

Race Relations Act
**Bury Metropolitan
Borough Council**

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Introduction and background

The Race Relations Amendment Act 2000 places all Councils under a new statutory duty to make the promotion of racial equality and diversity central to all their work. The Home Secretary issued orders under the Act which placed authorities under a specific duty to prepare and publish a Race Equality Scheme by 31 May 2002.

Bury MBC (the Council) were unable to produce a Race Equality Scheme (RES) by the statutory deadline but were able to produce one in the form of a draft strategy and action plan by the re-negotiated deadline of December 2002.

Our review looked at the Council's published Race Equality Scheme using the following methodology:

- commitment – the level of ownership, resources and the explicitness of equality aims and objectives
- involvement of users – information about and the engagement of users and potential users
- mainstreaming – links between service development and delivery and information gathered from consultation
- performance monitoring – the capacity to breakdown monitoring information and make robust projections of future trends
- sustainability – future plans and development, partnerships.

Conclusions

The Council has expressed a clear commitment to the promotion of race equality but, has not yet allocated resources to ensure delivery and implementation of that commitment and progress has been limited.

The Council has acknowledged that it has a significant information gap which means that it is currently unable to establish corporate baseline information about service users' take-up and satisfaction levels. Plans under the RES are in place to set up measuring and monitoring processes and to develop consultation arrangements.

The Race Relations Amendment Act (RRAA) sets out specific as well as general requirements of an RES. Some of the specific requirements relate to employment and human resource issues. The Council's employment action plan does not comply with the specific requirements of the RRAA.

Issues for further consideration

The review has highlighted a number of key issues for the Council to consider further:

- focus on early and immediate impact in priority areas with dedicated resources to achieve these goals
- show how the Council will work in partnership to bring about improvements
- make explicit how the Council intends to engage with and empower the local communities to enhance consultation and service delivery
- engage all staff in the RES and demonstrate how they can contribute to its implementation.

The way forward

This report has been discussed with key officers and presented to the Board. We understand that arrangements are being made to address the issues raised in this report as part of the authority's service planning framework. We will follow up progress in this area in around 12 months.

Status of our reports to the Council

Our reports are prepared in the context of the Statement of Responsibilities of Auditors and Audited Bodies issued by the Audit Commission. Reports are prepared by appointed auditors and addressed to non-Executive Directors/Members or officers. They are prepared for the sole use of the audited body, and no responsibility is taken by auditors to any Director/Member or officer in their individual capacity, or to any third party.

Summary of findings

Commitment

1. Management Board responsibility for race equality rest with the Chief Executive and the Assistant Chief Executive who also chairs the Race Equality Working Group. For the elected Members there is joint responsibility for race equality between two portfolios, Regeneration and Housing and Community Services which has been allocated responsibility for improving the bottom quartile priority PI for racial harassment. Two of the Scrutiny Commissions currently have Race Relation Act/Race Equality Reviews on their work programmes – Learning Communities and Economy, Environment and Transport. Members have recently been provided with a matrix which clarifies corporate responsibilities and corporate leads. The Council has recently bid for Community Cohesion Pathfinder Status.
2. Race Equality resources are limited and consist of:
 - the Community Safety Manager who has a role as the authorities Race Equality Advisor
 - the Race Equality Working Group. Established in summer 2001 the group was formed from senior representatives from service departments plus representatives from the trade unions and the finance function. The Group is chaired by the ACEX and reports to Management Board
 - translation and interpreting service – two full time staff.
3. The Council has a Corporate Race Equality Policy that was developed by the Race Equality Group. The Policy has eight general elements relating to equality:
 - policy and planning
 - service delivery
 - community development
 - employment – recruitment and selection
 - employment – developing and retaining staff
 - marketing
 - racial harassment
 - monitoring and review of policy.

4. The Council's comparative performance on a range of race equality Corporate Health BVPIs indicates that there has been limited progress in addressing race equality issues. This calculation and the table of graphs in Appendix 1 do not include the new BVPI on percentage senior managers from the BME population as comparative information is not yet available. The Council expects to perform reasonably well on this BVPI.

