Overview & Scrutiny Committee
Tuesday 6 July 2021

A meeting of the above Committee will be held in the Town Hall, Royal Leamington Spa on Tuesday 6 July 2021, at 6.00pm and available for the public to watch via the Warwick District Council YouTube channel.

Councillor Milton (Chair)

Councillor G Cullinan	Councillor V Leigh-Hunt
Councillor A Dearing	Councillor R Margrave
Councillor J Dearing	Councillor T Morris
Councillor O Jacques	Councillor P Redford
Councillor P Kohler	Councillor D Russell

Emergency Procedure

At the commencement of the meeting, the emergency procedure for the Town Hall will be announced

Agenda

1. **Apologies & Substitutes**

(a) to receive apologies for absence from any Councillor who is unable to attend; and
(b) to receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Chief Executive, together with the name of the Councillor for whom they are acting.

2. **Declarations of Interest**

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be disclosed during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter.

If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

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3. **Minutes**

To confirm the minutes of the meetings held on

a. 20 April 2021 **(Pages 1 to 6)**
b. 25 May 2021 **(Pages 1 to 2)**

4. **Work Programme, Forward Plan & Comments from Cabinet**

To consider a report from Democratic Services. **(Pages 1 to 2 and Appendix 1)**

5. **Equality & Diversity Task & Finish Group**

To consider a report from the Task & Finish Group – Equality & Diversity.
(Pages 1 to 15 and Appendices 4 and 5)

6. **Approach to the Scrutiny of the proposed merger of Warwick District Council and Stratford-on-Avon District Council**

To consider a report from the Chief Executive. **(Pages 1 to 5 and Appendix 1)**

7. **Cabinet Agenda (Non-Confidential Items and Reports) – Thursday 8 July 2021**

To consider the non-confidential items on the Cabinet agenda which fall within the remit of this Committee. The only items to be considered are those which Committee Services have received notice of by 9.00am on the morning after Group meetings.
(Circulated Separately)

8. **Public & Press**

To consider resolving that under Section 100A of the Local Government Act 1972 that the public and press be excluded from the meeting for the following item by reason of the likely disclosure of exempt information within the paragraphs 1,2 & 3 of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006.

9. **Cabinet Agenda (Confidential Items and Reports) – Thursday 8 July 2021**

To consider the confidential items on the Cabinet agenda which fall within the remit of this Committee. The only items to be considered are those which Committee Services have received notice of by 9.00am on the morning after Group meetings.
(Circulated separately)

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General Enquiries: Please contact Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire, CV32 5HZ.
Telephone: 01926 456114
E-Mail: committee@warwickdc.gov.uk

For enquiries about specific reports, please contact the officers named in the reports. You can e-mail the members of the Committee at oandscommittee@warwickdc.gov.uk

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Overview and Scrutiny Committee

Minutes of the remote meeting held on Tuesday 20 April 2021 at 6.00pm, which was broadcast live via the Council's YouTube Channel.

Present: Councillor Milton (Chair); Councillors; Cullinan, Davison, A Dearing, Grainger, Jacques, Kohler, Margrave, Norris, Redford and Russell.

Also Present: Councillor Matecki.

53. **Apologies and Substitutes**

Councillor Grainger substituted for Councillor Noone.

54. **Declarations of Interest**

Minute Number 54 – Review of the Work Programme, Forward Plan and Comments from the Executive

Councillor Kohler declared he was a member of the Climate Change Programme Advisory Board during discussions of this item.

55. **Minutes**

The minutes of the Overview and Scrutiny Committee meetings held on 16 March 2021 and 7 April 2021 were taken as read and signed by the Chair as a correct record, subject to a correction at minute number 49 in the minutes of 16 March which twice incorrectly stated that there was a requirement that a planning licence be in place within two years; this should have stated two months.

56. **HEART Shared Service Briefing Paper**

The Committee considered a report from Housing Services which gave an update on the HEART service review and its extraordinary HEART Partnership Board meeting. This was in response to a request from the Overview & Scrutiny Committee following a report on the service back in February 2021.

Appendix A to the report, "Improvement Plan", summarised in a table, the main concerns raised and the causes and progress taken to address these. This was following an independent review of the service after it had been in operation for two years.

Appendix B to the report, "Activity Levels", showed in graph form, that the number of enquiries and therefore, demand for the service, had grown significantly each year from 2016, with a slight seasonal reduction every December. Covid-19 had caused a fall in demand during 2020 similar to that of 2017 levels. Another graph showed the types of enquiries received and their respective numbers during the period 2019/20.

The Committee welcomed Philip Richardson, the Director – Democracy, Planning & Public Protection, Nuneaton & Bedworth Borough Council to its meeting.

In response to questions from the Committee, the Head of Housing Services and Councillor Matecki, Portfolio Holder – Housing & Culture and Philip Richardson explained that:

- The service had changed the way it processed the data it received. Previously it had, at the request of the County Council, done a full-strength care act assessment on every case that came to the service. This had proven to be very inefficient because each case required sign-off from a single senior occupational therapist, so there was a bottleneck. As an interim measure, they were now trying to simplify the process with only the complex cases going to the senior occupational therapist and the rest being dealt with by the Disabilities Facilities Grant staff. It was hoped that an IT solution would automate a lot of the process in the future.
- The before and after data demonstrating the success in the change in the way cases were assessed would be circulated.
- A survey circulated to staff asked them to identify three things that were done well and three things they would like to change. IT was an obstacle and having to key the data into Rugby & Bedworth Council's Flare system and then into Warwickshire County Council's Mosaic system. These were identified as the two key irritants to staff. The upgrade to the IT system would address these issues.
- Staff retention was not a problem; recruiting staff was because each Council in the scheme employed its own staff so this meant obtaining consent from the relevant Council to recruit and following that Council's recruitment protocols. This caused delays.
- It was hoped to harmonise the differing terms and conditions of employment so that the additional burden on the service this presented in terms of time lost or having to follow several processes for very little practical gain could be eliminated. An example was given where even though the staff all worked at the same location, they were still being required to attend training courses solely specific to their employer.
- The staff employment arrangements were frustrating but the management arrangements for the staff was all being done by the HEART service. Whilst there were issues because of the differing employment terms, this was not the main issue faced by the service.

The Committee was assured that the HEART Service Board was fully aware of the issues it faced, and the Improvement Plan was there to ensure that the necessary improvements would be pursued. An update was requested in six months' time, which was also when the new IT system was scheduled to go live. Members asked to be notified if there were problems with the implementation of the new IT system.

Resolved that:

(1) the consensus of the HEART service partners that future work is required to assist in making a long-term decision about the future of the partnership be noted;

(2) the partnership consensus that a further independent review, initially scheduled for March/April 2021 should be undertaken instead in the summer to enable Key Lines of Enquiry to be established be noted;

(3) the updated improvement plant for the service (Appendix A), be noted;

(4) the temporary extension of the HEART Service Agreement to enable work to be undertaken and decisions about the longer-term partnership by March 2022 be noted; and

(5) a further update be given to the Committee in six months' time.

The Chairman thanked Philip Richardson, the Head of Housing Services and the Portfolio Holder, Councillor Matecki for attending the meeting on behalf of the Committee.

(Councillor Matecki left the meeting.)

57. **Review of the Work Programme, Forward Plan and Comments from the Executive**

The Committee considered its work programme for 2021/2022 (Appendix 1) the Forward Plan and the response from the Executive to its comments in March (Appendix 2).

The Chair drew Members' attention to Appendix 2 to the report, specifically the information about the Step Back Review Task and Finish Group. All recommendations in the report had been approved and he thanked all members of the Task & Finish Group and the officers involved.

In respect of the Task & Finish Group – Race and Equality, the Chair informed Members that Councillor Mangat had expressed to him a small measure of frustration over the speed of progress. Internal interviews had been completed and a report was expected to be presented to the committee in July. The Chair had spoken to the Democratic Services Manager and Deputy Monitoring Officer about whether additional support could be found for the Group. The Democratic Services Manager and Deputy Monitoring Officer informed the Committee that the resources issue was part of a wider discussion to support Scrutiny in the future and was being reviewed currently, especially in relation to the merger between Stratford-upon-Avon District Council (SDC) and Warwick District Council (WDC).

Appendix 3 to the report set out the proposed protocol for embedding within Scrutiny Procedure Rules which were, if approved, to be recommended to Council for these rules to be amended, so that the deadline to request Executive items to be considered by Scrutiny was 9.00am on the morning after Group meetings. This proposed amendment had been brought forward by Councillors Milton and Nicholls following several months of informal testing which had worked well.

It was proposed by Councillor Norris and seconded by Councillor Kohler and

Recommended to Council that the addition of the protocol set out at Appendix 3 to the report, be embedded within the Scrutiny Procedure Rules and that these Rules be amended so that the deadline to request Executive items to be considered by Scrutiny is 9.00am on the morning after Group meetings.

The Chair thanked Members who had responded to his email on suggestions going forward to scrutinise the Climate Change programme. The comments received indicated that in terms of policy change, the Programme Advisory Board covered this work and Overview & Scrutiny Committee should have a more focussed role in scrutiny, and therefore discussions with the Programme Director for Climate Change should focus on scrutinising progress/performance against the Climate Change Action Plan (CEAP), in particular the target for carbon reduction. Suggestions were made that reports to the Committee should be made on a quarterly basis and should be data led with what the targets were and whether they had been met.

In response to comments made by Councillor Davison about scrutinising energy efficiency in Council owned buildings, the Deputy Chief Executive and Monitoring Officer informed Members that the Programme Director for Climate Change was collating information from the "People's Enquiry", with the aim to report to the July Executive meeting. It was suggested that the Chair liaise with Councillor Rhead and the Programme Director for Climate Change on the most effective way to pull together a reporting method and ensuring that it was not overly bureaucratic. This information should then be discussed at a future meeting to determine the most effective reporting mechanism for scrutinising Climate Change.

The Chair thanked Members who had contributed to suggestions made about scrutinising the proposed merger between SDC and WDC. Following discussions with the Chair of Finance & Audit Scrutiny Committee, five themes to be scrutinised had been identified as follows:

- The impact of services to residents.
- The impact on our strategic priorities as a Council, e.g. climate emergency action plan.
- The impact on democratic representation.
- Finance and Council Tax.
- Communication and consultation communication with residents.

Following receipt of comments from Members, the five themes had been supported, but also suggestions had been made for scrutinising areas of specific concern, such as Neighbourhood Services and Green Spaces and the interrelation between Parish and Town Councils.

Views were also sought about joint scrutiny with SDC and also between Finance & Audit Scrutiny Committee and Overview & Scrutiny Committee and some felt that this might be unwieldy because the meetings would involve a large number of Councillors to ensure constructive debate and

matching this against the requirement to represent the needs of this Council's residents.

Following Councillor Milton's discussions with Councillor Nicholls, the following proposals were put before Overview & Scrutiny Committee Members:

- Scrutiny for the merger should continue to be done separately by F&A and O&S Committees.
- The Chairs of both Scrutiny Committees should continue to liaise and consult frequently to ensure synergy between the work of both committees.
- Scrutiny should be conducted in line with the five themes identified, with specific areas identified as of concern being covered within the impact of services to residents' theme. The impact on Town and Parish Councils would straddle all five themes. The Chair had asked Committee Services to arrange a briefing session for Members on the differing roles of Town and Parish Councils across the District, the powers they hold and what further powers could be delegated/devolved to them within the legal framework.
- Committee Services would be asked to prepare a Scrutiny Plan, giving a timetable for these themes to be handled, and giving enough time for the Committee to influence the development of policy.
- Additional Council officer and expert resource (from the Centre for Governance and Scrutiny) should be sought to support the scrutiny of the programme.

In terms of the Local Plan, joint scrutiny with SDC was considered appropriate because it was a joint initiative, but the Chairs of Scrutiny Committees would meet with officers in the new municipal year to agree an approach.

The Chair advised that Members' Annual Feedback on Outside Bodies would be emailed out to all District Councillors shortly.

Resolved that

(1) Appendix 1 to the Work Programme report be noted;

(2) the Chair will liaise with Councillor Rhead and the Programme Director for Climate Change to discuss an effective reporting method to Scrutiny;

(3) Committee Services will arrange a briefing session and a Scrutiny Plan in respect of the proposed merger between SDC and WDC, using the services of the Centre for Governance and Scrutiny (CfGS). This will include the roles of parish and town councils;

(4) additional officer resource and expert advice and help from the CfGS will be sought; and

(5) the five main themes to scrutinise for the merger of the two Councils have been identified together with specific areas of concern and where they will be covered.

58. **End of Term Report**

The Committee considered an annual report to Council on the work the Overview & Scrutiny Committee had undertaken during the municipal year 2020/21.

Recommended to Council that the list of matters considered by the Overview & Scrutiny Committee during the municipal year 2020/21, as detailed in Appendix A to the report, be noted.

(The meeting ended at 7.32pm)

CHAIR
6 July 2021

Overview and Scrutiny Committee

Minutes of the meeting held on Tuesday 25 May 2021 in the Town Hall, Royal Leamington Spa at 6.00 pm.

Present: Councillors Cullinan, A Dearing, J Dearing, Jacques, Kohler, Leigh-Hunt, Milton, Redford and Russell

1. **Apologies and Substitutes**

Councillors Grey, Margrave and Morris gave apologies for absence. Councillor Grey had been asked by Councillor Morris to substitute for him, but in the event, was unable to attend the meeting.

2. **Appointment of Chairman**

It was proposed by Councillor Kohler, duly seconded by Councillor Redford and

> **Resolved** that Councillor Milton be appointed Chairman of the Committee for the ensuing municipal year.

The Chair thanked the Committee for their support and welcomed Councillors J Dearing and Leigh-Hunt to the Committee.

3. **Declarations of Interest**

There were no declarations of interest made.

4. **Minutes**

The minutes of the Overview and Scrutiny Committee meeting held on 20 April 2021 were unavailable for approval and would be presented at the next meeting in July.

5. **Review of the Work Programme, Forward Plan and Comments from the Executive**

The Committee considered its work programme for 2021/2022 as detailed at Appendix 1 to the report. There had been no reports to Executive called in for scrutiny at the April meeting.

The Chair had not yet spoken with the Programme Director for Climate Change on how the Committee would scrutinise the Climate Change work going forward.

