

Key messages

The impact of the race equality duty on council services



Prepared for the Accounts Commission
November 2008



Key messages

Introduction

1. Scotland's population is increasingly diverse. Over 100,000 people from a minority ethnic background make up around two percent of the total population, and the rate of population change has increased in recent years due to migration from Eastern Europe. There is an increasing number of small minority ethnic groups. Not all councils are facing the same issues. The challenge for councils is to plan and deliver services which meet the needs of their increasingly diverse communities.

2. Councils have a duty under the race equality legislation to eliminate racial discrimination, and to promote equal opportunities and good race relations. Since 2004, our Best Value audits have found that councils are involved in significant amounts of corporate activity, but there is little evidence of the impact of this on minority ethnic communities.

3. This study examined the impact of the race equality duty by asking:

- What is the effect on services, and on service users from minority ethnic communities?
- What factors affect how councils manage race equality?
- Do councils have effective arrangements for delivering on their race equality duty?

4. We surveyed, sought good practice examples and reviewed documentation from all 32 councils. We also carried out more detailed audit work at five councils where we interviewed councillors and officers. We held 28 focus groups with 203 people from various minority ethnic communities to hear their views on council services and how they have been consulted about them.

5. To ensure our work had a clear service focus, we looked at a service available to all sections of the community, libraries, and a service that covers regulatory functions that residents and others are required to use in certain circumstances, planning.

6. Overall, we found that while councils have developed policies on race equality and many have taken a range of initiatives, the duty has not yet had a significant impact on the delivery of services or on people from minority ethnic communities.

7. We conclude that councils need to build a better understanding of the needs of their minority ethnic communities; mainstream their approach to race equality; and give more priority to race equality in delivering services.

8. Six key messages support this conclusion:

- Despite considerable corporate activity and initiatives, councils have limited evidence of the impact of the race equality duty on service delivery.
- Minority ethnic communities say there is scope for councils to make more impact in applying the race equality duty.
- Councils find the race equality duty challenging and have so far focused on compliance, policies and processes.
- Councils do not consistently prioritise and report on race equality, or provide sufficient training for councillors and staff.
- Councils lack full and robust information about minority ethnic communities and their needs.

- Councils can build on their achievements to date and make more impact through best value processes and with support from national organisations.

Key messages

1 Despite considerable corporate activity and initiatives, councils have limited evidence of the impact of the race equality duty on service delivery.

9. Our audit work showed that councils lack a systematic approach to planning, monitoring and measuring the impact they have on minority ethnic communities. They find it difficult to demonstrate the achievement of successful outcomes that meet the needs of local communities and improve their experience of using council services.

10. Our survey of councils tells us that they have made slow progress in carrying out the race equality impact assessments that the statutory duty requires; only 15 per cent of those planned for 2006/07 were carried out, rising to 40 per cent in the eight months between April and November 2007. The number of assessments carried out varied widely, they were of variable quality and were not well linked to service improvements.

11. There are many initiatives aimed at meeting the needs of diverse communities, for example, where information is available in different languages on how to use computers located in libraries. We found instances where some services had taken steps to make links with other parts of the council to improve support for minority ethnic communities. Initiatives tend to be stimulated by efforts within services rather than by the effective application of corporate policy by senior management.

2 Minority ethnic communities say there is scope for councils to make more impact in applying the race equality duty.

12. People from minority ethnic communities that we spoke to were aware of the role of councils and the main services they provide.

13. Local initiatives – such as the provision of interpretation and translation facilities and stocking library books in a range of languages – appear to satisfy service users.

14. However, there were generally low levels of satisfaction with how well councils understand the needs of minority ethnic residents and a perception that councils could achieve greater impact if they were more aware of those needs.

15. The groups we spoke to thought councils were more likely to achieve a better impact through more effective communication and discussion. They indicated that councils need to do more to understand how initiatives will affect different communities before those initiatives are introduced.

3 Councils find the race equality duty challenging and have so far focused on compliance, policies and processes.

16. Equalities legislation has evolved and covers a growing number of equality strands – including race, gender, disability, age, sexual orientation and religion/belief. Statutory guidance on Best Value sets out what should be done to achieve good outcomes for local communities and service users.

17. Councils told us they find it difficult to understand and manage the full range of their equalities obligations. They said they are in a difficult position due to a lack of national direction for how services should meet the race equality duty.

18. The race equality duty specifies organisational arrangements that councils should have in place and this has been the main focus for councils to date. However, these arrangements are not embedded in key processes such as service planning and performance reporting.

19. All councils had a race equality scheme which sets out how they intend to meet the duty. Seventeen had a stand-alone race equality scheme; 15 had or were working towards schemes combining race and other aspects of equality.

20. With a focus on policy development, there has been insufficient attention to securing positive outcomes for service users in minority ethnic communities.

4 Councils do not consistently prioritise and report on race equality, or provide sufficient training for councillors and staff.

21. Councils recognise that race equality is not well embedded in the culture of their organisations. Clear direction supported by outcome targets is lacking and political leaders and senior managers need to do more in influencing change and giving added emphasis at all levels across councils.

22. Councils typically rely on a lead equality officer to provide knowledge and support to services but without always recognising that successful outcomes depend on collective ownership of the race duty by staff at all levels. As a result, equality issues can be left to the lead officer and not seen as the responsibility of all staff.

23. Training and information can help councillors to tackle their leadership role in race equality. A quarter of councils had provided training to most councillors on the race equality duty.

