

# **Leicester City Council**

## **Scrutiny Task Group Report**

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### **Equality Impact Assessments (EIAs) and Lesbian, Gay, Bisexual & Trans (LGBT) Issues**

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**A Report of the Overview Select  
Committee**

**March 2015**

# Contents

	<b>Page</b>
<b>1 Introduction.....</b>	<b>1</b>
1.1 Acknowledgements.....	1
1.2 Background .....	1
1.3 Recommendations.....	1
<b>2 Current situation in Leicester .....</b>	<b>3</b>
2.1 Scope .....	3
2.2 Demographics.....	4
<b>3 Findings.....</b>	<b>6</b>
3.1 Issues facing LGBT communities .....	6
3.2 Equality Impact Assessments (EIAs).....	9
3.3 Procurement and commissioning.....	11
3.4 Equalities training and support .....	11
3.5 Reporting concerns.....	13
3.6 Leicester LGBT Centre .....	13
3.7 Stonewall .....	14
3.8 Trade .....	16
<b>4 Summary .....</b>	<b>16</b>
4.1 Conclusions .....	16
<b>5 Summary of Appendices.....</b>	<b>17</b>
<b>6 Report Author .....</b>	<b>17</b>

## **1 Introduction**

### **1.1 Acknowledgements**

- 1.1.1. As Chair of the Task Group I would like to thank everyone who came to the meetings - with such positive and creative suggestions that some have already been taken on board. It has helped improve the council's links with the communities by involving the LGBT Centre.
- 1.1.2. I would especially like to thank the Equalities team, Miranda Cannon and the Scrutiny team for the efficient and focussed work on this one aspect of EIAs. This is an important piece of work and their contributions are highly valued.

### **1.2 Background**

- 1.2.1. Following a meeting with the Lesbian, Gay, Bisexual and Trans (LGBT) Centre, Members raised concerns at Overview Select Committee (OSC) about how the Council considers issues impacting on LGBT communities, and that equality impact assessments (EIAs) rarely commented on impacts for the sexual orientation and gender reassignment protected characteristics.
- 1.2.2. It was therefore resolved at the OSC meeting on 16<sup>th</sup> October to set up a task group to review EIAs and in particular those relating to the LGBT community. Also, whether improvements could be made to ensure greater consideration of LGBT issues in future.
- 1.2.3. The LGBT Centre stated that whilst there is still a need for improvements in the Council, other organisations, particularly the city Clinical Commissioning Group (CCG) were even further behind. They also raised the issue of their need for a sustainable funding stream in order to continue providing the wide range of services for LGBT people.

### **1.3 Recommendations**

**The Assistant Mayor for Community Involvement, Partnerships and Equalities and the Executive are asked to consider and respond to the following recommendations:**

- 1.3.1. A methodology is developed for capturing demographics of the LGBT population in Leicester.
- 1.3.2. A mandatory equalities awareness e-learning module is rolled out to all staff and monitored to ensure it is completed.
- 1.3.3. A robust training plan for LGBT awareness is put together for frontline staff in key departments starting with Children's Services, Sports and Leisure Services, Adult Social Care and Housing.

- 1.3.4. The Equalities Team works with the LGBT Centre to provide information in the Members Induction pack that is specific to LGBT issues and makes clear that L, G, B and T are separate communities with different needs.
- 1.3.5. The Equalities Team should sign off of all EIAs to show they have been involved and consulted throughout the process and are monitoring progress.
- 1.3.6. Recognising L, G, B and T are separate communities, the council should consult with members of the communities (through resources like the LGBT Centre) on how consideration of the different needs can be made more explicit on EIAs for example by separating out lesbian, gay, bisexual and trans needs.
- 1.3.7. An Equalities Champions Scheme for all service areas should be established to support the work of the Equalities Team.
- 1.3.8. Signposting and involving organisations such as the LGBT Centre needs to be embedded as normal practice during EIA and consultation processes where appropriate, and this should be led by the Equalities and Research and Intelligence Teams.
- 1.3.9. A Service Level Agreement (SLA) is formed with the Centre to agree how they can strengthen links with the Council and embed good practice in Council work.

**The Deputy City Mayor and the Health and Wellbeing Board are asked to consider and respond to the following recommendation:**

- 1.3.10. Encourage all health partners to consider the needs of LGBT communities in everyday practice and when making service changes and/or procuring and commissioning services.

**Overview Select Committee is asked to consider the following recommendations:**

- 1.3.11. An action plan is requested and compiled with outcomes to all the recommendations from this report and for it to be reported back to the commission.
- 1.3.12. To request information to understand how we can work within procurement cost thresholds to ensure a fair opportunity for local providers and how tendering exercises are advertised and promoted to local providers.

