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RACE EQUALITY DIGEST

**Occasional briefing paper produced by Race Equality West Midlands
on race equality issues.**

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MODELLING THE DELIVERY OF LOCAL EQUALITY SERVICES IN RAPIDLY-CHANGING CIRCUMSTANCES

**Exploring the feasibility of local equality and human rights facilities
in a world of Race Equality Councils and
other single-equality-strand agencies**

JULY 2004

Contents

	Page
Introduction	4
1. External factors impacting on local race equality work	6
Demographic trends	6
New and potential user groups	9
Measures to eliminate institutional racism	15
Audit Commission report 2004	16
Community cohesion	18
Aid for individual complainants of discrimination	20
Citizenship education	22
Local Strategic Partnerships	23
The role of the voluntary and community sector	26
Electoral challenge of racist far-right parties	28
Change to CRE funding arrangements	29
The White Paper on a New Commission for Equality and Human Rights	31
The Human Rights Act 1998	34
The Race Relations (Amendment) Act 2000	37
Racial harassment	39
2. Modelling the delivery of local equality services	42
Model One: The Race Equality Council	44
Model Two: The Centre for Diversity, Learning and Living	52
Model Three: The County-Wide (Race) Equality Model	56
Model Four: The Race Equality Partnership	59
Model Five: The Partnership for Equality and Cohesion	66
3. Factors critical to successful delivery	75
Why do local equality organisations fail?	75
How can local equality organisations succeed?	75
Clear aims, objectives and priorities	76
Strategic awareness and positioning	77
Strong links with local communities	77
Strong links with public authorities and other service providers	79
Autonomy and independence	80
Accessible, relevant and reliable service provision	80
Sustainability and developmental potential	82
Competitive conditions to recruit and retain staff	83
Management expertise	83
Appendix A The functions of a Race Equality Partnership	85

	Page
Appendix B Extract from the response by West Midlands Race Equality Councils to the White Paper, <i>Fairness for All: A New Commission for Equality and Human Rights</i>	87
Bibliography and references	91
Acknowledgements	95
List of Race Equality West Midlands publications	97
List of Tables:	
Table 1: External Factors impacting on Local Race Equality Work	7
Table 2: Strategic Decisions facing Local Race Equality Organisations	40
Table 3: Race Equality Scenario Planning Exercise 2001	43
Table 4: The Race Equality Council: Structure	51
Table 5: The Centre for Diversity, Learning and Living: Parts and Functions	54
Table 6: The Centre for Diversity, Learning and Living: Structure and Links	55
Table 7: The County-Wide (Race) Equality Organisation	58
Table 8: Race Equality Sandwell: Structure and Links	65
Table 9: The Partnership for Equality and Cohesion: Two Tier Approach	67
Table 10: The Partnership for Equality and Community Cohesion: Structure and Links	73
Table 11: The Partnership for Equality and Community Cohesion: Relationship with LSP Thematic Groups	74
Table 12: Equality Organisation: Relational Square	79

Introduction

In October 2003, Race Equality West Midlands (REWM) published a briefing paper entitled *How should local race equality work be organised?* The paper described some of the external factors affecting race equality work and went on to suggest that arrangements for promoting race equality at local level should be reviewed to ensure their fitness for purpose in areas differing widely in terms of urban/rural mix, levels of deprivation, ethnic composition and residential separation, political representation, and along critical dimensions. Today, it is difficult to imagine how a single race equality council model constitution could have been adopted and made to operate in so many diverse situations.

With the increasing emphasis on needs analysis, the delivery, quality and improvement of public services, performance management, best value and outcome-related funding, REWM believed there was a need to review race and other equality objectives at local level and to develop the effectiveness of agencies and means of delivery.

This view of the task faced by the race equality movement was reinforced by the findings of the REWM 2003 audit of the resources of race equality councils (RECs) and partnerships (REPs), an exercise that is currently being repeated and is likely to reveal a startling national decline in the number of RECs and local race equality activities.

The 2003 audit showed that many RECs suffered from short-term, restricted funding, often resulting in outcomes which were unrealistically costed and which failed to take into account the need to retain organisational infrastructure and community involvement. The race equality and community cohesion requirements of the areas served were not matched by the grant aid allocated, the amount of which varied idiosyncratically from REC to REC.

The resulting unevenness of provision, uncertainty, and instability, were reflected in the relatively poor conditions of race equality employees, the vast majority of whom was on short-term contracts with inadequate employment conditions, prospects and personal pension provision, leading to insecurity, demotivation and relative high staff turnover. The existing movement was ill-equipped to advance the cause of race equality at local level, let alone to take on the challenge of promoting other strands of equality.

This paper builds on the proposals, first set out in REWM's earlier discussion paper: *How should local race equality work be organised?*, for ensuring local organisation is designed to meet emerging race equality needs and purposes in a rapidly-changing environment. It also takes into account the recent REWM audits of RECs' work programmes and resources, and the way they might be used to better effect, that is, to achieve so called SMART outcomes (Specific, Measurable, Achievable, Realistic and Time-bound).

REWM's previous discussion documents, however, pre-date the publication of the government's White Paper *Fairness for All: A New Commission for Equality and Human Rights* (cm6185, Department for Trade and Industry). The new national commission (CEHR) is intended to replace the Commission for Racial Equality

(CRE), the Equal Opportunities Commission (EOC) and the Disability Rights Commission (DRC), and to assume responsibility for the new anti-discrimination strands of religion and belief, sexual orientation and age. The proposed CEHR has profound implications for equality and diversity at regional and local level, not least, in the case of RECs, because it will replace the CRE, currently, their key strategic funder. West Midlands RECs' response to the White Paper is reproduced as Appendix B to this report.

The decision to create a national CEHR raises the issues, not only of whether the new organisation will continue to support the current network of RECs financially (the White Paper promises that it will), but of whether the logic for creating a single equality body nationally also applies at regional and local levels. On the assumption that, at least in some respects, it may, local authority diversity officers, and race equality council members and directors, are already considering how strategically to adapt current structures and practices in order to undertake generic equality work.

When this proposition is approached practically from the point of view of the plethora of existing locally-based voluntary and community bodies concerned with and lobbying for different strands of equality and human rights, it is not at all obvious as to whether, or how a generic equality body might be brought into being, nor even how such a development might be championed by an organisation, such as a race equality council with expertise limited to only one equality strand. Clearly, there is a need to explore how the promotion of generic equality should be undertaken at local level, and the role existing race equality organisation might play in its development and delivery.

In addition to a consideration of the wider generic equality agenda, there are continuing concerns about the adequacy of existing local arrangements for the elimination of institutional racism, the pursuit of race equality, and the promotion of community cohesion. None of these objectives can safely be assumed to have been adequately provided for by local government or other public authority initiatives, individually, or in partnership with the private, voluntary and community sectors. Local race equality organisation will only be adequate for purpose if it continues to ensure these awesome responsibilities are recognised and shouldered at local level.

It must also be acknowledged that the work of RECs has often failed to keep pace with the changing demography of town and countryside, new waves of immigration, whether of economic migrants or refugees, and the complexity of new patterns of prejudice and discrimination. Is it necessary, for example, to take on board work with asylum seekers and refugees, seasonal economic migrants, and travellers and gypsies for RECs to retain a contemporary social relevance and purpose? Should there be a new focus on religious intolerance?

Together with further exploration of these changing environmental factors, this edition of the Race Equality Digest (RED 8) attempts to provide a series of possible models, suited to different social contexts, for the development and delivery of race equality and other equality strands. The key message is that there is no single organisational solution ('one size fits all') for the wide spectrum of equality scenarios, and that any new approach must be subject to constant review of its impact and effectiveness. Indeed, this continuous assessment of outcome should be a design feature of any new local equality organisation.

