

# Crawley Borough Council

## Report to Overview and Scrutiny Commission 5 September 2022

### Report to Cabinet 7 September 2022

## Crawley Borough Council's Equality, Diversity & Inclusion Statement 2022-2026

Report of the Head of Governance, People and Performance, **LDS/181**

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### 1. Purpose

- 1.1. The purpose of this report is to seek approval for a refresh to the Council's Equality, Diversity & Inclusion (EDI) approach.

### 2. Recommendations

- 2.1. To the Overview and Scrutiny Commission:

That the Commission consider the report and decide what comments, if any, it wishes to submit to the Cabinet.

- 2.2. To the Cabinet

The Cabinet is recommended to:

- a) Approve the proposed EDI Statement 2022-2026 (appendix A)
- b) Approve the proposed EDI Action Plan 2022-2023 (appendix B)
- c) Approve the proposed Equality Impact Assessment template (EIA), (appendix C) together with the proposed guidance notes (appendix D).
- d) Delegate authority to the Head of Governance, People and Performance, in consultation with the Cabinet Member for Resources, to make minor amendments to the EDI Strategy, EDI Action Plan and EIA as further changes to legislation and statutory guidance are introduced and following an annual review of the action plan. (Generic Delegation 7 will be used to enact this recommendation).

### 3. Reasons for the Recommendations

- 3.1. The new approach and documents will:
  - Refresh the Council's Equality, Diversity & Inclusion (EDI) approach.
  - Ensure better communication with regards to the Council's EDI approach to employees, Councillors and to the local community.
  - Ensure that the Council is undertaking the steps necessary to comply with the Equality Act 2010.
  - Ensure that the Council factors in EDI when initiating new projects and when making important decisions.

## **4. Background**

- 4.1. The Equality Act 2010 (the Act) provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. The purpose of the Act is to protect individuals from unfair treatment and promote a fair and more equal society.
- 4.2. The Council has legal duties and responsibilities under the Act. It must not discriminate against, harass or victimise anyone who has a protected characteristic. Those 9 protected characteristics are:- age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 4.3. Beyond discrimination, harassment and victimisation, the Council must be mindful to identify and avoid unconscious biases. These are learned stereotypes that are automatic, unintentional, deeply ingrained and universal. They are able to influence behaviour and can affect our understanding, actions and decisions in an unconscious manner. Employees and Councillors need to be aware of unconscious biases so that they can act fairly, transparently and objectively.
- 4.4. The aspiration, beyond the legal requirements, is to work on fostering a sense of belonging for all and building inclusive environments. This reflects the fact that people are all different in ways well beyond the 9 protected characteristics and that EDI is more than complying with the law.
- 4.5. Council employees need to understand and be able to respond to the range of characteristics of members of the public. These could be physical disabilities which might be easier to identify or, for example, mental health illness, dementia or special educational needs which might be harder to detect. Councillors who interact with the public on a regular basis also need to be aware and sensitive to such issues.
- 4.6. The intention is to provide Council employees with appropriate training with the objective of developing EDI awareness and legal duties. It is considered that more tailored training will be required for different employee groups (e.g. public-facing operational staff) and for councillors. Training can explore building awareness around specific topics e.g. local cultural and religious aspects.

## **5. Information & Analysis Supporting Recommendation**

- 5.1. The proposed Action Plan was devised following an exercise in which Heads of Service were asked to identify EDI activities and actions which currently occur within their divisions as well as those expected in the medium to long term future. Due to the wide range of actions identified and the mix of operational and strategic ones, the Action Plan was split into three categories: Our Organisation, Our Services and Our Community.
- 5.2. The suite of proposed documents has been shared with the Council's People Board and the documents attached to this report have incorporated the feedback from this. No comments have been received from UNISON.
- 5.3. Monitoring of the EDI approach and Action Plan is referenced at 5.1 of the EDI Statement.

- 5.4. It is recognised that EDI is a complex and expansive subject matter and that the Council's EDI approach will evolve over the period in response to constantly developing thinking, new data and a changing society.

## **6. Implications**

### *6.1. Financial implications:*

6.1.1. The proposed actions set out in the EDI Action Plan will mostly incur more officer time in terms of undertaking the work. Most of the EDI actions will not add any significant cost to the service being delivered or to the budgets of new or ongoing project or initiatives.

6.1.2. The EDI training programme for council employees is likely to have an annual and ongoing cost but this should not be unviable as there is the ability to have much larger groups of employees trained remotely reducing the costs and issues around availability of employees, trainers and venues.

### *6.2. Legal Implications:*

6.2.1. If the Council does not comply with its duties and responsibilities under the Equality Act 2010, it would risk legal challenge, reputational damage, complaints and potential grievances or employment tribunals.

### *6.3. Staffing Implications:*

6.3.1. Future monitoring of the EDI Action Plan and development of the EDI approach is likely to have an impact on the capacity of the Corporate Performance Team and the Organisational Development Team.

### *6.4. Risks:*

6.4.1. There is risk in opting not to review and refresh the Council's EDI approach and key documentation. To neglect this area would be reckless and would open the Council up to the various risks set out at 6.2.1.

6.4.2. There is risk around not being able to improve EDI awareness or promote positive behaviours across the organisation. This might be due to resistance, lack of attendance at training or lack of time and resources. However, the starting point should be to make a strong statement of intent, set an achievable action plan, and to develop and provide suitable training and support for employees and councillors.

## **7. Background Papers**

None

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