

**Tonbridge & Malling Borough Council**

**Race Equality Scheme**

**April 2008 – March 2011**

**1 Introduction**

In 2001, the Race Relations Act (2000) was amended and gave public authorities a new statutory duty to promote race equality. The aim was to help public authorities to provide fair and accessible services, and to improve equal opportunities in employment. In outline the Race Relations Amendment Act places a General Duty on the Borough Council to:

- eliminate unlawful racial discrimination
- promote equality of opportunity and
- promote good relations between people of different racial groups.

In addition to this General Duty the Act also places a Specific Duty on the Borough Council to publish a Race Equality Scheme that;

- identifies the functions and policies that are relevant to race equality
- says how we are going to assess and consult on the impact of our policies
- indicates our arrangements for monitoring our policies for any adverse impact on the promotion of race equality
- specifies how the results of assessments, consultation and monitoring to identify any adverse impact on race equality will be published
- gives details of our arrangements for ensuring that the public has access to information and services
- describes arrangements for training staff in their duty to promote race equality.

In addition we are required to have in place arrangements for meeting employment duties under the Act, including:

- collecting and monitoring information on staff, job applicants, training and grievance and disciplinary procedures
- analysing data to remove patterns of inequality
- taking action to remove barriers and promote equality of opportunity
- publishing the results of monitoring each year.

## 2 Ethnicity in Tonbridge and Malling

The 2001 Census identified that within the borough there are relatively few people from ethnic minority groups. Over 98% of all residents are described as White British, White Irish or White Other. Of a total resident population (107,561) 103,400 are within the ethnic group White – British. Of all other ethnic groups the largest identified ethnic group is White - Other (1,876).

Ethnic Group	Percentage	Population
White – British	95.89	103,142
White – Irish	0.65	696
White – Other	1.74	1876
Mixed – White & Black Caribbean	0.18	194
Mixed – White & Black African	0.06	63
Mixed – White & Asian	0.31	333
Mixed – Other	0.15	166
Asian – Indian	0.27	287
Asian – Pakistani	0.05	53
Asian – Bangladeshi	0.08	87
Asian – Other	0.10	112
Black – Caribbean	0.07	77
Black – African	0.04	47
Black – Other	0.02	23
Chinese	0.20	220
Other Ethnic Group	0.17	185

The 2001 Census did not identify a separate ethnicity heading for Gypsy and Traveller residents, it is anticipated that the 2011 Census will make such provision.

Our latest available estimated household data for the Gypsy and Traveller ethnic group is from a jointly commissioned local authority report “*Gypsy and Traveller Accommodation Assessment -2005*”

Gypsy and Traveller households - on authorised sites	23
Gypsy and Traveller households - on un-authorised sites	21

In addition to this above data we are mindful that since the accession of new Member states in Europe in 2004 and 2007 this data may not fully reflect current ethnic makeup within the borough. It may be that there are a variety of migrant workers living and working within the borough, perhaps some itinerant agricultural workers, others on a more settled basis. Whilst, obtaining data on these community members is difficult we will continue to liaise with the County Council Asylum & Migration Corporate Policy Unit in order to better understand the size and needs of this community.

## **Ethnicity within the Borough Council workforce**

In regard to our council workforce, (2007/08), we directly employ 457 staff, of which, 14 people are from an Ethnic Minority background (3.06%).

In regard to the top 5% of earners within the council, of our workforce top earners (31 employees), 1 person is from an ethnic minority background (3.23%).

### **3 Arrangements for assessing compliance with the Race Relations (Amendment) Act duties**

The Borough Council has established a Diversity Steering Group chaired by the Principal Administrator. The Group is comprised of senior representatives from each of the Borough Council's services and front line staff working in services which have been assessed as having high priority in terms of diversity issues. The Steering Group researches good practice, monitors, and advises on the implementation of equality obligations.

The Steering Group is kept abreast of current best practice through continual research and through participation, as a member, of the "Kent Equalities Network" - a Kent-wide public sector professional group. As an active member of the Kent Equalities Network the Council benefits from sharing best practice and may receive advice from the "Network" as a "Critical Friend" when requested.