Chapter One

External factors impacting on local race equality work

What are the major contemporary external factors that have to be taken into account in considering the purpose, structure and interconnectivity of equality work at local level? The issues relating to equality and diversity that are most likely to impact on existing race equality councils (RECs), partnerships (REPs), and future delivery structures, are drawn together in this chapter with the help of a routine environmental scanning analysis. The focus is on the principal new perspectives and approaches to which the movement is struggling to adapt, not on the continuing general 'background noise', such as the haphazard short-term nature of much voluntary sector funding.

Social factors affecting local equality and diversity are described here under the headings: demographic trends and new and potential user groups. Highlighted under 'policy' are measures to eliminate institutional racism, the Audit Commission report (2004) on delivering improved services to local communities, community cohesion, aid for individual complainants of discrimination, citizenship education, and the role of Local Strategic Partnerships and the voluntary and community sector.

The political challenge lies in the resurgence of racist far-right parties. Recent changes to the funding of local race equality councils are mentioned as a major economic consideration.

Legal factors impacting on local race equality work are the White Paper on proposals for a Commission for Equality and Human Rights, the Human Rights Act 1998, the Race Relations (Amendment) Act 2000, the Protection from Harassment Act 1997, and the Crime and Disorder Act 1998. All of these factors, spanning social and political change, public sector reform and the process of engagement, are related and intermesh, making it difficult to present them separately or discreetly.

Social factors

Demographic trends

The 2001 Census provided up-to-date information on the size, sex, age and ethnicity of the population of the United Kingdom.

Ethnic minorities (excluding Irish and Other White) make up 9.3 per cent (4,832,925) of the total population of England and Wales (52,041,916). In the West Midlands, ethnic minorities (excluding Irish and Other White) make up 11.26 per cent (593,099) of a total regional population of 5,267,308. In the West Midlands, the largest ethnic minority groups are Indian (178,562), Pakistani (154,332), Black Caribbean (82,170), Mixed White and Black Caribbean (40,032) and Bangladeshi (31,604).

Table 1 External Factors impacting on Local Race Equality Work
<p>Social</p> <p>Demographic trends</p> <p>New and potential user groups:</p> <ul style="list-style-type: none"> • asylum seekers and refugees • migrant workers • illegal immigrants • Gypsies and Travellers • black and minority ethnic people living in isolated rural areas • persecuted faith groups, especially victims of Islamophobia • alienated and excluded white communities • mixed-race people
<p>Policy</p> <p>Measures to eliminate institutional racism.</p> <p>Audit Commission report (2004) on delivering improved services to local communities.</p> <p>Community cohesion</p> <p>Aid for individual complainants of discrimination.</p> <p>Citizenship education</p> <p>Local Strategic Partnerships:</p> <ul style="list-style-type: none"> • Community Empowerment Networks • Neighbourhood Renewal <p>The role of the voluntary and community sector.</p>
<p>Political</p> <p>Electoral challenge of racist far-right parties.</p>
<p>Economic</p> <p>Changes to the CRE funding arrangements for organisations that promote equal opportunities and good relations.</p>
<p>Legal</p> <p>The White Paper on a New Commission for Equality and Human Rights</p> <p>The Human Rights Act 1998</p> <p>The Race Relations (Amendment) Act 2000</p> <p>The Protection from Harassment Act 1997</p> <p>The Crime and Disorder Act 1998</p>

By including, for the first time, the category of ‘mixed’, the Census made it possible to identify four emerging mixed groups. Mixed White and Black Caribbean people now form the fourth largest ethnic category, in a ratio of one to every two Black Caribbeans.

Ethnic and religious groups, of course, are not distributed homogeneously but form distinct clusters and communities in particular localities, with highest concentrations in urban areas. Rural counties have much smaller proportions of ethnic minorities.

In the West Midlands area, 29.7 per cent (289,706) of the population of Birmingham, 22.2 per cent (52,545) of the population of Wolverhampton, and 20.2 per cent (57,401) of the population of Sandwell, are from ethnic minorities, in contrast to only 1.2 per cent (3,398) of the population of Shropshire and 0.9 per cent (1,574) of the population of Herefordshire.

The ethnic minority population is concentrated in particular urban districts, in some cases, resulting in the separate living and 'parallel lives' referred to in reports on community cohesion. There are nine wards in Birmingham with more than 50 per cent ethnic minority populations, six of these wards having more than 70 per cent.

Particularly in London and the South East, a mostly white population is moving from the inner cities to the suburbs and surrounding countryside, with further inward migration to the urban centres from overseas.

This pattern has been identified with the American pattern of 'white flight' but, in England, the movement to the outer suburbs and rural hinterland involves not only middle-class whites, but successful ethnic minority families, hoping to improve their environment and living standards, and to escape crime and poorly-performing schools. Outward movement of this kind is most pronounced in central London, where more than 10 per cent of former residents have moved out. In the West Midlands, by contrast, only one in 50 people has moved out of the conurbation itself, but there has been movement to the suburbs and areas bordering on the largely rural counties.

The importance of residential integration (or 'interspersions') for facilitating contact between ethnic groups on equal terms and a sharing of mutual interests is widely acknowledged in race relations research. Levels of residential integration in England and Wales are contrasted favourably with the development of separate ethnic neighbourhoods in the United States, to the extent that one aim of race equality work, expressed recently by Trevor Phillips, the Chair of the CRE, is to avoid 'an American future', that is to say, a situation in which ethnic communities live separate and 'parallel' lives in their own increasingly self-contained neighbourhood communities.

The promotion of equal opportunities and good race relations requires the formulation and development of urban regeneration projects which aim to encourage ethnic residential interspersions. Regular contact between equals in pursuit of mutually beneficial interests is important for maintaining and developing good race relations.

Strategically, the government's community cohesion pathfinder programme and the Housing Market Renewal Area initiatives may lead the way to further successful policy intervention in pursuit of residential racial integration and interspersions.

Implications for local race equality work

To maintain its relevance, local race equality work must be well informed and fully involved in measures to promote interracial contact, collaboration, and residential integration.

RECs/REPs may not have given sufficient priority to the strategic consideration of local demographic change and its implications for housing and regeneration policy.

The increase in the numerical and political strength of minority ethnic populations in major cities, such as Birmingham, challenges RECs' former role as a forum and voice speaking out on behalf of the collective minority ethnic interest.

New and potential user groups

The original councils for racial harmony and community relations councils were set up to help newly-settled New Commonwealth immigrants. As race equality councils (RECs), their focus became one of eliminating discrimination and promoting equal opportunity and good race relations by providing services mainly directed at black and minority ethnic communities now settled and concentrated in urban industrial areas. In recent years, new race equality councils have been developed in counties and rural areas to serve black and minority ethnic groups now resident or visiting there.

A further analysis of local race equality service need against a background of global population movements, continuing migration, newly emerging ethnic groups, world events following the 9-11 terrorist attack on the World Trade Centre, and press hysteria about asylum seekers and refugees, has led to the identification of new potential user groups, including:

- asylum seekers and refugees
- migrant workers
- illegal immigrants
- Gypsies and Travellers
- black and minority ethnic people living in isolated rural areas
- persecuted faith groups, especially victims of Islamophobia
- alienated and excluded white communities
- mixed-race people.

Asylum seekers and refugees

Asylum seekers are people who have applied for asylum and whose applications are under consideration, or who have received a refusal but have not yet returned to their home country. Refugees are people who have applied for asylum and have been given 'recognised refugee status', 'exceptional leave to remain', or 'indefinite leave to remain', in the United Kingdom. Key legislation governing their status and the official approach to their treatment are: the Asylum and Immigration Act 1996 (which sought to speed up the asylum process to deal with bogus claims and immigration racketeering, and to restrict social security payments), the Immigration and Asylum

Act 1999 (which aimed to reduce the flow of applicants, ease the financial burden on councils, and relieve housing and social pressure in the South East by a scheme of dispersal), and the Nationality, Immigration and Asylum Act 2002 (dealing with the control and removal of unsuccessful asylum applicants and introducing a cash voucher system, English language and citizenship tests, citizenship ceremonies, a prohibition on asylum applicants working or undertaking vocational training but entitlement to further education, and proposals for accommodation centres).

