

EHRC/ LGA Seminar on the Specific Duties of the PSED

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- **Section 1** – EHRC, our regulatory work and the PSED
 - **Section 2** – Our monitoring project
 - **Section 3** – What does compliance with the PSED specific duties look like?

Our Regulatory Model

We evidence the issues

We influence standard-setting

We ensure compliance with standards

We enforce the law



Prevention

Remedial action

Equality Act 2010

149 Public sector equality duty

(1) A public authority must, in the exercise of its functions, have due regard to the need to—

(a) eliminate discrimination, harassment, victimisation...

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The specific duties

Public bodies must publish the following to demonstrate their compliance:

- 1) Gender pay gap information – including the last three years, on their website
- 2) Equality information – specifically covering service users and workforce
- 3) Equality objectives – which must be specific and measurable

SECTION 2: Our monitoring project

- ❖ Reviewed 97 local authorities across England
- ❖ **Stage 1:** desk-based monitoring of the specific duties. We are trying to establish whether the duties specified in the previous slide are being complied with.
- ❖ **Stage 2:** We wrote to local authorities that were non-compliant with the PSED specific duties after March 30th 2023, the reporting deadline.

Our monitoring project: continued

- ❖ **Stage 3:** Follow up with warning notices to a small number of local authorities that are seriously in breach of the regulations and which do not appear to be taking the necessary steps following our advice.
- ❖ **Stage 4:** Ongoing support and advice, including with this seminar, working with the LGA and others to support local authorities.
- ❖ **Stage 5:** New programme of support and **monitoring of the 42 integrated care boards (ICBs)** to see how they are tackling health inequalities and meeting their PSED obligations (has cross-over with local authorities). Our offer of support and improvement to ICBs will be relevant to many local authorities.

SECTION 3: What does systemic PSED compliance look like?

- Blackburn LA – huge improvement journey after our monitoring and support project
- Slough LA – working very hard to become compliant despite having received a s.114 notice
- Croydon LA – fully compliant with the PSED specific duties, despite having a s.114 notice

EQUALITY INFORMATION – Good and bad examples

Northshire authority serves a vibrant and diverse community. 30% of our residents are BAME and 20% are under the age of 18 (Census 2011).

“7% of our workforce have declared a disability. 60% say they do not have a disability.”

“15% of service users accessing social services in Northshire are Black. However, our data shows that only 40% of these residents experience continuity of care, compared to 52% of white residents.”

“7% of Northshire’s workforce have declared a disability, 60% no disability. We are working to improve declaration rates. 5% of leavers in 2022 had declared a disability. 10% of employees who initiated grievance procedures in 2019–2022 had a disability.”

EQUALITY OBJECTIVES – What do we look for?

- Only **one** objective is required by law – but we'd be surprised to see only one
- Must include service users and/ or the workforce
- **Specific** – relates clearly to a particular PC, has a clearly stated outcome relating to the general duty.
- **Measurable** – at least some aspect should be directly/indirectly quantifiable, and should be linked to specific timeframes. Ideally should also set out how progress will be measured.

EQUALITY OBJECTIVES – Good and bad examples

Northshire authority aims to put equality at the heart of everything we do and respect the rights of everyone in our community.

“Our objective is to make sure all of our employees, regardless of their protected characteristics, feel happy and safe when working in Northshire.”

“We aim to have 60% of Black adult social services users on a continuity of care pathway by the end of 2024, rising to 80% by the end of 2025.”

“Because disabled employees are overrepresented in our grievance procedures, we will ensure that all managers have completed Disability Plus workshops by the end of 2024. By the end of 2023 we will have an action plan co-designed with our Disability Staff Network.”

Lessons from top performing local authorities

- Organisations that **know their communities** and have up-to-date information to guide their analysis and prioritisation.
- Equality is central to everything; reflected in corporate priorities; and regular performance updates.
- Clear **leadership** commitment and drive.
- Transparency and engagement.
- Organisations that are looking at the whole picture and **systematic/strategic change**, often in collaboration with partners.

SECTION 3: What can we offer you? What do you need from us?

- We will aim to run further seminars, looking at specific areas of the general and specific duties.
- These could include:
 - engagement activities,
 - procurement,
 - digitisation and artificial intelligence
 - Equality consideration in specific services, e.g. tackling health inequalities
- What else would be helpful?
- How can we amplify your voice?