

**For General Release**

<b>REPORT TO:</b>	<b>CABINET 24 January 2022</b>
<b>SUBJECT:</b>	<b>Equality, Diversity &amp; Inclusion Update Report, including Race Matters Pledge and Equalities Pledge</b>
<b>LEAD OFFICER:</b>	<b>Katherine Kerswell, Chief Executive</b>
<b>CABINET MEMBER:</b>	<b>Councillor Manju Shahul-Hameed, Cabinet Member for Communities, Safety and Business Recovery</b>
<b>WARDS:</b>	<b>All</b>
<b>COUNCIL PRIORITIES 2020-2024</b> The Council has maintained its commitment to equality diversity and inclusion with a new priority to tackle ingrained inequality and poverty in the borough, following the evidence to tackle the underlying causes. The Council's Equality Strategy 2020-2024 seeks to deliver this priority. Developing borough wide equalities pledge is a key action in the Equality Strategy 2020 -2024. This is instrumental in supporting the Council's priority to tackle ingrained inequality and poverty and tackling the underlying causes, such as structural racism, environmental injustice and economic injustice.	
<b>FINANCIAL IMPACT</b> There are no financial implications arising from this report.	
<b>FORWARD PLAN KEY DECISION REFERENCE NO.: 0322CAB</b> The notice of the decision will specify that the decision may not be implemented until after 13.00 hours on the 6th working day following the day on which the decision was taken unless referred to the Scrutiny and Overview Committee.	

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below

**1. RECOMMENDATIONS**

The Cabinet is recommended to

- 1.1 Consider and have due regard to the responses to the consultation on the Race Matters and Equalities Pledges, as set out in Appendix 1;
- 1.2 Agree that the Race Matters and Equalities Pledges, as set out in Appendix 2, be adopted by the Council;
- 1.3 Agree that the Race Matters Pledge be renamed the George Floyd - Race Matters Pledge;

- 1.4 Subject to recommendation 1.1 being approved, note the plan to hold a promotion event for the Equalities Pledge on 8 March 2022 – International Women’s Day;
- 1.5 Subject to recommendations 1.1 and 1.2 being approved, note the plan to hold an event marking the George Floyd Race Matters Pledge on 25 May 2022- the 2<sup>nd</sup> anniversary of George Floyd’s brutal murder;
- 1.6 Agree the monitoring arrangements in respect of both pledges, as set out in paragraphs 5.2 – 5.10 of the report;
- 1.7 Note the successful implementation of the Tea time talks, Safe Spaces initiative and Guardians programme within the Council, as part of the culture change programme within the Croydon Renewal Plans;
- 1.8 Following the Motion debate at the Council meeting on 13 December 2021, agree that the Council adopt the definition of Islamophobia, as developed by the All-Party Parliamentary Group on British Muslims, and set out in paragraph 6.3 of the report;
- 1.9 Authorise the Interim Assistant Chief Executive to make amendments to Council policies and procedures to incorporate the All-Party Parliamentary Group on British Muslims definition of Islamophobia; and
- 1.10 Note the proposal for the establishment of an Equality, Diversity & Inclusion Cabinet Advisory Board by the Leader, with terms of reference to be agreed by the Leader of the Council.

## **2. EXECUTIVE SUMMARY**

- 2.1 This report asks the Cabinet to adopt the (renamed) George Floyd -Race Matters Pledge and the Equalities Pledge.
- 2.2 Developing a Borough wide Equalities pledge, to include the principles of the Black Lives Matter Charter, was included in the Equality Strategy 2020-2024. This supports the Council’s core priority “*We will focus on tackling ingrained inequality and poverty in the borough. We will follow the evidence to tackle the underlying causes of inequality and hardship, like structural racism, environmental injustice and economic injustice.*”
- 2.3 Following the brutal murder of George Floyd, and engagement with staff and community groups about tackling racism, it was agreed with the Cabinet Member with responsible for equality and inclusion, have a specific race pledge, rather than incorporate principles of the Black Lives Matter Charter within an equalities pledge. This additional pledge would be aimed at positive action to tackle racism faced by people of African, African Caribbean and African Latin heritage. In taking this approach, the Council is not suggesting that other parts of the community have not suffered from racism, but the pledge

is intended to provide particular focus following the engagement with staff and community groups during the Black Lives Matter protests.

- 2.4 The Council went out to consultation on the pledges in July- August 2021 using the Councils consultation platform 'Get Involved' and received responses from 82 people. In order to seek wider feedback, the Council went out to a further consultation during October - November 2021 and received a further 326 responses. In total over 400 individuals responded. Consultation responses are detailed at Appendix 1 to this report. .
- 2.5 This report summarises the findings and responses from each consultation. Feedback from responses was used to revise the pledges prior to the second consultation in October – November 2021. Feedback has also been used from the consultation during October – November 2021 to revise the pledges for Cabinet consideration, and in anticipation of events in March and May 2022. The final revised pledges are detailed at Appendix 2 to this report. The consultation responses provided the opportunity to take stock, learn lessons, and provide the assurances and explanations that will be required moving forward with the pledges and wider Equality Strategy actions.
- 2.6 A Race Matters Pledge and Equalities Pledge Steering Group, with community representatives, developed the pledges with the Council and will support the launch of the pledges.
- 2.7 Communication will continue on the pledges in the council and the community to ensure that having been consulted, organisations will want to adopt the pledges, utilise their branding, committing to the pledges on their email signatures and social media accounts. Communication will also be produced to encourage organisations to commit to the activities outlined on the pledges and the monitoring arrangements detailed in this report.
- 2.8 The report also seeks to formally adopt the All-Party Parliamentary Group on British Muslims definition of Islamophobia. This follows the Motion debate at the Council meeting on 13 December 2022.
- 2.9 Finally, this report provides information about the proposed establishment of a Cabinet Advisory Board for Equality, Diversity & Inclusion. The report provides a brief summary of the proposed purpose of the Board, and notes that the establishment of the Board and terms of reference are to be agreed by the Leader of the Council.