Asylum seekers and refugees are among the most economically-disadvantaged groups in the United Kingdom and are the victims of prejudice and discrimination, often inflamed by sensational and frequently inaccurate media reporting.

A recent study in the West Midlands by the Centre for Urban and Regional Studies, University of Birmingham, showed asylum seekers in the study area originated from 67 different countries with the main countries of origin being Iraq, Iran, Afghanistan, Turkey, Czech Republic, Slovakia, Zimbabwe, Democratic Republic of the Congo, and Albania. The majority was aged between 21 and 44, a third was women, and approximately half had previously been employed in professional occupations, as managers, or in skilled trades.

There is a National Asylum Support Service (NASS), Midland Refugee Council (MRC), and a West Midlands Consortium for Asylum and Refugee Support.

Migrant workers

The Home Office White Paper: *Secure Borders, Safe Haven* set out the government's wish to contain asylum seeking while, at the same time, permitting controlled economic migration to alleviate the difficulties encountered by employers in recruiting suitable workers. Migrant labour is seen as easing recruitment difficulties and skill shortages, and helping to deal with illegal working. Recruitment difficulties at both the high and low end of the skills spectrum are likely to affect productivity and economic growth.

Migrant workers can enter the United Kingdom legally under a variety of schemes: work permit, seasonal agricultural workers, working holidaymakers, as European Union (EU) residents, domestic employees, au pairs, and as people with UK ancestry.

Entry for migrant workers is being further facilitated by the introduction of a Highly Skilled Migrant Programme and by amending the Immigration Rules to allow certain postgraduate students to switch to employment.

The TUC has recently warned of the routine exploitation of migrant workers (even when they have work permits) in agriculture, food processing, catering and construction. The report (Mach 2004) reveals that they are often accommodated in overcrowded conditions, paid less than half the rate for British workers, and suffer from disproportionately high rates of industrial injury.

Illegal immigrants

By nature of their illegal status, this category of migrant workers is hard to detect or enumerate and likely to suffer from even worse exploitation than migrant workers who are legally resident. Illegal workers will be reluctant to make their presence

known for fear of being detained or deported. The recent deaths of twenty-one Chinese cockle-pickers on the sands of Morecambe bay are a stark example of the hazards faced by illegal migrant workers. Many thousands of illegal workers are thought to be working in agriculture, in the hotel, bar and restaurant trades, and prostitution.

Gypsies and Travellers

Of all the groups mentioned in this section, Gypsies and Travellers deserve special attention as a pariah group that experiences extreme inequality and discrimination in regard to accommodation, health, education, and freedom to conduct their daily lives and business without intervention.

In regard to accommodation, there is a severe shortage of permanent or transit sites, with two out of every ten Gypsy and Traveller families officially defined as homeless. Neither do they have security of tenure on council sites, where rent for pitches is proportionately higher than for council houses. In contrast with those made by members of settled communities, Gypsy and Traveller applications for planning permission on private sites are usually rejected.

The health of Gypsies and Travellers is poorer than that of the lowest UK socio-economic status group. They have a higher infant mortality rate, and a life expectancy ten years less than the settled community for men, and twelve years less for women. They often face difficulties registering with GPs. In education, Gypsy and Traveller children are identified as those most at risk, with only twenty per cent of children of secondary school age attending school. Those who do attend nearly always give cause for concern.

Gypsies and Travellers who identify themselves to be ethnic or racial groups are legally classified as racial groups and protected by the Race Relations Act. Occupational Travellers or New (Age) Travellers, however, do not qualify. The CRE has recently produced a *Gypsy and Traveller Strategy for England and Wales*, focussing on the promoting of good race relations, improved service provision, leadership, monitoring and the reporting of racist incidents.

The CRE wishes to see public authorities providing suitable, readily available and well managed accommodation for Gypsies and Travellers, whether on public or private sites, permanent or transit. Inclusive education, health care and other public services need to be made available, with public authorities playing an active role in identifying and eliminating the discrimination faced by Gypsies and Travellers. Public Authorities' race equality schemes should indicate how they intend to assess the impact of existing and proposed policies on Gypsies and Travellers and to change them accordingly.

The CRE recognises the need to strengthen its expertise in regard to Gypsy and Traveller issues and to mainstream this element of its work. It wants to deliver its Gypsy and Traveller strategy by working in partnership with, among others, government departments, Gypsy and Traveller representative organisations, and RECs. If RECs, as presently organised, are to respond to this challenge they, too, will need to develop their expertise in this area and work together with other agencies and community groups already involved in supporting Gypsies and Travellers. This is not, incidentally, a matter only for RECs covering rural areas. In the West Midlands,

ODPM figures show the number of Gypsies and Travellers to be larger than that of the Bangladeshi population. The rural counties of Worcestershire, Warwickshire and Staffordshire give the highest counts of Gypsy caravans and families, but substantial numbers are also recorded in the former metropolitan county area, Stoke-on-Trent, and Telford and Wrekin. In 2004, under *Getting Results*, the CRE funded a number of non-REC projects, including the Irish Traveller Movement in Britain.

Black and minority ethnic people living in isolated rural areas

Ever since the publication of Eric Jay's seminal report, *Keep them in Birmingham* (1992), there has been a growing awareness of the problems faced by isolated black and minority ethnic individuals and families living in rural areas.

Being dispersed, the black and minority ethnic population lacks the support structures available to larger communities. Appropriate customised services simply do not exist but there is also a lack of awareness of what is available. Because of the apparently unwelcoming attitudes of local white residents, black and minority ethnic people find difficulty in developing a sense of belonging to their local community. Officials often behave in a colour-blind way and are unable to appreciate the difficulties encountered by ethnic minorities who, in the rural context, stand out as targets for racists. Black and minority ethnic needs are simply not recognised and often do not reach the policy agenda. Finding themselves always in a minority, black and minority ethnic people frequently lack the confidence to ask for advice or to make demands of local agencies.

In *Tackling the invisible problem? Provision of services to victims of racial harassment in rural Suffolk* (2002), Garland, Chakraborti and Sandal, from the University of Leicester's Scarman Centre, reported that of the respondents to their questionnaire, 70 per cent reported racial harassment, 11 per cent on a daily basis, 82 per cent low-level verbal abuse or name-calling, and 40 per cent unnecessary staring.

Their report recommended that:

- agencies should nominate a trained member of staff whose job description should specifically include the provision of guidance for black and minority ethnic communities.
- agencies should have clear policies and procedures on services for victims of racism, including mediation.
- levels of service take-up should be racially monitored.
- agencies should use interpreting and translation where necessary.

In a recent consultation on race equality provision in Warwickshire, a key message was the need to develop access points or communication links, not just in the larger county towns, but in more isolated rural settings. But it was also essential to take into account and build on the existing contact patterns and routes already established for community, shopping, and worship, when considering service provision. Networking with minority ethnic community organisations in the nearest towns also needed to be encouraged.

The Community Development Exchange (CDX), Federation for Community Development Learning (FCDL) and NACVS recently held a conference entitled *Connecting black and minority ethnic people in rural areas - are we doing enough?* in

which many of the issues facing black and minority ethnic people living in rural areas were discussed.

Persecuted faith groups, especially Muslim victims of Islamophobia

The events of 11 September 2001 and the war against terrorism in Afghanistan and Iraq heightened awareness of the Muslim communities living in Britain. The subsequent stereotyping of Muslims as members of Al Qaida and followers of Osama Bin Laden and as a potential threat to Britain has resulted in attacks on mosques, Muslims and, more generally, people of Asian appearance. Right-wing organisations have taken up the ready-made opportunity to make trouble, assisted by the few Muslims who have come out publicly in support of Al Qaida.

