

**Renfrewshire Council**

**Race Equality Scheme**

# **THE RACE EQUALITY SCHEME FOR RENFREWSHIRE COUNCIL**

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## 1. INTRODUCTION

### THE RACE RELATIONS (AMENDMENT) ACT 2000

The Race Relations (Amendment) Act 2000 came into force on 2 April 2001. The new Act amends the Race Relations Act 1976 and strengthens its application to public authorities in several important ways:

- It broadens the definition of “public authority” in relation to the duty not to unlawfully discriminate, to include any organisations which provide a service which is “of a public nature”
- It extends the scope of the 1976 Act to cover areas that were previously excluded (e.g. Environmental Health, Licensing, Investigation of benefit fraud, inspections of residential care homes etc.) and makes it unlawful for public authorities to discriminate on racial grounds carrying out any of their functions
- It places a general statutory duty on a wide range of specified public authorities to promote racial equality and prevent racial discrimination
- It provides for the Secretary of State to impose specific enforceable duties for specified public authorities to promote race equality when deemed necessary
- It gives the Commission for Racial Equality (CRE) powers of enforcement and to issue statutory codes of practice, providing practical guidance to public authorities on how to fulfil their general and specific duties to promote racial equality.

### THE GENERAL DUTY

Public authorities shall, in carrying out its functions, have due regard to the need -

- (a) to eliminate unlawful racial discrimination, and
- (b) to promote equality of opportunity and good relationships between persons of different racial groups.

### WHAT DOES THE GENERAL DUTY MEAN IN PRACTICE?

The aim of the general duty is to “mainstream” the elimination of discrimination and the promotion of equality of opportunity and good race relations, by making these an integral part of the way public functions are carried out. It is not a weighty new burden, just a better and more effective way of doing what an authority already does.

‘To have due regard’

By phrasing the general duty in this way, parliament has made it clear that public authorities do not have the **OPTION** to decide whether they will do anything about discrimination and racial equality - it is now **MANDATORY**. Each public authority should therefore assess where, and how, racial equality is relevant - or potentially relevant to the way they carry out their various functions.

## COMPLY WITH THE GENERAL DUTY

To have 'due regard' means that the weight given to racial equality should be proportionate to its relevance to the authorities' functions and policies. For all public authorities, regardless of their specific functions, racial equality will always be relevant to all aspects of employment - recruitment, selection, training, promotion, discipline and dismissal. To comply with the general duty, therefore, all authorities should "equality proof" their employment policies, procedures and practice, and take all necessary steps to prevent discrimination.

Public authorities are responsible for ensuring the general duty is an integral part of any function where racial equality is relevant. The authority has to define its functions and then assess the impact on racial equality of what it is currently doing and what it is proposing to do. Where current or proposed policies conflict with the elimination of racial discrimination or the promotion of racial equality and good race relations, a public authority is expected to consider the changes needed to comply with the general duty, and then make those changes.

## PARTNERSHIPS, PRIVATE, VOLUNTARY ORGANISATIONS AND THE GENERAL DUTY

When a public authority (the Council) has a contract or other arrangements with a private company or voluntary organisation to carry out any of its functions, it is the public authority that is responsible for meeting the general duty. In terms of procurement, public authorities must comply with existing laws but must also take appropriate measures to promote racial equality in setting criteria and deciding who should be awarded contracts or grants. The general duty applies to the way public authority carries out its functions within the partnership. In partnerships where other members are private or voluntary organisations, the public authority should ensure that, where relevant, the activities of the partnership comply with the general duty. Partnership arrangements should reflect the council's general duty to promote equality.

## COUNCIL GRANTS

The Council provides grant funding to a wide range of voluntary and community organisations. It seeks to ensure that grant monies are spent in accordance with current legislation including the Race Relations (Amendment) Act 2000 and in a manner which is consistent with the Renfrewshire Community Plan.

## ENFORCEMENT BY THE CRE AND THE COURTS

An individual or an organisation, including the CRE, can apply to the Courts for a judicial review of a public authority's alleged failure to comply with its general duty.