To monitor progress against the Race Equality Scheme Action Plan the Steering Group will report to the Management Team, Policy and Overview Committee, Cabinet and full Council at least once a year. Further to this report the Borough Council will prepare an annual review of progress and will publish this review on the website and in hard copy.

The Borough Council has produced an Action Plan setting out how it intends to address its duties within the terms of the Race Relations (Amendment) Act over the next three years. This Action Plan is included in section 11 of this Scheme.

#### **4 Assessing and consulting on proposed policies**

The following criteria are applied by the Diversity Steering Group when assessing the likely affects of policies:

- Is there evidence of higher or lower uptake or participation by different groups?
- Is there any evidence that different groups have different needs, experiences, issues or priorities in relation to a particular policy?
- Is there an opportunity to promote equality or good race relations by altering the policy?
- Have consultations with relevant groups, organisations or individuals indicated that particular policies, functions or duties create problems that are specific to them?

To help us establish the impact of a policy we will take the following into account as appropriate:

- existing research and statistics
- specially commissioned research
- consultation with individuals and special interest groups
- consultation with front-line staff that are part of the function which will be affected by the policy
- survey data.

#### **Consulting on the Race Equality Scheme 2008-11**

In establishing this Race Equality Scheme we have undertaken a consultation seeking the views of individuals and groups from an ethnic minority background, Unison, statutory bodies and the general public. Whilst we received few responses they were of sufficient quality whereby we have been able to adopt these comments and suggestions within this scheme to further strengthen our approach, notable comments received included the need to consider;

- a statement concerning ethnicity and migrant workers within the borough (Section 2)
- provision for external scrutiny (Section 3 and Action Plan, point 81)
- a statement concerning Access to Services (Section 8)

## **5 Assessment of the impact of policies and functions on the promotion of race equality**

The Diversity Steering Group has undertaken an “impact assessment” of all council policies and functions. A list of the roles and functions of the council is included in Annex A of this Scheme. Not all policies and functions have implications for race equality. The Borough Council has reached a view that the following policies and functions do have implications for race equality:

### ***Policies***

- The Corporate Performance Plan
- The Community Strategy
- The Community Safety Plan
- The Environmental Health & Housing Service Enforcement Policy
- The Housing Strategy / Housing Investment Programme
- The Leisure and Arts Strategy
- Prosecution Policy
- Anti-Fraud and Corruption Policy
- Customer Services Strategy
- Diversity Policy
- Race Equality Scheme
- Housing and Council Tax Administration Strategy
- The Local Development Framework
- All Personnel policies of the Council

### ***Functions***

- all housing and homelessness functions
- the processing of applications for Housing and Council Tax Benefit
- benefit fraud prevention
- the provision of grant aid
- the processing of applications for discretionary housing payments
- the processing of applications under the Planning Acts
- all forms of customer services and communication with the public
- all regulation, licensing and enforcement functions
- public health partnerships
- all leisure facilities/provision
- the Summer Playscheme and Activate programme
- representation on sports development groups and partnerships
- representation on community development groups and partnerships

Monitoring the uptake of our services by different racial groups helps us in evaluating our progress towards meeting the general duty of The Race Relations Amendment Act. The timetable for future monitoring is set out in the Action Plan in Section 11.

## 6 External Partnerships

We have a complex web of partnerships within which we play an active role. These cover areas such as crime, economic regeneration and health. In all of our partnership working with other public, private or voluntary organisations we take account of our general duty to promote race equality.

In 2004 we established a West Kent Compact. We are now looking to work more closely with a wide range of partners from across the whole county, particularly the Voluntary and Community Sector, through the Kent Partners Compact. The Kent Partners Compact will provide a single set of unified and agreed principals for voluntary, community and statutory partners for the commissioning of services, consultation and funding.

## 7 Procurement

We are required to ensure that public money is not spent on practices that lead to unlawful racial discrimination, but it is used instead to support and encourage equality of opportunity and good race relations. Providers, and potential providers of goods and services need to be aware of this legal duty, since it has implications for them.