The government passed emergency anti-terrorism legislation allowing the internment of terrorist suspects (requiring the suspension of article 3 of the European Convention on human rights). In the USA, so-called 'unlawful combatants' have been detained without trial at Guantanamo Bay, Cuba. Detainees in the UK and in Cuba are invariably of the Muslim faith. At local level in the West Midlands, there have been reports of discrimination and prejudice against Muslims, and attacks on mosques.

At the same time, legislation has come into force prohibiting discrimination and harassment on grounds of religion or belief in large and small workplaces (Employment Equality (Religion or Belief) Regulations 2003). The Home Secretary has also attempted to introduce a Bill outlawing incitement to religious hatred.

Alienated and excluded white communities

In response to the disturbances in 2001 in Oldham, Bradford and Burnley, the CRE produced a report, *A Place for Us All*, in which it drew attention to the fact that racial equality funding for community groups tended to be given in response to the particular needs of ethnic minority communities. Where community fragmentation, however, was an issue, there was also a need to fund projects that brought communities together and established links between them. The CRE saw race equality councils as playing an important role in this respect. The report gave details of cross-community projects in Northern Ireland and the United States.

In the course of the debate on community cohesion in which attention was initially focussed on issues of identity and citizenship, it became increasingly obvious that action programmes would also have to be mounted in alienated white communities responsive to the view that their needs had been neglected in favour of ethnic minorities living in neighbouring areas - a campaigning issue seized upon by racist far right parties. If racism is mainly a problem for the white majority population, as many in the race equality movement believe, it raises the question of why so little of the work of local RECs is directed at raising awareness, establishing links, and undertaking cross-cultural projects with white communities.

Mixed-race people

The growth in the number of trans-racial partnerships and people of mixed-race is another dimension of the changing pattern of ethnic relations in Britain. Half of British-born Caribbean men with a partner and a third of British-born Caribbean women with a partner live with a white person. Mixed partnerships are on the

increase, and are far more common than among African Americans in the USA. Although mixed marriages are less common among South Asians than among Caribbeans, about one in five British-born men of Indian or African Asian origin has a white partner and the equivalent figure for women is one in ten, although very few Bangladeshis and Pakistanis have entered mixed relationships.

People of mixed race constitute a rapidly-growing minority, unrecognised in much of the literature on ethnicity in Britain and in developments of race relations policy. In the 1991 census, a person descended from more than one ethnic or racial group was advised to tick one of the eight other boxes provided (eg. White, Black Caribbean, Indian, etc) or to enter a description under 'any other group'. By 2001, however, in recognition of the growing significance of this category of people, the census included a choice of four boxes under the generic heading 'mixed'. The significance of the growth of the mixed-race population for race relations in Britain and for the work of RECs has yet to be fully assessed, but poses interesting questions about national identity and the nature and pursuit of multi-cultural objectives.

All the aforementioned groups appear to suffer prejudice and discrimination, yet insufficient local race equality work so far has been undertaken on their behalf, nor have RECs been at the forefront of developing effective methods for meeting their particular needs.

Implications for local race equality work

The groups listed above require, perhaps more than any others, an effective local race equality service inclusive of complainant aid and victim support. Where RECs have failed to assist, these potential users have missed out, or other agencies have filled the gap. RECs need to work in partnership with public authorities or specialist agencies which have already developed expertise in providing for these groups.

In rural areas, new and effective ways of contacting and providing support for isolated black and minority ethnic individuals and families need to be developed. RECs must enter into partnership with Gypsy and Traveller support groups and acquire greater knowledge and expertise of the issues of discrimination and human rights facing Gypsies and Travellers. But it should not be assumed that discrimination against Gypsies and Travellers is confined to rural areas.

Local race equality organisations should acquire knowledge and expertise in relation to the law on discrimination and harassment on grounds of religion or belief.

Community development projects involving cooperation between white and minority ethnic communities are needed to improve race relations and community cohesion. Further research should be undertaken into the characteristics and needs of people of mixed-race.

Policy

Measures to eliminate institutional racism

The McPherson report (Home Office, February 1999) provided a definition of institutional racism with which to evaluate the evidence it had gathered in relation to the conduct of the police in the Stephen Lawrence case. The definition had a much wider application. Institutional racism was ‘the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amounts to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people’.

The inquiry accepted the CRE’s submission that institutional racism existed not only in the Metropolitan Police Service and other police services, but in other institutions as well, and urged institutions to examine their policies and outcomes to prevent them disadvantaging communities. Institutional racism needed to be first accepted and then addressed in partnership with members of the ethnic minorities.

The McPherson report echoed and reinforced what most RECs had been saying for a long time, namely, that written equal opportunity policies are only a first step and need to be put into practice throughout an organisation, through clear line-management structures, proper supervision and appraisal, training for all staff, and effective disciplinary procedures.

The report not only prepared the ground for the subsequent Race Relations (Amendment) Act, but led to an increased willingness on the part of local authorities, the police, and other public bodies, to work with RECs and ethnic minority organisations on race equality policy matters, generally, and on racially-motivated crime, racial harassment and racist incidents, specifically.

RECs have augmented their work programmes in light of the McPherson report to focus on policy development with public sector bodies, including the police. Many RECs have, with the co-operation of the police, launched initiatives to deal with racial harassment and racially-motivated crime.

But the persistence of racism within organisational sub-cultures, often in direct opposition to the official policy of public authority, is a powerful argument for retaining autonomous external scrutiny by members of community or user groups channelling their collective voice through a local agency, such as a REC. The CRE’s *Formal Investigation of the Police Service in England and Wales* (interim report, 14 June 2004) shows that despite all the measures taken, institutional racism, particularly in large command structures, remains a key issue for all those working in the race equality field.

Implications for local race equality work

A local race equality organisation has a vital role to play in listening to and reporting on black and ethnic minorities’ experience of public services, such as the police. It must work with these services, in the capacity of a critical friend, to improve their responsiveness to the communities they are intended to serve and to eliminate the remaining vestiges of institutional racism.

Local race equality work can perform a number of important functions: monitoring public authority performance, giving advice, information and support to complainants and service users, allaying rumour and misinformation, acting as conduit for consultation, offering placements, mentoring and learning opportunities to public authority staff, resolving community conflict, and providing assistance in penetrating and changing hostile institutional sub-culture.

The police service still has a long way to go to ensure that all local communities are treated, and believe they are being treated, fair-handedly. Voluntary sector race equality bodies could become key partners with the police in delivering new solutions to community policing. Other criminal justice agencies might also benefit.

Local and regional race equality agencies might also make a contribution to research into changing obstructive institutional subcultures.

Audit Commission report on delivering improved services to local communities (2004)

The Audit Commission has produced a report to assist public services in meeting their statutory race equality duty and in progressing along 'the journey to race equality'. In recognition that what is meant by 'the promotion of race equality' is not always or easily grasped, the report begins by describing the experience of people of black and minority ethnic origin. One in six of them has experienced racial discrimination, abuse, or harassment when contacting a public service. Black and ethnic minority people feel that assumptions are made about them because of the way that they dress, their names, and the colour of their skin. Overall, people of black and minority ethnic origin are more likely to be dissatisfied with public services than whites, and public services are more likely to fall short of expectations, although the reasons for the differences in satisfaction between groups are complex. Nevertheless, the public service issues that are of concern to black and minority ethnic population are no different to many of the issues that concern white people, such as the need for better health, education and public transport, less crime and more employment opportunities. In common with the rest of the population, black and ethnic minorities think that public services need to improve, but especially in relation to council and health services (which are felt to be inefficient and slow) and customer care (which is felt to be poor and impersonal).

The report argues that services will be improved overall if the concerns of black and minority ethnic communities are addressed. Most of their needs and aspirations are the same as those of the white population, but they need to be fully understood and any specific requirements reflected in the way the service is delivered.

The Audit Commission identifies a set of race equality outcomes whose achievement would improve the quality of life for black and minority ethnic communities. These are:

- influence over decision-making.