**Overview Select Committee is asked to request the following from other scrutiny commissions:**

- 1.3.13. The Housing scrutiny commission is recommended to establish if there is an adequate policy in place to support LGBT people should they be made homeless because of their sexual orientation and/or gender identity.
- 1.3.14. The Health and Wellbeing scrutiny commission should determine if the needs of LGBT people are being adequately considered and responded to, particularly in relation to sexual and mental health.
- 1.3.15. The Adult Social Care scrutiny commission considers when the needs of LGBT people are being adequately considered when providing domiciliary care and also when older people are placed in residential care.
- 1.3.16. The Children, Young People and Schools scrutiny commission looks at the work done in schools to combat homophobic bullying and support for LGBT pupils in greater detail and identify any future improvements needed.

**The task group would also like to acknowledge and raise awareness of the following:**

- 1.3.17. Good practice undertaken by the staff in the Council's Customer Service Centre when handling issues and signposting and also the rollout of LGBT awareness training by Sport Services.
- 1.3.18. At the recommendation of members of the task group the EIA template has been amended to include two additional questions; the author is asked to summarise why the protected characteristics they have commented on are relevant to the proposal, and why those they've not commented on aren't.

## **2 Current situation in Leicester**

### **2.1 Scope**

- 2.1.1. The remit of the task group was to consider the following:
  - What does the Council currently do?
  - What works well?
  - What areas of the Council do it particularly well or are in need of improvement?
  - What are the barriers?
  - What could be done better?

2.1.2. The Council currently undertakes the following to continue to drive forward equalities, particularly in relation to LGBT communities:

- Encourage training for staff across all services but targeting where there is most need.
- Senior management consider training as a mandate where appropriate.
- The corporate induction is being revamped with equalities included as part of it.
- Considering how managers deal with issues such as staff undergoing gender reassignment and offering them appropriate support.
- Supporting the Council's LGBT employee group.
- Continue to encourage staff to disclose their own sexuality in order to monitor and act upon issues effectively.
- Continue to participate in the Stonewall Workplace Equality Index to improve the Council's performance to tackle discrimination and create an inclusive workplace for your lesbian, gay and bisexual employees.
- Liaising with local partners to continue to gather good practice ideas.

2.1.3. The task group found that a panel of external people are brought together on a regular basis to review EIAs, for example this was done in November/December to look at initial spending review EIAs. As a result, the feedback has helped to continually review and improve the EIA template. A new, simpler template is being piloted and people are finding the current simplified template easier to use. The template is also regularly reviewed in light of legal judgements and good practice cited in consideration of protected characteristics.

## **2.2 Demographics**

2.2.1. The census does not ask for a person's sexual orientation and therefore there is no accurate data on the numbers of people that are lesbian, gay or bisexual (LGB). Also, some people are not comfortable about disclosing their sexuality.

2.2.2. Statistics on the Trans communities are even scarcer and there appear to be no reliable figures available on the size of the Trans population in the UK, nor any data on how many people request or receive gender reassignment services.

2.2.3. The latest major survey that asked for people's sexual orientation was the Integrated Housing Survey in 2012. The tables below show the results from 169,239 respondents of which 1.5% of people identified themselves as LGB.

## Sexual Orientation by Gender<sup>1</sup>

	Heterosexual / Straight	Gay / Lesbian	Bisexual	Other	Don't know / Refusal	No response
Men	93.2%	1.5%	0.3%	0.3%	3.5%	1.2%
Women	93.7%	0.7%	0.5%	0.3%	3.8%	1%
Total	93.5%	1.1%	0.4%	0.3%	3.6%	1.1%

## Sexual Orientation by Region<sup>1</sup>

	Heterosexual/ Straight	Gay/ Lesbian/ Bisexual	Other	Don't know/ Refusal	No response
North East	95.1	1.7	0.1	2	1.1
North West	94.1	1.6	0.3	2.9	1.1
Yorkshire and The Humber	94.2	1.3	0.3	3.1	1
East Midlands	94.1	1.3	0.3	3.3	1
West Midlands	93.5	1.2	0.3	3.9	1.2
East of England	93.4	1	0.1	4.6	0.9
London	89.9	2.5	0.4	5.8	1.4
South East	94.1	1.5	0.3	3.2	0.9
South West	92.8	1.4	0.2	4.4	1.2
Wales	94.3	1.3	0.4	2.8	1.3
Scotland	94.9	1.4	0.3	2.3	1.1
Northern Ireland	94.8	1.1	0.3	2.9	0.9