### **3. Race Matters Pledge and Equalities Pledge – Background and summary**

- 3.1 The Council's Equality Strategy for Croydon 2020-2024 set out four key outcomes as part of its vision for Croydon to be "*a place of opportunity where everyone can belong, addressing the needs and aspirations of all those who live and work in the borough*". Each of the Outcomes includes a number of core objectives to deliver:

- **Outcome 1: The Council addresses social inequities as a community leader and employer:**
  - o The Council's workforce reflects our diverse communities at all levels
  - o The Council acts as a role model and champions a fair society
  - o We ensure equality training is central to the way work, is regularly undertaken, and is reviewed to meet changing needs
  
- **Outcome 2: We work with residents to better understand our communities**
  - o Continue to increase our network across seldom heard groups
  - o Information about the Council's work towards tackling inequality is easy to access and understand
  - o Data about local communities is more effectively collected, analysed and used to inform decisions and improve services
  
- **Outcome 3: Use partnerships to improve access and meet individual needs as they arise**
  - o Enable better education outcomes by offering support to groups who need it most
  - o Support the creation of jobs that enhance quality of life
  - o Services are proactive in targeting group that have accessibility issues as a result of disability, age, mental health, disability, language, digital and/or physical barriers
  - o Inequalities that lead to school exclusions and young people entering the criminal justice system are addressed, specifically for black boys, white working class boys, gypsy roma and travellers, and those accessing free school meals.
  
- **Outcome 4: People in Croydon are supported to be in good health**
  - o Work with partners to tackle social isolation and bring people together
  - o With our partners use our knowledge of specific health challenges to support improvements
  - o We work with our partners to open the door to health services, and support them to make sure residents know where and how to access services

3.2 Work is progressing to deliver each of these outcome areas but this report specifically addresses work as part of Outcome 1, that *the Council addresses social inequities as a community leader and employer*. As part of this work an Equalities Pledge was developed to commit the council, and all organisations who adopt the pledge, to a number of key actions.

3.3 The Equalities Pledge as updated following public consultation, the details of which are set out at Sections 4 and 5 of this report, commits organisations to:

- Positively promote the equality of opportunity for individuals of all characteristics namely: disability, gender, race, age, sexual orientation, religion and belief, marriage and civil partnership and gender identity by recognising significant celebrations and awareness days and ensuring that work place practices do not discriminate against any groups

- Ensuring that there is mandatory training for **all** staff at **all** levels in equality, diversity and inclusion every two years, attendance is monitored and 100% targets set with staff and managers held to account
- Ensuring a zero tolerance approach to all forms of discrimination, harassment and bullying, publicising the staff code of conduct, providing staff with information on what it is and encouraging people to safely challenge this where it occurs ensuring that people are not treated less favourably for doing so
- Positively encouraging applications from diverse and under-represented groups when advertising for posts and taking actions to respond to under representation in this area identified by organisational data
- Using anonymous recruitment processes which don't reveal details of race, age, gender, disability or socio economic status
- Identifying and annually publishing pay gaps based on ethnicity, disability and gender and putting actions in place to reduce such pay gaps
- Providing reasonable adjustments for disabled staff in interviews and employment
- Developing and agreeing an equality policy for the organisation which all staff sign up to, and reviewing it every 3 years
- Collecting data on the protected characteristics of staff and aiming to have a workforce which reflects the Croydon community by using positive action recruitment practices and encourage career development for underrepresented staff.
- Undertaking annual staff surveys to identify the impact of organisational actions on employees lived experience and psychological safety at work

3.4 The brutal murder of George Floyd in May 2020 shocked the world and rightly brought greater focus to the ingrained racism and inequalities faced by black communities globally.

3.5 The Council lit up the Town Hall on 2 June 2020, as a gesture of solidarity for George Floyd. In addition, on 4 June 2020, approximately one hundred people took the knee outside of Croydon Town Hall to show solidarity as a community. The Council also made a commitment to improve the lived experiences of the black community in the borough and the Council's workforce. The Race Matters Pledge was developed as result of this commitment.

3.6 The Equality Strategy 2020 -2024 set out an action to develop an Equalities Pledge, which would include the principles of the Black Lives Matter Charter and our support for all protected characteristics. Following the brutal murder of George Floyd, and engagement with staff and community groups about tackling racism, it was agreed with the Cabinet Member responsible for equality and inclusion, that we should introduce a specific complementary race pledge, rather than incorporate principles of the Black Lives Matter Charter within the wider equalities pledge. This additional pledge would be aimed at positive action to tackle racism faced by people of African, African Caribbean and African Latin heritage. This started as a Croydon Black Lives Matters Pledge. However, following feedback from the community steering group and Cabinet Members, where there was concern about confusion between the Black Lives

Matters movement and the Council's pledges, the pledge was rebranded as the Race Matters Pledge.

- 3.7 The Council worked with a range of community organisations during 2020 to form a steering group to develop a Race Matters Pledge and Equalities Pledge. The aim was to challenge organisations, including the Council itself, to stretch their ambitions to change persistent structural and institutional racism faced by people of African, African Caribbean and African Latin heritage.
- 3.8 The consultation response to the draft Race Matters pledge highlighted that the reason for the separate pledge and its connection to the original pledges resulting from the Black Lives Matter movement was not clear to all. Some individuals stated that George Floyd's murder was too far in the past and holds little relevance today. As a result, this report recommends that we retain the specific race pledge, and rename it the George Floyd Race Matters Pledge, in honour of George Floyd and so that the background for the pledge is clearly understood.
- 3.9 Following feedback from the public consultation detailed at sections 4 and 5 of this report, the proposed George Floyd Race Matters Pledge commits organisations to:
  - Stating that we are an anti-racist organisation
  - Committing to zero tolerance of racism from employees, residents, customers and service users by challenging racist behaviour or stereotypes expressed by individuals
  - Developing our knowledge of anti-racist practice by listening and responding to experiences of staff and the wider community
  - Developing an understanding of the role that power, privilege, identity and disadvantage that impacts on the lived experience of all staff in particular those from African/African Caribbean, other African heritage communities
  - Undertaking whole workforce training on unconscious bias and encouraging staff to safely challenge such bias during day to day conversations
  - Developing cultural awareness by learning more about African/African Caribbean and African other history and cultural practices to develop understanding of staff and customers through podcasts, videos, documentaries and by attending events
  - Promoting good relationships between groups which share cultural similarities and those that don't by encouraging communities to celebrate together as one
  - Identifying and addressing any ethnicity pay gaps
  - Ensuring that recruitment processes from application, shortlisting, interview and appointment conducted in a manner that facilitates positive action in recruitment such as media campaigns, advertising imagery and interview panels that represent the diversity of the borough's population where possible
  - Developing plans to address challenges where race may not be the only factor and the needs of people may also be in relation to: disability, age, sexual orientation, gender or other protected characteristics.