- access to services and information (with services tailored to specific needs, including physical location, cultural competence, language and translation).
- employment (including recruitment, progression and retention of staff).
- positive community relations (shared community knowledge, understanding, values, principles and respect for others).
- community-wide trust and confidence (that there is fair treatment).
- service outcomes (difference in outcome is explored, understood and addressed).

A further section of the report examines the question of how well the local public sector is responding to the drive for race equality. Five stages are identified:

- Resisting: where there is no understanding of the importance of race equality, with the focus of work on producing a scheme or policy.
- Intending: where it is asserted that race equality is important but where there is little understanding of the extent of the change required.
- Starting: where there is a better understanding of local issues expressed with a high level vision, but where delivery is reactive and led mostly by the availability of funds.
- Developing: where there is an understanding of the issues and intended outcomes but with a need to prioritise action.
- Achieving: where there is a clear vision, prioritisation of improvement, and achievement is recognised by peers, and advice regularly sought.

For public services there are two main challenges: (i) to mobilise staff, members and non-executive directors to develop a locally specific, realistic, but aspirational, vision, and (ii) to understand and tackle institutional behaviours that obstruct the delivery of the vision.

Main barriers to public authority progress are listed as:

- race equality given a low priority.
- confusion over what is meant by ‘mainstreaming’.
- lack of resources.
- difficulty connecting with black and minority ethnic communities.
- too many, or too few, targets.

The key factors highlighted for bringing about change are:

- leadership.
- culture and rationale.
- vision, priorities and outcomes.
- engaging local black and minority ethnic communities.
- capacity (tension between race equality and other priorities).
- working with others (a focal point being the LSP).
- managing performance (using existing business planning and performance management systems).

Implications for local race equality work

The Audit Commission report drawn attention to the difficulties public authorities have encountered in operationalising and implementing their statutory duty to promote race equality and highlights the main challenges they must meet if they are to make progress.

Local race equality organisation could play a key role in overcoming the barriers highlighted in the report, particularly in relation to prioritisation, explaining ‘mainstreaming’, connecting with black and minority ethnic communities, and deciding on appropriate targets.

Public authorities are urged to work with others. Local race equality organisation should take into account the emphasis in the guidance on Local Strategic Partnerships. The use of existing performance management systems to deliver race equality outcomes is also regarded as important.

Community cohesion

The expression ‘community cohesion’ entered the language of government in the late Autumn of 2001 with the publication of the Home Office’s Independent Review Team’s report entitled *Community Cohesion*. Disturbances in Oldham, Burnley and Bradford in the spring and early summer of 2001 had resulted in the destruction of property and attacks on the police. Gangs from different ethnic backgrounds were involved in rioting and attacks on the police.

‘Community cohesion’ is the positive way of referring to measures to deal with the negatively-formulated state of ‘community fragmentation’, an expression used by Sir Herman Ouseley in his report (Bradford Vision, July 2001) to describe division observed in Bradford along social, cultural and religious lines.

Ouseley had remarked on the ‘worrying drift towards self-segregation, the necessity of arresting and reversing the process, and the role of education in tackling ignorance and bigotry’. He believed Bradford ‘had lost its spirit of community togetherness’ and was witnessing ‘growing divisions among its population along race, ethnic, religious and social-class lines’. Subsequent reports by Lord Clarke on Burnley, and David Ritchie on Oldham, came to the same conclusion. In Oldham, Ritchie reported ‘a system of separate development within the town in which people from different ethnic backgrounds live lives largely separated from one another’.

The government took the issues sufficiently seriously to set up an Independent Review Team, chaired by Lord Cattle, and a Ministerial Group on Public Order and Community Cohesion, chaired by John Denham, each of which also produced reports attempting to analyse the factors that had resulted in social fragmentation and disorder.

By 2002, the Local Government Association had produced guidance on community cohesion intended to translate understanding of community cohesion issues into practical action. A cohesive community was one where:

- there is a common vision and sense of belonging for all communities,

- the diversity of people's different backgrounds and circumstance is appreciated and positively valued,
- those from different backgrounds have similar life opportunities, and
- strong and positive relationships are being developed between people from different backgrounds in the workplace, schools, and within neighbourhoods.

The guidance suggests that all local agencies (not just local authorities) should acquire an understanding of the nature of their local communities and their degree of cohesiveness. Each local authority is expected to assess how it is performing in relation to the various themes of community cohesion, asking questions, such as: Are we clear about the regeneration needs and aspirations of all sections of our community? Do we listen to people who truly represent all sections of our community? Do we have mechanisms to listen to the views of young people?

The report goes on to deal in detail with the action that needs to be taken in key policy areas: involving communities and including hard-to reach-groups, regeneration, sports and culture, education, housing, employment, community safety and policing, and the press and media. Local Strategic Partnerships are seen as playing an important role in the preparation of community strategies, bringing together local plans and encouraging joined-up working.

In November 2002, the government invited local authorities to indicate whether they wanted to apply for funding under a Community Cohesion Pathfinder Scheme. Fifteen areas were selected to receive £285,000 to be spent between 2003 and October 2004, with funding split between the local authority, the community and voluntary sector, and the DFES Community Champions programme. The first tranche of money in NRF areas went to the Community Empowerment Network. One aim was to provide support for the voluntary and community sector to enable it to focus on and promote community cohesion, by recognising the needs of marginalised communities.

In June 2004, the Home Office published a pamphlet entitled *Strength in Diversity: Towards a Community Cohesion and Race Equality Strategy*, setting out the issues the government needed to address to realise its vision of 'a successful integrated society'. Recognising that in some areas, segregation has led to fear and conflict exacerbated by political extremists, the government announced its intention of developing a government-wide strategy with powerful delivery mechanisms for community cohesion and race equality. Other sections of the pamphlet deal with promoting inclusive notions of citizenship, identity and belonging, eradicating racism and extremism, tackling inequality, opening up opportunities, and building cohesive communities.

As part of a consultation exercise, a set of questions are asked inviting a response. These include:

How can we ensure that people feel a sense of pride in being British without feeling they have to leave other traditions behind?

How can we most effectively respond to the threat from political and other forms of extremism?

What more should be done to embed race equality in the delivery of public services?

What more can we do to build relationships and understanding between people from different backgrounds?

How can we ensure that we have an open debate around how to properly manage migration and prevent abuse of asylum....?

Implications for local race equality work

Following the 2001 disturbances in Northern towns and the subsequent recognition of community fragmentation, the government has extended its race equality and diversity agenda to include a range of policies aimed at improving community cohesion.

Local race equality organisation is well-placed to play a crucial part in efforts to promote community cohesion, to the extent that the White Paper on the proposed Commission for Equality and Human Rights specifically recognises RECs as local agencies for tackling issues of conflict and tension in communities divided along ethnic and faith lines (but see also the section on the CEHR below).

Aid for individual complainants of discrimination

The proposed Commission for Equality and Human Rights will have the power to support individuals who seek to bring cases under discrimination legislation. As with the CRE, the CEHR will provide direct case support to a limited number of individuals. Cases will be selected for support on the basis of whether they raise a question of principle, affect large numbers of people, or indicate the need for legislative change.

With a limited legal aid budget, the CRE has moved progressively to a situation in which it already uses these criteria for deciding the cases it will support. This has, in turn, created an unprecedented local demand for routine local complainant aid case-work. (That is, the vast majority of cases which does not raise questions of legal principle, etc.)

Traditionally, race equality councils have taken on this work, referring most cases that cannot be settled to CRE legal officers for representation at employment tribunal. Recent REWM research has indicated a steady decline in REC expertise and capacity to undertake discrimination casework and tribunal representation.

In September 2000, a CRE-commissioned report entitled *The feasibility of establishing a 'one-stop-shop' for advice and representation on race, sex and disability discrimination*, questioned the adequacy of REC complainant aid work. REC services did not provide for the full range of client needs, nor achieve satisfactory outcomes.