The council enters into many contracts with service providers ranging from national companies to small local voluntary organisations. Our aim is to assess the potential contractor's attitude and approach to equal opportunities.

Within the lifetime of this Scheme we will again review the questions we ask potential contractors to assess their attitude and approach to equalities and undertake an analysis of our findings against current questions asked. The review will take account of advice and guidance produced by the Commission for Racial Equality / Equalities and Human Rights Commission on race equality and procurement in local government.

## 8 Access to information about the Council and its services

We recognise that some people may have difficulty in accessing information which we provide. These people may include those with English as an additional language. Whilst we acknowledge, in line with the Governments paper "***Guidance for Local Authorities on Translation of Publications***" that translation of publications is not always appropriate we are mindful that anyone requiring assistance should have a clear point of contact to offer assistance in the first instance. In such cases individuals or organisations should either telephone 01732 876008 or email: [corporate.communications@tmbc.gov.uk](mailto:corporate.communications@tmbc.gov.uk)

To check that individuals from different ethnic backgrounds have equality of access to our services we monitor a number of our key functions by ethnicity, this monitoring activity is shown within our Action Plan (Section 11).

## **9 Arrangements for training staff**

All staff should behave in a non-discriminatory way. This may involve training on race issues/cultural awareness for staff who have contact with our residents, customers in general and specifically Black and Minority Ethnic communities.

## **10 Review of the Race Equality Scheme**

In accordance with legislation we are required to review our list of functions, policies and proposed policies that are relevant to the general statutory duty within three years of initial publication of our scheme and every three years subsequently. To help us in doing this we will also review the progress made and the outcomes of our most recent Race Equality Scheme Action plan.

## **11 Race Equality Scheme - Action Plan**

We have produced an action plan which shows how each of the Borough Council's directorates will continue to contribute towards our general duties of eliminating unlawful racial discrimination, promoting equality of opportunity and promoting good relations between people of different racial groups.

This action plan (2008-2011) follows on from the action plan identified in the council's previous Race Equality Scheme covering the period April 2005 – March 2008. In the interest of continuity and transparency this current action plan begins at action point 81.

In deciding upon the actions included within this plan the Borough Council have consulted individuals and groups from a range of ethnic minority backgrounds, Unison, statutory bodies as appropriate our staff and the general public, (through our website). It is important to note that the attached plan is a living document, it is probable that further actions will be identified during the life of this scheme, if this is the case they will be added on an annual basis.

In addition to this action plan it is important to note that we will also work with partners where appropriate, to achieve the following priorities:

- Improve our interaction with and our awareness of, ethnic minority groups so that we can better understand the needs of our communities
- Promote involvement of identified ethnic minority communities in the delivery and development of this scheme
- Undertake Equality Impact Assessments of our policies and strategies prior to their renewal and publication.

### Race Equality Action Plan (2008/09 – 2010/11)

Ref	Lead Officer/ Service	Action	Target / Monitoring Information	Year Applicable			Completion Date
				08/09	09/10	10/11	
<b>Chief Executive</b>							
81	CE - Paul Fowler	Chair the corporate Diversity Officer Study Group	- Monitor progress in implementing the RES - Invite external scrutiny of our progress / actions - Scrutinise best practice in community cohesion (notably those with Beacon Status) and adopt any appropriate practices.	✓	✓	✓	Ongoing
82	CE - Paul Fowler (OSG)	Attend meetings of representative organisations and groups.	- Kent Equalities Network - Minority Ethnic Consultative Forum - West Kent Minority Ethnic Advisory Group Meetings.	✓	✓	✓	Ongoing
83	CE - Paul Fowler (OSG)	Review and enhance Race Equality matters within corporate strategies and reports	- Check that all relevant strategy documents comply with equalities legislation - Increase awareness of the "Policy" functionality within report templates	✓ ✓	✓	✓	Ongoing  March 2009
84	CE - Julie Beilby (All directors)	Investigate all complaints/reports of a racial incident concerning the authority or an employee of the authority.	Zero justified complaints.	✓	✓	✓	Annual report