24. Not all council staff have the skills, knowledge and understanding they need. Sixteen councils told us that most of their senior managers

have received training on equalities; fewer (12 councils) said that most of their front-line staff have had training. Where training has been provided, only one in four councils said they have information about its impact.

25. The weaknesses in the approach to training contribute to varied levels of understanding and buy-in among staff, with individual services and staff members taking their own approach. We found that many staff are willing but unclear about how to embed race equality in their daily work. There is a common view that the duty leads to additional bureaucracy, and this perception acts as a disincentive to meeting its aims.

26. Councils do not have good evidence of their performance on race equality. Performance information on race equality is limited. There is an emphasis on meeting statutory requirements – for example, producing progress reports against race equality schemes and employee monitoring reports. However, there is a lack of information on customer-focused outcomes and little evidence that councils' performance on race equality features in routine reports to councillors or the public.

5 Councils lack full and robust information about minority ethnic communities and their needs.

27. Councils do not have a clear understanding of the composition and needs of local minority ethnic communities, or of the inequalities that exist in their area and the scope for eliminating these.

28. Because of the lack of up-to-date national data and limited engagement locally, councils do not have routine access to good information on the changing ethnic composition of their communities. Particular problems arise in capturing data on recent economic migrants. Although councils are trying to fill data gaps by accessing national information and commissioning local research, they recognise they still face significant challenges.

29. Engaging with customers and communities should inform how services are structured, organised and delivered. However, while some activity is taking place, councils cannot systematically demonstrate how consultations with minority ethnic communities have influenced the design or delivery of services. In addition, consultation activity tends to be poorly coordinated between services.

6 Councils can build on their achievements to date and make more impact through best value processes and with support from national organisations.

30. Councils typically address race equality by adding it on to their management arrangements rather than fully mainstreaming the duty within day-to-day council activity. There is a gap between policy agreed at corporate level and its practical implementation by services.

31. There are competing pressures on resources and officer time in councils, but councils could do more to address race equality requirements.

32. Embedding race equality issues within mainstream processes would assist in addressing the weaknesses in current practice that our study has identified. Statutory guidance on Best Value, for example, emphasises the importance of councils consulting communities and being responsive to their needs. It also requires them to plan and manage their functions in a way that ensures council policies and goals are achieved at service delivery level.

33. Planned and co-ordinated activity with community planning partners on race equality is generally limited. There are some good examples of joint initiatives, but all public bodies are subject to the race equality duty and there are opportunities for greater shared working.

34. Progress by councils in response to our study report will be tracked through our audits of Best Value and Community Planning, and by our local audit teams in each council.

35. The institutional framework which councils look to for assistance in delivering on race equality is evolving. The Equality and Human Rights Commission (EHRC) has assumed the responsibilities of the former Commission for Racial Equality. It is responsible for promoting all aspects of equalities across the UK. As a relatively new organisation, it is becoming settled in its role and is starting to establish contact with councils.

36. Other organisations have important roles – the Scottish Government, the Improvement Service, the Convention of Scottish Local Authorities and the Society of Local Authority Chief Executives and Senior Managers. Councils told us they saw scope for the work of national organisations with a role in equality issues to be better coordinated.

37. Although our study focused on the race equality duty, the key issues we found are likely to apply to other aspects of equality, such as disability and gender.

Recommendations

Councils should:

- identify clear objectives and actions to improve the impact and outcomes of service delivery on minority ethnic communities
- adopt a more effective programme of race equality impact assessments that covers all service areas in a consistent manner, and ensure that results are properly implemented
- equip councillors to undertake their responsibility for race equality by providing them with regular training on the race equality duty and regular progress reports, including information about performance, outcomes and the monitoring of impacts by services

- deliver improved learning and development programmes for staff at all levels, to provide them with the information, skills, knowledge and understanding they require, and monitor the impact of this

- regularly publish information on minority ethnic communities, the inequalities they encounter and their needs – and use this information to improve services

- improve consultation and engagement with minority ethnic communities, to ensure a deeper understanding of their service needs and priorities

- make use of the guidance and good practice on Best Value to ensure that race equality schemes are integrated effectively in mainstream policy, management and services delivery processes

- work with partner agencies, including other councils and through community planning partnerships, to:

- share information, expertise and resources
- provide training and guidance for councillors and staff
- disseminate good practice.

Recommendations for other bodies:

- the Scottish Government, working with other key bodies, should ensure the availability of more up-to-date and useful social and demographic data on minority ethnic communities
- in consultation with councils and the Convention of Scottish Local Authorities, the Equality and Human Rights Commission should clarify its various roles in relation to councils, and its expectations of them.

- the Equality and Human Rights Commission and the Improvement Service should work with councils to develop guidance on the race equality duty, including equality impact assessments and the linking of community views to service delivery
- the Society of Local Authority Chief Executives and Senior Managers should develop its leadership role in the field of equalities and promote support for councils' equality officers
- bodies that govern professional standards and continuing professional development should ensure their members are equipped to play an active role in helping councils meet the race equality duty.

The impact of the race equality duty on council services

If you require this publication in an alternative format please contact us to discuss your needs.

You can also download this document at:
www.audit-scotland.gov.uk



Audit Scotland, 110 George Street, Edinburgh EH2 4LH
T: 0845 146 1010 F: 0845 146 1009
www.audit-scotland.gov.uk

ISBN 978 1 906752 16 3

Printed on Revive 100 Uncoated, a recycled grade, containing 100% post consumer waste and manufactured at a mill accredited with ISO 14001 environmental management standard. The pulp used in this product is bleached using an Elemental Chlorine Free process (ECF).