024
40. Appendix 2 – Actions to meet the Equality Objectives
41. Appendix 3 – Integrated Impact Assessment

## List of Background Papers

42. [Equality Act 2010](#)
43. [Equality Act 2010 \(Statutory Duties\) \(Wales\) Regulations 2011](#)
44. Draft Equality Objectives and Actions – Background documents:
  - [Is Wales Fairer?](#) – Equality and Human Rights Commission
  - [Healthy Relationships for Stronger Communities Strategy](#) (currently being revised)
  - [Chwarae Teg Fair Play Employer Scheme - Action Plan](#)
  - Neath Port Talbot Poverty Symposium Report
  - Community Cohesion Survey
  - [Time to Change Wales Campaign Employer Pledge](#)
  - [Smart and Connected - A Revised Digital Strategy](#)
  - Community Profile - NPT BME Community Association
  - [Making Wales the best place in the world to grow older - Older People's Commissioner](#)
  - Council's Website Audit
  - Equality, Local Government and Communities Committee:
    - [16 June 2020](#)
    - [30 June 2020](#)
  - [BAME Covid-19 Advisory Group - Report of the Socioeconomic Subgroup](#)
  - Black Lives Matter Conversation – feedback from event on 21 September 2020

## Officer Contact

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