- 3.10 Both pledges were originally divided into both individual and organisational commitments. The original pledges are attached in Appendix 1, along with the consultation responses.
- 3.11 As set out in Section 5 of this report, following consideration of the consultation feedback it is no longer recommended to separate the pledges into individual and organisational elements but to focus them on organisational commitments which individual members of the organisation could adopt. If agreed, it is expected that the Council will work to encourage organisations across Croydon to adopt both the Equalities and George Floyd Race Matters Pledges.

## **4. CONSULTATION**

- 4.1 Two consultation stages were undertaken, with the results informing next steps. This section is therefore set out in two stages, outlining the details of the consultation responses in order.

### **Results - Consultation One – 23 June – 15 August 2021**

- 4.2 The first consultation was held during 23<sup>th</sup> June- 15<sup>th</sup> August. It was a survey shared on the council's consultation platform, Get Involved.
- 4.3 The initial consultation received 82 responses, which was lower than anticipated. However the responses provided valuable feedback on both pledges.

### **Response demographics**

- 4.4 The Borough has a wide and diverse population. A full breakdown can be found in the Borough profile on the Council's website. It is important to acknowledge at the outset that the responses to the consultation do not provide a completely representative sample of the community. However, the consultation has provided quality feedback which is analysed later in this report.
- 4.5 The largest groups of respondents were female and heterosexual. Our survey enabled respondents to opt out of sharing information. The demographics of the respondents are detailed in the following paragraphs by characteristic.
- 4.6 The sexual orientation of respondents was largely heterosexual, 72 respondents identified as heterosexual, 3 respondents identified as gay, 3 identified as bi sexual and 1 respondent stated that they preferred not to say and 1 respondent marking other.
- 4.7 The ethnicities of respondents were largely White British or White other backgrounds 44% and Black, Asian and mixed backgrounds 49%.
- 4.8 The majority of responses were in the 25 – 54 age group which had 53% of responses. There were also 40% of responses in the 55 + age group. Young people were unrepresented in the responses with only 1% of respondents been

aged between 15- 24 years.

- 4.9 The majority of respondents were not disabled, however nearly a quarter of respondents had disabilities
- 4.10 Respondents came from all wards in the borough with the exception of Bensham Manor, Selhurst and West Croydon. Respondents living outside of Croydon noted their links to the borough e.g. working in Croydon, children attending school in Croydon. The largest group of respondents came from outside of the borough.
- 4.11 A second consultation was therefore undertaken. Details are set out later in this section.

### **Responses to the Race Matters Pledge and Equalities Pledge (Consultation one)**

- 4.12 The consultation was in the form of a series of questions about both pledges. The overall response to both pledges was positive. The following paragraphs detail both the questions asked and the responses received.

#### **Race Matters Pledge**

- 4.13 Respondents were asked if they agreed with the principles of the Race Matters Pledge. There was a largely positive response to this question with 60 respondents agreeing, 16 respondents disagreeing and 6 respondents stating that they did not know.
- 4.14 The themes identified in support of the principles of the Race Matters Pledge were that it was fair, reasonable and necessary in a multi-cultural society and a positive step towards diversity and anti-racist behaviour.
- 4.15 The key themes amongst respondents that disagreed with the principles of the Race Matters Pledge were varied, including:
- too slow in taking action
  - trying to deny the existence of racism
  - virtue signalling
  - Equality legislation was sufficient and no further action was required
  - pledge was solely targeted at the African, African Caribbean, African Latin communities, with comments that the pledge shouldn't be targeted at just Black people, and comments that it should also include White and Asian people
- 4.16 The consultation asked if anything was missing from the Race Matters Pledge. Responses provided developmental feedback including:
- educating people by teaching colonialist and pre-colonialist history accurately
  - recognising intersectionality, the principle of individuals identifying themselves through more than one characteristic or more than one intrinsic factor, such as social class or representation of disabled black people
  - include the engagement of both black children and parents

- emphasise shared similarities with other ethnic groups
- references to social inclusion and eradicating deprivation and inequalities
- ensuring that people from diverse communities could have an input in the co design of council services
- include a section on race on the Council's intranet to enable people to access as required.

### **Equalities Pledge:**

- 4.17 The consultation asked respondents if the need for the Equalities Pledge was clear. Again, there was a largely positive response with 66 respondents agreeing to the principles, 10 respondents disagreeing and 6 respondents stating that they did not know.
- 4.18 Those respondents that stated that the need was clear made reference to feelings of being valued and a sense of belonging and also stated that the disparities in the borough were clear. Those respondents that stated that the need for the Equalities Pledge were unclear stated that the need hadn't clearly been identified, the Council should deal with internal issues first and that there was confusion between the Race Matters Pledge and the Equalities Pledge.
- 4.19 Respondents were asked what was missing from the Equalities Pledge. The responses suggested that individuals needed to be trained on anti-racism and unconscious bias and that this could be offered by the council. There was feedback that individuals should respectfully discuss their learning with regard to equality with others and have difficult conversations with family and friends. It was also suggested that all organisations should have an equality policy.
- 4.20 Respondents were asked for their views on the example actions that were included. Some responses stated that positive action goes against inclusion and equality, that there was too much emphasis on difference and that the pledges were a tick box exercise.

### **Stage One consultation overview**

- 4.21 The mean 'agree' scores from both pledges were very similar; 71% for the Race Matters Pledge and 72% for the Equalities Pledge. A key point to note was that respondents were keen to see the pledges translated to tangible actions.
- 4.22 Very regrettably, some respondents took the opportunity to spread racial hatred through their consultation responses. This was reported to the Police, however, further action was not possible due to the anonymous nature of the survey.