- 2.2.4. Stonewall believe the true figures are greater than this though and believe it to be around 5 – 7% of the population. With Leicester's population being at approximately 330,000 this would mean estimates of around 16,500 – 23,100 in the city based on Stonewall's estimation<sup>2</sup>.
- 2.2.5. If we use 1.5% as the estimated percentage of population from the Integrated Housing Survey then the figure for the city would be 4,950 people. With such variations in the levels it concurs that it is difficult to get an accurate understanding of the numbers and more robust data capturing is required.
- 2.2.6. **The task group recommends that a methodology is developed for capturing demographics of the LGBT population in Leicester.**

<sup>1</sup> Integrated Household Survey 2011/12 - [http://www.ons.gov.uk/ons/dcp171778\\_280451.pdf](http://www.ons.gov.uk/ons/dcp171778_280451.pdf)

<sup>2</sup> Stonewall - [http://www.stonewall.org.uk/at\\_home/sexual\\_orientation\\_faqs/2694.asp](http://www.stonewall.org.uk/at_home/sexual_orientation_faqs/2694.asp)

### **3 Findings**

#### **3.1 Issues facing LGBT communities**

3.1.1. There are no specific reports/studies that list a set of issues facing LGBT communities, but there are themes that highlight some key areas that also emerged during discussions of the task group. These are described in this section of the report.

##### **3.1.2. Lack of understanding of needs**

As mentioned earlier in the report we don't have a clear understanding of the demography of LGBT communities and this often means there isn't enough emphasis placed on their needs. Also, the needs of LGBT people are lumped together however there are differences in the needs of gay men to those of lesbian women and also of bisexual people. There is an even greater discrepancy of needs when considering trans people.

The LGBT Centre reaffirmed this as they said there was a concern that some EIAs carried out by the Council suggest there is not a need, but there are obvious needs which are missed or ignored. Also some forms capturing data often don't ask for sexual orientation which means that the needs of LGBT people can often be ignored.

##### **3.1.3. Discrimination**

LGBT people still face persecution due to their sexual orientation or gender identity. Whether it is homophobic bullying at schools or discrimination at work or in everyday life there is still a lot of work to be done to address this to ensure that LGBT people are treated equally. This abuse can be verbal and/or physical and can be direct or indirect.

Examples of indirect cases of this raised by the LGBT Centre are Gay men are getting asked if they had a wife or a girlfriend, when receiving care the questions they are asked are often pre-empted with "this is embarrassing but..." or "it's a difficult question but..." and staff making heterosexual assumptions when addressing LGBT issues/needs.

Direct abuse can include hate crimes such as verbal abuse and name calling to more extreme cases of rape and physical violence all due to the person's sexual orientation (or perceived sexual orientation) or gender identity.



#### 3.1.4. Issues facing LGBT Youth

Research into LGBT communities suggests that homelessness amongst LGBT young people<sup>3</sup> is a concern with kids being kicked out of their families and homes because of their sexual orientation and/or gender identity with some also suffering abuse from their families.

**The Housing scrutiny commission is recommended to consider if there is an adequate policy in place to support LGBT people should they be made homeless because of their sexual orientation and/or gender identity.**

As previously mentioned, homophobic bullying is also an issue particularly at school and on social networking sites. Also, young people face confusion around their identity and have difficulties coming out with little or no support. With all these issues to contend with these experiences often leave young people particularly vulnerable to mental and physical health issues and suicidal tendencies.

**The task group recommends that the Children, Young People and Schools scrutiny commission look at the work done in schools to combat homophobic bullying and support for LGBT pupils in greater detail.**

#### 3.1.5. Issues facing Black and minority ethnic (BME) LGBT people

BME young people who are LGBT in particular are facing real difficulty with acceptance from their family. The LGBT Centre works with the Albert Kennedy Trust in these cases.

Generally many of the issues facing the general LGBT population are even worse for those that are of a BME background.

#### 3.1.6. Health concerns

Sexual health, social care and mental health are all areas of healthcare that hold specific concerns for LGBT people and disparity in its delivery in comparison to that for heterosexual people.

The LGBT Centre stated that there is still a need to increase sexual health awareness, with the number of LGBT people diagnosed with HIV rising, particularly amongst those from emerging communities.

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<sup>3</sup> Albert Kennedy Trust: LGBT Youth Homelessness: A UK National Scoping of Cause, Prevalence, Response and Outcome (2014) - [http://akt.org.uk/webtop/modules/repository/documents/AlbertKennedy\\_ResearchReport\\_FINALInteractive.pdf](http://akt.org.uk/webtop/modules/repository/documents/AlbertKennedy_ResearchReport_FINALInteractive.pdf)

'Hidden in Plain Sight' : Homelessness Amongst Lesbian and Gay Youth (2001) - <http://www.natcen.ac.uk/media/23798/hidden-plain-sight-homelessness.pdf>

As mentioned, in relation to young people there can be serious concerns around the mental health of LGBT people after years of being mistreated and or discriminated against. This can also have a connection to substance misuse and suicide.