TABLE 1 CORPORATE HEALTH/RACE EQUALITY BVPIS 2001/2002 – GREATER MANCHESTER AUTHORITIES

Authority	BVPI 2 CRE level	BVPI 17a % staff	BVPI 17b % population	BVPI 164 CRE Housing	BVPI 174 racial incidents	BVPI 174 % action taken
1	3	2.8	8	Yes	76	100
Bury	1	1	2.7	No	50	54
3	2	8.2	15.5	Yes	120	94
4	2	3.1	6.5	Yes	n/a	n/a
5	3	3.9	3.9	Yes	548	100
6	1	1	2.2	No	24	68
7	2	0.9	2.4	Yes	3	89
8	2	2.3	4	n/a	81	100
9	0	0.5	5.4	Yes	n/a	n/a
10	1	0.4	0.3	Yes	39	100

Source: ODPM

5. Neither the Race Equality Scheme nor the Corporate Race Equality Policy include any specific aims and targets for improvement or priorities for improvement e.g. increased employment of BME staff by target date. This is despite the draft corporate plan 2003/2008 having a target:

Level 5 of the Equality Standard for local government achieved by 2007.

Involving users

6. Senior Officers see the lack of information about and engagement with service users as a major gap. Some monitoring of use of service and customer satisfaction levels is done by some directorates eg education and social services, but there is not a robust corporate approach. This is acknowledged in the Race Equality Scheme where there is a clear action point on the need to develop an information base to support the implementation of the RES.
7. The RES action plan allocates Priority 6 'making sure the public have access to council information and services' through the Race Equality Advisor by monitoring usage of the translation service and to departments to monitor accessibility to services through increased use of services and customer satisfaction levels. It is questionable whether this suggested action would address the problem of lack of information about service users. Monitoring the translation service is not a substitute for ensuring that service information is available in the appropriate languages. Furthermore, use of the translation service is not an appropriate measure for public access. The issue of access to information was picked up by the recent rent service inspection. Plans are now in place to use Language Line and to develop a communication protocol.

Mainstreaming equality and diversity

8. As mentioned above, the Council's Draft Race Equality Scheme was finalised in December 2002. The Council missed the initial deadline of May 2002 because of resourcing issues. The Council kept the CRE informed of its situation and agreed an extended deadline.
9. In developing the RES the Council consulted with the LSP but was unable to undertake the wider consultation with stakeholders that was a requirement of the RRAA. A corporate action plan has been developed and is part of the RES documentation. At the timing of writing, it was unclear how information from consultation would be fed into the SDDP process.
10. As well as general duties, the Race Relations Amendment Act (RRAA) places specific duties on an organisation in relation to monitoring human resources by racial groupings. The Personnel department's action plan sets out details for monitoring:
 - recruitment and retention
 - employee relations
 - occupational Health
 - health and safety.
11. It is not clear how these arrangements comply with the RRAA's specific requirements for monitoring performance appraisals and training.
12. The Council is currently undertaking a fundamental review of its service planning process and introducing Service Delivery and Development Plans (SDDPs). As part of the Race Equality Scheme (RES), race equality will be built into the SDDP process and the Deputy Chief Executive is considering the development of guidance on corporate issues for officers. SDDPs are starting to be produced. The first one will be the Chief Executive's section which will go to Management Board on 3 March 2003. The ACEX is tasked with quality reviewing these documents.

Monitoring performance data

13. As previously detailed, the Council is currently unable to produce monitoring information on service users. The lack of information is highlighted within the RES which requires services to set up monitoring systems. Monitoring will be done through the corporate performance management system that is currently being implemented and will be reported to Performance Management Scrutiny Panel.
14. The Council's priority performance PI monitoring process for bottom quartile PIs includes BV175 – percentage of racial incidents resulting in further action.
15. A paper has been produced by Central Policy Unit on arrangements and plans for use of the 2001 census data.

Sustainability

16. The Council's self awareness of its relative strengths and weakness around race equality and diversity are limited. It does not have a comparative group or link good practice authority for race equality issues and does not benchmark its policies or levels of service access either internally within the Council or externally with other authorities.
17. Some of the future plans and targets set out in departmental action plans have not been achieved eg housing's departmental action plan details a target of achievement of the CRE Code of Practice in Rented Housing by June 2002. This has not been achieved and was also raised in the recent rent collection inspection.
18. The RES details links with the LSP and the Race Equality Council and lists examples of consultation carried out with minority groups. It does not, however, mention how the Council could build capacity and sustainability through working with other local public sector groups and agencies to identify priorities and bring about service improvements. This is particularly stark as the RES details the Council's Core Values, one of which is partnership and co-operation.

Race Relations Amendment Act – graphs