The Service Area Dashboard was not providing information to Members in a way they found easy to interpret. Following discussions with officers, a proposal had been made that a small Task & Finish Group be constituted to look at the issues interpreting the data and what information was required by Scrutiny and then for officers to be asked to produce this information as required on a regular basis. Councillors Kohler, Cullinan and Jacques volunteered to be members of the Task & Finish Group. The T

& F Group would submit a Scope document to the O&S Committee for approval. Following advice from the Democratic Services Manager & Deputy Monitoring Officer, it was decided to proceed with the work required without the need to formalise it into a Task & Finish Group because it was felt that it would only require two to three meetings to complete the work of specifying what information was required, and it was likely that this information could be reported back to the Committee in July.

The Democratic Services Manager & Deputy Monitoring Officer reported that he, in consultation with the Chairs of both Scrutiny Committees, had held discussions with Ed Hammond from the Centre for Governance & Scrutiny about work to be done by the Committee on the proposed merger of Stratford District Council and Warwick District Council. Mr Hammond would be meeting with the Democratic Services Manager, the Chief Executive and the Chairs of both Scrutiny Committees to discuss requirements. Councillor Cullinan stressed the need to keep residents informed. Councillor Russell suggested that the way in which SDC measured its services performance should be examined. The Democratic Services Manager & Deputy Monitoring Officer informed the Committee that the Council had approved budget for looking at shared data.

Councillor Redford requested that the scrutiny work on the merger should have some form of measures built in to see the impact to services as the merger progressed to completion. She also asked that the Joint Transformation Programme Manager be invited to some of the discussions.

The Democratic Services Manager & Deputy Monitoring Officer informed the Committee that Council had adopted its recommendations for the call-in of Executive reports for scrutiny at its Annual Meeting in May.

Resolved that

(1) Appendix 1 to the Work Programme report be noted; and

(2) Councillors Cullinan, Kohler and Jacques will help with the work to ensure the Service Area Dashboard provides the right information in a manner understood by the Members for scrutiny work.

(The meeting ended at 6.18pm)

CHAIR
6 July 2021

WARWICK DISTRICT COUNCIL

Agenda Item 4

Overview & Scrutiny Committee
6 July 2021

Title: Work Programme, Forward Plan & Comments from Cabinet
Lead Officer: Lesley Dury, Committee Services Officer
(E. committee@warwickdc.gov.uk; T. 01926 456114)
Portfolio Holder: Not applicable
Public report
Wards of the District directly affected: Not applicable

1. Summary

1.1. This report informs the Committee of its work programme for 2021/2022 (Appendix 1) and the current Forward Plan.

1.2. The Committee did not call in for scrutiny any reports going to the Cabinet in the May cycle of meetings.

2. Recommendation

2.1. Members consider the work programme (Appendix 1) and agree any changes as appropriate.

2.2. The Committee to; identify any Cabinet items on the Forward Plan on which it wishes to have an input before the Cabinet makes its decision; and to nominate a Member to investigate that future decision and report back to the Committee.

3. Reasons for the Recommendation

3.1. The work programme should be updated at each meeting to accurately reflect the workload of the Committee.

3.2. The proposed plan at Appendix 1 has been developed in order for the Committee to focus on the four agreed core themes (Covid 19, Climate Change, Medium Term Financial Strategy and Business Plan). While this Committee will not have as much focus on the Medium Term Financial Strategy, it will have to spend significant times looking at the other areas in detail.

3.3. Two of the five main roles of overview and scrutiny in local government are to undertake pre-decision scrutiny of Cabinet decisions and to feed into policy development.

3.4. If the Committee has an interest in a future decision to be made by the Cabinet, or policy to be implemented, it is within the Committee's remit to feed into the process.

3.5. The Forward Plan is actually the future work programme for the Cabinet. If a non-cabinet member highlighted a decision(s) which is to be taken by the Cabinet which they would like to be involved in, that member(s) could then

provide useful background to the Committee when the report is submitted to the Cabinet and they are passing comment on it.

4. Background

4.1. The five main roles of overview and scrutiny in local government are: holding to account; performance management; policy review; policy development; and external scrutiny.

4.2. The pre-decision scrutiny of Cabinet decisions falls within the role of 'holding to account'. To feed into the pre-decision scrutiny of Cabinet decisions, the Committee needs to examine the Council's Forward Plan and identify items which it would like to have an impact upon.

4.3. The Council's Forward Plan is published on a monthly basis and sets out the key decisions to be taken by the Council in the next twelve months. The Council only has a statutory duty to publish key decisions to be taken in the next four months. However, the Forward Plan was expanded to a twelve-month period to give a clearer picture of how and when the Council will be making important decisions.

4.4. A key decision is a decision which has a significant impact or effect on two or more wards and / or a budgetary effect of £50,000 or more.

4.5. The Forward Plan also identifies non-key decisions to be made by the Council in the next twelve months, and the Committee, if it wishes, may also pre-scrutinise these decisions.

4.6. There may also be policies identified on the Forward Plan, either as key or non-key decisions, which the Committee could pre-scrutinise and have an impact upon how these are formulated.

4.7. The Committee should be mindful that any work it wishes to undertake would need to be undertaken without the need to change the timescales as set out within the Forward Plan.

4.8. At each meeting, the Committee will consider their work programme and make amendments where necessary, and also make comments on specific Cabinet items, where notice has been given by 9am on the morning after Group meetings. The Committee will also receive a report detailing the response from the Cabinet, on the comments the Committee made on the Cabinet agenda in the previous cycle.

4.9. The Forward Plan is considered at each meeting and allows the Committee to look at future items and become involved in those Cabinet decisions to be taken, if members so wish.

4.10. As part of the new scrutiny process, the Committee is no longer considering the whole of the Cabinet agenda.

4.11. On the day of publication of the Cabinet agenda all Councillors are sent an e-mail asking them to contact Committee Services, by 09.00am on the day of the Overview and Scrutiny Committee meeting to advise which Cabinet items they would like the Committee to consider.

Meeting Date: 6 July 2021

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Task & Finish Group – Race & Equality – Report on the Group's findings and recommendations for internal matters to the Council		Written report	Councillor Mangat		
The Council's Sustainability and Climate Change Approach going forward – feedback from Councillor Milton on discussions held with Councillor Rhead and Dave Barber on reporting mechanisms to Scrutiny.	O&S April 2021	Verbal update following a discussion with the Programme Director for Climate Change.	Councillor Milton		
Service Area Dashboard – Ensuring Members are using this effectively and that it provides the information required / moving forwards.	O&S May 2021	Verbal Update	Councillors Kohler, Cullinan and Jacques		
Approach to the Scrutiny of the proposed Merger of Warwick District Council and Stratford-on-Avon District Council	O&S April 2021	Written report	Chris Elliott		

Meeting Date: 21 September 2021

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Park Exercise Permits – review of the scheme once it has been in operation for six months	August 2020	Written report	Rose Winship		
HMO Licensing and Planning Permission Policy effectiveness review	March 2021	Written report	Mark Lingard/Lisa Barker		
Effectiveness of HMO planning enforcement in meeting the requirement that a planning licence be in place within two months of an HMO licence being issued.	March 2021	Written report	Phil Clarke to delegate (in liaison with Private Sector Housing?)		

Meeting Date: 2 November 2021

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Current Arrangements for the South Warwickshire Community Safety Partnership.	This is a mandatory report.	Written report	Marianne Rolfe.	Late October / Early November 2022.	This is an annual report.
A report on the Stratford Street Scene Team and on how its fly tipping enforcement service differs from the one operated currently at Warwick District Council.	February 2021	Written report	Zoe Court		The service is estimated to recommence in April 2021, so see if it has been operating for 6 month for a report October 2021. If not, move to a date when it will have.
HEART Shared Service update including the implementation of the new IT system	April 2021	Written report	Lisa Barker / Mark Lingard	TBA	

Reminder for December 2021:

Governance Review of Warwick District Council – At Executive 29 July 2020, and action was placed on officers to liaise with both Chairs of Scrutiny Committees to bring back to Executive, an outline proposal for the independent assessment and proposed funding arrangements which would be undertaken in February 2022.

Meeting Date: 14 December 2021

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes

Meeting Date: 8 February 2022

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes

Meeting Date: 8 March 2022

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Annual update from Shakespeare's England.	Committee meeting 29 August 2018	Written report.	Martin O'Neill and Councillor Hales.	March 2022.	This is an annual report.

Meeting Date: 12 April 2022

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Overview & Scrutiny End of Term report.	Standing Annual Item.	Written report.	Committee Services Officer.	April 2023.	This is an annual report.

Briefing Notes to All Councillors – April 2022: Not for O&S Agenda

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Children's and Adults' Safeguarding Champions: End of Term Report.	Standing Annual Item.	Briefing note to all Councillors with a paragraph explaining that if they have any concerns that they feel require scrutiny, to raise these for consideration as part of the work programme.	Lisa Barker.	April 2023.	This is an briefing note to all Councillors.

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Members' Annual Feedback on Outside Appointments / Annual review of membership/participation of Outside Bodies (Includes a short synopsis on Champions)	Standing Annual Items	Briefing note to all Councillors with a paragraph explaining that if they have any concerns that they feel requires scrutiny, to raise these for consideration as part of the work programme and if any are to be considered to be ceased, the Deputy Chief Executive will discuss these with the LCG	Andrew Jones	April 2023	This is an briefing note to all Councillors.

Meeting Date: To Be Advised

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Decide if an update is required on the Catering and Events Concessions Contract – Royal Pump Rooms and Jephson Gardens Glasshouse.	Committee meeting 26 September 2019.	Informal update.	Dave Guilding / Philip Clarke.	TBA	D Guilding and P Clarke were asked when they can give an informal update considering the impact of Covid-19 on this service. A response from them is awaited.
**Update on plans to improve accessibility to, and the condition / cleanliness of, toilets for people living with disabilities subsequent to the presentation of the plans at the September 2019 Overview & Scrutiny Committee meeting. **There is no new information on plans to improve	Committee meeting 26 September 2019 and briefing note 8 December 2020.	Briefing Note	Zoë Court	To be advised if applicable.	No officer will attend the Committee meeting unless there is a request. If there is a request, Members should send their questions to the report author before the meeting.

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
accessibility to, and the condition / cleanliness of, toilets for people living with disabilities – Officers request that this update is postponed until such time as budget figures 2021/22 for improvements are known.					
Minimum Energy Efficiency Standards Enforcement Process – Private Sector Housing	O&S August 2020	Written Report	Mark Lingard		A review was requested once the scheme had been operation for 12 months. Covid Lockdown has meant that the 12 months has not been achieved yet.

WARWICK DISTRICT COUNCIL

Agenda Item 5

Overview & Scrutiny Committee
6 July 2020

Title: Equality & Diversity Task & Finish Group
Lead : Councillor Mangat, mini.mangat@warwickdc.gov.uk
Portfolio Holder: Andrew Day
Public report
Wards of the District directly affected: None

Contrary to the policy framework: No
Contrary to the budgetary framework: No
Key Decision: No
Included within the Forward Plan: No
Equality Impact Assessment Undertaken: No
Consultation & Community Engagement: No
Final Decision: No
Accessibility checked: Yes

Officer/Councillor Approval

Officer Approval	**Date**	**Name**
Chief Executive/Deputy Chief Executive	30/6/21	Chris Elliott
Head of Service	30/6/21	Tracy Dolphin
CMT	1/7/2021	Chris Elliott, Andrew Jones, Dave Barber
Section 151 Officer	1/7/2021	Mike Snow
Monitoring Officer	1/7/2021	Andrew Jones
Finance		
Portfolio Holder(s)	1/7/2021	Andrew Day

1. Summary

1.1. The report sets out the recommendations from the Task & Finish Group in respect of equalities issues relating to the internal practice and polices, and the experiences by employees of WDC with a Black, Asian and Minority Ethnic (BAME) background[1].

2. Recommendations

2.1. The Overview & Scrutiny Committee recommends to Cabinet and the Employment Committee that they note the progress WDC has made with regard to adopting positive equality and diversity policies with tangible outcomes, and commit to do more and make the District and the Council an exemplar of best practice in equality, diversity and inclusion, especially with regard to racial equality.

2.2. The Overview & Scrutiny Committee recommends to the Cabinet and the Employment Committee:

(i) that owing to the proposals to bring together staff as part of the consideration of a merger proposal, Stratford-on-Avon District Council be approached to similarly endorse these recommendations;

(ii) that they endorse the use of the Race Equality Code 2020 and Race at Work Charter, as set out at Appendices 4 and 5 of the report, to underpin the equality, diversity and inclusion action plan each year. This will require the setting of agreed indicators, both quantitative and qualitative, so success can be measured against the action plan;

(iii) that the Chief Executive appoints a senior manager to be a champion for Race Equality within the organisation;

(iv) that they note that the current ethnicity data is based on the 2011 Census but will be updated following the publication of 2021 census data; and that this be used as the basis for the Council better reflecting the communities it serves;

(v) that they welcome the publication of the first data on the ethnicity pay gap in November 2020 and the commitment from this Council to produce this information annually;

(vi) that they endorse the intention, within the next five years, to increase the diversity in senior managers across the Council so that it is more reflective of the racial and ethnic diversity of the local community in the District;

(vii) that they endorse the intention, within the next three years, to increase the racial and ethnic diversity within the posts of Chief Executive, Deputy Chief Executives, Programme Director for Climate Change and Heads of Service, with a minimal expectation equivalent to one post, so that it is at least reflective of the racial and ethnic diversity of the local community in the District;

(viii) that they endorse the adoption of the Rooney Rule (as explained in paragraph 3.13 of this report) for all recruitment processes by Warwick District Council for vacancies at Service Manager, Head of Service, Deputy Chief Executive or Chief Executive position, and the Employment

[1] For purposes of brevity, the term 'BAME' has been used throughout this report. The Group acknowledges that it is unsatisfactory and that all ethnic groups should ideally be referred to specifically.

Committee is asked to identify how the current recruitment process for these roles should be revised to accommodate this approach;

(ix) that they endorse the approach that, subject to computer software changes being possible, from 1 April 2022, all applications for positions in the Council will be anonymised prior to short listing by the recruiting manager;

(x) that to support the delivery of the above recommendations, Officers are tasked to bring forward proposals for the introduction of a specialist role, for a given time period, and to address the need for other necessary supporting resources.

2.3 The progress and impact of the recommendations are reported to the Overview & Scrutiny Committee in 12 months from the date of the consideration of this report.

2.4 That the Overview & Scrutiny Committee ask the Task & Finish Group to produce a timetable to the September meeting for the review of service delivery, as set out within its scope, including details of community engagement and including the officer and other resources needed to support this process.