The LGBT Centre also highlighted health inequalities from GPs being particularly poor, with people feeling quite embarrassed or fearful after visiting their GP. Also an example was given of a lesbian woman whose long-term partner was in hospital and died from cancer and it was only when she rang to see if she was ok that she was told and was offered very little support.

**The task group recommends that the Health and Wellbeing board encourages all health partners to consider the needs of LGBT communities in every day practice and when making service changes and/or procuring and commissioning services.**

**It is also recommended that the Health and Wellbeing scrutiny commission considers if the needs of LGBT people are being adequately considered and responded to, particularly in relation to sexual and mental health.**

There are also reports which highlight concerns facing older LGBT people when accessing social care with some older people concerned about facing discrimination and/or care workers not understanding their specific needs.

**It is recommended that the Adult Social Care scrutiny commission considers if the needs of LGBT people are adequately considered when providing domiciliary care and also when older people are placed in residential care settings.**

In an area of good practice the LGBT Centre has supported NHS England to compile a Trans Care Pathway for health practitioners to use when dealing with Trans people.

### 3.1.7. Issues facing Trans people

The task group heard that Trans people are consistently abused, discriminated against, harassed, and assaulted. Self-harm and attempting suicide is also more prominent. Also, it is often the case that the “T” gets excluded from LGBT initiatives and campaigns.

Issues in the early stages of people going through gender dysphoria were highlighted by the LGBT Centre, particularly around the use of changing rooms with Trans people being challenged, often disrespectfully. This had been identified in sport services at a Council leisure centre and since then training to raise awareness has been rolled out and mandated to all leisure centre staff.

### 3.1.8. Domestic abuse

Violence and abuse at home at the hands of family or a partner is also something that can be prevalent within LGBT communities. Quite often the support is not geared at adequately supporting LGBT people and their specific needs.

### 3.1.9. Issues facing LGBT Asylum Seekers

The deportation and detention process for migrants is particularly pernicious for LGBT people, who are often the subject of harassment and abuse.

Many gay asylum seekers feel a lot of shame about their sexual orientation and are from countries where they could face serious harm if they were open about being gay. In some cases it might even be illegal for them to be gay in their home country.

Officials working on asylum cases focus a lot on sexual activity thinking this is proof that someone is really gay, expecting them to answer very detailed questions about their sex lives which they may feel uncomfortable or unsafe in answering due to a lack of trust in people from the persecution they will have faced in their home country.<sup>4</sup>

As such the process itself to seek asylum can be distressing and then on top of this they face the issue of adjusting to a new country and coming to terms with their sexuality or gender identity.

## 3.2 **Equality Impact Assessments (EIAs)**

3.2.1. Following the introduction of the Public Sector Equality Duty (PSED) as part of the Equality Act 2010, the protected characteristics have now been extended to also include:

- Age
- Gender reassignment
- Pregnancy/maternity
- Religion/belief
- Sexual orientation
- And for specific instances, marriage and civil partnerships

3.2.2. Whilst there is no longer a statutory requirement to complete an EIA the Council still ensures they are completed. The aim of the public sector equality duty is to:

- Eliminate unlawful discrimination, harassment and victimisation

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<sup>4</sup> Stonewall - [http://www.youngstonewall.org.uk/know\\_your\\_rights/immigration\\_and\\_asylum/challenges\\_facing\\_gay\\_asylum\\_seekers/default.aspx](http://www.youngstonewall.org.uk/know_your_rights/immigration_and_asylum/challenges_facing_gay_asylum_seekers/default.aspx)

