

## Equality, Diversity and Inclusion – Annual Report

### Report of the Director Legal and Democratic Services

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Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.

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## 1) Recommendation

That the Committee be asked to:

- (a) Acknowledge achievements to date, in particular progress of the Race Equality Action Plan in responding to the Race Equality Audit carried out in 2020, and integration of race equality actions into a broader action plan.

## 2) Introduction

This report describes our work on equality, diversity and inclusion (EDI). It sets out our progress in meeting objectives, the launch of a new EDI action plan, key achievements in the past six months, and performance information for 2023/2024.

Corporate Infrastructure and Regulatory Services Scrutiny Committee receive progress reports on a six-monthly basis. Our [last report](#) was presented to the committee on 16 November 2023.

## 3) Progress

### a) Race Equality Action Plan

The Race Equality Audit was published in January 2022 and a Race Equality Action Plan was published in August 2022. The plan set out 80 actions under 16 objectives. In July 2023 we were delighted to be awarded Bronze Trailblazer status by Race Equality Matters for our work on anti-racism.

With the development of a new Equality, Diversity and Inclusion Action Plan we are closing the Race Equality Action Plan and transferring remaining actions to the new plan. This will enable us to take a more intersectional approach (aligning two or more protected characteristics). This does not mean our work on anti-racism will end or be ‘watered down’.

In March 2024, out of 80 actions, 55 (69%) were complete. 11 (14%) were in progress and will be carried forwards under the EDI Action Plan below. The remaining 14 (17%) will also be carried forwards.

Further information is available in the Race Equality Action Plan Closing Report which can be viewed at <https://www.devon.gov.uk/equality/our-commitment/anti-racism-framework/actions>.

## b) Equality, Diversity and Inclusion Action Plan

Following approval at Senior Leadership Team on 12<sup>th</sup> June, we have published a new EDI Action Plan. In developing this action plan, we:

- Reviewed our data and risks, and asked staff diversity networks and voluntary and community sector representatives about our opportunities, challenges and priorities for equality, diversity and inclusion. This is published on our website at [Challenges, Opportunities and Priorities 2023 - Equality, Diversity and Inclusion \(devon.gov.uk\)](#).
- Integrated remaining actions in our Race Equality Action Plan published in 2021 (marked with an [R]).
- Aligned to the People First workforce strategy.
- Considered our available resources and capacity, and what we could realistically achieve.

The plan has been open and in development since August 2023 and therefore some actions are marked complete to show that we have already responded to some of the recommendations raised under our review of the challenges, opportunities and priorities. The plan remains 'dynamic' and therefore actions may be added or amended, to respond to changing circumstances or information.

The action plan is structured under nine objectives:

1. Belonging (People First): To have an inclusive culture that celebrates diversity, where everyone can feel safe, well and able to be themselves. To grow and retain a workforce that feels it belongs and is supported to thrive.
2. Voice (People First): To create an effective ongoing dialogue between leaders and the wider workforce, to engage, listen to and gain clarity about what is important to them. We will feedback on what we have heard and deliver actions.
3. Recruitment (People First): To attract and retain an agile and flexible workforce with the knowledge, experience, and behaviours to make Devon the Best Place to live and work, to achieve our organisational priorities.
4. Learning (People First): To be an organisation that learns and is committed to developing its workforce through a variety of opportunities.
5. Reward (People First): Offer a reward package that is flexible, equitable, and transparent to provide benefits to our workforce, by connecting them to what they value.
6. Ensure accountability, financial resilience and efficiency, innovation and good decision making, through robust performance information and governance.
7. Increase opportunities for communities to achieve their potential.
8. Improve community safety, resilience, health, and wellbeing.
9. Improve community accessibility and connectivity.

For further information, please see EDI Action Plan (PDF) which can be viewed at <https://www.devon.gov.uk/equality/our-commitment/objectives-and-action-plan>.

