

The impact of the race equality duty on council services

Summary impact report (12 months)

The audit report findings and recommendations

1. The Accounts Commission performance audit report '*The impact of the race equality duty on council services*' was published on 13 November 2008.
2. The audit report found that while councils had developed policies on race equality and many had taken a range of initiatives, the race equality duty had not had a significant impact on the delivery of services or on people from minority ethnic communities. It concluded that councils needed 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.
3. The audit report made 13 recommendations: eight to help councils improve their performance; and five to a range of national bodies with a role to play in equalities, including the Scottish Government (SG) and the Equality and Human Rights Commission (EHRC).
4. This report distinguishes between initial and longer-term impacts, and also highlights a number of areas where ongoing impacts are anticipated.

Initial impacts

5. The initial interest in the report was strong across the media and in terms of downloads from our website, with over 30 articles in print media including Holyrood Magazine and a feature article in The Herald's Society section. The report was mentioned during Parliamentary business, for example in Parliamentary Questions, and during an evidence session at the Equal Opportunities Committee.
6. The audit report was well received in councils and there was a good response from national bodies. For example, in an open letter to the media, EHRC stated:

"The Commission believes the Audit Scotland analysis of barriers to progress, and how these can be overcome, is sound and presents some productive recommendations which local authorities and national bodies, such as the Commission, can act upon. Many of the lessons can be equally well applied to other areas of equality work such as disability and gender."

7. At the time of publication, the Convention of Scottish Local Authorities (COSLA) stated:

"This is a timely report which clearly shows progress by all councils in developing policies and processes on equality issues, including many examples of good practice. We are aware that there is more to be done – local government never rests on its laurels, and we are aware of the issues. In particular, as we move further into delivering on outcomes, we will need to be better at demonstrating the positive impact of services on communities. This is something that needs to happen across the whole of the public sector."

8. While it may not have been directly connected with the study report, SG published its 'Statement on race equality' in December 2008 and was asked to explain its position on equalities by the Parliament's Equal Opportunities Committee (as noted above), with reference to our audit report.

Longer-term impacts

9. We are not aware of further media articles linked directly to the audit report but know that between the publication date and 31 January 2010 the report and podcast were downloaded 2170 and 1108 times respectively. In January 2010, the Parliament's Equal Opportunities Committee took evidence in a roundtable discussion on the economic impact of migration and trafficking and we provided evidence drawn from the study report and its findings.

10. Towards the end of 2009 local auditors followed-up on progress in relation to the eight recommendations aimed at councils. Overall, good progress was made against these five recommendations:

- *Councils should identify clear objectives and actions to improve the impact and outcomes of service delivery on minority ethnic communities.*
- *Councils should 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.*
- *Councils should 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.*

- *Councils should improve consultation and engagement with minority ethnic communities to ensure a deeper understanding of their service needs and priorities.*
- *Councils should 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.*

11. Less progress was made against these three recommendations:

- *Councils should 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.*
- *Councils should regularly publish information on minority ethnic communities, the inequalities they encounter and their needs – and use this information to improve services.*
- *Councils should 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 service delivery processes.*

12. Nationally, we are aware that EHRC and SG have discussed ways of improving the quality of information on minority ethnic communities and that there has been some liaison between EHRC and COSLA. The Society of Local Authority Chief Executives and Senior Managers (SOLACE) has informed us that individual chief executives are committed to exercising leadership in equalities and are addressing the recommendations in the study report in their councils, for example through community planning. SOLACE also indicates that tackling inequalities has been a key element during the development of Single Outcome Agreements.

13. Detailed comments on impact, movement and change across the audit report's recommendations are set out in the Appendix. It is acknowledged that not all progress listed is directly attributable to the study report.

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Appendix. Summary of report impact, and analysis by Audit Scotland's framework for measuring impact

The table below sets out recommendations and impacts against the four headings in the evaluation framework, as at November 2009 – a year following publication of the performance audit report: assurance and accountability; planning and management; economy and efficiency; quality and effectiveness. Councils and national bodies are likely to have made further progress since November 2009.

HOLDING TO ACCOUNT AND HELPING TO IMPROVE				
	Assurance & accountability	Planning & management	Economy & efficiency	Quality & effectiveness
Recommendations in the study report are shown below in bold.				
IMPACT ON COUNCILS				
Recommendation 1. Councils should identify clear objectives and actions to improve the impact and outcomes of service delivery on minority ethnic communities.	•	•	•	•
Half of councils have engaged with minority ethnic communities and other communities of interest to sharpen up their equality schemes. More than half of councils have a single, unified equality scheme and the others are working to develop one.				
Recommendation 2. Councils should 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.	•	•		•
Nearly all councils have developed a single corporate toolkit for conducting equality impact assessments (EIAs) that cover a range of equality strands and issues. Many councils have also supported the roll-out of their toolkit with training for key personnel. However, councils' application of their toolkit is often left to the discretion of individual services. This approach has typically resulted in a larger numbers of EIAs conducted in one part of a council but fewer in other services. Also, there is limited evidence that councils actively involve minority ethnic communities in prioritising which EIAs to conduct and in commenting on the impact of services.				
Recommendation 3. Councils should 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.	•	•		•
All councils have improved their support for elected members. Solutions include web-based briefings on councils' intranet, seminars, formal training courses, and briefings on particular topics. However, the extent to which elected members participate in, and benefit from, training and support varies widely within and across councils.				
Two thirds of councils have improved reporting of equalities to elected members although this often only involves a high-level annual report relating to each of the statutory duties.				
There is little to suggest that councils systematically distil lessons from the various EIAs they conduct, and report these to elected members.				
Recommendation 4. Councils should 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.		•		•
More than half of councils make online support on equalities available to staff, and a number of other councils have improvements in the pipeline. Three quarters of councils provide training and other forms of support.				
Solutions include mandatory coverage of equalities in the induction of new staff; equalities coverage within training on specific issues such as recruitment and selection; targeted training for specific employee groups on the conduct of EIAs; and the use of laptop computers to make training accessible to staff who do not have an office base.				