- Advance equality of opportunity between different groups
  - Foster good relations between different groups
- 3.2.3. An EIA sets out the anticipated impact a proposed action will potentially have on service users (or staff) – existing or anticipated in future – and how any negative impacts can be mitigated. Equalities considerations have to take place throughout the whole process from start to finish. The PSED is an ongoing duty and should be revisited to ensure that initial assumptions are as originally thought.
- 3.2.4. The main ground for legal challenge from an equality perspective is on the basis of the PSED not being met. The PSED is concerned with process rather than substance: the Council is required to have due regard to the need to achieve the various statutory objectives, not to actually achieve the statutory objectives.
- 3.2.5. The only legal challenge considered by the Court since the implementation of the Equality Act 2010 has been the recent one regarding the decision making process for the closure of Herrick Lodge, an Elderly Persons Home. The Council was able to successfully demonstrate that it had adequately addressed the main points of contention raised by the claimant.
- 3.2.6. Judges in some legal challenges on grounds of not meeting the PSED have stated that consideration of every protected characteristic is not required, reiterating that this is the case only where the protected characteristic is relevant to the matter at hand. However, it has been highlighted that there are occasions when gender reassignment or sexual orientation are not considered properly, particularly in EIAs, and it states there are no implications when there are. As such it is important to ensure the correct characteristics are identified and considered.
- 3.2.7. **Since the first meeting of the task group, at the recommendation of members of the group the EIA template has been amended to include additional questions; the author is asked to summarise why the protected characteristics they have commented on are relevant to the proposal and why those they've not commented on are not relevant.**
- 3.2.8. As stated earlier it is also important that LGBT communities are not considered as one group and the separate issues for each of those communities are considered in the same way we would separate issues affecting men and women for example. **The task group recommends that recognising L,G,B and T are separate communities the council consults with members of the communities (through resources like the LGBT Centre) on how consideration of the different needs can be made more explicit on EIAs for example by separating out lesbian, gay, bisexual and trans needs.**

### 3.3 Procurement and commissioning

- 3.3.1. The task group set out to establish if the Council's procurement and commissioning processes adequately considered equalities issues and gave fair opportunities for local groups with expert knowledge. There was also a need to understand if organisations successful in gaining a contract understood their role in ensuring they addressed inequalities when delivering services.
- 3.3.2. The procurement team has produced guidance on incorporating equalities into the procurement process in conjunction with the equalities team for procurement officers to check that service areas have considered relevant equalities implications and have completed an EIA where necessary.
- 3.3.3. The Council cannot breach procurement rules and prevent national organisations from applying for contracts in the city, particularly for higher cost threshold tenders. Although they can weight tender evaluations in relation to questions around local knowledge and understanding. **However, there is a need to greater understand how we can work within the thresholds and how they are advertised and promoted to local providers and the task group recommends this is looked at in greater detail.**
- 3.3.4. Procurement are working with the equalities and commissioning teams to develop and deliver a workshop for the local voluntary sector in June/July on how the PSED impacts upon them when the Council procures services from them.

### 3.4 Equalities training and support

- 3.4.1. There is currently no training plan for Council staff that specifically relates to LGBT issues or equalities more generally. When training is offered, take up has usually been very low. There is a segment for equalities in the Corporate Induction for staff and there is an e-learning course available but this is not mandatory. There is no refresher training offered.
- 3.4.2. As one of the partners of the LGBT Centre, the Council is entitled to three full day training sessions or six half day training sessions but these are yet to be utilised.
- 3.4.3. An example of good practice was when Sport Services commissioned LGBT awareness training in response to complaints about poor customer care for LGBT leisure centre users to which 128 staff attended. This was however reactive and it's unclear as to whether this will continue to be rolled out to new staff.
- 3.4.4. **The task group recommends that a mandatory equalities awareness e-learning module is rolled out to all staff and monitored to ensure it's completed and that a robust training plan for LGBT awareness is put together for frontline staff in key departments starting with Children's**

## **Services, Sports and Leisure Services, Adult Social Care and Housing.**

- 3.4.5. An equalities session is included in the Members Induction and they will also receive a pack to make them aware of equalities issues. **It is recommended that the Equalities Team works with the LGBT Centre to put information in the Members pack that is specific to LGBT issues and makes clear that L, G, B and T are separate communities with different needs.**
- 3.4.6. There is an annual EIA session as part of the annual budget process, jointly delivered by the equalities team with Mark Noble. This is open to all officers and tends to involve Heads of Service/service managers who are responsible for development of budget proposals. There is no specific session more generally for all EIAs.
- 3.4.7. An initial discussion by an equality officer with the lead service officer tasked with completing an EIA is found to be the best method of support with the equalities team able to discuss what needs to be considered within an EIA and also any follow up questions which can help quality assure the process.
- 3.4.8. There is currently no requirement for the officer completing the EIA to consult the Equalities Team, which means that they cannot always support officers through the process ensuring all protected characteristics have been checked appropriately. **The task group recommends that the Equalities Team should have a section in the sign off of EIAs to say they have checked through it and been consulted with throughout to ensure they are involved in all EIA processes and that they monitor progress of them.**
- 3.4.9. The task group also recognised that specialist organisations are often not utilised effectively in completing EIAs or consulted effectively when proposing changes to services. **It is therefore recommended that signposting and involving organisations such as the LGBT Centre needs to be embedded as normal practice during EIA and consultation processes where appropriate and this should be led by the Equalities and Research and Intelligence Teams.**
- 3.4.10. There are 3.6 FTE in the Equalities Team comprising of one Corporate Equalities Lead and two full-time and one part-time Equalities Officers. Whilst the team is there to advise, support and deliver on equalities work, it is the responsibility of the whole Council to ensure equalities is embedded in their everyday practice. It was heard that other sections are using 'Champions' to support teams to help delivery and awareness of their work **and the task group recommends that Equalities Champions for all service areas are considered to support the work of the Equalities Team.**