### **Developing stage 2 consultation**

- 4.23 It was recognised that 82 respondents was not reflective of the views of the borough. It was therefore agreed to undertake a further consultation to gain more insight from the voice of the residents, employees and visitors to the borough. A target of 300 responses was agreed.

4.24 Prior to undertaking an additional consultation, the responses were reviewed to address the feedback given in the responses. A summary of consultation feedback and response is included in Appendix 1.

### **Consultation Two – 26 October –17 November 2021**

- 4.25 The second consultation took place between 22 October 2021 and 17 November 2021. An engagement plan was produced, identifying a corporate approach to try and increase responses to the target of 300.
- 4.26 The revised survey was uploaded to the council's consultation forum Get Involved. Presentations on the pledges were delivered both internally and externally. Departmental Management Teams received presentations to enable directors, heads of service and managers to cascade details to their teams and external networks.
- 4.27 Presentations were also delivered to all Staff Network Groups and externally to the Women's Safer Communities Group and the Head Teachers Curriculum Group. Articles were developed for a number of different stakeholders which included the link to the pledges.
- 4.28 Officers worked with community partners: the BME forum, CVA and Asian Women's Forum publicised the consultation on their websites; the BME forum also produced a flyer. Details were sent to all of voluntary sector partners and faith groups. Information was cascaded to community groups in the borough via face to face meetings at a range of community events, including youth services.
- 4.29 Details were sent to all businesses on the Council's business network and suppliers.
- 4.30 Information was included in newsletters circulated to all Children, Young People & Education stakeholders, as well as adult education service users and staff.
- 4.31 The Council published a press release, along with articles on the intranet and internet and other social media platforms.
- 4.32 The Council Leader cascaded the articles and links through the weekly message. All Councillors were encouraged to share information through their local networks.
- 4.33 The corporate approach delivered a higher yield of responses. 325 responses were received during the second consultation. The following paragraphs outline, the responses to the second consultation of the Race Matters and Equalities Pledges.

### **Consultation two: demographics**

4.34 In line with the first consultation, the respondents were mainly female (62%) and mainly heterosexual (77%).

- 4.35 With regard to ethnicity the majority of respondents were from a White background, including White Irish and White other (54%). The next largest group of respondents were from a BAME background which included respondents from the Black, Asian and other communities (25%).
- 4.36 The second survey had a slight increase in responses from young people (2%). The largest age group that responded remained, 25 -64 years old (52%). The consultation did, however, attract responses from the 65 + age group (6%).
- 4.37 There was a decrease in the proportion of responses from Disabled respondents (12%), the largest response group was Non-Disabled (73%).
- 4.38 The majority of responses were received from Croydon residents, though 92 responses were from people who did not live in the borough. We can assume that these respondents have an interest in the borough, either in a work based or visitor context. All wards were represented in the second consultation.
- 4.39 The consultation presented the pledges in respect of individual commitments and organisational commitments to the pledges; as they were in the earlier consultation.

#### **Race Matters Pledge for Individuals**

- 4.40 The majority of respondents, 90%, stated that the pledge was clear, 10% of respondents stated that the pledge was unclear.
- 4.41 When asked what would make the pledge clearer, the largest group of respondents said a reference to the Asian community (35 responses). The next largest group of respondents stated that the pledge needed to be less specific (31 respondents). By contrast, 1 respondent said that the pledge needed to be more specific.
- 4.42 A number of respondents, 18 in total, stated that there needed to be changes to the wording, punctuation or spelling. A total of 7 respondents expressed concern at the accessibility of the pledges to neurodiverse individuals, (people with dyslexia and other learning challenges).
- 4.43 When asked what was missing from the pledges, there was a clear theme around respondents disagreeing that the Race pledge should be targeted at the African, African Caribbean and African Latin communities only. The largest number of respondents (94) said that other communities, such as the Asian and White communities were missing from the pledge.
- 4.44 A theme emerged about being more specific on how racial discrimination would be eradicated. A number of respondents (16) thought that the pledge was lacking reference to being anti-racist and challenging racial discrimination. A further 13 respondents said that the pledge lacked an emphasis on challenging inequalities during face to face conversations when issues were raised.

- 4.45 Another theme was community cohesion. Some respondents, 8 in total said that the pledge lacked on emphasis on respecting other cultures. Similarly, 7 respondents said that the pledge lacked an emphasis on coming together as a Croydon community.
- 4.46 There was a theme around Intersectionality which features in the responses of 7 individuals who thought that the pledge should address the issue of dual identities, such as race and disability or sexual orientation.
- 4.47 There was a theme around education, training and awareness with regard to the pledges. In total, 6 respondents thought the pledge should address the history of race related issues. Five respondents stated that the pledge should include an understanding of cultural differences. Two people felt that the pledge needed clarity on how staff would be trained to understand cultural differences.
- 4.48 A theme emerged around monitoring of the pledges. Questions were raised by 6 respondents about how the pledge would be monitored. Two people queried what change the pledge would produce.

### **Race Matters Pledge Commitments for Organisations**

- 4.49 The majority of respondents, 90% thought that the pledge was clear for organisations. There was almost identical to the responses raised for individuals about what was unclear in the pledges:
- 32 respondents thought that the pledge should be less specific; 4 thought that the pledge should be more specific
  - Accessibility of format (font size, background colour, wording, spelling and punctuation). 11 respondents stated that they had difficulty in understanding the pledge for reasons relating to language.
  - 69 respondents thought that the pledges needed to include other communities, e.g. the Asian community and the White community.
  - Actively challenge discrimination and make reference to being anti-racist
  - How the pledge would be recorded and monitored
- 4.50 There was a new theme about representation in that the Council and other organisations should have a workforce that reflects the community. This was mentioned by 6 respondents.