3. Reasons for the Recommendations

3.1. In June 2020 the Council approved a motion, as part of the international response following the death of George Floyd, and as a result of that Motion the Overview & Scrutiny Committee were asked to establish a Task and Finish Group. The Task and Finish Group would be charged with undertaking a review of the Council's approach to equality and diversity, especially with regard to race. Its report to the Committee would include an action plan with a view to the Executive adopting the Committee's recommendations in the report and its action plan. The progress and outcomes of the action plan would be monitored by the Overview & Scrutiny Committee, with the expectation that measurable improvements would be made by 2023.

3.2. The Overview & Scrutiny Committee supported the request and appointed a Task & Finish Group at its meeting on 22 July 2020, along with its Scope as set out at Appendix 1.

3.3. The Group met on 11 occasions and spent time collecting a considerable amount of information, as set out at Appendix 2. This work involved meeting with officers of Warwick District Council, officers of Warwickshire County Council (as the Council's appointed equality advisor), as well as representatives from Investors in People, a trade union and West Midlands Employers. On completion of that research phase, interviews were conducted with a number of BAME employees at WDC. The interviews were anonymised and conducted by an independent third party.

3.4. A significant amount of evidence was provided to the Group, as well as further background reading and research. A list of data provided appears in Appendix 2, with a very brief summary of ethnicity data in Appendix 3.

3.5. The Group were aware of the partnership work with Stratford-on-Avon District Council, which it is anticipated will see all employee policies aligned. Therefore, it is vital that the recommendations and this work is also adopted by Stratford-on-Avon District Council and so a conversation needs to be had to this effect. If

this does not happen it will make it significantly harder to bring forward these changes and enable broader cultural change.

3.6. The Group were generally reassured with the position the Council is in, in terms of equalities, and that a significant amount of work has been undertaken over a number of years on equalities in general. The HR department provided a significant amount of information including policies, procedures and data that was held by WDC, and additional data held by WCC. WDC collects and monitors the diversity of its staff to better understand its profile compared with local and national data and to ensure that the workforce is reflective of the communities served. Compared with data from the 2011 Census, WDC's Black, Asian and minority ethnic (BAME) representation of 10.32% is roughly representative of BAME communities within Warwickshire (11.8%). At June 2020, 58 out of 512 WDC employees were BAME, while 46 officers had chosen not to record their ethnicity (disclosure of ethnic background is optional for staff and Members). The Group were disappointed that more recent local data could not be provided to show the ethnicity of Warwick District residents to provide a more accurate comparison with the community the Council serves, but recognise this will be updated when the 2021 census data is published.

3.7. WDC's BAME employees are not evenly spread across the organisation, nor are they evenly spread across pay bands, as set out within the Ethnicity Pay Gap report, that was considered by Council. At 31 March 2020 the highest concentration of BAME employees was in the lower middle quartile (15.5%), although a small increase has been seen in the middle and upper quartiles since 2018. WDC is to be praised for having reported on the Ethnicity Pay Gap ahead of many other councils and organisations. However, although the gap has reduced significantly in recent years, there was an 8.9% pay gap between the mean hourly rate for BAME employees and those White British/unknown at 31 March 2020, and an 11.2% pay gap between the median hourly rate. In view of this evidence, the Group felt there was a need to introduce proactive measures to try and increase the racial and ethnic diversity representation within senior management.

3.8. There is a commitment at WDC to having a diverse and inclusive workforce, and strategies have already been adopted that should result in greater recruitment of BAME employees as well as better opportunities for development. Input from West Midlands Employees regarding recruitment for Head of service level and above has already resulted in the adoption of 'anonymising' candidates to remove unconscious bias in selection, and the Group strongly endorses this approach; the Group believes further recommendations could be adopted to widen the media channels used so more BAME applicants are attracted.

3.9. Following the research phase, it was clear that further evidence was needed from the point of view of WDC's BAME employees, to ascertain the extent to which policies were embedded in practice. The Group appointed WME to conduct interviews, and nine WDC staff of BAME background provided their (anonymous) experience. While the Group acknowledges that the sample was small (nine out of an estimated BAME workforce of 58), and that their views may not be wholly representative of BAME staff in general, the small sample should not in any way detract from the findings. Put simply, although two thirds felt valued and respected, one third did not; around half believe they do not have the same opportunities as their white counterparts, and two thirds feel that the selection process for roles is not transparent. In general, it was felt

that the correct policies were in place, but that having a diverse workforce was not promoted by the organisation's culture and equality was not being led from the top and that there are no promises or commitments to promote the Equality agenda from the Senior Management Team. These findings, taken alongside employment data and the ethnicity pay gap, have convinced the Group that further racial equality initiatives are needed, together with strategies such as adoption of the Race Equality Code and application of the Rooney Rule.

3.10. The research undertaken identified that there is a wider community and cultural aspiration for promoting diversity within the workplace, and that a body of 'best practice' strategies has been developed. A number of models exist to illustrate the embedding of inclusive practice, and while WDC has shown commitment to this, there was opportunity to improve. In order for WDC to develop inclusion 'maturity', the Group believes it should adopt best practice from examples such as the Race Equality Code 2020 and the Race at Work Charter. Other Local Authorities (Birmingham City Council, for example), have worked towards the adoption of the Code. It does not create new obligations but provides one set of standards and an overarching accountability framework based on 4 principles: (Reporting – it's time to report on race; Action – it's time to demonstrate accountability from the top; Composition – it's time to get to define the right targets; and Education – it's time to provide psychologically safe places). Adoption of the Code will help to further develop a culture of inclusivity within the Council.

3.11. Adopting the Race at Work Charter introduction would demonstrate a commitment from the Council in the most senior Leadership roles to undertake service and leadership transformation, then building in expectations and the right culture regarding equalities, diversity and inclusion, especially racial equality. From the WME reports it is clear that leadership of equality is not the job of HR, and in order to further improve the culture of and inclusiveness, commitment from top leadership is essential.

3.12. The Task and Finish Group welcomed the production and publicity of an ethnicity pay gap report and the commitment from the Council to continue to publish this data annually alongside the gender pay gap report. This has been specifically highlighted as one of the positive steps the Council has taken in promoting equality generally and being open with its community. The Group were also aware that there would be ongoing monitoring of the recruitment process to identify applications being made to the Council, how these were progressing and the diversity within the Council overall.

3.13. Within the information provided to the Group, no member of SMT identifies as BAME, which is not reflective of the wider organisation and community. It is recognised that to promote engagement with the wider community and to encourage a more diverse workforce, the community and applicants will look to see themselves within senior positions. The lack of BAME representation in senior management is considered to have a direct effect on the wider recruitment and engagement from and with the community. A positive change of culture is needed within the Council to help achieve a more diverse and inclusive workforce. This focus on recruitment and talent development processes will itself be dependent on data collection and analysis; fostering safe, open and transparent dialogue; mentoring, support and sponsorship; and working with a more diverse set of suppliers and partners.

3.14. Adopted in 2003, the Rooney Rule is a USA National Football League policy requiring every team with a head coaching vacancy to interview at least one or more diverse candidates. In 2009, the Rooney Rule was expanded to include general manager jobs and equivalent front office positions. The introduction of the Rooney Rule is considered appropriate for the Council to promote a more inclusive senior management team. Application of the Rule for key managerial positions requires a racially diverse set of candidates for consideration and will widen the talent pool.

3.15. The work undertaken by WME with colleagues within the Council highlighted some areas of concern. It is recognised that although a limited number of staff participated, it identified, along with examples of best practice considered by the Group, that there is significant more progress to be made in developing the Council's overall maturity in relation to race equalities. The view of one of the interviewees summarises the current position succinctly: 'The WDC culture is 'treating everyone the same' when this is not the solution, and it is about giving people equal opportunities and addressing the imbalance.' To achieve this, an action plan needs to be drawn up that sets out what steps will be taken, and the Council needs to be realistic about its current level of available resources for this. This will need the support of an expert, and under current resource constraints it is considered this will not be possible. However, an action plan can be developed as part of the transformation process for the possible merger with Stratford, which will see a cultural shift for both Councils. As well as the above, the specialist can review the work and findings of this Group and develop a wider action plan for consideration by Senior Management and Members.

3.16. With this action plan there is a need to look for evidence of engagement and change within the Council over time. It may be considered advisable to bring forward focussed inclusion groups for employees within the Council but this will need careful consideration to ensure appropriate engagement. For these reasons it is considered that a specialist in this area of work is needed to help the Council move forward.

3.17. It is important for the Committee to monitor progress on the recommendations. Considering the detail of these, it is important that sufficient time is provided to bring these forward.

4. Policy Framework

4.1. Fit for the Future (FFF)

4.1.1. The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things the FFF Strategy contains several Key projects.

4.1.2. The FFF Strategy has 3 strands, People, Services and Money, and each has an external and internal element to it, the details of which can be found on the Council's website. The table below illustrates the impact of this proposal if any in relation to the Council's FFF Strategy.

4.2. **FFF Strands**

4.2.1 **External impacts of proposal(s)**

People - Health, Homes, Communities - The report will have no direct impact for the community but aims to bring forward changes to the Council to enable it to more closely represent the Community it works for.

Services - Green, Clean, Safe – No direct impact from this report.

Money- Infrastructure, Enterprise, Employment - No direct impact from this report.

4.2.2. **Internal impacts of the proposal(s)**

People - **Effective Staff** – The recommendations with the report should provide a more inclusive and representative Council which will create an improved culture and show strong community leadership in respect of race equality.

Services - Maintain or Improve Services - No direct impact from this report.

Money - Firm Financial Footing over the Longer Term - No direct impact from this report.

4.3. **Supporting Strategies& Changes to Existing Policies** – The report will impact on the Supporting People Strategy, recruitment polices and the Equality & Diversity Action Plan. These will all need to be revisited if the recommendations are approved.

4.4. **Impact Assessments**

4.5.1. The Task & Finish group are completing an initial assessment based on their recommendations which will be shared with officers for them to check and advise upon. It is anticipated that a full impact assessment will need to be undertaken and due to time constraints this will be brought forward if Overview & Scrutiny Committee are minded to support the recommendations.

5. Budgetary Framework

5.1. The report does not directly impact on the budgetary framework or budget.

6. Risks

6.1. The inclusion of aspirational percentages of BAME colleagues within the Council and at senior level within the Council may open the Council to a potential challenge, on grounds of positive discrimination, from individuals, unions and other organisations. This is where the Equality Impact Assessment will be used to demonstrate the application of recommendations to make the Council more representative of its community.

6.2. The proposed use of the Rooney Rule, or a similar process could open the Council up to challenge on grounds of positive discrimination. However, at this

stage the recommendation is only to consider and bring forward proposals so that these risks can be considered in detail and advised upon.

7. Alternative Option(s) considered

7.1. The report contains the recommendations of the Task & Finish Group and so there are no alternatives.

Appendix 1

Review Topic (Name of review)	The Council's approach to equality and diversity, especially with regard to race
Working Group Members	Councillors Gifford, Mangat, Noone (10 November 2020), Tangri and Illingworth (10 November 2020 onwards)
Key Officer Contact	Tracy Dolphin, Head of P & C, Tarandeep Mahal, HR Business Partner, Liz Young, Community Partnership Team Manager, Rose Winship, Head of Cultural Services (Chair of PSSG), Nicki Curwood Marketing and Communications Manager (others as and when required)
Scrutiny Officer Support	TBC
Rationale (key issues and/or reason for doing the review	On 24 June 2020 Council approved a notice of Motion proposed by Councillor Mangat and seconded by Councillor Tangri. Part of the Motion requested that the Overview and Scrutiny Committee establish a Task and Finish Group. The Task and Finish Group would be charged with undertaking a review of the Council's approach to equality and diversity, especially with regard to race. Its report to the Committee would include an action plan with a view to the Executive adopting the Committee's recommendations in the report and its action plan. The progress and outcomes of the action plan would be monitored by the Overview and Scrutiny Committee, with the expectation that measurable improvements would be made by 2023.
Purpose/Objective of Review (specify exactly what the review should achieve)	To review the Council's approach, both internally and externally, to racial equality in the broader context of equality and diversity, looking both for successes and areas for improvement. With a view to providing assurance on the current work the Council undertakes on equalities and provides a framework for enhancing this. Areas to consider will include: 1. Feedback from sectors of WDC workforce, safe space to raise issues, relationships, health and wellbeing. Processes and Management Information relating to recruitment at all levels, retention and promotion. 2. WDC's engagement with residents, particularly where WDC is providing services, but also including the effectiveness of public messaging (website, press releases etc). 3. All contractors dealing with residents by exploring the procurement practices and which race equality conditions are applied into tenders if any. 4. WDC's promotion of racial equality generally e.g. addressing hate crime. 5. If the Council can do more to encourage engagement of BAME residents in democratic processes including standing for election and identifying its messages reach these Communities.

Scope of the Topic (what is specifically to be included/excluded)	Reviewing our existing approach to racial equality and promoting diversity and considering any areas to improve that are not already within the existing action plan'). The Group will have three core focuses (1) Equality within the work force of the Council (2) Equality in the services it (and its contractors deliver) (3) The promotion of racial equality generally e.g. addressing hate crime While the focus will be on equality and diversity in respect of race if other areas of inequality are identified these must be report back to the next meeting of the Overview & Scrutiny Committee. The review cannot consider any perceptions or allegations of failure to comply with the equality act by other organisations. If this occurs the Group will refer these to the appropriate party. The review cannot consider the equalities of other organisations, including the diversity of its contractors staffing. It could however share findings with its contractors (in respect of staffing for them to be aware of). If these are identified they will be shared with the appropriate organisation.
Indicators of Success (what factors would tell you what a good review should look like)	Specific, Measurable, Achievable, Realistic, and Timely (SMART) outcomes that identify the maturity of racial inclusivity within WDC, the development of anti-discriminatory positive action plans and dashboards.
Specify Evidence Sources (Background Information documents to look at)	Current WDC Policies WDC staff equality data WDC data held in respect of customer equality criteria WDC data of complaints made regarding equalities Information held by WDC contractors of equality of their customers WDC data on measuring success of marketing and advertising Best practice from other organisations including other councils. Engagement with relevant groups: see purpose, above.
Specify Witnesses/Experts (Who to see and when)	Stakeholders identified below should be considered experts in terms of their experiences. Also organisations that specialise in this work should be consulted e.g. the Equality and Inclusion Partnership. Keira Rounsley, Equality, Diversity and Inclusion Practitioner, Warwickshire County Council.
Specify Site Visits (where and when)	N/A

Consultation with Stakeholders (who should we consult?)		WDC staff and councillors including those with strategic responsibility. **Consultation approach must be signed off my O&S Cttee before being published** Groups identified in 'Purpose' above. Both individuals and groups within the local BAME community in Warwick District, including Community Leaders. Warwick District Council recognised Trades Unions	
Level of Publicity (what level is appropriate and what method should be used)		High. There is considerable public interest in this review. The Council should welcome views, experiences and input from residents. These will be developed **Consultation approach must be signed off my O&S Cttee before being published**	
Barriers/dangers/risks (identify any weaknesses or potential pitfalls)		Risk that a few loud voices are unduly influential; but equally those who have been discriminated against may be reluctant to speak. Too many issues are explored, so the review fails to complete within the allotted time. Competing priorities within the Council Difficulty of engagement during COVID-19 response. Specialist support may be required, to provide understanding of requirements of the Equality Act Insufficient funds to buy in specialist support if required Insufficient resources with the HR/Payroll/HCP and other Service Areas and Committee team to provide support for the review. The review will be based on data held by the Council and it is known that a significant number of people do not declare their ethnicity on forms. There may be some aspects which require approval from the current Employment Committee and some from the Executive. Issues may be identified about other service providers which are not in our control and these need to be directed to respective authority for them to consider	
Projected Start Date	August 2020	**Draft Report Deadline**	January 2021
Meeting Frequency	Fortnightly	**Projected Completion Date**	March 2021
Key Milestones		Must report back on work to date in full to O&S on 29 September and 8 December 2020, plus verbal updates to 18 August, and 10 November 2020.	
Date to evaluate impact		Annual report in 2022 and March 2023 outlining performance against the agreed recommendations	
Methods of tracking / Evaluating		Using the annual targets and dashboards.	