Most of those interviewed supported the principle of a 'one-stop-shop' approach to discrimination complainant aid, that dealt not only with race, but also with sex and disability discrimination, providing that it involved 'a transfer and not a dilution of expertise'. But there were differences of opinion as to how the principle was to be understood and given effect.

The report itself makes an important distinction between four levels of support: information giving (eg, distribution of leaflets, signposting, referral to appropriate agencies), advice (undertaking initial diagnoses and discussing available options with the complainant), casework (investigating the claim in detail, preparing the case for tribunal), and representation (representing the complainant at tribunal). There was a disagreement as to how responsibilities should be split, but the most popular proposal was that of completing advice and casework before passing papers over for skilled advocates to undertake representation.

Nearly 70 per cent of cases intended for tribunal involved more than one aspect of alleged injury to the complainant, indicating that legal advice and services offered to complainants needed to extend beyond a knowledge of the Race Relations Act. This is a significant finding in the context of trying to assess the service offered by RECs from the point of view of the users. Applicants who had professional legal representation at tribunals had a much higher success rate than those who had lay representation.

The report points out that many advice agencies already operate as one-stop shops and that advocates usually provide representation across a spectrum of discrimination cases. It suggests that a regionally-based representation unit may be the best way of 'developing local networks, drawing on local knowledge and skills, providing a speedy service, assessing training needs and developing a rapport with the local tribunal' (CRE, 2000).

In parallel with one-stop shop and centre-of-excellence initiatives, the Legal Services Commission is working to establish a Community Legal Service through the creation of local partnerships. The idea is to link up the specialisms of the various advice agencies, CABs and law firms, at a local level, to overcome the perceived problems of fragmentation and inconsistency, improve the community's access to justice, and meet the unmet need for accessible and affordable legal services.

The Legal Service Commission requires member organisations of the Community Legal Service to comply with its Quality Mark (QM). The Quality Mark is the quality standard for legal information, advice and specialist services and comprises a set of standards designed to ensure that a service is well run. In addition, an organisation wishing to attain the specialist level of the Quality Mark will be required to pass a Transaction Criteria Audit. There are category-specific requirements for each area of law.

Implications for local race equality work

Aid for complainants of discrimination is a traditional, but declining, area of local race equality activity, with fewer RECs employing dedicated case workers. It remains, nevertheless, a service for which there is a high demand from individual clients and one on which black and minority ethnic voluntary groups place great weight when consulted on their need for local accessible facilities. The demand for local services up to employment tribunal and county court representation level has been exacerbated by the CRE's decision to take on only strategic cases, a situation which is likely to continue under the CEHR. Complainant aid work is not seen as a CRE funding priority under the Getting Results funding regime and a widespread view in official circles is that it can be

referred to, or undertaken by, other agencies, such as trade unions and Citizens' Advice Bureaux.

Complainant aid services, however, constitute one of the specialist areas of local race equality work that would be relatively easy to develop to embrace unlawful discrimination on grounds of disability and gender, as well as race. A specialist generic service of this kind would be welcomed by most local agencies. Many complainants are not members of trade unions. Citizens' Advice Bureaux also find difficulty in referring cases onwards.

Citizenship education

Following the final report of the Advisory Group on *Education for Citizenship and the Teaching of Democracy in Schools* (Crick report), Citizenship became a new National Curriculum subject in secondary schools in England from September 2002. Citizenship was already being taught with Personal, Social and Health education in primary schools. At Key Stages 1 and 2, Citizenship is non-statutory, but at Key Stages 3 and 4 it is a statutory requirement and a foundation subject in the National Curriculum, assessed at the end of Key Stage 3.

The purpose of citizenship education in schools and colleges is to develop 'the knowledge, skills and values relevant to the nature and practices of participative democracy, to enhance the awareness of rights and duties and the sense of responsibilities needed for the development of pupils into active citizens, and establish the value of individuals, schools and society of involvement in the local and wider community'. The so-called 'strands' of Citizenship education are social and moral responsibility, community involvement, and political literacy. Essential elements are concepts, values and dispositions, skills and aptitudes, and knowledge and understanding.

Concepts include equality and diversity, fairness, justice, the rule of law, individual and community, power and authority, rights and responsibilities. Values include belief in human dignity and equality, concern to resolve conflicts, a disposition to work with and for others, the practice of tolerance, commitment to equal opportunities and gender equality, and concern for human rights. Skills include the ability to cooperate and work effectively with others, to consider and appreciate their perspective, and to tolerate other view points. Knowledge and understanding include the independence of individuals and local and voluntary communities, the nature of diversity, dissent and social conflict, and human rights charters and issues.

At Key Stage 2, for example, pupils should know about the workings of local and national communities, including the main faiths and ethnic cultures. At Key Stage 3, they should understand discrimination law, the Declaration of Human Rights and the meaning of terms such as *prejudice*, *xenophobia*, and *discrimination*.

Implications for local race equality work

REC officers have a history of working with primary and secondary schools and colleges on a range of community projects often relating to the National Curriculum and spanning a wide range of subjects, such as religious education, acts of collective worship, history, English, and geography. Advice has been

given on a host of cultural, religious, relational, and language issues. Some RECs have appointed to dedicated educational advisory posts. Funding for these posts has sometimes come from education grants, via the local authority and/or Education Action Zone.

The development of citizenship education, with a curriculum covering community involvement, equality and diversity, has led to an increase of requests for inputs from local race equality officers. The educational and public awareness-raising aspects of local race equality work continue to be in demand and need to be recognised in planning future race equality provision. The relevance of this work is highlighted in a context of a growing awareness of issues of community cohesion in education, with neighbouring schools distinguished from one another on grounds of their mono-racial student population and intake. But the contribution of local race equality organisation to the curriculum and community education receives insufficient official recognition.

Local Strategic Partnerships

The government wants the public, private and voluntary sectors and local communities themselves to work together to tackle social problems of health, crime, education, transport, housing and the local environment.

The government has encouraged the setting up of Local Strategic Partnerships (LSPs) as the key element in developing integrated approaches to local service delivery and tackling policy priorities in a joined-up way. (The government sees local councils as the prime movers in instigating LSPs where they do not already exist, but once established, the partnership itself decides who will take the lead.)

An LSP is a cross-sectoral, cross-cutting umbrella partnership aimed at improving the quality of life and governance in a particular locality. It brings together the public, private, voluntary and community sectors to provide an overarching coordination framework within which other more specific local partnerships can operate. It is intended to improve local public services by bringing those who deliver or commission different services together with these for whom services are provided. The aim is to exercise a broad strategic oversight across service providers and other partnerships in an area, to ensure activities are compatible and mutually supportive. Within the overarching framework of the LSP, other pre-existing and new partnerships may be situated. LSPs are expected to build a clear working relationship with the following kinds of partnership:

- Regeneration Partnerships
- Early Years Development and Childcare Provision
- Learning Partnerships
- Crime and Disorder Reduction Partnerships
- Local Agenda 21
- Health and Social Care
- Sure Start
- Community Legal Service Partnerships

LSPs are also expected to forge links and involve organisations and partnerships that operate at a regional and sub-regional level such as the Regional Assembly, the

Regional Development Agency, Learning and Skills Council, Connexions, the Benefits Agency, the Employment Service, the police, and fire services.

Two traditionally-recognised dimensions of local race equality work, policy development and community development, are brought together under the umbrella of the local strategic partnership in the shape of public authorities' policy in relation to race equality and initiatives to increase local voluntary and community sector representation.

One role of the LSP is to improve local public services by bringing those who deliver or commission different services together with those for whom the services are provided. Represented on the LSPs, public service providers are required under the Race Relations (Amendment) Act (see below) to assess their functions and policies for their impact on race equality and to consult with service users and members of the public, ensuring that they have access to information and the services provided. LSPs could encourage public authorities to work together on their race equality schemes, public consultation, and impact assessment.

The LSP, then, is conceived as the bridge between public authorities and service users and provides an appropriate arena for the promotion of race equality in the general context of the drive for service improvement.