The CRE has powers of enforcement to take legal action against a public authority for not fulfilling its specific and positive race equality duties.

## SPECIFIC DUTIES

A key feature of the Race Relations (Amendment) Act 2000 (Section 71(2)-(3)) is the provision for the Home Secretary to introduce specific and positive race equality duties on all public authorities. The specific duties require all public authorities to publish a Race Equality Scheme. The Race Equality Scheme must be published by 30 November 2002 to set out how the authority intends to meet its obligation under the general duty.

RACE EQUALITY SCHEME: What does this mean?

The Race Equality Scheme is effectively a strategy and action plan. It summarises our approach to (race) equality. It also says how we plan to meet each part of the duties, that is, our arrangements for assessing, consulting, monitoring and training.

## 2. **RENFREWSHIRE COUNCIL'S VISION**

Renfrewshire Council's vision as outlined in Renfrewshire's Community Plan 2000-2010 'A Pattern for Partnership' is that 'by 2010 Renfrewshire will be a thriving, safe and forward-looking community which provides opportunities for all and which cares for its people and environment'. The Plan affirms the commitment of the Council to adopting the Guiding Principle of Social Inclusion in the planning, design and delivery of all its services. Promoting and encouraging equal opportunities is a key facet within this guiding principle.

The Council values the diversity of individuals and communities living and working within Renfrewshire and their contribution to the political, economic, cultural and social life of the area.

The Council affirms the right of each citizen to a quality of life which is free from violence, discrimination and harassment and will take steps to ensure that all citizens, regardless of race, ethnic or national origin, religion, social background, marital status, gender, disability, age or sexuality will have full access to its services taking all possible measures to prevent discrimination in the way its services are delivered.

The Council wishes to promote social inclusion and to achieve this will ensure that an equalities dimension is built into the planning, design and delivery of all its services by adopting a 'mainstreaming' approach where equality considerations are taken into account by departments in the development of Service Plans and other operational plans as well as in the context of its work with other partners and agencies.

The Elected Members of the Council will oversee this by requiring the Social Inclusion Group to report to the Leadership Board on the development and implementation of its policies and directives on equal opportunities as part of the Annual Social Inclusion Report.

### 3. **IDENTIFYING RELEVANT FUNCTIONS AND POLICIES**

Renfrewshire Council has assessed the relevance of all its functions and policies to the general duty to promote race equality.

Those functions and policies assessed as relevant are listed in Annexe 1. A mechanism has also been set in place for reviewing those functions assessed as relevant to identify what actions the Council should take to:

- Eliminate unlawful discrimination
- Promote race equality
- Promote good race relations among different racial groups.

This mechanism includes prioritising action required and developing departmental action plans to guide and monitor implementation.

This assessment and review exercise will be repeated every three years in accordance with the requirements of the legislation.

### 4. **ARRANGEMENTS FOR ASSESSING THE LIKELY IMPACT OF PROPOSED POLICIES ON THE PROMOTION OF RACE EQUALITY AND MONITORING POLICIES FOR ADVERSE IMPACT ON THE PROMOTION OF RACE EQUALITY**

In order for progress to be made in mainstreaming race equality, all proposed policies introducing new functions or services or changes to existing functions or services will be assessed for their potential to promote racial equality or to have an adverse impact on particular racial groups.

To this end an impact assessment will be undertaken on policies introducing new services or changes to services. This impact assessment will be based on evidence gathered in a variety of ways depending on the potential impact on the general duty to promote racial equality.

This assessment will include all or some of the following:

- Consulting members of the minority ethnic community;
- Consulting ethnic minority advocacy groups;
- Comparison of policies with those from other authorities;
- Analysis of existing data and research findings; and
- Advice from statutory agencies

On the basis of this impact assessment all policy reports introducing new services or changes to services will contain a written race equality statement that will be made up from the report author's answers to the following questions:

1. Could this policy affect some racial groups differently?
2. What impact will it have promoting good race relations?
3. Is there any public concern, especially from ethnic minorities, about possible discrimination?