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8	8a - Elected Member training logged incorporating EDI elements 2015 8b - Training courses and delegate No's - Copy	1 2
9	Ethnicity of Elected Members	1
10	10a - Managers Forum Survey Results 10b - Remote Working Checklist 10c - Staff Survey Results 10d - Infographic Survey results 2019 10e - Questionnaire -Health and Well-being Survey 10f - Investors in People Staff Survey 10g - Report - Investors in People 2015 Bronze 10h - Survey Summary 10i - Investors in People 2018 Q's and Summary 10j - Investors in People Report - Silver Award	4 4 8 25 1 2 34 9 3 67
11	11a - Employee Support Officers Role 11b - Health Officers Group Terms of Reference 11c - Inclusion and Black Lives Matters Group WME 11d - People Strategy Steering Group - Officer Cllr Group 11e - Staff Voice Terms of Reference 11f - Unison Terms of Reference - E & D 2020 11g - Workforce Steering Group - Terms of Reference	4 3 1 1 1 2 2
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13	Applicants for roles data – explanation	1
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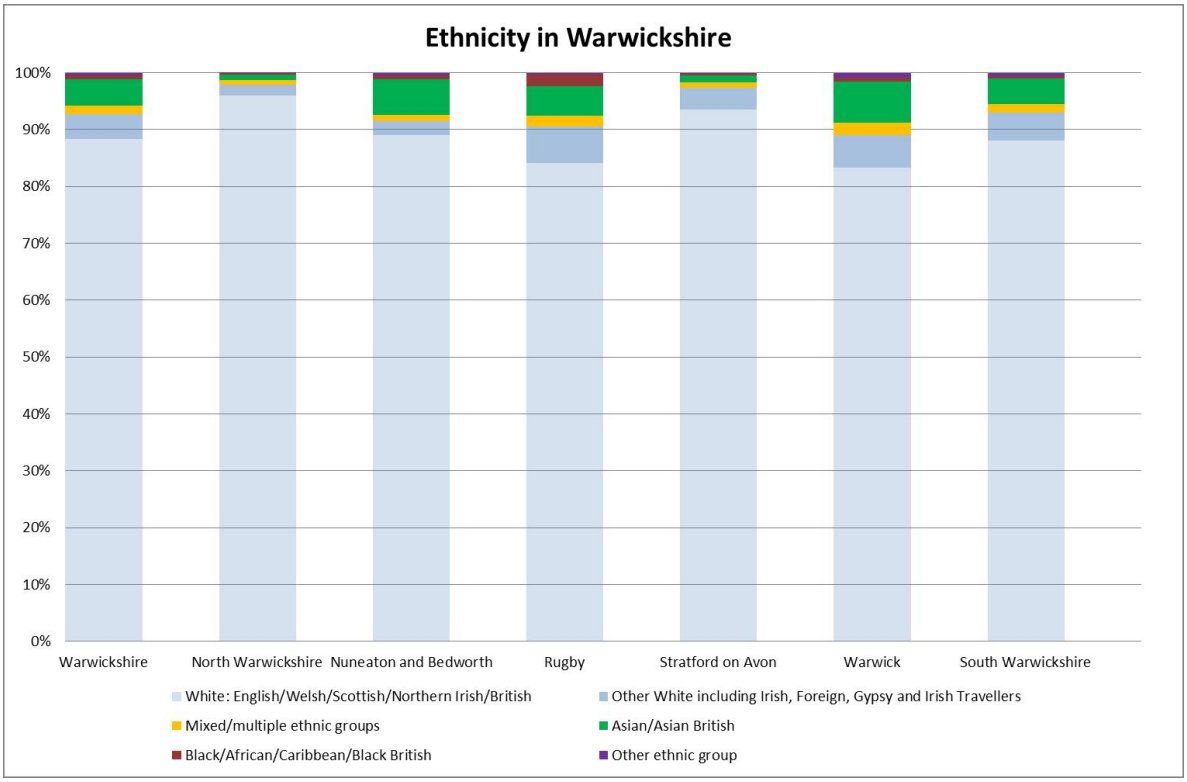
Appendix 3

The resident population

Resident population by ethnic group, 2011	Warwick District Percentage	Warwickshire percentage
Mixed White/Black Caribbean	0.6	0.6
Mixed White/Black African	0.2	0.1
Mixed White/Asian	0.8	0.5
Asian/British/Indian	4.9	3.0
Asian/British/Pakistani	0.3	0.3
Asian/British/Bangladeshi	0.1	0.1
Black African/Caribbean/African	0.3	0.4
Black African/Caribbean	0.3	0.3
Black Other	0.1	0.1
Total	7.6	5.3

(ONS, Census 2011) More up-to-date statistics will be released in 2022 following the 2021 Census



The WCC Insight Report provides this breakdown, but only includes those aged 16+ who are economically active:

Asian/Asian British:	4.6%
Black/Black British:	0.9%
Mixed:	0.9%
Total:	6.4%

WDC Employment data
Taken Ethnicity Pay Gap Report at 31 March 2020

Compared with data from the 2011 Census, WDC's Black, Asian and minority ethnic (BAME) representation 10.32% is roughly representative of BAME communities within Warwickshire (11.8%).

The overall number of BAME staff in WDC in 2020 was 57 (52 in 2019). Of these staff:

- At 31 March 2020 the highest concentration of BAME employees is in the lower middle quartile (15.5%).
- The percentage of BAME employees in the upper quartile has increased by 1.8 percentage points and by 0.2 percentage points in the upper middle quartile since March 2018.
- Since March 2018, the percentage of BAME employees in the lower quartile has decreased by 1.3 percentage points.

In terms of employment by WDC:
At Grade H, only 3 out of 12 are BAME
At Grade I, only 1 out of 11 is BAME
At Grades A&B, there is only 1 BAME staff member out of 27 employees

The ethnicity pay gap:

- There is an 8.9% pay gap between the **mean** hourly rate for BAME employees and those White British / unknown at 31 March 2020. However, on the plus side, the Council's mean ethnicity pay gap has **reduced** by 3.8 percentage points from 12.7% since 2018.
- There is an 11.2% pay gap between the **median** hourly rate for BAME employees and those White British / unknown at 31 March 2020. However, on the plus side, the Council's median ethnicity pay gap has reduced by 2.7 percentage points from 13.9% since 2018.
- In terms of **mean hourly bonuses**, those of BAME background earn less (£370.00) than White British employees (£413.33); the gap is 10.5% in favour of White British employees. However, in terms of **median bonuses**, those of BAME background earn more (£370.00) than total employees (£327.60) employees; the gap is -12.9% in favour of BAME employees.

The **RACE Equality** Code **2020**

SUMMARY VERSION

The **RACE Equality** Code **2020**

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INTRODUCTION

Now is the time to dismantle structural racism once and for all. The long-overdue need to tackle a woeful lack of racial diversity in the leadership of many of our organisations, is finally getting the attention it deserves.

We are living in a rapidly developing global business environment where technological advances, climate change, the current pandemic and civil activism, are the order of the day. Our global and national economies are underpinned by having successful and sustainable businesses, that are able to navigate this complex convergence of the new global realities that we face. Integrated, transparent reporting and constructive stakeholder engagement are critical components of ethical, informed and diverse leadership.

I would contend that the business of the future will not only embrace the skills of the millennial generation, (who will be in the majority over the next 10 years), and gender diversity, but the next bastion that needs to be tackled is Race and ultimately cognition.

Governance is "the system by which companies are directed and controlled..."as defined as far back as 1992 by Sir Adrian Cadbury. What is widely recognised across jurisdictions around the world and across the private, public and voluntary sector in the UK is, if you want a robust mechanism of transparency and accountability, then having a governance code which looks at best practice and a principle-based approach, creates that environment. In my opinion if we are to have an impact on the structural aspects of racism, we should adopt a similar strategy, and have a robust governance framework.

So, what are the systems that direct and control race equity and how can we develop a principle-based approach to tackling them?

We must find a framework that recognises that it is the governance of business ethics, business culture and attitudes to corporate social responsibility, that ultimately provide the results that we want. We want organisations to be responsible for outputs i.e. an increase in an organisation's performance and cohesive and inclusive culture. However, we are measuring a number of inputs, i.e. representation of Black people on the board, Black candidates interviewed, number of people who have attended anti–racism training and a reduction in micro-aggressions.

> *"separate inputs from outputs, and hold yourself accountable for progress in outputs, even if those outputs defy measurement"* - **Jim Collins**

The RACE Equality Code provides us with the opportunity to use a robust and comprehensive framework of measures and a methodology for transparent implementation of actions to which an organisation can demonstrate accountability.

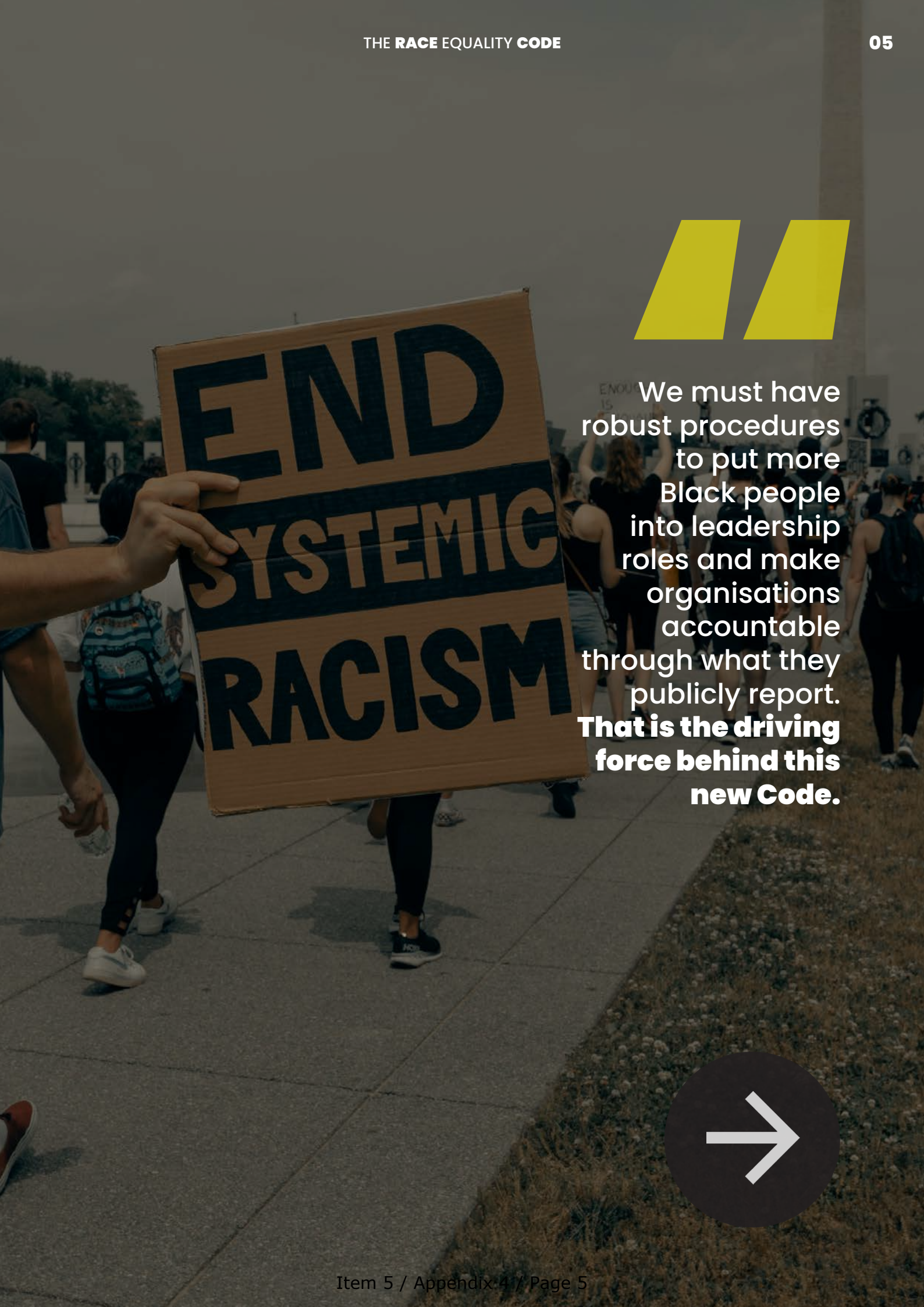
Across the decades, many reports and reviews have tried to tackle race inequality and discrimination in the boardroom and the workforce.

They have all made valid recommendations and some progress has been achieved. The case for diversity and inclusion is now better established, but have charters, pledges or guidance notes succeeded in bringing about real and lasting change?

Racial tensions are being played out across the world. In 2020 we have seen the death of George Floyd, in America, and the increasing momentum of the Black Lives Matter movement, bring fresh focus and impetus of the need to address racism, discrimination and injustice once and for all.

Real change only happens when you are able to influence leadership - the board and executive management - and hold organisations to account. So, the focus of this new and very first RACE Equality Code 2020 is firmly on how we deal with race inequity in the boardrooms and senior leadership teams of the UK.

