

REPORT TO: EQUALITY ACTION COMMITTEE – 8 MAY 2000

REPORT ON: STEPHEN LAWRENCE INQUIRY – IMPLICATIONS FOR LOCAL GOVERNMENT

REPORT BY: DIRECTOR OF NEIGHBOURHOOD RESOURCES AND DEVELOPMENT

REPORT NO: 315/2000

1.0 PURPOSE OF REPORT

1.1 The report outlines the key recommendations for local government arising out of the MacPherson report following the murder of Stephen Lawrence and requests approval for the recommendation.

2.0 RECOMMENDATION

2.1 It is recommended that the Race Issues Working Group should, as matter of priority, discuss the actions listed in the checklist produced in the Local Government Association's document, "Further Guidance for Local Authorities on the Stephen Lawrence Inquiry," with a view to:

- ❖ Evaluating current performance of racial equality
- ❖ Set targets for future performance
- ❖ Develop local performance indicators in partnership with voluntary and statutory agencies.

3.0 FINANCIAL IMPLICATIONS

3.1 It is anticipated that any costs arising from recommended action would be met from within existing budgets.

4.0 LOCAL AGENDA 21 IMPLICATIONS

4.1 The actions recommended relate to the key theme which acknowledges the right of all individuals to live free from personal violence.

5.0 EQUAL OPPORTUNITIES IMPLICATIONS

5.1 The Equality Theme most relevant to this report is Respect and Dignity. The recommendation will assist Council Departments to be more responsive to the needs of people who have been racially harassed.

6.0 BACKGROUND

6.1 In June 1999, the Local Government Association issued a report entitled, "Initial Guidance for Local Authorities Responding to the Lawrence Inquiry and Home Secretary's Action Plan". This summarised key recommendations from the Lawrence Inquiry as they relate to local government, and recommended the following actions:

- ❖ Produce a written commitment to racial equality.
- ❖ Mainstream racial equality principle into the Council's policy and practice.
- ❖ Provide efficient racial equality training
- ❖ Adopt and implement a procedure for dealing with complaints of racial discrimination and harassment
- ❖ Take steps to address the under-representation of black, Asian and ethnic minority people in the workforce.
- ❖ Publicise commitment to racial equality and valuing cultural diversity
- ❖ Evaluate progress.

6.2 Dundee City Council and its partner agencies have already taken many of the above steps on the Multi Agency Panel on Racial Harassment, which was established in October 1999. The Local Government Association has now issued further guidance on local authority responses to the Lawrence Inquiry, incorporating a comprehensive checklist (see Appendix) aimed at helping local authorities to evaluate the effectiveness of their policies and practices to promote racial equality. It is suggested that this checklist should be used as a basis from which to develop a set of performance indicators for the City Council and partner agencies from both the voluntary and statutory sectors.

6.3 This report recommends that the checklist should be as a matter of priority, discussed by the Race Issues Working Group with a view to

- ❖ Evaluating current performance on racial equality.
- ❖ Setting targets for future performance.
- ❖ Developing, in partnership with local public and voluntary agencies, a set of performance indicators on racial equality.

A report on this should be brought to a future meeting of the Committee.

7.0 CONSULTATION

7.1 The Chief Executive and the Directors of Personnel and Management Services, Social Work, Support Services, Finance, Housing, and Education have been consulted on the content of this Report.

8.0 BACKGROUND PAPERS

8.1 The following background paper, as defined by Section 50D of the Local Government (Scotland) Act 1973 was relied on to a material extent in preparing the above report.

“Further Guidance for Local Authorities on The Stephen Lawrence Inquiry,” by Judith Hunt and Sarah Palmer on behalf of the Local Government Association, the Employers’ Organisation and the Improvement and Development Agency.