In addition to setting out objectives to eliminate discrimination, advance equality and foster good relations, as required under the Equality Act 2010, all key decisions such as changes to services or policy, and new highways schemes, undergo an impact assessment. Our impact assessment process covers equality / social impacts, environmental and economic impacts. Impact assessments can be viewed as part of Cabinet reports or at [www.devon.gov.uk/impact](http://www.devon.gov.uk/impact).

### c) Notable achievements and activities 2023/2024 (Q3 and Q4)

Updating our priorities and action plan, as highlighted in the sections above, has been a significant focus for the last six months for our small EDI function. In addition, we would like to draw your attention to the following activities:

#### **Supporting staff who experience racism and other unacceptable behaviour in the workplace:**

Between July 2023 and April 2024, we ran a Wellbeing, Recovery and Resilience Programme for staff affected by racism. The programme included 6 online sessions and 3 in-person sessions (2 hours each). It also included 2 x 2 hour sessions for managers on how to support staff who experience racism in the workplace. 9 members of staff benefited from the programme, with an average of 7 people attending each session. 20 managers attended the manager sessions. The programme fostered an inclusive and supportive work environment at Devon County Council. Here are the key impacts and themes observed from anecdotal narratives from participants:

- Participants and line managers have reported increased awareness and sensitivity towards racial issues and the challenges faced by ethnically diverse colleagues.
- Participants feel more equipped to handle racial trauma and stress, contributing to improved overall wellbeing. The introduction of coping mechanisms and resilience-building techniques has empowered staff to manage their emotional health more effectively.
- The programme has fostered a sense of belonging and solidarity among participants.
- Cultural competency and Mental Health First Aid training recommended for managers.
- Targeted career development and advancement programmes for ethnically diverse staff.

100% of participants rated the programme 5 out of 5. For the managers session, 69% agreed fully that following the session they feel better equipped to respond to incidents of racism in the workplace and, 30% somewhat agreed.

Additionally, Managers have also been reminded of their duty of care to staff, to protect staff from facing harassment or unacceptable behaviour from clients or service users by raising awareness of the Unacceptable Customer Behaviour guidance. The guidance on Inside Devon includes preventative measures such as risk assessment and how to deal with a customer and support a member of staff in the event of an incident.

#### **Anti-racism briefings for schools:**

Members of the Migration and Resettlement Team (Communities) have been delivering anti-racism briefings to Devon Schools.

## Events:

When it comes to inclusion, there are many days, weeks and months to be aware of, but it can be difficult to keep track of them all. Following requests from staff for a calendar, colleagues can now stay up to date and be mindful of diverse holidays, events and celebrations. To support Devon County Council to become a more inclusive organisation and be mindful of dates of significance to colleagues and the community, staff and elected Members can now access an equality diversity inclusion calendar through MS Outlook. An article about the new calendar has been viewed 443 times.

Throughout the year, we organise celebrations and information sharing events to support enjoyable and engaging learning and development around EDI, and remind people of our commitments, legal and moral duties, and the needs and aspirations of groups who continue to be marginalised and disadvantaged in society.

EDI related articles posted on Viva Engage have been viewed c.2,500 times. Religious events and LGBT+ articles remain the lowest engagement with less than 100 views per article.

Feedback received directly from staff has increased significantly, with staff and managers regularly using shared resources for continuing professional development, team meetings and supervisions.

For Race Equality Week 2024, following on from success of the daily live events in 2023, the EDI team pre-recorded interviews with colleagues across directorates, including Integrated Adult Social Care and People and Culture. Articles were viewed over 2,000 times and ranked 13th out of 100 of the most popular articles viewed. Articles that ranked higher were those related to the Viv-Up employee benefits platform.