We must have robust procedures to put more Black people into leadership roles and make organisations accountable through what they publicly report. That is the driving force behind this new Code.



We must have robust procedures to put more Black people into leadership roles and make organisations accountable through what they publicly report. **That is the driving force behind this new Code.**

Some of the wholly unacceptable statistics that emphasise the need for this focus include:

- Black workers with degrees earn 23.1% less on average than white workers.
- Just 6% of Black school leavers attended a Russell Group university, compared with 12% of mixed and Asian school leavers and 11% of white school leavers.
- In Britain, only 5.7% of Black people work as managers, directors and senior officials, compared with 10.7% of white people.
- Black people who leave school with A-levels typically get paid 14.3% less than their white peers.

The Parker Review was formed to consult on the ethnic diversity of company boards and published its first report in 2017. Since then, an 11 additional FTSE 100 companies now have a non-white director on their board, taking the total number of boards with diverse racial representation to just 37%. In the final quarter of 2020, almost 70% of FTSE 250 companies still have no diversity of race on their boards.

But we have now reached the tipping point where this unjust situation will no longer be tolerated. We are seeing some influential organisations move from 'calling' for change to 'insisting' on it. In October 2020, Legal & General, one of Britain's biggest investment companies, demanded that all FTSE 100 companies hire a non-white director by 2022. Legal & General owns up to 3% of every British blue-chip firm as part of its management of £1.2 trillion-worth of pension funds. It has written to all FTSE 100 members, as well as those in the US S&P 500 index, telling them it expects companies to have at least one Black, Asian, or other ethnic director by 1st January 2022. It says it will vote against the re-election of the Nomination Committee Chair, who are responsible for board appointments, in any companies that fail to meet the target.

The full and equal participation and progression of Black people in senior leadership roles would bring huge benefits, socially, culturally and financially. There is conclusive evidence that organisations with diverse boards and senior leadership teams are more successful. The potential benefit to the UK economy from full representation of race across the labour market, through improved participation and progression is estimated to be £24 billion per year, which represents 1.3% of GDP.

After studying as many reports, reviews and codes as I could get my hands on and more than 200 recommendations - I have developed a single Code providing one set of standards, applicable to any and every organisation irrespective of size or sector, and aimed at delivering real change.

Organisations can carry out a self-assessment against the Code requirements to find out what their targets should be and then put together an action plan to meet them. Finally, they must report regularly on their progress.

This is not in competition with other codes and it's not to say that other charters, pledges and recommendations have been wrong. This Code brings together all the best practice from across the years in one place and builds on it. It adopts a simple but robust 'apply and explain' approach, meaning that the Code can be integrated easily into any organisation's governance framework.

Dr Karl George MBE

THE PRINCIPLES

THE **RACE CODE** PRINCIPLES

Words count for nothing without action. That is why the RACE Equality Code 2020 is not 'just another code'. This Code, and its accountability framework, is designed to provide organisations across all sectors and sizes, with the opportunity to address a very specific challenge. This is shown by its 4-key Principles: **Reporting, Actions, Composition and Education.**

As the strategic voice, the board of directors (or equivalent) will have the opportunity to use the 4-key Principles of the Code as the core agenda for change. This includes taking responsibility for ensuring that the principles are implemented in a meaningful and considered manner.

PRINCIPLE 1 – **REPORTING**

There must be a clear commitment to be transparent and to disclose all required information and updates on the progress of race initiatives across the organisation. Openness and transparency, for all stakeholders, must be valued and actively pursued in order to create the environment for change.

The fundamental role of high-quality and consistent reporting in the push for racial equity, cannot be understated. Initiatives and programmes aimed at creating greater racial equity need to be tracked and assessed, as do the extent to which the objectives are achieved on a consistent basis. Effective and diligent reporting, and the consistent tracking of initiatives and programmes over time, demonstrates that the organisation is whole-heartedly committed to racial equality.

The 'how', 'where' and 'when' of reporting on race initiatives and programmes is important. Different organisations may have different outputs, but the purpose must be the same. That purpose is to create an enabling environment for racial equity in each organisation and to advance the mission of racial justice. These will, in turn, serve to strengthen the organisation and render it more agile, more resilient, more transparent and fitter for its transformative purpose.

How: The way an organisation chooses to report the progress of its efforts is expected to be information-rich and not simply a presentation of data. Effective presentations are likely to include colourful or interactive charts, but whatever format is chosen, they must be easily accessible and readable. Reports are expected to be user-friendly and clear with full attention paid to their purpose. Reports should inform stakeholders with the ultimate aim of improving decision-making on matters of racial equity.

Where: Where the report will be displayed and made accessible is an important element of transparency. It is expected that reports will be clearly visible and accessible, available for analysis and to provide guidance to boards and other stakeholders. Reports showing the progress of race initiatives are expected to be on websites, in annual or quarterly reports, staff reports and other pertinent publications and documents. This is

consistent with the requirement of the UK Corporate Governance Code for FTSE 350 companies (Provision 23), and reiterated by The Parker Review Committee (The Parker Review, 2020). Whereas the UK Corporate Governance Code and the Parker Review related this to the broader remit of diversity and inclusion, this RACE Equality Code is advocating that the reporting relates specifically to Black inclusion.

When: The frequency of reporting on race initiatives may vary from one organisation to another and may be the product of internal or external factors. Whether the reports will be published monthly, quarterly or annually, the driving imperative will be the production of information and assessments, that can inform understanding of the progress that is being made in the drive for racial equity. Annual reports are where most stakeholders, including auditors and regulators, look to ascertain what is important to the organisation (Parker Review, 2017). The publishing of an annual report is a major undertaking by any organisation, regardless of its size.

What: The publishing of targets must also include those targets that have been missed. This will allow for better monitoring by auditors. This would also provide the organisation with a more meaningful guide to how it achieves the full inclusion of Black people and brings about racial equality.

Who: The target audience of the report must be identified, as this informs both the actual detail in the report and how this information is presented. The audience will include, amongst others; board members, staff, customers, regulatory authorities and the public.

PRINCIPLE 2 – **ACTION**

It is necessary for each organisation, that wants to achieve real change, to set clear objectives. It must have a list of the measurable actions and outcomes that contribute to, and enable a shift in, the organisation's approach to successfully delivering change. Without a set of targets and detailed plans for their achievement, change will not happen and it becomes harder to hold organisations accountable. Organisations should ensure that they are aware of what actions will have the most impact and these should be prioritised with the necessary resources for their achievement.

The continued absence of actions and targets will promote confusion, which in turn perpetuates discrimination, injustice and racial inequality. Actions are the steps by which the organisation will rise above these persistent afflictions and achieve the goals of justice and equity. Actions and actionable targets provide clarity at every level of the organisation and increase accountability from the boardroom to the proverbial cloakroom. The outlining of actions supports target-setting and also helps with the regular reporting, which we have already demonstrated is an essential element in the push for organisational change.

Since the earliest days of anti-racism campaigning in the UK, there has been much talk and, sadly, too little action. The rhetoric of equality often overshadows the need for action and change. This situation became the norm, forcing the recommendations that came from the Dame McGregor-Smith Review, which boldly declared, "The time for talking is over.

PRINCIPLE 2 – **ACTION**

Now is the time to act". Setting out the actions to be taken, removes the veneer of historical achievement that is often cited to deflect criticism and delay change. Nowhere is there greater proof of the maxim that 'talk is cheap' than in the continued need for racial justice and equity in the UK. Reports, reviews and recommendations are too many to mention, but action has been woefully short.

The RACE Equality Code 2020 endorses the recommendation of the Business in the Community's - Race at Work Charter principle of assigning an executive sponsor for race, to provide visible leadership. This recommendation is again reiterated by the organisation's 2020 publication. The NHS has also cited the need for sponsors in its bid to increase ethnic minority representation. The RACE Code argues that for meaningful actions to be taken, the responsibility must lie with someone at the highest level of decision-making ie the board. This action would show all stakeholders that the organisation is serious about making change and progress, and willing to be held accountable for its actions.

Now is the time for organisations to focus on clear, measurable, time bound actions that will support the objectives aimed at achieving racial equity.

PRINCIPLE 3 – **COMPOSITION**

This RACE Code places a premium on the composition component of the approach. In this, the emphasis is on establishing a series of indicators that will provide a measure of the organisation's progress, or lack of progress. Targets and objectives are great to have, but, without distinct and definitive data it is impossible to measure progress and so tackle inequality and inequity. Therefore, it is vital to identify the key indicators that will make a real impact over the long-term, creating tangible differences to the existing landscape around race diversity of the board and senior leadership team. The narrative around what is acceptable needs to change through dialogue, and this may lead to uncomfortable, but necessary decisions which the organisation is committed to having, hearing and making. From the McGregor-Smith Review, to the most recent Business in the Community report, the importance of data is championed. For this Code, composition goes to the very heart of what organisations need to do.

The founders of the Black British Business Award programme noted the important place that data holds in increasing transparency. The RACE Code concurs with this position, while insisting that organisations must be willing to confront the hard reality that data often shows as the organisation pushes for racial equity and equality. In order for this to take place it must be the right data. Organisations must put effort into not only the collection of the data, but also the type of data that is being asked of employees and stakeholders. This relates directly to what is being measured. From recruitment to pay levels (and hence ethnic pay gaps), the right questions must be asked in order to get to the data and information that will inform the discussions.

Employers continue to be urged to encourage their staff to participate in data-collecting exercises, including surveys and

focus group discussions. This also requires employers to create an environment in which employees will feel confident that this is a worthwhile exercise, and nothing does this better than for them to see results and improvement. Every effort must also be made to ensure that all the relevant data is complete and updated regularly. One example of an attempt to consistently improve and increase the range of indicators and data, is provided by the Workforce Race Equality Standards, as it provides a picture of advances in the workforce equality agenda, using data gleaned from across the organisations.

The RACE Code recognises the urgency that exists and the opportunity to use data to have conversations about improving Black engagement and progress at every level within the organisation, but especially at board and senior leadership levels.

PRINCIPLE 4 – **EDUCATION**

The highest purpose of education is to create positive change and improvement. The pursuit of racial justice and equity requires education. Developing a robust education framework that presents the ethical and moral reasoning, behind a programme of training for every organisation, (using the RACE Code Principles) is an imperative. Perspectives need to be challenged. Prejudices, as well as systemic and institutional practices, must be acknowledged and abandoned.

The recommendations presented by Dame McGregor-Smith concluded that relevant training was essential for all managers in the workplace. Particular attention was paid to unconscious bias. This Code is advocating compulsory race training and deep dives into the prejudices, rationale, machinations and effects of race and cultural superiority notions. The dismantling of deep-seated ideas is not easily done. While this is ongoing, training around positive action by organisations must also be encouraged and instituted. The RACE Code sees much value in programmes of reverse networking aimed at empowering Black employees and workers. These actions can see high levels of engagement, increased productivity and retention, as well as community-wide empowerment via multiplier effects.

The value of group dynamics and relations is highly rated in the workplace. Group understanding must be leveraged to improve the effects on Black employees and workers. Learning opportunities must be created for meaningful inter-group interactions between Black employees and non-Black managers and executives. The principles of lifelong learning must be applied to race-related education for managers and executives for there to be meaningful change. From workshops, to lectures to intergroup sessions, regardless of the forms that these programmes of learning will take, the end result and key objectives must always be borne in mind and clearly relayed. This is about making the change; shifting away from the norm to a new level of engagement and substantial empowerment of not only Black staff but all stakeholders in the organisation.

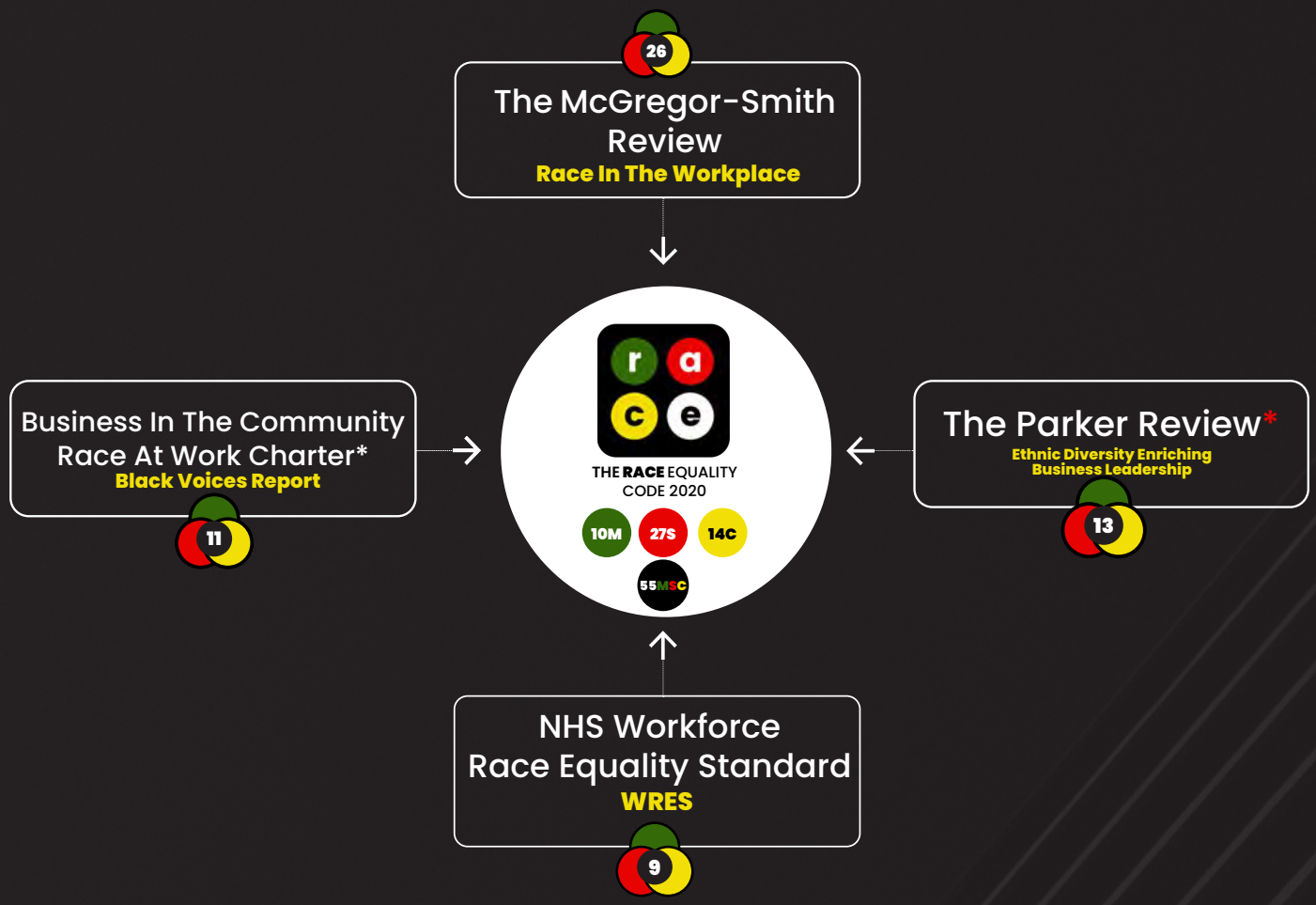
Education has the greatest potential to effect the paradigm shift and break down the mental, cultural and institutional barriers to true racial equality and inequity. Changing attitudes through learning

PRINCIPLE 4 - **EDUCATION**

bears as much relevance to executives of an organisation as to pupils in a school setting. Because prejudice and bias are the product of culture and misguided perceptions developed over time, education must be ongoing and thorough for change to take place. It is now commonly accepted that correction to implicit bias takes time, requiring attention and understanding. It is clear that attention to racial equity and gaining understanding of the reason and need for it, in turn requires commitment, investment of resources and empathy. The potential gains in the drive for equality means that education is a pressing imperative that must be reflected by the seriousness and commitment paid by executives at the highest levels.