### **Equalities Pledge for Individuals**

- 4.51 The majority of respondents, 83% in total said that this pledge was clear. By contrast 17% of respondents said that the pledge was unclear.
- 4.52 A number of key themes emerged with regard to what would make the Equalities Pledge clearer. 32 respondents said that the pledge needed to be less specific, whilst 4 respondents stated that the pledge needed to be more specific.
- 4.53 Another theme was about the clarity of the pledge in relation to wording,

punctuation and general understanding of the pledge. 18 respondents identified this as a key theme. 8 Respondents commented about how accessible the format of the pledge was to neurodiverse individuals. There was also a theme around language and accessibility expressed by 17 respondents, including that the pledge was too long.

- 4.54 There was a large theme related to the content of the pledges which referred to a number of different areas, such as the expansion of the protected characteristics in the pledges and more information about the monitoring framework. The monitoring framework was part of a key theme about the implementation of the pledges. A large number of respondents (37) identified other key areas in relation to implementation such as training around the pledges and how they would be promoted.
- 4.55 There was a new theme that expressed that the pledges should not be based on Critical Race Theory, which is based on the premise that race is a social construct as opposed to being demoted by biological characteristics and behaviours assigned to others, and that there is racism inherent in the law and in institutions. This was not the basis for the pledges, but they do seek to recognise that racism and discrimination do remain within our society and organisations, with further actions needed to tackle this

### **Equalities Pledge for Organisations**

- 4.56 There was an increase in the number of respondents who thought this element of the pledge was clear (95%), in comparison with 83% who thought that the individual commitments were clear.
- 4.57 In relation to what would make the pledge clearer, there were similar themes in the responses:
- omission of the implementation framework of the pledges (17 respondents)
  - all of the protected characteristics should be visible in the pledges (16)
  - order of the commitments, issues of understanding and lack of examples in the pledges (16)
  - language, wording and punctuation (14)
  - More examples of fair recruitment (9)
  - some commitments should be removed or merged with others (3)
  - what difference the pledges would make to people's lived experience (2).

### **Feedback from Staff Network Groups (as part of second consultation)**

- 4.58 The pledges were presented to the staff network groups via a workshop and sessions used to facilitate staff accessing the consultation forum and giving their views on the pledges. Group members were encouraged to ask questions on the pledges and to seek clarification on issues with regard to the process, background and intended outcome of the pledges.
- 4.59 Though questions were raised and responded to at all workshops the most notable responses came from the Race Equality Network during a workshop delivered on 9 November. This highlighted disappointment from African,

African Caribbean and other staff of African heritage at what they considered to be the failure of the organisation to act in the interests of African/African Caribbean staff.

- 4.60 Staff spoke passionately about what they considered to be historical failures of the organisation to act on issues around fair treatment, promotion of staff and organisational actions to ensure a workforce that reflects the community at all levels. Particular reference was given here to the organisations leadership and recent interim appointments not being reflective of the Croydon Community. (Details about the equality actions taken in the senior management requirement are listed later in this report).
- 4.61 Concern was also expressed at the organisational culture and the need to create psychological safety that enables everyone to share their views and lived experience. Members highlighted that some people had not engaged in recent consultations as a result.
- 4.62 Within the Race Equality Network there were also staff that support the pledges, and there was support for the pledges across the staff networks. The overall theme was that staff wanted to see clear action and progress now, as opposed to in the future.
- 4.63 It is also important to note that, as part of the developing Culture Change strategy, there have been a number of activities launched in 2021 to support staff, including a Guardians programme and Safe Spaces initiative.
- 4.64 The Council has launched a Guardians programme to support all staff to feel able to take control of situations that cause them concern in the workplace – such as perceived bullying or inappropriate behaviour. It provides staff with a safe space to confidentially share concerns about behaviour or the culture at Croydon, talk through issues and be signposted to relevant support and guidance by specially trained members of staff. Guardians respect and maintain absolute confidentiality over issues raised with them except in cases in which the issues might amount to a criminal offence. The Guardians programme complements existing support for staff such as our HR team and policies, our staff networks, Trade Union representatives and our Employee Assistance Programme.
- 4.65 The Safe Space initiative was set up to provide an opportunity for Ethnic minority colleagues and allies to speak freely with their peers, equalities manager, and representatives from the department leadership in a safe space. Attendees were able to make their voice heard and make sure that the issues they wanted to be addressed were heard by senior leadership.
- 4.66 A series of Space Spaces Tea Break meetings have been held, convened by the different staff networks. The important conversations that took place covered a wide-range of issues around equality in the workplace and looked at the type of action that could be taken to bring about meaningful change.

## Consultation overview and key considerations

- 4.67 In total both consultations yielded responses from 429 residents, workers and visitors to Croydon, including employees of the Council.
- 4.68 There was a positive response with regard to both pledges overall, however, a large number of responses were unclear of the need for, or expressed disagreement with, the Race Matters Pledge being targeted towards communities of African, African Caribbean/African Latin heritages only. It is suggested that because this pledge was called the Race Matters Pledge there was potentially an expectation that the pledge would encompass all ethnicities and because this was not the case, some respondents were unaccepting of the need for the Race Matters Pledge.
- 4.69 Though it was clearly communicated why the pledge was designated to ethnicities of African origin, the issue of inclusion of all ethnicities still arose. It is therefore recommended that a new title should be developed for the Race Matters Pledge. An alternative option would be to broaden the pledge to tackle all forms of racism, or develop a further pledge to do so. Given the development of the Race Matters pledge, and its focus, came as a result of engagement during the Black Lives Matters protest, it is recommended that the Council retain this. A further pledge could be developed at a later date, and further strengthen actions in this area. This option will be monitored by the Equality, Diversity & Inclusion Internal Control Board and considered in future equality annual reports.
- 4.70 It is recommended that this pledge should be called the George Floyd - Race Matters Pledge. This would help to place the focus on the rationale for the pledge along with placing the pledge at a particular period of global recognition of historic patterns of systemic racism present in society with regard to people of African heritage.
- 4.71 All ethnicities will be encompassed in the Equalities Pledge so such action will not disadvantage any characteristic or community.
- 4.72 The views of the 27.5% of respondents who have stated that the Race Pledge should include other ethnicities have been considered. The Equality Strategy 2020 -2024, as adopted by Council, committed to the development of an Equalities Pledge. As set out earlier in the report, this action was widened to include the Race Matters Pledge following engagement with staff and community groups after the murder of George Floyd. Two subsequent public consultations have also outlined support for both pledges.
- 4.73 As a community Leader, it is important that the Council honour its commitment to the Race Matters Pledge. It is a question of integrity that this commitment be carried out and the Race Matters Pledge remain specifically for the African, African Caribbean and African Latin communities and the Equalities Pledge consist of all other ethnicities along with the remaining equality characteristics. This decision is in line with Outcome 1 and 2 of the adopted Equality Strategy:
- The Council addresses social inequities as a community leader and employer