Director, Neighbourhood Resources and Development

Date

3.3.2. The Lawrence Inquiry checklist

CORPORATE ISSUES

Addressing institutional racism and racist incidents

- 1 Has the council instigated a corporate and departmental review of its policies and the outcome of these policies and practices to examine levels of potential or actual racial discrimination, disadvantage and harassment?
- 2 Does the council/department have a policy and procedure for dealing with complaints of racial discrimination and harassment?
- 3 Has the council/department adopted the Lawrence Inquiry definition of a racist incident for reporting and recording racial incidents; and as a starting point for investigating cases of racial harassment and discrimination in employment and service delivery?
- 4 Does the council/department have an action plan to ensure that it provides an appropriate and professional service to black, Asian and ethnic minority people?
- 5 Does the council/department provide focused and consistent support for community and local initiatives to promote cultural diversity, address racism and prevent racial harassment?
- 6 Does the council/department have a multi-agency strategy and comprehensive system for the prevention, recording, sharing, response to, investigation and prosecution of racist incidents, harassment, attacks and complaints?
- 7 Does the council/department monitor the percentage of racial incidents that were the subject of subsequent action?
- 8 Does the council include statistics on racial harassment in crime audits?
- 9 Do members of the multi-agency panel receive adequate victim support training?
- 10 Does the council provide facilities to ensure that racial incidents can be reported 24 hours a day?
- 11 Does the council encourage black, Asian and ethnic minority community groups to prevent and record racist incidents and complaints and support the victims of racial harassment?

Best Value

- 12 Are race equality issues explicitly integrated into service delivery, Best Value planning and reviews?
- 13 Does the council have a formal mechanism for consulting black, Asian and ethnic minority community representatives?
- 14 Does the council monitor how often black, Asian and ethnic minority people are involved in: service planning, Best Value reviews, improvement exercises and resource allocation decisions in proportion to their representation in the local population?
- 15 Does the authority inform, consult and involve black, Asian and ethnic minority individuals, community groups, voluntary sector organisations and businesses in community planning, community-based initiatives and local programmes?

- 16 Are services monitored by ethnicity and evaluated annually to ensure that they are provided appropriately and accessed equally?
- 17 Does the council/department have guidelines for ensuring that effective and appropriate translation and interpreting facilities are provided?
- 18 Does each service area produce an analysis of what the service achieves for black, Asian and ethnic minority people as well as what it provides?
- 19 Is all key publicity about services published in community languages and appropriate media?

Customer satisfaction and complaints

- 20 Does the council monitor the percentage of black, Asian and ethnic minority citizens satisfied with the overall service provided by their authority?
- 21 Does the council monitor the percentage of black, Asian and ethnic minority citizens making complaints who are satisfied with the handling of those complaints?
- 22 Does the council's complaints policy include a specific reference to complaints of racist behaviour or attitude?
- 23 Is publicity regarding the council's complaints policy made available in accessible formats to all sections of the community?

Elected members

- 24 Do local political parties set targets for selecting a representative number of black, Asian and ethnic minority candidates to become members?
- 25 Do local political parties actively encourage black, Asian and ethnic minority people to become members?
- 26 Do local political parties cite skills and experience in promoting racial equality and cultural diversity as a quality sought in potential members?
- 27 Do nominations to the Police Authority attempt to reflect the ethnic diversity of the local community?

Community leadership

- 28 Has the authority adopted the CRE Leadership Challenge and encouraged its key local partners to sign up to it?
- 29 Does the authority have any arrangements for working with key local partners to promote cultural diversity?
- 30 Are all voluntary sector organisations receiving grant-aid from the council encouraged to mainstream racial equality and valuing diversity?
- 31 Does the council celebrate ethnic, cultural and religious diversity by displaying materials and holding events of particular interest to Black, Asian and ethnic minority people?

Community development

- 32 Has the council committed resources to support the capacity-building of black, Asian and ethnic minority voluntary sector community groups, organisations and businesses in proportion to their representation in the local community?
- 33 Does the council support initiatives and/or community and voluntary organisations aimed at promoting cultural diversity and addressing racism?
- 34 Are black, Asian and ethnic minority people and voluntary groups involved in community and area based initiatives such as employment, health and education zones and the New Deal for Communities?