The highest purpose of education is to create positive change and improvement. **The pursuit of racial justice and equity requires education.**

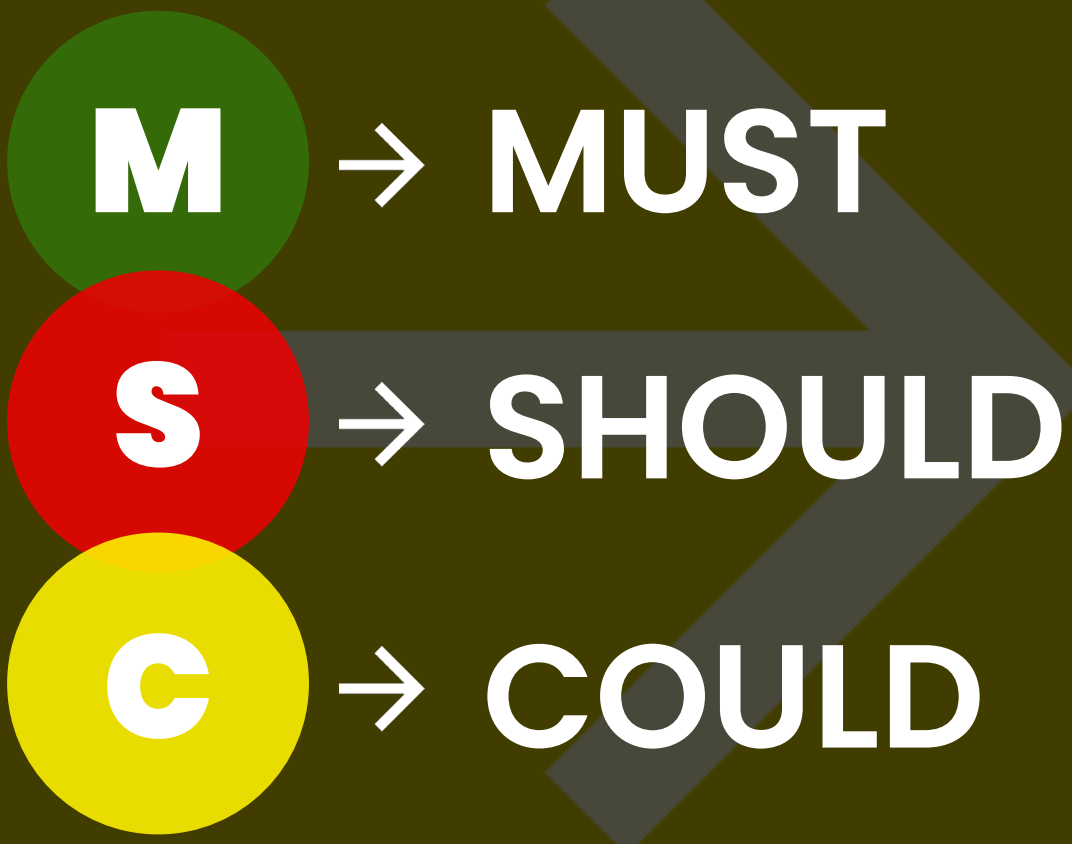
CONSOLIDATION



Black FE Leadership Group ✔
U.K Music - 10 Point Plan ✔
Commonwealth Games 2022 - 10 Point Plan ✔
Diversity In The Boardroom ✔
Rare - The Race Fairness Commitment ✔
The Diversity & Inclusion Charter ✔
Race Equality Matters ✔
CBI - Change The Race Ratio ✔
The FA Football Leadership Diversity Code ✔

*Includes latest updates

PROVISIONS


M → MUST
S → SHOULD
C → COULD

→ REPORTING

A clear commitment to be transparent to all stakeholders through the disclosure of required, concise and current information on the progress and impact of RACE initiatives across the organisation. Openness and transparency will be actively pursued and valued in order to create the right environment for change.

MUST SHOULD COULD

R1 Organisations **must** publish the following information in their Annual Report and in an easily accessible place, i.e. publicly on organisation's website and on any internal forums used by employees:

- Board race diversity
- Senior Leadership Team race diversity
- Board and Senior Leadership Team measurable race diversity targets (including an explanation where targets have not been met by a relevant date).
- Steps being taken to improve race diversity within the organisation and the results of any initiatives taken.
- Breakdown of employees by race and pay band
- Description of the Board's and Organisation's policy on race diversity

The information must disclose the number of individuals in role, by ethnicity, including Black colleagues. References to targets include a long-term (5-year) target with annual milestones to track progress against those targets. Companies that do not meet Board composition recommendations by the relevant date should disclose in their annual report why they have not been able to achieve compliance and the steps being taken to achieve compliance.

R2 Organisations **should** document and report at board level their strategy for dealing with Race inequity and the resources, financial and otherwise, that they will commit to ensuring transformational change.

R3 All organisations **should** have a publicly available anti-racism statement. This should make clear and promote that:

- The organisation has zero tolerance of racism,
- The organisation has zero tolerance of harassment and bullying

→ REPORTING CONTINUED

MUST SHOULD COULD

R4 All organisations **should** report in their annual report or other employee publications on how they have included their commitment to ensure there is a golden thread between achieving race equity, within its broader values and how this is aligned with its purpose and strategy.

R5 When referring specifically to the statements of the Chair and CEO in the annual report or other employee publications, they could document what steps they are taking to improve ethnic diversity, making specific reference to Black people.

→ ACTION

A list of the measurable actions and outcomes that contribute to and enable a shift in the organisation's approach to delivering positive and sustainable change in race equity and equality. Without a set of targets and detailed plans for their achievement, real change will not happen, and organisations will not be accountable.

MUST **SHOULD** **COULD**

A1 Organisations **must** take positive action to improve reporting rates amongst its workforce demonstrating how supplying data will assist the organisation in increasing diversity overall, with a focus on Black people.

A2 Organisations **must** identify a board-level sponsor for race or include the remit for race within an appropriate broader responsibility of a board member for example if there is a director whose responsibility is employee matters this may be considered to be a useful fit). This individual will provide visible leadership on race for the organisation, and drive actions including:

- Being responsible for the setting and overall delivery of race diversity targets. Ensuring appropriate mentoring and sponsorship is in place.
- How recruitment agencies are briefed.
- Progressing actions and reporting on actions from the RACE Equality Code.

A3 Organisations **must** ensure that all elements of reward and recognition, from appraisals to bonuses, include a target around race and are fair and reflect the racial diversity of the organisation. This ensures Black employees and all ethnic groups are paid the same as their White counterparts in a similar performance band and comparable role if the organisation uses a role classification, performance ratings and management system.

A4 Organisations **must** include diversity in every board evaluation as a measure directly linked to performance, including what it has done in reviewing the RACE Code, its strategy around improving Race Diversity as a part of the overall Diversity and Inclusion Strategy, and progress against its formal Race objectives.

A5 Organisations **must** commit to growing diverse talent, supporting Black employees to reach the very top of the organisation. Organisations must take actions that support Black people with their career progression. That action must have career progression "currency" and readily translate into evidence that Black employees have developed competencies, knowledge and skills relevant to progression. Black people performing at a certain level must be as likely to be promoted as their non-black counterparts, performing at the same level.

→ ACTION CONTINUED

A6 Actions to improve diversity in talent pipeline **should** include:

Embedding mentoring and sponsorship schemes in their organisations.

- New entrants to the organisation should receive a proper induction, including basic and clear information on how that organisation's career progression works, it's pay and reward guidelines and how promotions are awarded - ensuring transparency on career pathways.
- A robust Talent Management Strategy to fill current senior vacancies and future leadership pipelines. Increase participation levels from Black students in key programmes.

A7 Organisations **should** measure the effectiveness of mechanisms to identify, develop and promote Black employees within their organisation in order to ensure over time, that there is a pipeline of board capable candidates and their senior leadership ranks appropriately reflect the importance of diversity to their organisation.

A8 Organisations **should** review their governing documents to ensure race is fundamentally and consistently embedded (for example, are roles and responsibilities of the board and senior management relating to race accountability documented? Is that accountability upheld and does discourse on race inform board and committee discussions and decisions?)

A9 There **should** be a clear accountability framework to address the performance criteria and targets that have been set around race equality. This should include how decisions and how often monitoring reports are made to the board, ensuring that responsible board members and the senior leadership team are accountable for racial diversity. Actions as a result of such monitoring should be reported.

A10 Organisations **should** make clear that supporting equality in the workplace is the responsibility of all leaders and managers. They should include a clear race diversity objective in all leaders' annual appraisal, (covering their responsibility to support fairness for all staff), with race diversity as a key performance indicator, to ensure that they take positive action seriously. Employee's performance reviews and remuneration should tie in with contributions to development in this area.

→ ACTION CONTINUED

MUST SHOULD COULD

A11 Organisations **should** ensure formal interview processes are held for all roles and that diversity quotas around race are set and met during recruitment (panels) and interview/short-listing and recruitment agencies used. Organisations should ensure proportional representation on long and short recruitment selection lists and reject lists that do not reflect the local and/ or stakeholder working age population.

A12 Organisations **should** use relevant and appropriate language in job specifications: Job specifications should be drafted in plain English and provide an accurate reflection of essential and desirable skills to ensure applications from a wider set of individuals, paying particular attention to ethnicity.

A13 Nomination Committees **should** require their human resources teams or search firms (as applicable), to identify and present qualified Black people and other ethnic groups to be considered for board appointment when vacancies occur.

A14 Organisations **should** ensure that any executive search firm used follows the Standard Voluntary Code of Conduct for Executive Search Firms that the relevant principles of that code be extended on a similar basis to the recruitment of Black and other ethnic candidates.

A15 Led by board chairs, existing board directors **should** mentor and/or sponsor Black employees within the organisation where possible to ensure their readiness to assume senior leadership positions internally, or non-executive board positions externally.

A16 Executive Recruiters **should** be demonstrably proactive in identifying and marketing talented Black candidate and be provided with specific targets.

A17 Employers **should** convene conversations involving Black people throughout the decision-making process in the workplace for active listening, and then make plans on agreed actions together with their Black employees.

A18 Organisations **could** identify and develop a pool of high potential Black leaders and senior managers as part of a cross-sector sponsorship/mentoring programme.

A19 Organisations **could** encourage and support candidates drawn from diverse backgrounds, including Black people, to take on Board roles internally (e.g. subsidiaries) where appropriate, as well as board and trustee roles with external organisations, to develop individuals' oversight, leadership and stewardship skills.

→ ACTION CONTINUED

MUST SHOULD COULD

A20 Organisations **could** adopt the Race at Work Charter or similar sector specific guide and commit to the actions promoting race equality.

A21 Organisations **could** seek out opportunities to provide work experience to a more diverse group of individuals, looking beyond their standard social demographic, (this includes stopping the practice of unpaid or unadvertised internships), ensuring race diversity from a work experience level.

A22 Organisations **could** ensure that the selection and interview process is undertaken by more than one person and should ideally include individuals from Black backgrounds to help eliminate bias (ensuring a diverse interview panel)

A23 Organisations **could** critically examine entry requirements into their business, focusing on potential achievement and not simply which university or school the individual went to (challenging school and university selection bias).

A24 Organisations **could** use contracts and supply chains to promote diversity, ensuring that contracts are awarded to bidders who show a real commitment to race diversity and inclusion.

→ COMPOSITION

A set of key indicators that create tangible differences in race diversity across all levels of the organisation. The narrative around what is acceptable will need to change through dialogue and data, and this will lead to challenging conversations resulting in necessary decisions which the organisation is committed to making.

MUST SHOULD COULD

C1 Organisations **must** collate the following information and set stretching targets: Board race diversity; Board race diversity;

- Senior Leadership Team race diversity;
- Board and Senior Leadership Team race diversity targets (including an explanation where targets have not been met by a relevant date). Breakdown of employees by race and pay band.
- Steps being taken to improve race diversity within the organisation.
- Description of the Board's and Organisation's policy on race diversity.

C2 Organisations **must** have clear race diversity objectives covering their responsibility to support fairness for all staff, with race diversity as a Key Performance Indicator. Actions can include ensuring that performance objectives for leaders and managers cover their responsibilities to support fairness for all staff.

C3 As a minimum, organisations **should** set a target of having at least one Black board member, and at least one Black member of the senior leadership team, within one year of adoption of the Code. In the medium to long term, setting aspirational and ambitious targets for recruiting Black members of the board and the senior leadership is fundamental to the spirit of the Code.

C4 Organisations **should** measure (by percentage) the comparison between the organisations' board voting membership by race and its overall workforce by Race.

C5 Organisations **should** record the percentage of employees, by race, and

- experiencing harassment, bullying or abuse within the workplace from non-employees, (ie stakeholders) in the past 12 months.
- experiencing harassment, bullying or abuse from another employee in the past 12 months.
- believing that their employer provides equal opportunities for career progression or promotion
- personally, experiencing discrimination at work from a manager/team leader or other colleagues in past 12 months
- within each band/grading compared with the percentage of employees, by race, in the overall workforce.

→ COMPOSITION CONTINUED

MUST SHOULD COULD

C6 Organisations **should** record the relative likelihood of
- applicants, by race, being appointed from shortlisting across all posts.
- employees, by race, entering the formal disciplinary process.

