

# Performance guidelines

## for local authorities in Scotland

All local authorities have a statutory general duty to work to eliminate unlawful racial discrimination, and to promote equal opportunities and good race relations. The duty is not optional and local authorities have to meet it even if the ethnic minority populations in their areas are small.

Local authorities are central to the services that are closest to people's everyday lives – for example, housing, education, benefits, social services, environmental health, libraries, parks, and leisure services. How local authorities approach race equality has the potential to remove barriers between communities and make sure that everyone has access to public services.

This leaflet describes the main results or outcomes that will distinguish a local authority that is meeting its duty well. It also outlines some of the ways in which a local authority can show that it is meeting the duty.

This leaflet has been produced for a wide range of individuals and organisations, as well as local authorities. For example, members of the public should find it useful if they want to know how well their council is meeting its duty. Elected members and council staff will be able to use the leaflet to see if their own work, and the work of their authority as a whole, is making a difference to meeting the duty to promote race equality and good race relations. Inspectorates and the CRE will be able to use the leaflet as a guide to the performance they can expect from local authorities that are meeting the duty. Most of the results and activities we list here are likely to be included in a local authority's race equality scheme (which will vary from one authority to another).

This leaflet does not have statutory force. It is meant to be a concise guide to the performance that local authorities should aspire to in meeting the duty. We recommend that they also use the statutory *Code of Practice on the Duty to Promote Race Equality in Scotland* (which provides guidance on meeting the new public duty) and the non-statutory *Guide for Scottish Public Authorities* (which gives more detailed advice and practical examples) to develop full strategies for promoting race equality and good race relations. Useful information and advice are also available on these websites:

- [www.cre.gov.uk](http://www.cre.gov.uk)
- [www.lg-employers.gov.uk/equal-pol-sl.html](http://www.lg-employers.gov.uk/equal-pol-sl.html)
- [eshtw01.idea-knowledge.gov.uk](http://eshtw01.idea-knowledge.gov.uk)

# Outcomes of meeting the duty

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## Community satisfaction and equal opportunities

- Local residents and users of the local authority's services from all ethnic groups are equally satisfied with the authority as a whole, and with individual services.
- People see the local authority area as an attractive place to live and work. It has a strong sense of community, based on enthusiasm for diversity and respect for difference.
- Users of the authority's services, especially from ethnic minority communities, say they have confidence in the authority. The authority's monitoring also shows no significant differences in confidence between ethnic groups.
- There are no significant differences between ethnic groups among those who use its services. The authority also reaches groups who have rarely used its services before.
- There are no significant differences in service outcomes between ethnic groups.
- The general level of complaints is low, and there are no significant differences in complaints between ethnic groups.
- The authority caters for a wide variety of needs, through well-designed, flexible services.
- Service users and local residents understand and support the authority's race equality aims and values.
- Interest in the authority's consultation exercises has risen, particularly among people from ethnic minorities.
- The authority makes decisions openly, and is accountable to the communities it serves.

## Staff satisfaction and equal opportunities

- The elected members of the council are representative of all the ethnic groups in the area the authority serves.
- The council's workforce is representative of the populations – local or national – from which it fills its posts.
- Council staff are aware of and understand the diverse cultural needs in the communities they serve, and know how to meet them.
- Staff from all ethnic backgrounds are satisfied with the way the authority is run, and say it is a good employer.
- There are no significant differences between ethnic groups in complaints about unfair treatment or racial discrimination, either from staff or their representatives.
- The authority's employment practices attract good candidates from all ethnic groups.
- The authority has a good reputation in the area as a fair employer.

## Confidence and respect

- Elected members and officers know their responsibilities under the public duty. They are confident about putting the authority's policies into practice, and carry out their functions in the interests of all. They play an active part in promoting race equality and good community relations.
- The organisation sets high standards for the organisations it works with, and for the organisations that work for it.
- The authority is respected for its commitment to – and success in – promoting equal opportunities and good race relations.

# Evidence of meeting the duty

## Leadership

Strong leadership is vital if local authorities are to meet the new public duty. An authority that is effectively promoting race equality will be able to show the following.

- Elected members and senior officers have made a public commitment to tackle unlawful racial discrimination, and to promote equal opportunities and good race relations in all areas of the authority's work.
- Elected members and senior officers take a firm and steady lead on promoting race equality and good race relations.
- Elected members and senior officers understand the guiding principles of promoting race equality. They make sure that these principles govern all aspects of their work. They have publicly stated that they are accountable for promoting race equality.
- Elected members and staff from ethnic minorities play an active and responsible part in all areas of the authority's work. They are not marginalised, or expected only to concern themselves with the authority's work on equality and diversity.

## Services and policies

The aim of the general duty is to make race equality central to the way local authorities work. Services, policies, and procedures that are relevant to the duty should reflect this. A successful local authority will be able to show the following.