- The Council acts as a role model and champions a fair society
- 4.74 Respondents also showed positivity towards the Equalities Pledge, particularly for organisations. It was felt the Equalities Pledge should include more reference to all protected characteristics along with other ethnicities. It should be noted that the differential of both pledges will not result in discrimination against any equality characteristic.
- 4.75 A key theme was that whilst respondents feel the pledges look good on paper, they now want to see action and change in terms of lived experience. The aim of both pledges is that they achieve an improvement in lived experience for both residents, employees, Croydon council staff and visitors eradicating both racism and other forms of discrimination and making the borough a more inclusive and safer place to live and work, where everyone feels valued.

## **5 CHANGES TO THE PLEDGES ARISING FROM THE CONSULTATIONS**

- 5.1 The analysis of consultation responses for both pledges, raised a number of questions:
- How both pledges would be monitored and developed?
  - Who they would be aimed at?
  - How individuals and organisations could commit to the pledges following the launch?
  - What committing to the pledges would look like?
  - How would the community continue to be involved with the pledges
  - Who would be responsible for monitoring and leading the work arising from the pledges?
- 5.2 These questions were considered against the resources within the Council, which at present includes 1 FTE specialist Equality Programme Manager (although the senior restructure report confirmed the ambition for this to increase) and the capacity required to monitor performance of both individual and organisational commitment to the pledges. It was noted that individual commitments would also have GDPR ramifications as individuals would be required to share their personal data.
- 5.3 The purpose of both pledges was to engender a societal change in the borough and cultural change at the Council and other Croydon places of employment and volunteering. Change would need to take place on the individual, team and organisational level to facilitate this.
- 5.4 It is proposed that individual commitments to the pledges could be demonstrated within organisations that sign up to the pledges, with individuals adopting branding to place on their email signatory stating that they have committed to the Croydon George Floyd -Race Matters Pledge and the Croydon Equalities Pledge. The branding could be similar to those used for Mental Health First Aiders or supporters of other societies. As a result, it is proposed that the pledges retain an organisation focus only.
- 5.5 It is also proposed that the key focus on commitment to the pledges should be on the organisational level. The commitment from organisations should include

best practice activities regarding equality, diversity and inclusion, similar to the Mayor's Good Work Standard. This would again involve organisations adding pledges branding to their organisational branding.

- 5.6 Each pledge will consist of 10 workplace activities that will improve organisational practice with regard to equality, diversity and inclusion. It is acknowledged that organisations who commit to the pledges will be of varying sizes and in a range of different sectors. It is therefore suggested that each organisation commit to undertaking a minimum of 3 activities per year, and therefore producing incremental change year by year. This would result in completion of activities and an improvement in equality, diversity and inclusion performance by 2025.
- 5.7 Whilst the Community Steering Group supported the developed of the pledges, they are seeking leadership from the Council to encourage other organisations to commit to the pledges. The Council will therefore lead and take ownership of the pledges along with monitoring the intended outcomes going forward, with support and input from community groups.
- 5.8 Internal and external communication will continue leading up to the launch of both pledges later in the year in order to gain commitment to the improvement activities outlined in the pledges.
- 5.9 Monitoring against the George Floyd Race Matters and Equalities pledges will report to the Councils Equality, Diversity & Inclusion (EDI) Internal Control Board. Briefings will be brought to the proposed Cabinet Advisory Board. Community representatives on the Race Matters and Equalities Matters Steering group will be invited to the EDI Internal Control Board from time to time to discuss both pledges and other equality issues impacting on the community. There may also be opportunities for this to happen at the proposed Cabinet Advisory Board.
- 5.10 The monitoring framework will take the form of an Annual Report produced by the Council and all organisations that commit to the pledges, identifying the actions that each organisation has undertaken to improve their performance with regard to EDI. The report will be published on an annual basis as part of the Council's Annual Equalities Report. Committed organisations will be encouraged to publish their own annual reports during May of each year, where they will be considered and reviewed by the EDI Internal Control Board.
- 5.11 The final pledges, as amended and recommended for adoption, are set out in Appendix 2.

## **6 ISLAMOPHOBIA DEFINITION**

- 6.1 As stated throughout this report, the Council has maintained a commitment to equality diversity and inclusion with a priority to tackle ingrained inequality and poverty in the borough, following the evidence to tackle underlying causes.
- 6.2 This includes tackling Islamophobia.

6.3 At the Council meeting on 13 December 2021, the following motion was approved:

*“This Council expresses alarm at the rise of Islamophobia in recent years across the UK, and around the world. In Croydon we have seen an increase in reports of hate crime, including Islamophobic hate crime incidents, of 35% between 2017-2020. (Croydon Community Safety Strategy 2022-24)*

*This Council is committed to fighting Islamophobia in all its forms. We welcome the All-Party Parliamentary Group (APPG) on British Muslims’ definition of Islamophobia, which has been backed by hundreds of organisations and institutions.*

*The APPG on British Muslims working definition of Islamophobia reads as follows and includes the subsequent contemporary examples of Islamophobia: “Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness.”*

*Contemporary examples of Islamophobia in public life, the media, schools, the workplace, and in encounters between religions and non-religions in the public sphere could, taking into account the overall context, include, but are not limited to:*