The assessment will be included in the report to the relevant Council Board. Where the assessment indicates that there has been or is likely to be adverse impact on good race relations, discrimination or the denial of equality of opportunity, it will identify how the policy should be (or has been) revised in the light of the assessment.

To underpin the above and enhance its ability to analyse data in terms of ethnicity, the Council is working with its partners in the Community Plan Guiding Principle Groups of Social Inclusion and Modernising Government to review and improve current arrangements for monitoring and collating data on service users and service provision.

## 5. **CONSULTATION**

The black and minority ethnic population in Renfrewshire numbered 1,175 (0.68 % of the Renfrewshire population) at the last census. There is only one minority ethnic organisation based in the area that the Council is aware of, although a number of our residents use Glasgow based organisations. In 1999 the Council worked with the West of Scotland Race Equality Council and individuals from the black and minority ethnic communities in Renfrewshire to establish an Ethnic Minorities Forum but although an event to promote the Forum attracted a good number of local people and representatives were identified to form a Steering Group, the Forum did not flourish and only 3 meetings took place.

To improve the Council's capacity to consult with black and minority ethnic communities, the West of Scotland Race Equality Council were commissioned to undertake a survey, the objectives of which were:

- To establish contact with black and minority ethnic residents and businesses
- To identify processes for developing and maintaining good communication with black and minority ethnic residents and businesses by:
  - (1) assessing the need for community language interpreting and translation among black and minority ethnic residents and businesses
  - (2) evaluating the need for interpreting services locally
- To identify mechanisms for facilitating black and minority ethnic residents to influence the design and delivery of services in the area

The results of the survey will be taken forward by the Council to ensure that mechanisms are in place to consult on the likely impact of proposed policies on the promotion of race equality and the monitoring of adverse impact on the promotion of race equality.

## 6. **PUBLISHING THE RESULTS OF ASSESSMENT, CONSULTATION AND MONITORING**

The results of assessment, consultation and monitoring activities will be available to the public through

- Board papers which are available to anyone who asks for them
- The Council's website [www.renfrewshire.gov.uk](http://www.renfrewshire.gov.uk).
- Targeting of information to the ethnic minorities forum or network once it is established

In addition to this, the Annual Social Inclusion Report will contain a summary of developments and progress on race equality. There will be an opportunity to discuss this at the Annual Community Planning Conference.

## **7 ENSURING PUBLIC ACCESS TO INFORMATION AND SERVICES**

The mechanism for identifying the relevance of functions and policies to the promotion of race equality is also the mechanism the Council will use to ensure public access to information and services. This mechanism reviews the accessibility of information about services and the services themselves. As indicated, the outcome of this review is fed into the development of an action plan to address any gaps or problems associated with access.

To further ensure access to information, the Council will also indicate in the 3 community languages most commonly used in the area that all public documents can be requested in a person's first language.

## **8. TRAINING STAFF IN CONNECTION WITH THEIR DUTIES**

In 2001-2002 a number of training courses were provided to Council Managers to provide information on the Council's requirements under Race Relations legislation and to assist in developing a Race Equality Scheme.

It is proposed that race equality is mainstreamed into the following training courses and programmes:

- Induction programme for all new employees
- Customer service training for front line staff, supervisors and managers
- Supervisor development programme for new and aspiring supervisors
- Management development programme for managers
- Recruitment and selection training for all employees involved in recruitment
- Disciplinary procedures training for supervisors and managers

The above programmes are all provided through the Corporate Services Training and Development Section.

In addition to this the Chief Executive's department will facilitate training for:

- departmental representatives on the Race Equality Working Group who will be given in-depth training on race equality
- departmental contact officers for minority language interpreting and translation who be given training to assist them in this role.

Opportunities for staff to become aware of emerging equalities issues and good practice will continue to be provided through seminar programmes and attendance at conferences as considered appropriate by their department  
Departments will monitor and review staff training on race equality on an annual basis as part of their training needs analysis exercise.

## 9. **EMPLOYMENT**

The Act refers to specific duties in employment which centre around the ethnic monitoring of staff.