Codes of conduct

- 35 Does the council's local code of conduct for members and for officers include a commitment to making racist language or behaviour a disciplinary matter?
- 36 Does the council's whistleblowing policy include measures to encourage the reporting of racist incidents and harassment?

Contracting

- 37 Are contractors delivering services on behalf of the council monitored regularly to ensure that the services they deliver reflect the council's race equality principles?
- 38 Does the authority have any plans to use the powers that local authorities are expected to get as a result of section 19 of the Local Government Act 1999 to encourage their contractors to comply with the Race Relations Act?

EMPLOYMENT ISSUES

Achieving a representative workforce

1. Does the council/department's application form include a section on ethnic monitoring which uses the six broad 2001 census categories as a minimum?
2. Are mechanisms for collecting comprehensive data (e.g. more than 75% of the workforce) on existing staff and applicants established?
3. Does the council/department monitor its workforce composition by ethnicity (for at least three grade bands and using the six broad 2001 census categories as a minimum) and report these statistics to a committee on an annual basis?
4. Does the council/department regularly monitor its recruitment and selection policies, procedures and outcomes to ensure that the process is free from racial discrimination?
5. Does the council/department have employment targets for the recruitment, progression and retention of black, Asian and ethnic minority staff (with a specific target for senior grades) which are analysed, monitored and reviewed annually?
6. Are targets set for all sections of the black, Asian and ethnic minority community?
7. Does the council/department have a pre-employment and/or positive action programme to achieve these targets in areas where black, Asian and ethnic minority people are currently under-represented?

8. Does the council/department include bilingual skills and knowledge of black, Asian and ethnic minority communities as part of the person specification in job descriptions where they are relevant, and use the Race Relations Act where appropriate?
9. Does the council/department organise campaigns targeted towards black, Asian and ethnic minority people to provide information about the range of jobs and careers available in the council in areas where they are under-represented?
10. Does the council/department organise recruitment fairs in appropriate locations such as community organisations, centres and schools?

Career development for black, Asian and ethnic minority staff

11. Does the council monitor development opportunities by ethnicity to ensure that black, Asian and ethnic minority employees are accessing and benefiting equally from training and development opportunities?
12. Does the council have positive action training and development initiatives where needed, to achieve a fully representative and capable workforce?
13. Does the council/department have a fast-track management development programme for black, Asian and ethnic minority employees?

Organisational development

14. Has the council reviewed all of its training and development opportunities to ensure that there is a consistent strategy to incorporate race equality and equal opportunities issues throughout the training provided?
15. Are all staff clear about their responsibilities in implementing the race equality policy?
16. Do job descriptions and performance appraisals of all managerial staff include racial equality competencies?
17. Has the council reviewed all of its management competencies to ensure that they refer to racial equality issues if appropriate?
18. Does the council/department make provisions for black, Asian and ethnic minority workers' support groups?

Racial equality training

19. Does the council have explicit objectives for race and equality training, which are linked to the aims of the authority or department?
20. Are black, Asian and ethnic minority people (e.g. staff, members, consultants and representatives of the local black, Asian and ethnic minority community) involved in designing, commissioning, tendering for or providing racial equality training?
21. How is this training evaluated?
22. Do managers and members receive mandatory training to prevent and challenge racial discrimination, harassment, prejudice and inappropriate behaviour?

23. Do members of staff who work with black, Asian and ethnic minority families receive mandatory training to ensure that: a) they are aware of the impact of racial harassment and discrimination on the lives of these families; b) they treat these clients appropriately, professionally, with respect and according to their needs? .