- Calling for, aiding, instigating or justifying the killing or harming of Muslims in the name of a racist/fascist ideology, or an extremist view of religion.*
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Muslims as such, or of Muslims as a collective group, such as, especially but not exclusively, conspiracies about Muslim entryism in politics, government or other societal institutions; the myth of Muslim identity having a unique propensity for terrorism, and claims of a demographic ‘threat’ posed by Muslims or of a ‘Muslim takeover’.*
- Accusing Muslims as a group of being responsible for real or imagined wrongdoing committed by a single Muslim person or group of Muslim individuals, or even for acts committed by non-Muslims.*
- Accusing Muslims as a group, or Muslim majority states, of inventing or exaggerating Islamophobia, ethnic cleansing or genocide perpetrated against Muslims.*
- Accusing Muslim citizens of being more loyal to the ‘Ummah’ (transnational Muslim community) or to their countries of origin, or to the alleged priorities of Muslims worldwide, than to the interests of their own nations.*
- Denying Muslim populations the right to self-determination e.g., by claiming that the existence of an independent Palestine or Kashmir is a terrorist endeavour.*
- Applying double standards by requiring of Muslims behaviours that are not expected or demanded of any other groups in society, e.g. loyalty tests.*
- Using the symbols and images associated with classic Islamophobia (e.g. Muhammad being a paedophile, claims of Muslims spreading Islam*

*by the sword or subjugating minority groups under their rule) to characterize Muslims as being 'sex groomers', inherently violent or incapable of living harmoniously in plural societies.*

- *Holding Muslims collectively responsible for the actions of any Muslim majority state, whether secular or constitutionally Islamic.*

*This Council supports the Executive's intention to adopt the above definition of Islamophobia as set out by the APPG on British Muslims and will continue to engage with local Muslim community groups and organisations to combat this hatred. This Council calls on the government to follow suit and adopt the APPG definition, sending a clear message that any and all forms of Islamophobia will not be tolerated in our communities."*

- 6.4 As set out in the wording of the Motion, it is for the Cabinet to adopt definitions such as these. It is therefore recommended that this definition be adopted. It is further recommended that the Interim Assistant Chief Executive be authorised to make amendments to Council policies and procedures to incorporate the All-Party Parliamentary Group on British Muslims definition of Islamophobia as relevant.

## **7 EQUALITY, DIVERSITY & INCLUSION ACTIONS AND GOVERNANCE**

- 7.1 The Council has committed to a wide ranging programme of actions within the Equality Strategy. Progress against this strategy is reported as part of the annual Equality Report – which will next be reported to Cabinet in March 2022.
- 7.2 The Council has been delivering a range of actions alongside developing and consulting on the pledges set out above. There has been a particular focus on creating a safe, inclusive culture that encourages staff to challenge behaviours and discrimination, and increase awareness and understanding of racism and other forms of discrimination.
- 7.3 Within section 4 above, details were provided of the Guardians programme and Safe Spaces initiative, which are a key part of creating this culture.
- 7.4 Mandatory training has been introduced for all staff and managers on racial inequality in the workplace. The first module explores the uncomfortable truths surrounding racial inequality in the workplace, seeking to take staff beyond the previous training on unconscious bias and understand the issues around racism in the United Kingdom, and hear from people sharing lived experience of dealing with racism in their daily lives. The second module, 'the uncomfortable conversation', is aimed at leaders and managers. The training seeks to equip them with the skills, techniques and awareness to have meaningful conversations across the organisation about racism. The training modules were developed by Learning Pool with support from the Centre for Inclusive Leadership.
- 7.5 In line with commitments in the pledges, the Council has made a number of changes to our recruitment practices:
- Ensuring interview panels are diverse

- Anonymised shortlisting
  - Guaranteed interview scheme for applicants with a disability
- 7.6 Within the Equality Strategy, the Council has continued its commitment for staff at all levels of the organisation to represent the communities that we serve. We recognise that there is more to do here, and there has been a strong diversity commitment within the current senior management recruitment. When seeking proposals from recruitment consultants, the largest scoring criteria was in relation to equality and diversity, with submissions needing to set out in detail their strategy for promoting a diverse range of applicants and demonstrating their experience of securing diverse shortlists. As part of the recruitment process, diversity analysis reports have been presented to the Appointments Committee.
- 7.7 For a number of years the Council has gone above the legal requirements for reporting pay gaps. The annual Equality report has set out the gender pay gap in the organisation, but also the ethnicity pay gap.
- 7.8 Within the senior restructure report adopted by Council in July 2021, the Chief Executive outlined proposals for Internal Control Boards for key corporate governance matters.
- 7.9 The first Internal Control Board has been established and it is the Equality, Diversity & Inclusion Board, chaired by the Chief Executive. The Board provides strategic oversight of the delivery of EDI and Cultural Transformation strategies and action plans. The Board includes representatives (below Director level) from all Directorates, as well as staff networks and staff working on EDI matters.
- 7.10 The Boards initial work is focused on the following four core priorities:
- Ensuring there is a shared understanding of organisational priorities
  - Develop clear metrics and our baseline to be monitored and tracked
  - Communications and ensuring transparency of the Board and its activities
  - Allow opportunities for external partner voice and reflections
- 7.11 Each priority area is undertaken by a project team within the Board and provides a report to each meeting on progress. The EDI Board works to a forward plan of activities, with focus on progress against the Equality Strategy and Cultural Change Strategy around the four priorities above. The Board is monitoring and tracking progress against each outcome
- 7.12 The EDI Internal Control Board will also be the voice which ensures that equality issues are truly embedded into the fabric of the Council and the borough itself. The Board will promote issues which make a difference to the lived experience of real people, such as implementing the socio-economic duty of the Equality Act 2010. This addresses our Council priority to tackle ingrained inequality and hardship, like structural racism, environmental injustice and economic injustice.
- 7.13 In respect of governance arrangements, the EDI Internal Control Board will

regularly consider risk to the organisation with regard to the delivery and implementation of the Council's Equality Strategy and Cultural Change Strategy.

- 7.14 It is proposed that a corresponding Cabinet Advisory Board be established and that the Internal Control Board provide quarterly briefings to the proposed Cabinet Advisory Group on progress against EDI and culture change strategies and action plans. This will improve reporting against these key areas (at present there is an annual Equality Strategy report to Cabinet, plus monthly briefings for the relevant Cabinet member).
- 7.15 The Leader will be asked to establish this Cabinet Advisory Board and to agree the Terms of Reference.