The Council will meet these duties by collecting and monitoring by reference to racial group the numbers of

- employees in post
- applicants for employment, training and promotion
- employees involved in grievance procedures
- employees subject to disciplinary procedures
- employees leaving the Council

### **Monitoring and Analysis**

The Council will monitor personnel procedures and processes relevant to the specific duties. Through monitoring, review and action the Council will aim to demonstrate its commitment to meet the statutory duties to eliminate discrimination and promote race equality.

The recruitment monitoring database has been developed to aid equal opportunities monitoring at all stages of the recruitment process, and is being further developed in relation to monitoring of employees ceasing employment with the Council. Employees receiving training is also currently monitored. The new integrated Human Resources (HR) payroll system, will incorporate recording systems which will facilitate monitoring and analysis of all data required by the Act.

Results of the above monitoring will be published in the Annual Social Inclusion Report and will outline the appropriate action to eliminate discrimination and promote equality of opportunity.

### **Recruitment**

The Council acknowledges that the Recruitment and Selection process has a direct impact on the ethnic composition of the workforce and it is the Council's intention to take positive action to ensure equality of access to ethnic minority communities after appropriate consultation.

All officers serving on recruitment panels must attend Recruitment and Selection training which includes training in equal opportunities. This training course has been enhanced to consider race equality issues to assist in identifying and eradicating potential areas of racial discrimination. Monitoring reports will be produced on a departmental basis which will detail the proportion of applicants from ethnic backgrounds and their success at various stages of the recruitment and selection process.

A procedure will be developed to record and monitor the ethnic origin of employees leaving the Council. This information will be analysed to determine if any underlying trends exist.

## **Grievance Procedure**

Grievances shall be monitored by ethnic origin of the aggrieved employee and what the grievance relates to:

The violence and aggression at work policy captures information on incidents involving acts of violence and aggression against employees, which will identify if actions are racially motivated.

## **Disciplinary Procedures**

Disciplinary cases will be monitored by ethnic origin of the employee against the type of disciplinary misconduct.

## **Training and Development**

All training and development will be monitored for ethnicity of the attendee. Records will be maintained on the levels of response, uptake of the types of training courses selected by ethnic minorities and others to assist in the targeting of appropriate training programmes.

## **Publication of Monitoring**

Analysis of monitoring and the actions taken will be included as part of the Council's arrangements for publishing the results of assessment, consultation and monitoring.

# 10. **EDUCATION**

## **Context**

Racism adversely affects the lives of many and may lead to underachievement. It operates both at an institutional and a personal level in all aspects of life, including the life of educational establishments, where it can have a negative influence on ethos and behaviour. It is essential that education staff are aware of the impact of racism and are vigilant in ensuring it is challenged.

Direct discrimination takes many forms. In the treatment of pupils and students, for example, it may vary from crude racist remarks to subtle differences in assessment, expectation, provision and treatment. It may be unconscious or even well-intentioned but, nonetheless, unlawful.

The authority has a duty under the Race Relations (Amendment) Act 2000 to ensure that its education services are provided in ways that do not discriminate on racial grounds. Racism can limit the educational achievement of black and minority ethnic children and young people. As the council is committed to raising achievement, it is also committed to actively promoting racial equality and addressing all forms of racial harassment and discrimination within its educational establishments.

In order to comply with the Commission for Racial Equality's Code of Practice (Scotland) for the elimination of Discrimination in Education (1991), the 1976 Race Relations Act, recommendations of the 1999 Macpherson report and the Code of Practice on the duty to promote race equality, the authority is obliged to keep a record of racist incidents.

The education authority recognises that no identified victim may be present in a racist incident and indeed in other discriminatory incidents, for example, telling inappropriate racist jokes or using offensive racist language constitute racist incidents whether or not black or minority ethnic people are present. This is acknowledged in the monitoring procedures.

### **Policy and its Communication**

The education authority has prepared a policy statement on anti-racist education within an equal opportunities context. This policy will be available in all establishments by 30 November 2002 and each school will comply with the arrangements. Thereafter, individual establishments will prepare their own policy statement, and methods of communicating with parents and the wider community.