C7 Organisations **could** measure opportunities to provide work experience to Black people.

C8 Organisations **could** measure the relative likelihood of White employees, accessing non-mandatory training and CPD around Diversity.

→ EDUCATION

A robust organisational framework that develops the ethical, moral, social and business reasoning for race diversity at all levels of the organisation. This will be underpinned by inclusive and embedded programmes of continuous professional development (using the Principles) through which perspectives and prejudices will need to be challenged, and systemic and institutional practices acknowledged.

MUST SHOULD COULD

E1 Organisations **must** explain to all employees how supplying diversity data around race will assist the organisation in improving racial diversity overall. Organisations must demonstrate how they have used the diversity data already collected to positive effect.

E2 Organisations **must** build psychological safety in boards and throughout the organisation to create a culture where racial issues and experiences are discussed and shared to encourage empathy.

E3 Organisations **should** ensure that all employees undertake Race Awareness Training.

E4 Organisations **should** make clear that supporting equality and race equity specifically in the workplace, is the responsibility of all leaders and managers.

E5 Organisations **should** make clear arrangements to educate senior leaders to actively sponsor Black talent in their workplaces.

E6 Organisations **should** create safe workplaces that are free from harassment and couple this responsibility with an open environment that allows employees to speak out about experiences, policies, practices etc that contravene a diverse, equal opportunities and anti-racist organisation. Employee 'whistleblowing' procedures must be communicated and made accessible without fear of reprisals.

E7 Senior management teams, executive boards and those with a role in the recruitment process, **should** go further than taking mandatory training and undertake more comprehensive workshops that tackle bias.

E8 All induction programmes **should** include modules to show how the career ladder works in the organisation (noting for Black employees the stats show a lack of career progression and may be structurally racist).

E9 Organisations **should** establish formal race diversity networks and encourage individuals to participate and use the networks to provide education opportunities. Organisations **should** consult with the networks (as appropriate) and allow the networks to contribute to decisions that have the potential to impact Black employees.

→ EDUCATION CONTINUED

MUST SHOULD COULD

E10 Mentoring and sponsorship schemes **should** be made available to anyone who wants them, and the organisation should ensure that they are implemented with the necessary training, support and resources.

E11 Senior leaders and executive board members **could** undertake reverse mentoring with Black individuals, to better understand their unique challenges as well as the positive impacts from diversity.

E12 As part of the education of Black employees, employers **could** explain how success has been achieved: Senior managers should publish their job history internally (in a brief, LinkedIn style profile) so that junior members of the workforce can see what a successful career path looks like.

E13 The organisation **could** seek to source or work with employee representatives, trade unions and third sector organisations to develop a simple guide on how to discuss race in the workplace.

E14 The organisation **could** seek to source or develop an online portal for employees to source the information and resources they need to take effective positive action.

HOW TO ADOPT THE CODE

FRAMEWORK

The RACE Equality Code 2020 is a governance code. In order to demonstrate compliance with the Code there are a number of procedures that should be followed. The aim is to provide organisations of all sizes and maturity, and across sectors, with a robust framework for developing a RACE Equality Code Action Plan and then to ensure accountability, it is to presented stakeholders of the organisation.

The Code has 4-key Principles which they are expected to apply **and** explain and 55 provisions which they are expected to comply **or** explain. Any actions that arise from carrying out the diagnostic should then be used to create the Action Plan.

APPLY AND EXPLAIN

This approach to governance finds it's origins in the King IV Report on Corporate Governance for South Africa, and assumes that organisations will already be in compliance with the principles. They should move beyond a "tick box" approach by describing how their practices achieve compliance with the **principles**.

COMPLY OR EXPLAIN

This approach rejects the view that "one size fits all" and was first introduced after the recommendations of the Cadbury Report of 1992. This is a regulatory approach that allows for the organisation to explain publicly why they do not comply with a **provision** Code.

BENCHMARK 20

We are currently creating a national benchmarking exercise with early adopters of the Code. Please visit the website to be part of this initiative to compare compliance with the provisions.

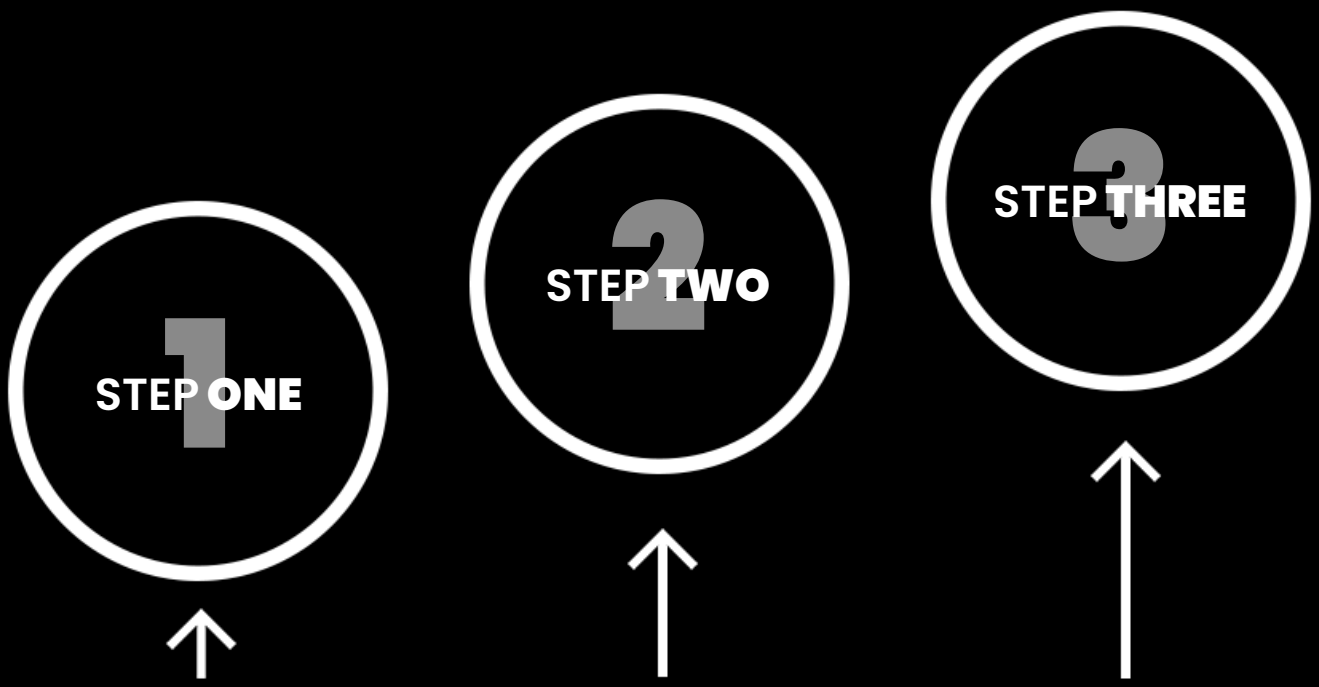
→ theracecode.org

WHAT YOU NEED TO DO

1. Read and discuss the DRIVERS with your Board and Senior Leadership Team. These are the key concepts around Race Equality and are found on the website www.theracecode.org. Also take some time to consider some of the key terminology by reviewing recommended books, articles and videos on the subject. The aim is to get some consensus around the key concepts that drive this Code. Create (or use an existing group if you have one), a small team or Committee, with representation from your Board, and include the CEO plus an executive colleague with responsibility for Diversity and Inclusion. This Committee will take the necessary time to consider each of the 4 key Principles of the RACE Code and the 55 provisions that have been identified.

2. APPLY AND EXPLAIN - Once the 4-key Principles have been discussed and the questions answered, the Committee should draft a robust statement (to be approved by the Board), as to how your organisation will apply these Principles. This statement should also identify any actions that arise as a result of your discussions.

3. COMPLY OR EXPLAIN - Finally take the time to review each of the 55 provisions assessing whether the organisation is non, partially or fully compliant. a) It is expected that the **Must** provisions where there is partial, or non-compliance, will have a statement as to how and when compliance will be achieved. b) It is expected where there is none or partial compliance with the **Should** explanations, that there is either an explanation of when compliance will be achieved or a robust and comprehensive description on the reasons that compliance would not improve the organisations race equality impact. c) Finally, where the **Could** categories have not been complied with, the organisation can choose which items to include in its action plan and which ones to disclose.



EXAMINE

DIVERSITY
RESPONSIBILITY
INTEGRITY
VALUES
EQUITY
REALITY
SOCIETY

APPLY & EXPLAIN

REPORT
ACTION
COMPOSITION
EDUCATION

COMPLY OR EXPLAIN

MUST
SHOULD
COULD

HOW TO GAIN PUBLIC/SECTOR RECOGNITION

To receive the Quality Mark and publicly evidence your commitment to Race Equality, contact the Race Code Consultancy (RCC) and our team of specialist Race Consultants will explore and review your organisation's practices against the full framework and provide a comprehensive action plan.

An example of the RACE questions

Write comments to the extent that you agree with the following statements and provide as much evidence as you can to support your comments and how you will apply the RACE Code in relation to the 4-key Principles.

REPORTING - Are you happy with how your organisation reports on race, is information transparent and accessible by all stakeholders?

ACTIONS - Are you satisfied that the actions your organisation is taking are robust enough to make a real difference to race equality and that the board is accountable?

COMPOSITION – Has your organisation gathered the appropriate data? Are you satisfied with the targets that your organisation has decided upon, and that they are challenging enough? Has your organisation developed the relevant governance structure to ensure there is accountability?

EDUCATION - Are you confident that you have considered how your organisation will educate staff at all levels of the organisation and all the key stakeholders that work with your organisation around race equality, and that you have considered how to examine the culture, ensuring there is an inclusive and belonging environment?

CONTRIBUTORS

ICSA West Midlands - The Chartered Governance Institute

Tom Proverbs-Garbett
Nicola Rees
Sarah Edwards
Helen Higginbotham
Jagdish Kaur
Amarno Inai
Claire Wood

FOCUS GROUP

Matthew Gordon
Nathan Blake
Lord Simon Woolley
Sharon Thompson
James Tickell
Olu Olanrewaju
Michael Johnson
Wes Morgan
Chris Hughton
Les Ferdinand MBE
Darren Moore
Kevin Johnson
Amarjit Bassi
Stephen Bull

THE RACE CODE CONSULTANTS

Rob Neil OBE
Joel Blake OBE
Olivea Ebanks
Jacynth Ivey
Lanre Sulola
Julia Regis

EARLY ADOPTERS

Birmingham and Solihull Women's Aid
Doncaster & Bassetlaw NHS Foundation Trust
Trident Group
Greater Birmingham Chamber of Commerce
Birmingham City Council
West Midlands Combined Authority
Nehemiah Housing

CODE STEERING GROUP

Bishop Derek Webley MBE
Yvonne Coghill CBE
Alexander Van de Putte FCG CDir FIoD
Simon Osborne FCG
Dr Yvonne Thompson CBE
Gary Elden OBE
Charlotte Valeur
Raj Tulsiani
Sandra Kerr CBE

PROGRAMME TALENT PIPELINE

leadership2025.co.uk
raceequalitymatters.com
effectiveboardmember.co.uk
10000blackinterns.com
obv.org.uk
boardapprentice.com

The **RACE Equality** Code **2020**

SUMMARY VERSION

The **RACE Equality** Code **2020**

theracecode.org

karlgeorge.com

Business in the Community
Race at Work Charter

All organisations want to recruit from the widest pool of talent and to help them progress. It is key to their future productivity and performance.

The Race Disparity Audit's Ethnicity Facts and Figures website and the BiTC Race at Work Survey highlight that ethnic minority staff still encounter significant disparities in employment and progression. The McGregor-Smith review highlights that greater progress and positive outcomes are now needed to ensure all organisations benefit from the wealth of diverse talent on offer.

This Charter is composed of 5 principal calls to action for leaders and organisations across all sectors. Signing up means taking practical steps to ensure their workplaces are tackling barriers that ethnic minority people face in recruitment and progression and that their organisations are representative of British society today.

The Charter - Five Calls to Action Signatories will:

1. Appoint an Executive Sponsor for race
Executive Sponsors for Race provide visible leadership on race and ethnicity in their organisation and can drive key actions such as setting targets for ethnic minority representation, briefing recruitment agencies and supporting mentoring and sponsorship.

2. ***Capture ethnicity data and publicise progress***
Capturing ethnicity data is important to establishing a baseline and measuring progress. It is also a crucial step towards an organisation being able to report on ethnicity pay.

3. Commit at Board level to zero tolerance of harassment and bullying
The Race at Work Survey revealed that 25% ethnic minority employees reported that they had witnessed or experienced racial harassment or bullying from managers. Commitment from the top is needed to achieve change.

4. ***Make clear that supporting equality in the workplace is the responsibility of all leaders and managers***
Actions can include ensuring that performance objectives for leaders and managers cover their responsibilities to support fairness for all staff.

5. Take action that supports ethnic minority career progression
Actions can include embedding mentoring, reverse mentoring and sponsorship in their organisations.

Agenda Item 6

Finance & Audit and Overview & Scrutiny Committees
6 and 7 July 2021

Title: Approach to the Scrutiny of the proposed Merger of Warwick District Council and Stratford-on-Avon District Council
Lead Officer: Chris Elliott chris.elliott@warwickdcgov.uk
Portfolio Holder: Andrew Day
Public report
Wards of the District directly affected: All

Contrary to the policy framework: No
Contrary to the budgetary framework: No
Key Decision: No
Included within the Forward Plan: No
Equality Impact Assessment Undertaken: No
Consultation & Community Engagement: No
Final Decision: Yes
Accessibility checked: Yes

Officer/Councillor Approval

Officer Approval	**Date**	**Name**
Chief Executive/Deputy Chief Executive	30 June 2021 30 June 2021	Chris Elliott Andrew Jones
CMT		
Section 151 Officer		
Monitoring Officer	30 June 2021	Andrew Jones
Finance		
Portfolio Holder(s)		Andrew Day

1. Summary

1.1. The report brings forwards outline proposals for detailed Scrutiny of the proposed merger of Warwick District Council and Stratford-on-Avon District Council.

2. Recommendation

2.1. The Committees confirm their support for the proposed scrutiny of the proposed merger between Warwick District Council and Stratford-on-Avon District Council as set out in this report

2.2. The Committees consider the proposed consultation plan as set out at Appendix 1 to this report and pass comment on it.