Employee relations

24. Has the council/department adopted the Lawrence Inquiry definition of a racist incident as a starting point for investigating cases of racial harassment and discrimination in its disciplinary or harassment procedure?
25. Does the council provide mandatory training to all managers and supervisors on this policy?
26. Does the council/department monitor grievance, disciplinary and harassment cases annually to identify and remove barriers to implementing racial equality, valuing cultural diversity and equal opportunities policies?
27. Does the authority investigate whether complaints of racial discrimination and/or harassment by staff are under-reported?
28. Does the council's disciplinary/racial harassment procedure include racist behaviour as an example of conduct which may result in dismissal without notice?

DEPARTMENTAL ISSUES

Education

1. Does the LEA make an annual assessment of black, Asian and ethnic minority pupil performance?
2. Do schools record the number of pupils permanently excluded during the year (primary and secondary) by ethnicity and gender?
3. Do schools have a strategy to reduce any over-representation of black, Asian and ethnic minority groups within these figures?
4. Does the LEA regularly review strategies adopted by schools to value cultural diversity, prevent racial incidents (including bullying) and deal effectively with those that occur?
5. Are teachers trained to deal with racist incidents?
6. Do schools monitor the number of reported racial incidents by ethnicity and religion?
7. Are all recorded incidents reported to the pupil's parents/guardians, school governors and the LEA?
8. Do schools record the percentage of racial incidents that were the subject of subsequent action?
9. Does the LEA monitor the percentage of black, Asian and ethnic minority children under five who are in education in relation to their proportion of the local population?
10. Does the youth service monitor the take-up of facilities by ethnic origin?
11. Has the council adopted the CRE Standard for Youth?

12. Are schools encouraged to monitor complaints by ethnicity and make regular reports to governing bodies and parents?
13. Is there an independent complaints arrangement with independent support offered to parents through advocacy?

Environmental services

1. Does the department have a policy to remove racist graffiti within 24 hours?
2. Does the department monitor and analyse the take-up of housing renovation grants by ethnicity?
3. Does the department provide training in community languages on food hygiene issues?
4. Do all staff receive training to be alert to potential racist motivation in matters such as neighbour disputes, planning applications, complaints, etc?

Finance department

1. Does the department monitor and evaluate the following by ethnicity: council tax, business rates and housing benefit?

Housing department

1. Does the department follow the CRE's Code of Practice in Rented Housing?
2. Does the department monitor the percentage of allocations to black, Asian and ethnic minority households by different categories of properties?
3. Does the department monitor the percentage of households seeking acceptance as homeless by ethnicity?
4. Does the department encourage tenants' and residents' organisations to implement an effective racial equality and equal opportunities policy?

Legal services

1. Does the department evaluate the effectiveness of legal action that it takes in response to racial harassment cases?

Leisure services and community development

1. Does the department monitor users of libraries, arts, museum and heritage, leisure and theatre amenities and people participating in events and festivals by ethnicity?
2. Is this information evaluated to identify the extent to which racism and perceived cultural barriers play a part in any low take-up of cultural and community services and facilities by black, Asian and ethnic minority people?
3. Does the department monitor the number of sessions, events and/or venues specifically targeted to meet the needs of black, Asian and ethnic minority people?
4. Does the department monitor its financial support for black, Asian and ethnic minority arts and theatre productions, community groups and youth projects?

Planning and the environment

1. Does the department monitor household planning applications by ethnicity?
2. Does the department monitor commercial planning applications by ethnicity?

Social services

1. Does the department recognise racial harassment as a child protection issue?
2. Does the department monitor, analyse and review the numbers of young black, Asian and ethnic minority people sectioned under the Mental Health Act 1983?
3. Does the department monitor, analyse and review the numbers of young black, Asian and ethnic minority people in the care of the youth justice system?
4. Does the department monitor, analyse and review the percentage of black, Asian and ethnic minority children being looked after by the local authority?
5. Does the department provide meals that meet cultural or religious requirements in proportion to the percentage of black, Asian and ethnic minority people in the local population?

/AHPH (Test)