It is the responsibility of each establishment to communicate its anti-racist policy to all staff, pupils, and parents. This can be done through:

- Development plans
- Handbooks
- Regular updates in newsletters
- Parents' meetings or public meetings
- Staff development
- Pupil councils

Each establishment's three-year development planning cycle should include a review of its equalities policies. These policies will be requested by the Council on a regular basis to review progress. Establishment Reviews may also consider developments in approaches to tackling racism.

### **Monitoring and Review**

Ethnic monitoring is an essential aspect of the work of the authority. Systems will be established to analyse data on educational attainment, attendance and exclusions by ethnic categories. The data collected through such monitoring will be used to inform establishments and the authority of trends and needs which can then be addressed through targeted resourcing, training and policies. It will also provide the basis for action in relation to important areas of the authority's work such as raising achievement.

Incidents of racism will be monitored on a regular basis within each establishment and returns made to the pupil services manager. An annual collation will be undertaken by Education and Leisure Services of the number of racist incidents reported. An annual report based on this will be presented to the Lifelong Learning and Work policy board.

From November 2002, establishments will use a new monitoring form, which records incidents of racism, ensuring that incidents which have a racist motive or element, will be clearly indicated on the form. Monitoring information at authority level will assist in targeting resources to support schools in the most effective way, and may also indicate the need for consideration of action in relation to a particular sector e.g. primary or secondary and/or type of incident.

Monitoring information may also be used to identify effective practice. For example, a low record of incidents or a decreasing trend in incidents over a period of time in a particular establishment may indicate a practice which might then be evaluated and introduced elsewhere. Within each establishment, the monitoring of incidents will ensure that patterns of behaviour are recognised and measures are established to report appropriately.

All establishments will have an individual member of staff who is responsible for pupil support. This person will have responsibility for co-ordinating approaches to anti-racism and will oversee:

- the policy and its implementation;
- the response to and recording of incidents; and
- the development of a positive establishment ethos with regard to behaviour.

It is important that policies and procedures for addressing racism are reviewed in each establishment on a regular basis. Schools are requested to ensure that such a review is built into their development plans. 3 yearly reviews of establishments will consider policies and ethos to ensure that adequate action is being undertaken.

At an authority level, the outcomes of the monitoring process and an assessment of the impact of the authority policy will be published annually through a report to the lifelong learning and work policy board. These reports will indicate summative data on pupil attainment, attendance and exclusions analysed in terms of ethnic groups. Information on the reporting of racist incidents will also be included.

### **Staff Monitoring, Development and Training**

Staff development opportunities for all staff on issues of equality and racism will be offered through the staff development and training directory and staff will be encouraged to attend such courses. Council policy and practice on the ethnic monitoring of staff will be adhered to. Staff in post and applicants for employment, training and promotion will be monitored by racial group.

Within each school, the number of staff who receive training; benefit or suffer detriment as a result of their performance assessment procedures; are involved in grievance procedures; are subject to disciplinary procedures and who end their employment in the school will be monitored by racial group. The results of this monitoring and an assessment of the effectiveness of policy will be published annually through a report to the lifelong Learning and Work Policy Board.

## **The Curriculum**

In schools and pre-5 establishments, the formal, informal and hidden curriculum provide powerful tools for countering racism and promoting equal opportunities. Through mainstream studies of religious education, PSD (personal and social development) and social studies pupils learn about other cultures and values.

It is authority policy that it is the responsibility of all pre-5, primary, secondary and special schools to address the issues of race and racism through the school ethos. The ethos of the school supports tolerance and respect through communal events, such as charity work and mentoring schemes. Developing pupils through programmes of education for citizenship also helps to address racism.

The authority will continue to support staff in addressing these issues by providing training and support materials concerning inequalities and discrimination. Further to this, training aimed at raising the awareness of staff to the issue of racism and in pupil activities such as 'Circle Time' where such issues are discussed will be provided.

## **Communication**

Education and Leisure Services is committed to ensuring that all communications to parents and guardians are accessible both in their use of plain English and in offering opportunities for translation into community languages where requested. Interpretation facilities are also available.