### **The authority has identified functions and policies that are relevant to the duty.**

- The authority has considered all its functions and the ways in which it carries them out. It has decided which of its functions are relevant to the duty to promote race equality and has put them in order of priority.

- All parts of the authority are involved in reviewing functions.
- The authority plans to repeat this assessment at least every three years.

### **The authority has arranged to assess, and consult on, the impact its policy proposals are likely to have on the duty to promote race equality.**

- The authority has procedures for assessing its policy proposals for their possible impact on race equality.
- The authority takes steps to identify the full range of needs in the communities it serves, and makes sure everyone knows about its consultation plans and how they can take part.
- The authority carries out assessments of its policy proposals by gathering as much information as possible on the subject. It consults staff, their representatives, elected members, users of services, and members of the public (including people from local ethnic minority communities) as part of these assessments.
- The authority uses both formal and community-based approaches to consultation. For example, it uses public meetings, surveys, outreach programmes, and contacts with community representatives, especially from groups it does not consult regularly.
- The authority considers other policy options when its assessments and consultations show that its policies could affect some ethnic groups adversely.

### **The authority has arranged to monitor the effects of its policies on different groups.**

- The authority uses both established performance measures and its own indicators, to monitor policies that are relevant to the duty for their effects on different ethnic groups.
- The authority sets ambitious but achievable targets to make continuous progress in promoting race equality.
- The authority uses its performance management system to make sure that race equality is part of its everyday work. Individual units also use other methods. For example, the local education authority uses education development plans.
- The authority uses the results of its assessments and consultations, including ethnic monitoring, to improve the services it provides, and to reach all sections of the community.

### **The authority has arranged to publish reports on its assessments, consultations, and monitoring every year.**

- The authority keeps easily accessible records of its monitoring, consultations, and assessments, and of any changes it makes to its policies as a result.
- The authority publishes user-friendly summaries of its assessments, consultations, and monitoring. For example, in newsletters, occasional publications, community plans, its annual report, and on its website. The summaries include information about any changes the authority plans to make to its policies as a result.

### **The authority has made arrangements for everyone to have access to information about its work, and to its services.**

- The authority uses various methods to provide information, and to promote its services to all sections of the local community.
- The authority sets targets for access to its services, and produces monitoring reports.
- The authority produces information in various languages, and provides interpreters for its services when needed.
- The authority holds meetings in places, and at times, that are convenient for people from all parts of the community.
- The authority has effective and efficient procedures for dealing with complaints about its services.

### **The authority has published a race equality scheme.**

- The scheme consists of a strategy and an action plan to meet the general duty and any specific duties.
- The scheme is a timetabled and realistic three year plan, which came into effect on 30 November 2002.
- The scheme is organised around achieving the results and outcomes described under 'Outcomes of meeting the duty.'
- The authority reviews the scheme regularly, using existing systems and processes.
- The scheme has been published on the authority's website, and in printed form. It is also available in other formats, on request. Copies of the scheme have been distributed to all staff, and are available to members of the public.

**The authority has set race equality objectives for all its partnership work, and for work carried out for it under contract.**

- The authority informs partner organisations that it intends to work in line with the principles of the duty to promote race equality.
- The authority persuades its partners to adopt these principles as governing principles for the partnership's activities.
- Local partnerships set race equality targets, and review their activities and progress regularly.
- Staff who work for partnerships, such as community safety partnerships or community planning partnerships, are fully briefed on the general duty and any specific duties to promote race equality and good race relations.
- The authority has written its race equality duties into its service agreements and procurement contracts as performance standards for delivering services that are relevant to the duty.

## Employment

**The authority has arranged to train its staff on the duties.**

- All staff and elected members receive training on the Race Relations Act, and on how to prevent discrimination and encourage respect for people from different backgrounds.

- Staff responsible for meeting the duty receive training on their responsibilities under the Act, and in the skills they need to meet the general duty and any specific duties.

**The authority has made arrangements to monitor staff, applicants, and employment processes, by ethnic group.**

- The authority routinely monitors employees and applicants for employment, training, and promotion, by ethnic group. As it has more than 150 full-time employees, it also monitors the number of staff who receive training, who benefit or suffer disadvantage from performance assessments, who are involved in grievances or disciplinary action, or who end their employment with the authority.
- The authority takes steps to explain the importance of reliable ethnic monitoring and to encourage all staff to cooperate by completing their ethnic classification form.
- The authority uses its ethnic monitoring data to set targets and to take action, both to encourage applicants from ethnic groups that are under-represented in particular areas of work and to deal with any adverse impact its employment policies and procedures might be having.
- The authority publishes the results of its monitoring in its annual report.

The duty to promote race equality

# The code and guides



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