### **3.5 Reporting concerns**

- 3.5.1. Members of the public who may wish to report LGBT issues relating to poor customer care/access to service issues report these through the Council's complaints procedure. The first point of contact is Customer Services, either online, by telephone or in person. Complaints are forwarded to the Corporate Equalities Team when a more specialist answer is required - for example, what is required by the law in responding to a certain situation?
- 3.5.2. For those wishing to report personal hate incidents it is reported through the Council's community safety reporting mechanism. They will liaise with the Police and other partners where appropriate.
- 3.5.3. Both reporting systems have designated reporting centres across the city. Staff are trained on how to handle incidents. Trends are tracked through the respective monitoring routes. Victims or those reporting incidents requiring support are signposted to Victim Support.
- 3.5.4. **The Council's Customer Service Centre was cited as an area of good practice with staff handling issues appropriately and signposting as appropriate. The LGBT Centre said they had done a mystery shop of them on three occasions and they were all successful.**

### **3.6 Leicester LGBT Centre**

3.6.1. Established 1997 as a PLC and obtained charitable status in May 2011 and is set up to support LGBT people, groups and communities in Leicester, Leicestershire and Rutland.

#### **3.6.2. Mission**

- Recognises that LGBT people face discrimination
- This affects opportunities, to be involved, included and valued
- Centre exists to provide safe social and support space, deliver high quality professional services, responsive to local need

#### **Aims**

- Provide safe accessible and appropriate services,
- Venue and support to combat social isolation, exclusion and discrimination
- Promote a positive environment that empowers LGBT
- Educate those who aren't LGBT

#### **Services**

- Provide information in a range of formats on a wide range of subject that affect LGBT people's lives
- Signposting and referrals to other services

- 3.6.3. There is a lot of work done by the Centre which saves on costs/impacts to other services which is overlooked; the true costs of the services they provide are a lot more than the funding they receive. In particular, these savings are to health services, yet there has never been any funding received from health providers. The uncertainty of funding, impacts on the work the centre does and the people it supports and a sustainable funding approach needs to be sought.
- 3.6.4. At the end of 2014, the Council provided a grant of £28,000 to the LGBT Centre from the VCS urgent support fund in recognition of the importance of the work the centre does and the financial challenges it faces. This follows a similar grant in the previous year. It is recognised that this is only a short-term solution to the financial sustainability of the service, and there is a continuing dialogue with the centre to support them in achieving a sustainable position.
- 3.6.5. There are only four other areas that have a dedicated LGBT centre/service, and the Centre has local knowledge, frontline service delivery experience and is considered a centre of excellence that should be utilised to improve services in the city.
- 3.6.6. The centre are about to change their name from the LGBT Centre to 'The Centre' to help people understand that they support a range of different communities.
- 3.6.7. Whilst it is important for the Council to ensure it works closely with the Centre and other local organisations it is equally important that this is a two way process and that the centre also engage when Council services approach them.
- 3.6.8. **The task group recommends that a Service Level Agreement (SLA) is formed with the Centre to agree how they can strengthen links with the Council and embed good practice in Council work.**

### **3.7 Stonewall**

- 3.7.1. Since 2005, more than 800 major employers have taken part in Stonewall's Workplace Equality Index (WEI), using the criteria as a model for good practice. Submissions to the Index are assessed against questions across ten areas of good practice:
- Section 1: Employee Policy - determines whether the organisation has policies in place that guarantee the equal treatment of LGB employees.
  - Section 2: Training - assesses the content and reach of the organisation's sexual orientation diversity training.
  - Section 3: Staff Network Group - looks at the facilities made available for LGB staff to network, consult and feedback to the organisation.