Partnerships with parents, school boards and community organisations are essential to the delivery of an open and quality education service and the authority is committed to ensuring that all such groups are included in consultation and development of provisions within the service.

## Annexe 1

### FUNCTIONS AND POLICIES IDENTIFIED AS RELEVANT

#### **Chief Executives Department**

- Support and develop the provision of information both internally and externally through publications, Council website etc.
- Extend consultation and engagement with Renfrewshire residents, to shape service delivery across all services

#### **Corporate Services**

##### Personnel Services

- Equal Opportunities
- Recruitment and Selection
- Grievance and Discipline
- H.R. Policy Development
- Employee Care
- Job Evaluation Single Status/Pay & Grading/Terms and Conditions
- Employee Development
- Youth Training Programme

##### Legal Services

- Conveyancing - Purchase of Council Houses by Public
- Licensing and District Court

##### Administrative Services

- Registration Service
- Customer Contact Services
- Security/Janitorial Services (including mailing/courier operations, HQ car parking, portage)
- Senior Citizen Scheme
- Community Council Scheme
- Committee Services
- Elected Member Services
- Property Enquiry Service

## Education & Leisure Services

- Lifelong Learning: Community Facilities
- Lifelong Learning: Community Education and Youth Services
- Lifelong Learning: Libraries - ERS
- Lifelong Learning: Libraries - Public
- Provision of Placing Requests in Primary and Secondary Schools
- Operation of School Boards
- Psychological Services
- Special Needs Services
- Childcare Provision - Pre 5
- Communication (Contribution to Renfrewshire Magazine, Staff Matters, Web Site) and Consultation (Questionnaires, Focus Groups, Public Meetings)
- Consultation and Communication
- Leisure Services
- Arts Services
- Museum Service
- Town and Community Halls
- School Transport and Property Enquiries
- Education Welfare Benefits

## Environmental Services

- Refuse Collection
- Pull-out Service
- Garden Assistance Scheme
- School Catering
- Social Work Catering
- Janitorial Services
- Food Safety Enforcement
- Health and Safety Enforcement
- Trading Standards - Consumer Advice
- Trading Standards - Enforcement Services
- Health Promotion
- Houses in Multiple Occupation
- Contaminated Land
- Animal Warden Service
- Litter
- Neighbourhood Noise
- Cemeteries
- Parks
- Play Areas
- Recreation Facilities
- Personnel/Payroll Unit
- Customer Services
- Trade Waste Service
- Sustainable Communities Project

- Front line reception staff

## Housing & Property Services

### Housing Services

- A.S.I.S.T. & Mediation
- Aids & Adaptations
- Allocations & Voids
- Concierge & Caretaking
- Estate Management
- Homelessness
- Regeneration
- Sheltered Accommodation
- Tenant Participation
- Urban Renewal

### Investment & Technical Services

- Architects/Site Management
- Capital Programmes Team
- Clerk of Works
- Construction Safety
- Cost Consultants
- Engineers
- Investment Officer
- Planning Supervisors

### Finance & Support Services

- Benefits
- Finance Services/Rent Accounting Public Reception

### Building Services

- Building Services

### Property Services

- Facilities Management
- Valuations
- Rental Management of Council owned and leased properties
- Management of Council owned and leased properties
- Negotiated Transactions
- Area Regeneration
- Property Information and Plans
- Ownership Enquiries
- Operational Property Management
- Finance Services



## Planning and Transport

### Roads Division

- Roads & Footway Maintenance
- Street Lighting
- Car Parking
- Town Centre Maintenance and Management

### Planning Division

- Development Control and Building Control
- Other Planning Services

### Economic Development Division

- Provision of Business Advice
- Employability Support Projects

## Social Work

- Services to elderly people
- Services to adults
- Child Care services
- Area team services
- Criminal Justice services
- Finance
- Personnel
- Planning
- Management information
- Income Maximisation Service
- Commissioning & Contracting
- Community Capacity building

## Finance and IT

- Council Tax and Housing Benefit Collection
- Non-Domestic Rates
- Collection Hall
- Sundry Income