In October, we celebrated Black History Month by showcasing the contributions that Black Women have made to Devon and the southwest. We added our voice in celebration of the achievements of Black women and their diverse and profound impact on society by sharing stories, with our staff, from inspirational colleagues and influential Black women in Devon who contribute so much towards supporting our communities. The articles attracted significant attention, including the newsletter from Chief Executive Donna Manson which was viewed 488 times.

To celebrate National Staff Networks Day, the EDI team organised an online conference bringing together 44 delegates from race equality staff networks in North Somerset Council, Cornwall Council, Walsall Council, Wolverhampton City Council and West Midlands Combined Authority. The theme for 2024 was #RaiseTheBar. The event aimed to #RaiseTheBar in local authority leadership by uniting ethnically diverse staff networks to explore and implement best practice in challenging racism including creating a psychologically safe working environment, reporting unacceptable behaviour, and career progression for ethnically diverse staff. It acknowledged the achievements of our own Race Equality Staff Group and others. Feedback from delegates included: "Excellent, confidence building, feedback on our own strategies, approach to policy - new perspectives." "Collaboration with other LAs is important, especially when sharing best practice." "We need to invite middle management team to attend such conferences for their learning and

implementation.” “Well done, great event, thought provoking, inspirational and inspiring few hours.” People were asked to rate the event on a scale of 1-10, the average rating was 9.57.

In May, we celebrated Exeter Pride by raising the rainbow flag on the Topsham Road flagpole and participating in the Pride March in Exeter city centre.

We also contributed to Deaf Awareness Week with an interview with an elected Member and a Manager at DCC, sharing their experiences of being deaf and what steps individuals and organisations can take to be ‘deaf friendly’.

**Prayer and contemplation facilities for staff and visitors:**

On Tuesday 9 April 2024, the EDI team (EDI), members of our Senior Leadership Team, Devon Faith and Belief forum representatives, staff members of the Christian Union and Race Equality Staff Group, and elected Members (Vice Chair Cllr Slade, Cllr Croad, our Cabinet Member for Equality, and Cllr Gilbert) came together for the opening of the new prayer and contemplation room at County Hall.

Vice Chair Cllr Slade thanked the Race Equality Staff Group, the EDI team, the Estates Team and Devon Norse for their support in locating an appropriate space and coordinating the project. The opening was concluded by Jude Taylorson, Buddhist representative from Devon Faith and Belief Forum, leading the group in a prayer for peace. The Forum also kindly gifted the room with copies of their ‘universal prayers’ booklet for staff to use. We would also wish to thank our partners at Scomis, who donated the furniture from their offices at Great Moor House, Exeter.

The facility is available to staff, elected Members and visitors (for example, people attending Coroners’ Inquests). A room has also been allocated at Great Moor House and we are reviewing facilities at other locations. Further information about the facilities is available at [Contemplation and prayer facilities - Equality, Diversity and Inclusion \(devon.gov.uk\)](https://www.devon.gov.uk).

**4) Performance information**

a) Complaints and incident reports of unacceptable behaviour or discrimination

	Route	Number of reports or cases previous year (2022/2023)	Number of reports or cases 2023/24	Relating to and outcome
1	Reports via the Unacceptable Behaviour and Discrimination	39	19, of which 13 were reported by an advocate or witness.	Gender identity/Trans discrimination, bias or harassment <5. Unacceptable behaviour <5.

	Report Form – specific, from staff		6 were referred to HR for support. 6 were anonymous. 7 said their issue was resolved or being resolved.	Bullying <5. Disability discrimination, bias or harassment <5. Race discrimination, bias or harassment (racism): 8, of which 5 were from a service user/family.
2	Reports via the Unacceptable Behaviour and Discrimination Report Form – unspecific, from staff	Included above	25	
3	Reports via the Unacceptable Behaviour and Discrimination Report Form – customers / members of the public	9 (5 did not relate to DCC services)	4 (however these were not relevant to DCC services)	N/A
4	Reports via the Unacceptable Behaviour and Discrimination Report Form – abuse towards elected Members	5	0	
5	Requests for guidance from the HR Helpline	13	7 (inclusive of 6 identified in row 1)	Race, disability, age and sex discrimination. Advice was given in all cases. 2 were able to resolve their issues informally. The remaining were either not substantiated or decided not to take further action.
6	Grievances / Whistleblowing	4	3	Disability discrimination. Racism.  1 not substantiated, 2 remain in progress.
7	Disciplinarys	3	3 (2 arising from grievance/whistleblowing)	Racism.  2 substantiated. 1 not substantiated.