- Section 4: All staff engagement - establishes how the organisation engages with all staff to raise awareness on LGB issues.
  - Section 5: Career development - examines the career development opportunities the organisation makes available to LGB staff.
  - Section 6: Line managers - examines how line managers promote diversity within their teams.
  - Section 7: Monitoring - examines how the organisation monitors sexual orientation and what has been done with the data collected.
  - Section 8: Procurement - examines how the organisation engages with existing and potential suppliers.
  - Section 9: Community engagement - examines how the organisation engages with wider LGB community.
  - Section 10: Additional work and optional sections - examines additional work the organisation has done that has not been captured elsewhere.
- 3.7.2. The Council's ranking is gradually improving after ranking 244 out of 376 in the first year in 2013 and 186 out of 369 in 2014.
- 3.7.3. Prior to joining Stonewall, the equalities team had a limited involvement with the Council's employee groups as the work was not prioritised. Since joining the main benefit has been sharing and learning from good practice of other local partners who are also in the WEI: County Council, NHS LPT, DMU, Leicestershire Police and Leicestershire Fire Service. This allows a coordinated response to LGBT events, enhancing the profile of LGBT equality and awareness through the local media. Engagement with Stonewall has helped to make positive changes within the Council, which has been good for staff and for our reputation, making us think about and improve the way we engage with our staff and service users.
- 3.7.4. The Council is also signed up to the Education Champions Programme where Stonewall works with local authorities to determine ways to address homophobic bullying in schools. The purpose is to promote a safer and inclusive learning environment for all young people. Stonewall's resources and support have helped schools focus on homophobic bullying as part of curriculum based activities and whole school approaches.
- 3.7.5. Whilst it is recognised that these resources from Stonewall have been helpful it is clear that they haven't solved the issue of homophobic bullying or ensured the protection of LGBT pupils in schools. The task group heard of cases of poor support from head teachers for LGBT students. As

mentioned earlier in the report it is recommended that the Children, Young People and Schools scrutiny commission look at this in greater detail.

### **3.8 Trade**

3.8.1. Trade Sexual Health is a health charity working with the LGBT communities in Leicester, Leicestershire and Rutland. They offer a range of free and confidential support and advice services around sexual health and HIV information; one-to-one emotional and practical support; support in 'coming out', sexuality and relationships; rapid HIV testing; community based men's sexual health clinics; safer-sex packs for men and women; and a fully qualified counselling service.

3.8.2. Due to the short period in which the task group had complete this piece of work there wasn't enough time to engage with Trade, but does recommend that any further work within this area, particularly around sexual health should include engaging with Trade.

## **4 Summary**

### **4.1 Conclusions**

4.1.1. The Council has a number of areas where it has worked to ensure the needs of LGBT communities and its staff for example by signing up to Stonewall's Workplace Equality Index. There has also been evolving process surrounding EIA's in ensuring that they are revamped in line with policy changes, legal challenges and other lessons learnt.

4.1.2. There are some areas of good practice with the way that the Customer Service Centre responds to specific LGBT queries and the specific LGBT Awareness training for staff in Sports Services.

4.1.3. However a lot of work still appears to be ad hoc and disjointed with the feeling that equalities is still considered an 'add on' to work rather than embedded in everyday practice. The work around EIA's is improving this but there is still some work to ensure that specific issues around sexual orientation and gender reassignment are appropriately considered as protected characteristics.

4.1.4. There have been a number of recommendations made in this report which support the need for **an action plan to join up work done around equalities more generally and those that are specific to LGBT issues.**

4.1.5. The need for partnership working has been highlighted during the work of the task group and in particular utilising local expertise. With the LGBT communities facing such complex issues it is important that the services provided for them are fit for purpose and accurately address the issues that they face.

## **5 Summary of Appendices**

Appendix A – EIA Template

## **6 Report Author**

Councillor Lucy Chaplin  
Chair, Adult Social Care Scrutiny Commission and  
Chair, EIA/LGBT Issues Task Group

**Equality Impact Assessment (EIA) Template: Service Reviews/Service Changes**

Title of spending review/service change/proposal	
Name of division/service	
Name of lead officer completing this assessment	
Date EIA assessment completed	
Decision maker	e.g. City Mayor/Assistant Mayor/Director
Date decision taken	

**Please ensure the following:**

- (a) That the document is understandable to a reader who has not read any other documents, and explains (on its own) how the Public Sector Equality Duty is met. This does not need to be lengthy, but must be complete.
- (b) That available support information and data is identified and where it can be found. Also be clear about highlighting gaps in existing data or evidence that you hold, and how you have sought to address these knowledge gaps.
- (c) That the equality impacts are capable of aggregation with those of other EIAs to identify the cumulative impact of all service changes made by the council on different groups of people.

## 1. Setting the context

Describe the proposal, the reasons it is being made, and the intended change or outcome.

## 2. Equality implications/obligations

Which aims of the Public Sector Equality Duty (PSED) are likely be relevant to the proposal? In this question, consider both the current service and the proposed changes.