### Race Equality Action Plan (2008/09 – 2010/11)

Ref	Lead Officer/ Service	Action	Target / Monitoring Information	Year Applicable			Completion Date
				08/09	09/10	10/11	
85	CE – Linda Moreau (All directors)	Review Corporate Publications and service publications / website to include culturally diverse images / information where appropriate.	- Corporate Communications Strategy - Publications (services to monitor / update) - website (services to monitor / update)	✓	✓	✓	Ongoing
86	CE - Mark Raymond	Update the Community Strategy having regard to any emerging ethnicity issues		✓	✓		
87	CE – Mark Raymond	Review the criteria for community grants in light of all Equality Policies and Schemes	Ensure that all grant recipients comply with the Councils Equality Policies		✓		June 2009
88	CE – Mark Raymond	Update the Councils guide on “Consulting with Hard to Reach Groups”	Publication of guide	✓			March 2009
89	CE – Mark Raymond	Monitor and promote the use of the “Racial Incident” reporting Line.	Promotion; internally, externally using council website, Here and Now and at Community Events	✓	✓	✓	Ongoing

### Race Equality Action Plan (2008/09 – 2010/11)

Ref	Lead Officer/ Service	Action	Target / Monitoring Information	Year Applicable			Completion Date
				08/09	09/10	10/11	
90	CE - Paul Fowler	Consider progress made in implementing the Race Equality Scheme;	Report to Management Team to include publication of; - monitoring data of staff and employment practice - monitoring impact assessments and consultation activity - monitoring progress made / outcomes of the action plan - clearly identifying the Race – How we are setting and working towards equality outcomes / targets	✓	✓	✓	Annual report
91	CE - Paul Fowler	Review the list of council functions and policies relevant to the Race Equality Scheme				✓	January 2011
92	CE - Paul Fowler	Undertake appropriate internal and external consultation on draft Race Equality Scheme				✓	January 2011

Ref	Lead Officer/ Service	Action	Target / Monitoring Information	Year Applicable			Completion Date
				08/09	09/10	10/11	
<b>Central Services</b>							
93	CSD – Delia Gordon (Personnel)	Report and review the outcomes of ethnic monitoring of staff and applicants for posts, to Management Team and Members.	Report to Management Team in May & October, Report to Members in August.	✓ ✓	✓ ✓	✓ ✓	Annual
94	CSD – Bruce Hill (Personnel)	Utilise the Staff Survey to probe staff perceptions of the treatment of ethnic minority residents and customers.	Report to Diversity OSG	✓			July / August 2008
95	CSD – Bruce Hill (All directors)	Address any issues of ethnic minority inequality arising from the staff survey	Report to Diversity OSG		✓	✓	Annual
96	CSD – Bruce Hill (IDU)	Consider race equality issues within the context of Performance Reviews, implement identified improvements.		✓	✓	✓	Ongoing
97	CD – Delia Gordon	Review the use and marketing of Language Line	Annual report to Diversity OSG	✓			March 2009
98	CSD – Richard Jefferys	Diversity OSG to consider the questions asked of contractors / Statement within procurement strategy and tender documentation	Annual report to Diversity OSG		✓		March 2010
99	CSD – Richard Jefferys	Review the equalities issues arising from the implementation of the Councils Procurement Strategy	Annual report to Diversity OSG to review; - Response to standard questionnaire to those returning tenders	✓	✓	✓	Annual

Ref	Lead Officer/ Service	Action	Target / Monitoring Information	Year Applicable			Completion Date
				08/09	09/10	10/11	
<b>Environmental Health and Housing Services</b>							
100	DHH – Lawrence Dey (Housing)	Review the outcomes of ethnic minority monitoring of applications for House Renovation Grants, Disabled Facilities Grants and Housing Advice.	Annual report to Diversity OSG	✓	✓	✓	March 2011
101	DHH – Lawrence Dey (Housing) (All directors)	Implement, Housing and other actions, arising from the Gypsy and Traveller Housing Needs Survey.	Action Plan checklist to be considered and implemented	✓	✓	✓	March 2011
102	DHH – Lawrence Dey (Housing)	Consider and take forward, as appropriate, the BME recommendations contained in the Strategic Housing Market Assessment (sub regional) Study.	2008/09 Adopt and assess 2009-11 Implement	✓	✓	✓	July 2008
103	DHH – Phil Beddoes (Environmental Health)	Consider any specific Health Issues for ethnic minorities arising from joint working with health partners.	Healthy Living OSG to consider ongoing issues	✓	✓	✓	Ongoing