The race equality promotion now statutorily required of the public sector forms an integral part of the drive for service improvement. The race equality scheme approach set out in the Commission for Racial Equality's code of practice is often referred to as 'the service improvement model'. There is a strong case for strategically positioning the location of race equality promotion within, or in close proximity to, the LSP. Marrying public authorities' statutory duty to promote race equality in a context of improving services for all, with community cohesion programmes involving voluntary and community groups, and the local neighbourhood communities themselves, has exciting possibilities and needs to be more fully and practically explored. LSPs might also have an interest, and an important part to play, in the governance of local race equality provision.

Community Empowerment Networks

In recognition of the diversity of the voluntary and community sectors, LSP advice stresses the need to be aware of, and responsive to, the nature, scale and support needs of groups, when establishing the mechanisms for their involvement. 'Too little attention has been paid to building the capacity of communities to participate in programmes and services to improve local conditions.' Efforts should also be made to engage women, the disabled, older persons, faith and youth groups, and people from black and minority ethnic (BME) communities.

One way of ensuring this engagement takes place is to build on existing community networks. Specific mention, for example, is made of RECs, councils for voluntary service, volunteer bureaux, community development agencies, and multi-faith forums.

The government has encouraged local communities and voluntary groups to participate in neighbourhood renewal decision-making by providing a Community Empowerment Fund (CEF) to support community and voluntary sector involvement in LSPs in the 88 areas eligible for Neighbourhood Renewal Fund. The money is

disbursed directly to the community and voluntary sectors and the wider community to help them to participate. It is intended to ensure local people, in particular, minority ethnic and faith communities, women, older people, young people and children, and disabled people are made aware of opportunities for participation and are helped to participate.

A framework for assessing the progress and development of CENs was published in August 2003. It set out to establish how the recently-formed CENs were performing in relation to the dissemination of information, organisational capacity-building, inclusivity, representation and accountability. It also raised questions about the extent to which the CEN has improved voluntary and community representation on, and input to, the LSP.

Neighbourhood Renewal

In many urban areas, LSP development is supported by money from the Neighbourhood Renewal Fund. Neighbourhood Renewal is a major government strategy first set out by the Social Exclusion Unit in April 2004. Its aim is to halt and then reverse the decline of deprived neighbourhoods, with success measured in the narrowing of the gap between those neighbourhoods and the rest of the country. The strategy is to revive local economies, help local communities, improve services, and develop leadership and joint working. Many of the proposals are of central relevance to the policy and community development work of local race equality organisations, for example, helping people from deprived areas into jobs, promoting small business, tackling anti-social behaviour, building community capacity, and involving community and voluntary sector organisations in service delivery.

At the heart of the strategy is a recognition that not only are the problems of deprived areas linked into vicious cycles which have to be broken, but that solutions have to be conceived in terms of joined-up working between major institutions, with mechanisms in place to respond effectively at different levels.

The Government Offices (GOs) for the regions, working with Regional Development Agencies (RDAs), are essential to the process. Locally, LSPs help to ensure better joint working in deprived neighbourhoods. At neighbourhood level, neighbourhood management schemes enable residents to be given a say in service quality and effectiveness, opportunities to run services, and somewhere to turn when things go wrong.

In December 2001, the Department for Transport, Local Government and the Regions set out its vision for local government in the white paper *Strong Local Leadership – Quality Public Services*. While recognising that responsibility for community leadership rested with the councils, the government stressed that leadership had to be earned through democratic legitimacy, sound governance, effective partnerships, real community engagement, and improvement in services.

Race equality promotion through partnerships

The CRE and Office of the Deputy Prime Minister have produced advice for public authorities on how the race equality duty applies to them as members of partnerships and how it is likely to affect the work of their partnerships (July 2004). Promoting race equality through partnerships is advocated as a way of meeting the needs of

communities, improving the way public services are delivered, contributing to a culture of inclusion and mutual respect for people from different racial groups, preventing racism and providing anti-discriminatory services.

The race equality schemes of public authorities participating in a partnership can be used by the partnership for agreeing its own race equality priorities and making sure these are reflected in the outcomes it plans to achieve. Partnerships are urged to agree aims, carry out a race equality audit to identify the main issues for the partnership and the wider community, consult and involve communities, and then go on to develop and monitor the delivery of their own strategy.

Implications for local race equality work

There is a strong argument for positioning local race equality organisation in proximity to the activities of Local Strategic Partnerships, in the context of the general drive for public service improvement. The issue of how it might be taken forward in practice will be explored more fully in Chapter Two.

The Local Strategic Partnership and its thematic or cross-cutting sub-groups also present a possible solution to the challenge of how to develop generic equality and human rights initiatives at local level. Various specialist single equality agencies or projects could be coordinated or funded through an LSP equality and diversity thematic partnership or a free-standing umbrella organisation working closely with it. This proposal envisages a two-tier solution on which organisations, delivering specialist frontline functions, are coordinated, partly-funded, and given strategic direction, by a more widely-representative second-level umbrella forum. These ideas are developed in more detail in Chapter Two.

The role of the voluntary and community sector

In 1998, the Home Office published the *Compact on Relations between Government and the Voluntary and Community Sector in England*, setting out a framework for improving relationships between government and the sector, and recognising the sector's distinctive role and independence.

The voluntary and community sector had a right, within the law, to campaign, to comment on government policy, and to challenge that policy, irrespective of any funding relationship that might exist, and to determine and manage its own affairs.

The government pledged itself to pay particular regard to the concept of strategic funding to ensure the continued capacity of voluntary and community organisations to respond to government initiatives. Funding good practice should promote the allocation of resources against clear and consistent criteria, including value for money, taking into account: the objectives of voluntary and community organisations, their need to operate efficiently and effectively, proper arrangements for agreeing and evaluating objectives, performance indicators and targets, the value of long-term, multi-year funding, and the importance of infrastructure. The voluntary and community sector was, in turn, expected to maintain high standards of governance, to meet legal obligations, to consult and involve users, and to promote best practice and equality of opportunity.

Shortly afterwards, the Active Community Unit produced a code of good practice on relations with *Black and Minority Ethnic Voluntary and Community Organisations*. This asserted that it was vital that government and the BME sector engage in a positive relationship for mutual benefit, recognising the importance of the BME voluntary and community sector's role and committing the government to investing, consulting and capacity building in the sector, and to taking forward the race equality agenda together.

Significantly, while the code recognised the importance of faith groups and refugee and asylum seeker organisations, local RECs were not mentioned anywhere in the document, even in the section on tackling racism, inequality and exclusion.

In June 2004, the Home Office produced its proposals for a capacity-building and infrastructure framework for the voluntary and community sector, with the aim of meeting the needs of frontline organisations by 2014 in regard to performance improvement, workforce development and leadership, competent governance, recruitment of volunteers, and funding of activity.

Implications for race equality work

The compact between the government and the voluntary and community sector sets out clearly the terms of the relationship that should exist between the two parties. For existing race equality councils struggling with the uncertainty of one-year funding allocations, the end of any semblance of core funding, and very little in the way of capacity building or infrastructure, the proposals, while welcome, have remained a distant ideal.

The position of race equality councils in relation to the black and minority ethnic voluntary sector has proved difficult to elucidate, with the government preferring to deal with the black and minority ethnic sector directly, without mediation. Race equality councils, however, often provide the only identifiable black and minority ethnic infrastructure in rural areas, and in urban areas, are sometimes the only visible link between co-existing but separate black and minority ethnic communities.

The White Paper on the new Commission for Racial Equality and Human Rights recognises an alternative role for race equality councils in building a bridge between divided communities living parallel lives. There may also be an opportunity for specialist regional umbrella bodies with capacity-building and strategic development functions, such as Race Equality West Midlands, to work in partnership. The 2004 White Paper, while providing a framework, remains somewhat opaque in regard to detail.