## **8 PRE-DECISION SCRUTINY**

- 8.1 The Scrutiny & Overview Committee received numerous reports and provided feedback on the Equality Strategy.

## **9 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS**

- 9.1 There are no direct financial implications or financial risks arising from the report. All work carried out so far along with all future work will be contained within existing budgets.
- 9.2 Challenges on grounds of discrimination and inequality could have financial implications and this will be monitored and reported on a case by case basis.

Approved by: Nish Popat – Interim Head of Corporate Finance

## **10. LEGAL CONSIDERATIONS**

- 10.1 The Head of Litigation and Corporate Law comments on behalf of the Interim Director of Law and Governance and Deputy Monitoring officer that the Public Sector Equality Duty (the Equality Duty) was created by the Equality Act 2010. The duty covers age, disability, sex, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation.
- 10.2 The general equality duty is set out in section 149 of the Equality Act 2010. In summary, those subject to the general equality duty (such as the Council) must, when exercising their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.(section 149(1)(a))
  - Advance equality of opportunity between people who share a protected characteristic and those who do not. (section 149(1)(b))
  - Foster good relations between people who share a protected characteristic and those who do not. (section 149(1)(c))

- 10.3 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- Remove or minimise disadvantages suffered by people due to their protected characteristics.
  - Take steps to meet the needs of people from protected groups where these are different from the needs of other people.
  - Encourage people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
- 10.4 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities. (Section 149(4))
- 10.5 The Act provides that fostering good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice and promote understanding between people from different groups.
- 10.6 Compliance with the equality duty may involve treating some people more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under the Equality Act 2010.

Approved by: Sandra Herbert for and on behalf of Interim Director of Law and Governance and Deputy Monitoring Officer

## **11. HUMAN RESOURCES IMPACT**

- 11.1 As set out in the report, the Council is seeking to improve the workplace for all staff, but particularly for those with a protected characteristic. A number of initiatives have already launched to make the workplace more inclusive and provide opportunities for staff to raise concerns. The pledges, and the wider Equality and Culture change strategies, will further improve this position.

Approved by Dean Shoesmith – Chief People Officer

## **12. EQUALITIES IMPACT**

- 12.1 The Council has a statutory duty, when exercising its functions, to comply with the provisions set out in the Sec 149 Equality Act 2010. The Council must, in the performance of its functions, therefore have due regard to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

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

- 12.2 This proposal incorporates all aspects of Sec 149 and forms the basis of the borough's commitment to ensuring that Croydon is a fairer, safer, more inclusive borough, where everyone has a voice and feels as if they belong. The pledges also incorporate the vision to have a fairer borough free from racism and discrimination.
- 12.3 The proposals in the report seek to advance equality. No characteristics will be treated less favourably in respect of the pledges. The proposals will have a positive impact on each equality characteristic. There is no potential for discrimination or any likely negative impact on any equality characteristic.
- 12.4 An equality analysis has been undertaken and is appended to the report, the details in the equality analysis have been incorporated into this report.
- 12.5 There is a risk of alienating some individuals in that 27.25% of responses stated that the Race Matters Pledge should include other ethnicities such as Asian or white. The rationale for the separate pledge has been set out earlier in the report. An alternative option would be to broaden the pledge to tackle all forms of racism, or develop a further pledge to do so. Given the development of the Race Matters pledge, and its focus, came as a result of engagement during the Black Lives Matters protest, it is recommended that the Council retain this. A further pledge could be developed at a later date, and further strengthen actions in this area. This option will be monitored by the Equality, Diversity & Inclusion Internal Control Board and considered in future equality annual reports.
- 12.6 In order to mitigate this risk, communications will continue to highlight the context of the pledges and emphasise that the Equalities Pledge is encompassing of all ethnicities including Asian, Eastern European, and the white community and that all equality characteristics including disabilities, faith and sexual orientation are also included.

Approved by Denise McCausland, Equality Programme Manager

### **13. ENVIRONMENT AND CLIMATE CHANGE IMPACT**

- 13.1 There are no environmental or climate change implications arising from this report.

### **14. CRIME AND DISORDER REDUCTION IMPACT**

- 14.1 Sec 149 of Equality Act 2010 places a duty on local authorities to foster good relations between persons who share a relevant protected characteristic and persons who do not share it. This obligation places a positive obligation on the council and supports both the Council and individuals to reduce crime and disorder by improving relationships between individuals and groups by

encouraging awareness, understanding and communication between groups that share a characteristic and those who don't. . .

## **15. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION**

- 15.1 This action is recommended because it fulfils an action within the adopted Equality Strategy 2020-24.
- 15.2 It also supports the Council in fulfilling its legal duty to promote equality under Section 149, Equality Act 2010. The basis of the pledges is raising awareness and tackling discrimination and inequality. The recommendations are also focused on the Council's core priorities as detailed "We will focus on tackling ingrained inequality and poverty in the borough. We will follow the evidence to tackle the underlying causes of inequality and hardship, like structural racism, environmental injustice and economic injustice."

## **16. OPTIONS CONSIDERED AND REJECTED**

- 16.1 The Cabinet could consider the following alternative options, although these are not recommended for the reasons stated:
- Not adopt the pledges (this will not support the Council's priority to tackle inequality)
  - Delay the adoption and request further consultation or engagement, further amendments or alternative pledges (feedback from the first two consultations has already raised concern about the time taken to consult on the pledges, and the need to move to action and delivering meaningful change for residents facing discrimination and inequality).

## **16. DATA PROTECTION IMPLICATIONS**

### **16.1 WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?**

**NO**

### **16.2 HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?**

**NO**

The Director of Policy, Programmes & Performance comments that the proposals will not involve the processing of personal data. Any data collected will be sought solely for statistical purposes and collected in respect of group identification for monitoring purposes. No personal data will be collected.

Approved by: Gavin Handford, Director of Policy, Programmes & Performance

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**APPENDICES TO THIS REPORT**

Appendix 1: Consultation responses August and November 2021

Appendix 2: Final pledges

**BACKGROUND PAPERS:**

None