Ref	Lead Officer/ Service	Action	Target / Monitoring Information	Year Applicable			Completion Date
				08/09	09/10	10/11	
<b>Planning, Transportation and Leisure Services</b>							
104	DPTL / Lindsay Pearson (Planning)	Review the outcomes of the monitoring of the "success rates" of ethnic minority applicants for planning permission.	Annual report to Diversity OSG	✓	✓	✓	Annual
105	DPTL / Robert Styles (Leisure)	Review the outcomes of the monitoring of the level of ethnic minority applicants for the Leisure Pass scheme.	Annual report to Diversity OSG	✓	✓	✓	Annual
106	DPTL / Robert Styles (Leisure)	Review the level of ethnic minority participation in the Summer Playscheme and Activate.	Annual report to Diversity OSG	✓	✓	✓	Annual
107	DPTL / Robert Styles (Leisure)	Review the satisfaction levels, as expressed in customer surveys, of ethnic minority participants at council run, Indoor and Outdoor, sports and leisure facilities and implement appropriate improvements identified.	Angel Centre Tonbridge Swimming Pool Larkfield Leisure Centre Playscheme (Parents) Activate (Parents) Tonbridge Castle Grounds	✓ ✓ ✓ ✓ ✓ ✓	   ✓ ✓	✓ ✓ ✓ ✓ ✓	Annual / Bi-annual

Ref	Lead Officer/ Service	Action	Target / Monitoring Information	Year Applicable			Completion Date
				08/09	09/10	10/11	
<b>Financial Services</b>							
108	DoF / Paul Griffin (Benefits)	Review the outcomes of the monitoring of the “success rates” of ethnic minority applicants for Housing and Council Tax Benefit	Annual report to Diversity OSG	✓	✓	✓	Annual
109	DoF / Paul Griffin (Benefits)	Review the satisfaction of ethnic minority applicants for Housing and Council Tax Benefit (Linked to “People and Places Survey”)	Annual report to Diversity OSG				To be confirmed

## **Annex A**

### **The Borough Council – a summary of our role and functions**

The Borough Council performs six principal roles within its local area:

- the direct provision of a number of services and facilities,
- the promotion of the arts, tourism, community and economic development,
- the regulation and licensing of certain activities including planning control, alcohol and entertainments, environmental health, housing, building regulations, and public safety,
- a client management role in respect of certain activities such as waste collection,
- a representative role on certain partnerships including the Community Safety Partnership,
- a consultative role in respect of the activities of other bodies and agencies.

In the performance of the above roles the Borough Council carries out functions in the following areas:

- the provision of facilities for recreational, social and cultural activities including leisure centres, parks, open spaces, a golf course, sports grounds, play grounds and places for community events,
- the provision of a cemetery,
- street cleansing, refuse collection, recycling and public conveniences,
- the administration and regulation of certain matters relating to the environment, public health and public safety including building control, food safety, dangerous buildings, air pollution, noise pollution, dog control, forward planning, conservation and listed buildings, land charges searches, and health & safety,
- the administration and regulation of social housing, private sector housing, homelessness and housing advice, renovation grants, energy efficiency advice, and a home improvements agency,
- the administration and regulation of Council Tax, Business Rates, Housing & Council Tax Benefits, Benefit fraud prevention and elected Members' allowances,
- the management of car parks,
- the development of projects in respect of traffic management and calming, environmental enhancements, and CCTV development,
- the provision of grant aid to support sports and the arts, community development and the promotion of economic development,
- the licensing and regulation of taxis and mini cabs, street trading, alcohol and places of entertainment, and societies lotteries.