2.3. The Committees ask officers to arrange an online scrutiny session on the Programme of Implementation (PI) for Members of the two Committees and delegate authority to Chairs of the Scrutiny Committees to formalise the response to the Leaders & Chief Executives of both authorities.

2.4. The Committees note the intention to provide a briefing for all Councillors on the PI for merger on 9 August at 6.00pm, followed by Group meetings.

2.5. The Committees note that there will be an update, as part of their work programme, at each of their meetings on progress through the PI with the format to be agreed by the Chief Executive in consultation with the Chairs of the two Warwick Scrutiny Committees.

2.6. The Committee asks the Scrutiny Chairs of Warwick District to meet regularly with the Scrutiny Chair of Stratford-on-Avon District Council to discuss scrutiny of merger and cross cutting themes.

3. Reasons for the Recommendation

3.1. At the Council meeting on 24 February 2021 it was agreed that "the Chief Executives of both Councils are authorised to prepare a Programme of Implementation (PI) to deliver the vision agreed at 2.4 above for consideration by Members no later than July 2021.

3.2. At their meetings in April, the Scrutiny Committees supported the proposals from the Chairs of the respective Committees as follows:

Five broad themes to guide the scrutiny:

- Impact on services to residents.
- Democratic representation.
- Impact on strategic priorities (e.g. CEAP).
- Finance and Council Tax.
- Communication and consultation.

These themes were supported with some additional focus on specific services (e.g. Neighbourhood Services, Green Spaces) and the importance of understanding the interrelation with Parish & Town Councils.

- Scrutiny for the merger should continue to be done separately by F&A and O&S but that the Chairs of scrutiny should consult frequently to ensure that there is good synergy between the work of the Committees.
- Scrutiny should be conducted in line with the five themes identified with specific service areas as identified being covered in the 'Impact on Services to Residents' theme, and the impact on Town and Parish Councils should become a cross cutting theme. (ask Committee Services to arrange a briefing session for Members on the differing roles of Town & Parish Councils across the District, what powers they currently hold, what further powers and responsibilities could be delegated or devolved to them within the exiting legal framework if those bodies agreed).
- Committee Services should be asked to prepare a scrutiny plan which outlines a timetable for scrutiny to consider these themes. This timetable needs to give sufficient scope for the Committee to influence the development of policy rather than simply reviewing it.
- The Council should seek additional resource to support the scrutiny of this programme both in terms of Council officer support and expert support from the Centre for Governance & Scrutiny (CfGS) (Formally CfPS).
- In terms of the joint local plan, this will be a joint exercise with Stratford-on-Avon District Council and the Chairs of Scrutiny to meet with relevant officers and agree an approach in the new council year.

3.3. The Chairs of the Scrutiny Committees and Chief Executive met with Ed Hammond of the CfGS. CfGS brought forward an outline proposal for Scrutiny of the proposed merger. Officers and the Chairs of the Scrutiny Committees considered the proposal, being mindful of the discussions at the Joint Arrangements Steering Group (which include representatives from both Councils) that had subsequently taken place. From this it was identified there were key steps for scrutiny to be involved in:

- Reviewing the proposed PI.
- Reviewing the process for the proposed consultation.
- Reviewing the proposed submission document at an early stage and just prior to submission.
- Monitoring the delivery of the implementation plan for the merger of the authorities.

3.4. The Chairs were mindful of the key strategic importance of the proposed merger and wanted to ensure that robust scrutiny, from a Warwick District Council perspective could be undertaken, and also recognised the significant resource requirements this will require to both deliver and scrutinise. There is a need for engagement with Councillors to both update them and enable meaningful feedback at relevant stages of the proposals, therefore they asked officers to provide a way for this to occur without significant resources to deliver it. Based on this, the first steps of this will be the feedback consultation approach, along with the remote scrutiny session and wider briefing for all Councillors on the PI.

3.5. The attached report on the consultation, which is being led by Stratford-on-Avon District Council was considered by the Stratford Overview & Scrutiny

Committee on 30 June 2021. This Committee is also requested to present its views on the consultation plan.

3.6. It is important to keep Members informed on the PI ahead of the anticipated discussion on the submission document later in the year. This will form as appendix to the Work Programme each meeting of the Committee.

3.7. The Committees have previously committed to scrutiny of the merger at Warwick to be independent of Stratford-on-Avon but there is a need for liaison between the Councils to share experiences and ideas. Therefore, it is considered appropriate for dialogue to be between the three scrutiny Chairs at the two Councils.

4. Policy Framework

4.1. Fit for the Future (FFF)

4.1.1. The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things the FFF Strategy contains several Key projects.

4.1.2. The FFF Strategy has 3 strands, People, Services and Money, and each has an external and internal element to it, the details of which can be found on the Council's website. Section 4.2 below illustrates the impact of this proposal if any in relation to the Council's FFF Strategy.

4.2. FFF Strands

4.2.1 External impacts of proposal(s)

People - Health, Homes, Communities – The proposals within the report have no direct impact on this area, however they are designed to scrutinise the proposal to merge Warwick District Council and Stratford-on-Avon District Council to ensure those proposals are sound and robust and are likely to achieve the aims and aspirations as set out within the proposals.

Services - Green, Clean, Safe - The proposals within the report have no direct impact on this area, however they are designed to scrutinise the proposal to merge Warwick District Council and Stratford-on-Avon District Council to ensure those proposals are sound and robust and are likely to achieve the aims and aspirations as set out within the proposals.

Money- Infrastructure, Enterprise, Employment - The proposals within the report have no direct impact on this area, however they are designed to scrutinise the proposal to merge Warwick District Council and Stratford-on-Avon District Council to ensure those proposals are sound and robust and are likely to achieve the aims and aspirations as set out within the proposals.

4.2.2. Internal impacts of the proposal(s)

People - **Effective Staff** – This report provides clear direction for officers on the approach the Committee wish to take on scrutiny.

Services - Maintain or Improve Services - This section needs to provide details in respect of the following intended outcomes: Focusing on our customers' needs; Continuously improve our processes and Increase the digital provision of services.

Money - Firm Financial Footing over the Longer Term - This section needs to provide details in respect of the following intended outcomes: Better return/use of our assets; Full Cost accounting; Continued cost management; Maximise income earning opportunities and Seek best value for money.

4.3. **Supporting Strategies**

4.3.1. Each strand of the FFF Strategy has several supporting strategies but this report does not directly impact upon them.

4.4. **Changes to Existing Policies**

4.4.1. This report does not bring forward any changes to current policies.

4.5. **Impact Assessments**

4.5.1. The consultation will be led by Stratford-on-Avon District Council however this Council should satisfy itself that the proposed approach does not discriminate against individuals with protected characteristics under the quality act and seek assurance from SDC on this point.

5. Budgetary Framework

5.1. There are no planned budgetary implications of the recommendations of this report.

6. Risks

6.1. The failure to undertake robust scrutiny of the proposals raises two significant risks for the Council. Firstly, it is essential that each steps of the proposal are scrutinised robustly by Councillors to ensure that it will bring forward the aims of the proposed merger. Secondly the Government will be looking to see engagement with all Councillors with the proposals and scrutiny will form a key part of that engagement process.

7. Alternative Option(s) considered

7.1. No alternatives have been considered as the proposals were developed in line with the request of the Scrutiny Committees.

OVERVIEW AND SCRUTINY COMMITTEE

30 JUNE 2021

Subject: **Creation of South Warwickshire Council Consultation**

Contact: **Simon Purfield, Performance, Consultation & Insight Manager**

simon.purfield@stratford-dc.gov.uk

1. Introduction

This note sets out the possible processes to be used for a consultation in the district council areas of Stratford-on-Avon and Warwick on the creation of a South Warwickshire Council.

2. The Requirement for Consultation

The views of residents, businesses, partners and parish/town councils will have to be taken into account in any decision on the future of local government in South Warwickshire.

We would use the "Gunning Principles. They are the founding legal principles applicable to public consultation in the UK. They were first laid down in 1985 by Stephen Sedley QC and have stood the test of time in successive court judgements, making them applicable to all public consultations that take place in the UK.

They define that a consultation is only legitimate when these four principles are met:

1. Proposals are still at a formative stage - A final decision has not yet been made, or predetermined, by the decision makers.
2. There is sufficient information to give 'intelligent consideration' - The information provided must relate to the consultation and must be available, accessible, and easily interpretable for consultees to provide an informed response.
3. There is adequate time for consideration and response - There must be sufficient opportunity for consultees to participate in the consultation.
4. 'Conscientious consideration' must be given to the consultation responses before a decision is made. Decision-makers should be able to provide evidence that they took consultation responses into account.

It is also interesting to note that for a similar consultation, albeit for unitary government, that the previous Secretary of State included the following paragraph within the invitation to the councils in Northamptonshire, to submit proposals for unitary structures to replace the existing 2-tier system.

Extract:

"That there should be extensive local consultation about any proposal before it is made, seeking the views by appropriate means of residents, stakeholders and partners including local enterprise partnerships, health bodies, businesses, and other organisations including voluntary organisations. The means of seeking views may include professionally led open consultation questionnaires, representative household surveys, surveys of parish and town councils, workshops, telephone interviews with other major stakeholders, and inviting written submissions."

3. Consultation Approach

In the autumn/winter 2020/21, the five district/boroughs in the county undertook a pre-engagement consultation exercise with a wide range of people and organisations in the process, regarding the potential of unitary government in Warwickshire.

Some of the techniques used for this are included in the suggested approach for the consultation process on a possible South Warwickshire Council.

3.1 ***Residents - Telephone Survey***

How - A sample of local residents in each council area would be contacted by telephone given background information before asking each question. This is a tried and tested formula for this sort of consultation.

Sample - The achieved sample would reflect the profile data for both districts, using age, gender, working status, disability and tenure, and subsequently weighted accordingly.

Number – 600 telephone interviews are suggested at this stage spilt equally between Stratford and Warwick District Councils. This gives statistical reliability based on the population.

3.2 ***Open Questionnaire***

This would be predominantly online available for completion by anyone, available on the council websites and across social media.

The open consultation questionnaire provides information about the views of particular groups and individuals at very local levels, but it is less appropriate as a guide to overall opinion because the profile of people that respond will not match the overall Council population in terms of age, employment status etc. Nonetheless, the open questionnaire would be used to explore how people's views differ by location, gender, age and other characteristics. In this context, both the similarities and differences between the open questionnaire findings and the telephone survey would be reported fully.

This questionnaire would be completed accordingly by residents living in the two districts, people who live outside the area, businesses, parish/town councils, and from other organisations.

Additionally, any resident could request a paper copy for those without access to a computer.

Consultation Period - The online consultation online would run for a seven or eight week period.

3.3 ***Residents – Focus Groups***

When we undertook the engagement work on unitaries we used focus groups. These are key as you use a 'deliberative' approach to encourage members of the public to reflect in depth about the case for change and the possibility of changing local government structures, while both receiving and questioning background information and discussing their ideas in detail. The meetings would last for two hours. I would suggest up to six be undertaken, three in both Districts.

3.4 ***Businesses***

A deliberative virtual focus group ran by the external research agency would be set up lasting around two hours. Promotion and recruitment of the focus group would be by the district councils utilising their contacts, i.e. Stratford District Council has a Business Sounding Board. In addition, any business in the two districts would be encouraged to complete the open questionnaire. We should also target the business organisations in our area such as the local Chambers of Commerce, etc.

3.5 ***Town and Parish Councils***

This will be a key consultee. A briefing session ran by each Council for their area is suggested, followed up by a survey to them directly.

A deliberative virtual focus group ran by the external research agency is also suggested lasting around two hours. For the unitary consultation we utilised WALC (Warwickshire Association of Local Councils) to help recruit their members to take part. This worked well.

3.6 ***Voluntary and Community Sector***

Utilising the contacts each district council has for the voluntary and community sector, invitations would be sent out inviting them to a deliberative virtual focus group ran by the external research agency lasting around two hours.

3.7 ***Stakeholders***

This will be important to satisfy the conditions for any submission to government.

Over the coming month's engagement would be encouraged with the major players in each district, other Warwickshire district and borough councils and adjoining councils such as Coventry, Solihull, Redditch, etc. Other public sector organisations would be included, for example; WCC, PCC, SWFT, CWPT, CCGS, LEP, University, Colleges, WMCA, MPs, etc. This could be done informally by the councils themselves or utilise the research agency to undertake depth interviews.

3.8 ***Staff and Councillors***

Staff cannot be ignored with this consultation. They should be offered an open meeting(s) to attend with a question and answer session following a presentation. A survey would follow and this element would be done in-house, with the use of an online questionnaire.

All councillors in both Stratford and Warwick District Councils would be consulted.

3.9 ***Other Consultation Methods***

Other techniques could be considered.

Face to Face interviewing of residents was considered at the time of writing, but current Market Research Society guidance is for this technique not to be used unless absolutely necessary due to the current restrictions. It would be prudent not

to plan for this at this time. Indeed the research agency I spoke to confirmed no clients were currently using face to face techniques.

Citizens juries is another technique mentioned. This is very expensive. An explanation of the technique is shown in **Appendix 1**.

A referendum / public vote is an option, but that would also be very expensive and is a non-binding vote. The five Somerset districts undertook one regarding unitary government in May 2021, at a cost of £310,000 resulting in a 25% turnout.

3.10 ***Use of External Research Company***

I strongly recommend that the majority of the consultation is managed by an independent company. This independence is **crucial**.

We must consider that if the consultation was done in-house an "unconscious bias" may occur when analysing responses.

4. Supporting Information/Engagement

Good supporting information will be key with this consultation and as/even more important than the consultation itself. It would be necessary to receive assistance from both district council communications teams to produce the material.

This will need to be well planned and financed. The better the information provided, the better the decision making. This will clarify plans on the part of the two councils as to what exactly will be involved in the process of going to an enlarged council area.

This supporting information should be in place before any consultation takes place in order for people to digest the information.

We would produce a document available on the website and used to inform those completing the open questionnaire – a good example is attached in **Appendix 2** from East Suffolk. The aim will be to give the information they need to understand the situation, so they can complete the consultation questionnaire in an informed way. This is crucial.

It would be good practice to provide a list of frequently asked questions.

Some of the methods used currently by colleagues undertaking the South Warwickshire Plan consultation should be considered. Namely a short video explaining the reorganisation plans and posted on the respective websites and via social media.

The use of open meetings (virtual or in person depending on when this could happen) to communicate what a South Warwickshire Council would look like. It would provide the opportunity to talk to local stakeholders, from businesses and voluntary organisations to parish and town councils, to answer any questions they have, and so they could find out how the proposals would affect them. There could be open meetings separate for residents.