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Recommendation 5. Councils should regularly publish information on minority ethnic communities, the inequalities they encounter and their needs – and use this information to improve services.	•	•		•
<p>Councils are much better at knowing the ethnic/racial composition of their own workforce than at mapping the composition of the local community and publishing data that also stands to benefit other local organisations.</p> <p>Just over half of councils have published data on the size and composition of local minority ethnic communities and other councils anticipate improvements in 2010. However, the transient nature of some population groups, especially economic migrants (and their families) from the new EU countries, poses practical problems for nearly all councils.</p> <p>A third of councils have used a combination of EIAs and information about the composition of local communities to shape services.</p>				
Recommendation 6. Councils should improve consultation and engagement with minority ethnic communities, to ensure a deeper understanding of their service needs and priorities.	•	•	•	•
Three quarters of councils have improved their approach and are now more systematic and comprehensive. The other councils are all in rural or island areas, where engaging with minority groups can be more difficult. Some councils are developing a corporate register of community bodies and consultations.				
Recommendation 7. Councils should 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 service delivery processes.		•	•	•
Around half of councils claim they have subsumed equality issues within their mainstream management arrangements, for example by using the Public Service Improvement Framework (PSIF) to address all their work on equalities; reflecting equality issues in corporate and service plans; and making explicit links between their equality schemes and service plans. However, it is too soon to tell whether improved management arrangements and processes introduced during 2009 have translated to tangible service improvements for minority ethnic communities.				
Recommendation 8. Councils should 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.		•	•	•
Nearly all councils are sharing population information with local partners and have arrangements in place to promote and share good practice. Around a half of councils have developed joint arrangements for training and development.				
IMPACT ON NATIONAL BODIES SUBJECT TO RECOMMENDATIONS				
Recommendation 9. 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.		•	•	
Some progress had already been made by November 2009. The Scottish Government (SG) had recommended a question for collecting information on ethnic groups, for use in the 2011 Scottish Census and social surveys. A guidance note on the question was published in December 2009 and use of these questions is promoted through the <i>Equalities ScotStat</i> network. Equalities questions now form part of the mandatory core set of questions which are asked in all Scottish social surveys. Information on equalities groups is published as part of most SG statistical releases but of particular note during 2009 was the publication of a separate chapter in the Annual Population Survey, explicitly covering equalities. In November 2009, the SG held a conference on race equality, primarily for community bodies, and invited the study team to attend.				

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By November 2009, a range of work and initiatives was ongoing: <ul style="list-style-type: none"> • SG worked closely with EHRC and other public authorities to improve the quality of minority ethnic data, at national and local levels. This work was being progressed through a number of workstreams led by Equalities Analysts in SG. • EHRC, particularly in support of the Equalities Measurement Framework, concentrated on assessing the availability and quality of data available on all equality-protected characteristics (including race), paying particular attention to the issue of sample size in Scotland. • Within SG, Equalities Analysts have been meeting regularly with counterparts in government to share good practice. Internally An Equalities Analysts Network has been established to ensure equalities data is appropriately collected analysed and used. The SG's Race Equality Scheme describes what Analytical Services are doing across SG. 				
Recommendation 10. 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.		•		•
EHRC continues to provide relevant advice and guidance online. The Director of EHRC Scotland visited Scottish councils to communicate the priorities of the Commission, and to better understand equality achievements and challenges at local level. This consultation exercise was repeated with Community Planning Partnerships. EHRC Scotland continues to liaise with COSLA.				
Recommendation 11. The Equality and Human Rights Commission in Scotland 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.		•		•
EHRC is assessing equality impact assessment practice within SG Departments. This is being carried out with SG in a project called ' <i>Better Policy, Better Lives</i> ', under the Equality Act 2006. EHRC anticipates learning from this project will be applicable by equality impact assessment practitioners in any sector. The Improvement Service is working to embed equalities as part of the corporate self-assessment framework within the Public Service Improvement Framework. This is being finalised and will be piloted across some public sector organisation.				
Recommendation 12. The Society of Local Authority Chief Executives and Senior Managers (Scotland) should develop its leadership role in the field of equalities and promote support for councils' equality officers.	•	•		
In June 2009, SOLACE (Scotland) held its first meeting with EHRC and fed the outputs of these discussions to the SOLACE (Scotland) branch committee, which consists of the 32 council chief executives.				
Recommendation 13. 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 study report focussed on two services: Planning and Libraries. In June 2009, the Royal Town Planning Institute's periodical ' <i>The Planner</i> ' ran an article about the study report and was preparing a good practice note for its members. The Scottish Library and Information Council has supported the study report's recommendations.				