8	OSHENs (Health and Safety management system): reports of violence or aggression towards staff		134	<p>One case reported a sexist (patronising) attitude towards a female worker. No other cases were recorded as motivated by a protected characteristic such as racism or homophobia.</p> <p>Whilst a number of cases involve working with children and adults with challenging behaviour, 70 cases involved physical assault, damage to property, verbal abuse or threatening behaviour from members of the public. 48 of these reports were from Civil Enforcement Officers ('traffic wardens').</p>
9	Customer Complaints	26	34	<ul style="list-style-type: none"> <li>• Outcome of a social care assessment for adults or Blue Badge application (disability).</li> <li>• Racism.</li> <li>• Homophobia / sexual orientation discrimination.</li> <li>• 8 related to disability discrimination.</li> <li>• 11 related to SEN/ECHP provision (disability).</li> <li>• 5 were not relevant to equality/discrimination protected characteristics.</li> </ul> <p>2 resolved on receipt, 3 upheld, 4 partly upheld, 25 not upheld.</p>

## b) Workforce profile

We are currently trying to increase our completion rates for more accurate reporting. May 2024 completion rates for 'sensitive data' on iTrent were as follows:

- Disability - 42% (up 3% since last report, November 2023)
- Ethnicity - 67% (up by 2%)

- Nationality - 67% (up 2%)
- Religion/Belief - 49% (up 3%)
- Sexual orientation - 47% (up 4%).

(Figures rounded up/down)

### c) Service user profile

Service user diversity profiles are published at <https://www.devon.gov.uk/equality/guidance/equality-information/service-data>

Schools' data shows increasing ethnic diversity amongst our younger populations. Ethnically diverse people are under-represented in adult social care services.

### d) Equality, Diversity and Inclusion Training

The Equality Diversity and Inclusion (EDI) Essentials mandatory e-learning should be completed by the end of 2024 and within two years of a member of staff completing their previous EDI Essentials training. Some directorates have asked their staff to complete it sooner and new staff should complete it as part of their induction, within one month of starting.

1,154 individuals have completed the EDI training course within the first three months since it was launched. That's 21% of the workforce. The majority have said that the course meets or exceeds their expectations and 99% said they could apply what they learnt to the workplace.

At the end of the year (2024) the course will be reviewed, along with Additional Learning offers, to identify which elements have most impact and any future learning needs for the organisation. Our aim will be to create accessible, streamlined and engaging learning options that will be tailored around individual needs and aligned to corporate priorities and approaches to learning and development.

In addition to the mandatory EDI Essentials, colleagues can go on to complete additional e-learning if they would like to find out more about a particular topic. Completion rates between January 2023 and 15 May 2024 are as follows:

- Understanding Race Bias: 361
- Deaf Awareness: 100
- Neurodiversity: 48

An anti-racism leadership programme was delivered to senior managers in Integrated Adult Social Care (IASC) between May 2023 and March 2024 and was also delivered to the DCC Senior Leadership Team in January 2024. The training covered colonialism, individual and intergenerational trauma, and compassionate leadership. 68 senior managers from IASC and 15 senior managers from other parts of the organisation participated in the course.

All elected Members attended a session or received a briefing on a one-to-one basis on Members Briefing on the legal and moral duties (Race Equality), as recommended by the



Race Equality Audit. The session covered legal duties and community profiles as well leadership around anti-racism and community engagement.