	<b>Is this a relevant consideration? What issues could arise?</b>
<b>Eliminate unlawful discrimination, harassment and victimisation</b> How does the proposal/service ensure that there is no barrier or disproportionate impact for anyone with a particular protected characteristic	
<b>Advance equality of opportunity between different groups</b> How does the proposal/service ensure that its intended outcomes promote equality of opportunity for users? Identify inequalities faced by those with specific protected characteristic(s).	
<b>Foster good relations between different groups</b> Does the service contribute to good relations or to broader community cohesion objectives? How does it achieve this aim?	

**3. Who is affected?**

Outline who could be affected, and how they could be affected by the proposal/service change. Include current service users and those who could benefit from but do not currently access the service.

**4. Information used to inform the equality impact assessment**

What **data, research, or trend analysis** have you used? Describe how you have got your information and what it tells you. Are there any gaps or limitations in the information you currently hold, and how you have sought to address this, e.g. proxy data, national trends, etc.

**5. Consultation**

What **consultation** have you undertaken about the proposal with current service users, potential users and other stakeholders? What did they say about:

- What is important to them regarding the current service?
- How does (or could) the service meet their needs?
- How will they be affected by the proposal? What potential impacts did they identify because of their protected characteristic(s)?
- Did they identify any potential barriers they may face in accessing services/other opportunities that meet their needs?

## 6. Potential equality Impact

Based on your understanding of the service area, any specific evidence you may have on service users and potential service users, and the findings of any consultation you have undertaken, use the table below to explain which individuals or community groups are likely to be affected by the proposal because of their protected characteristic(s). Describe what the impact is likely to be, how significant that impact is for individual or group well-being, and what mitigating actions can be taken to reduce or remove negative impacts.

Looking at potential impacts from a different perspective, this section also asks you to consider whether any other particular groups, especially vulnerable groups, are likely to be affected by the proposal. List the relevant that may be affected, along with their likely impact, potential risks and mitigating actions that would reduce or remove any negative impacts. These groups do not have to be defined by their protected characteristic(s).

<b>Protected characteristics</b>	<b>Impact of proposal:</b> Describe the likely impact of the proposal on people because of their protected characteristic and how they may be affected. Why is this protected characteristic relevant to the proposal? How does the protected characteristic determine/shape the potential impact of the proposal?	<b>Risk of negative impact:</b> How likely is it that people with this protected characteristic will be negatively affected? How great will that impact be on their well-being? What will determine who will be negatively affected?	<b>Mitigating actions:</b> For negative impacts, what mitigating actions can be taken to reduce or remove this impact? These should be included in the action plan at the end of this EIA.
<b>Age</b>			
<b>Disability</b>			
<b>Gender Reassignment</b>			

<b>Marriage and Civil Partnership</b>			
<b>Pregnancy and Maternity</b>			
<b>Race</b>			
<b>Religion or Belief</b>			
<b>Sex</b>			
<b>Sexual Orientation</b>			
<p><b>Summarise why the protected characteristics you have commented on, are relevant to the proposal?</b></p> <p><b>Summarise why the protected characteristics you have not commented on, are not relevant to the proposal?</b></p>			



<b>Other groups</b>	<b>Impact of proposal:</b> Describe the likely impact of the proposal on children in poverty or any other people who we consider to be vulnerable. List any vulnerable groups likely to be affected. Will their needs continue to be met? What issues will affect their take up of services/other opportunities that meet their needs/address inequalities they face?	<b>Risk of negative impact:</b> How likely is it that this group of people will be negatively affected? How great will that impact be on their well-being? What will determine who will be negatively affected?	<b>Mitigating actions:</b> For negative impacts, what mitigating actions can be taken to reduce or remove this impact for this vulnerable group of people? These should be included in the action plan at the end of this EIA.
<b>Children in poverty</b>			
<b>Other vulnerable groups</b>			
<b>Other types of groups (ie. mobile phone users)</b>			

**7. Monitoring Impact**

You will need to ensure that monitoring systems are established to check for impact on the protected characteristics and human rights after the decision has been implemented. Describe the systems which are set up to:

- monitor impact (positive and negative, intended and unintended) for different groups
- monitor barriers for different groups
- enable open feedback and suggestions from different communities
- ensure that the EIA action plan (below) is delivered.

**8. EIA action plan**

Please list all the equality objectives, actions and targets that result from this Assessment (continue on separate sheets as necessary). These now need to be included in the relevant service plan for mainstreaming and performance management purposes.

Equality Outcome	Action	Officer Responsible	Completion date

Sign off for EIA by.....

Review of EIA by internal critical friends.....and their comments.

Amendment of EIA in light of critical comments.....