## e) Staff Survey

On 10th June we launched our latest People Survey, to hear our staff and understand more about how it feels to work here, and act where we can to improve the working experience. The survey asks a variety of questions about experience of working at Devon County Council including questions relating to equality, diversity and inclusion.

## 5) Strategic Plan

Our work aligns with the vision and priorities in the Council's Strategic Plan 2021 – 2025 - <https://www.devon.gov.uk/strategic-plan>

- Tackle poverty and inequality (address poverty, health and other inequalities)

## 6) Financial Considerations

All activities are being delivered within available resources, including across service areas.

## 7) Legal Considerations

There are no specific legal considerations other than those relating to equality, detailed in Section 8.

## 8) Environmental Impact Considerations (Including Climate Change, Sustainability and Socio-economic)

Our work on EDI will not negatively affect environmental issues. There is potential for positive outcomes through improving access to environmentally sustainable alternatives.

## 9) Equality Considerations

The Equality Act 2010 Public Sector Equality Duty requires decision makers to give due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding

in relation to the protected characteristics (age, disability, gender reassignment, marriage and civil partnership (for employment), pregnancy and maternity,

race/ethnicity, religion or belief, sex and sexual orientation). This Council also treats care experience as if it were a protected characteristic.

A decision maker may also consider other relevant factors such as caring responsibilities, rural isolation or socio-economic disadvantage.

Under the Equality Act 2010 (Specific Duties) Regulations 2011, public authorities are required to:

- Publish information relating to protected characteristics of employees and people affected by its policies and practices at least annually.
- Publish one or more specific and measurable objective on how it will meet the General Duty to eliminate discrimination, advance equality and foster good relations. Objectives must be updated at least once every four years.
- Ensure information is published in a manner that is accessible to the public.

This report and its appendices intend to fulfil these duties.

## **10) Risk Management Considerations**

Risks related to EDI are monitored via our Risk Management System (SPOC 15 Failure to prevent discriminatory practice/adhere to the Equality Act 2010). Our assessed score and status on 15 November 2023 was: 12 – Medium.

Our new EDI action plan aims to reduce the risks of discrimination, and associated complaints, and ensure compliance with the Equality Act 2010.

The Equality and Human Rights Commission has legal powers to enforce compliance with the Act (including the Public Sector Equality Duties) and investigate organisations that fail to do so.

## **11) Conclusions**

An equitable, inclusive, and diverse society improves wellbeing - reducing dependence on costly health and care services. It creates a place where people want to live, learn, work and visit - increasing chances of social mobility, connectivity, productivity, innovation, and fulfilment for all. It builds respect and cohesion - increasing safety and reducing hostility, abuse, and crime.

Evidence from team-based diversity studies and research on workplace equality approaches (2013) suggests that diversity, if well managed, has the potential to lead to both internal and external business benefits; but if it is poorly managed (in either workplace or team settings) there is the potential for increased business costs. Therefore, the business benefits of increased diversity may only be secured when accompanied by appropriate policies and practices, including for instance appropriate training for those who lead teams. Source: The Business Case for Equality and Diversity: A survey of the academic literature (publishing.service.gov.uk)

More recently, Diversity Wins (McKinsey) published in May 2020 shows not only that the business case for diversity remains robust but also that the relationship between diversity on executive teams and the likelihood of financial outperformance has strengthened over time. It also shows that companies should pay much greater attention to inclusion, even when they are relatively diverse. Source: How diversity, equity, and inclusion (DE&I) matter | McKinsey.

The County Council remains committed to a programme of work around EDI and recognises the need to demonstrate the cost effectiveness and impact of its work.

**Maria Price**

Director of Legal and Democratic Services

**Electoral Divisions:** All

Cabinet Member for equality - Councillor Roger Croad.

**Local Government Act 1972: List of background papers**

Nil

**Contact for enquiries:**

EDI team

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