Local race equality organisations have experienced and continue to live with many of the difficulties with which the 1998 Compact was meant to deal. Any move to increase the capacity of local race equality organisation along the lines proposed in the Compact would be welcomed.

Electoral successes of racist far-right parties

A resurgence in the activities of extreme right wing political parties, most notably the British National Party, poses a serious threat to local race relations and community cohesion.

The British National Party campaigns on a programme of nationalism, an end to immigration, restrictions on asylum seekers and refugees, voluntary resettlement of immigrants in their country of ethnic origin, deportation of criminal illegal immigrants, the abolition of the Race Relations Act, withdrawal from the European Union, a crackdown on crime, restoration of flogging and the death penalty, and the protection of British industry from unfair competition from international capitalism.

The British National Party stood twenty-one candidates in the local elections on 1 May 2003 in the West Midlands. Four were elected as councillors, one in Dudley, two in Sandwell and one in Stoke-on-Trent. In wards in urban areas, the extreme right-wing parties gained, on average, more than a quarter of the votes cast on an overall turnout of 28 per cent of the electorate.

In June 2004, when, because of boundary changes, all council seats in many areas of the West Midlands came up for election, the BNP stood 49 candidates, the Freedom Party 3, and the National Front 2. The BNP won one seat in Sandwell, and two in Stoke-on-Trent, but lost its only councillor in Dudley and one of two formerly elected in Sandwell. In the European elections held on the same day, the BNP managed to poll 7.5 per cent across the West Midlands, taking more than one in ten of the votes in many areas.

The precise extent of the electoral threat from the extreme right is difficult to estimate, but the danger it poses to the development of positive inter-ethnic relations and the integration of communities is self-evident.

Implications for local race equality work

Local race equality organisations have an essential role to play in monitoring racist right-wing activity and engaging in community development work to prevent misunderstanding, hostility, and conflict occurring between ethnic and religious communities.

Two approaches, best undertaken in combination, might be developed. The first, focusing on deeper structural causes of social alienation and division on racial lines, is discernible in the recommendations emerging from the literature on community cohesion. The second is the need to engage in more direct campaigning, information dissemination, alliance building and political mobilisation against extreme-right racist political parties. A dual strategy along these lines has been developed and adopted by race equality organisations in the West Midlands.

A series of practical steps might be taken. Local groups with racist views need first to be identified. Information should then be gathered as to who they are, where they are operating, what issues they are raising, how they go about campaigning, who supports them, their electoral successes, and the media exposure they receive. Work should be undertaken to raise the awareness of

local communities. Liaison should occur with mainstream parties. Tactics need to be developed. Relationships have to be built with the mass media. The overall aim has to be to form the broadest possible united front.

Changes to the CRE funding arrangements (section 44 of the 1976 Race Relations Act) for organisations that promote equal opportunities and good relations

In 2002-03, the CRE moved from a system of providing a block grant to race equality councils in support of local officer salaries to a transitional funding arrangement based on the delivery of race equality outcomes. In 2003-04, the new outcome-based methodology, known as *Getting Results*, was systematically applied, resulting in changes to the amount of grant aid received by many RECs and the funding of some organisations that were not race equality councils, but were in a position to deliver outcomes prioritised by the CRE. (While the CRE is a significant and prestigious funder of RECs, its grant as a proportion of RECs' total budget has fallen in recent years. In the West Midlands in 2003, the CRE grant amounted to only one tenth of RECs' total annual budget.)

The CRE sets out, as follows, four priority areas for funding, thus giving a clear indication of what it expects race equality councils to deliver. Most of the priorities come under the heading of 'community development', with no mention of case work with individual complainants of discrimination, or policy development with the public or private sectors.

The CRE priorities are:

Leadership (encouraging young people to make their voices heard)

- programmes aimed at women and young people.
- mentoring.
- developing influencing skills among local communities.
- showcasing good practice.

Cross-community work (developing common ground between different local communities which often have little or no contact with each other)

- building links between communities on estates.
- undertaking public education.
- working in partnership to tackle racist far-right activity.
- fostering links between young people, older people, women and faith communities.
- tackling isolation and the lack of support people can experience in rural areas.

Conflict resolution (defusing tensions and resolving disputes between and within communities)

- addressing issues within disaffected white communities.
- adopting risk management strategies.
- spanning different social and economic sectors.

Alienated communities (developing confidence and encouraging involvement in decision-making in communities that feel cut off from the mainstream)

- working with Gypsy and Traveller communities.

- working with asylum seekers and refugees.
- working with people living in rural areas.

The CRE's new outcome-related funding methodology, as currently operated, has positive features, but it also carries with it the following consequences.

Funding is allocated for one year at a time, usually towards the end of the old financial year for payment in the new, resulting in restricted opportunities for forward-planning and potential cash-flow problems. This problem is exacerbated by the frequently considerable variation between the funding applied for and the funding officially allocated.

While described as outcome-related funding, funding is not on the basis of past record of output or outcome achievement, but on the proposed outputs/outcomes as set out in the application. One poor application, which fails to match CRE funding priorities, is likely to result in a sudden loss of some or all of the grant. The allocation process could be modified to take into account success in delivering the previous year's outcomes, or, in regard to the need for an early notification of allocation, the first six months' milestones of the previous year.

The limited pot of CRE funding is no longer restricted to applications from the RECs or REPs in an area, and has resulted in smaller grants being distributed to a greater number of organisations. While this might seem to introduce an element of healthy competition, it may undermine the financial viability or long-term sustainability of smaller local organisations.

The outcome/milestone/output approach (where proposals must demonstrate some correspondence with CRE priorities) runs the danger of placing insufficient value on the cost of maintaining a stable outcome/output delivery mechanism. Once an appropriate delivery agency collapses, there may be no mechanism in an area to deliver requisite outcomes/outputs in future years, and delay incurred in having to set one up. The CRE has also centralised the grant-award process, thus running the risk of paying too little attention to local conditions and partnership arrangements in regard to funding and other needs.

In the West Midlands, for 2004-05, the CRE allocated £237,606 (excluding residual funding for pensions) to seven local race equality councils, an average of roughly £34,000 per council. Applications from two other West Midlands RECs were rejected in full, contributing to their insolvency and likely closure. The CRE allocated a further £22,396 to two community organisations that were not RECs, and £96,000 to the regional umbrella organisation, of which £80,000 was to provide a regional complainant aid service.

One consequence of the *Getting Results* approach to funding has been the failure of a substantial number of race equality councils, and the breakdown of any semblance of nationwide comprehensive local race equality cover, with some significant but frequently unrecognised effects.

Successful race equality councils perform important bridge-building functions between particular ethnic communities and organisations. When RECs cease to function, ethnic communities and organisations are likely to step into the gap and to attempt to undertake former REC activities themselves, such as service provision,

consultation and project management. This often generates increased competition between ethnic groups for scarce resources, particularly the resources previously allocated to the REC. Mono-ethnic interest groups, however, are not well placed to play a major bridge-building role between different communities.

Implications for local race equality work

The *Getting Results* approach to grant aid provides an important insight into the policies and expectations of government and the CRE, both in regard to voluntary sector funding and local race equality work priorities.

Funding is entirely outcome-related. Core organisational running costs, in as far as they are recognised at all, must be included in the costing of individual outcomes. If proffered outcomes do not mesh with CRE priorities, they are unlikely to be funded. If local organisations, other than RECs, offer outcome delivery more suited to meeting CRE priorities, they may be funded instead.

***Getting Results* prioritises community development work under the headings leadership, cross-community work, conflict resolution and alienated communities. The CRE priority list (as well as subsequent proposals in the White Paper on the Commission for Equality and Human Rights) provides local race equality organisation with a clear policy steer towards cross-community work and community cohesion. There is no mention of complainant aid, or policy development with public authorities.**

Currently, there is no consideration given to the consequences of denying funding to RECs, their subsequent closure, and the disappearance of local race equality delivery agencies. Significant gaps have appeared in the national network. Where there is no overarching or bridging structures between black and minority ethnic communities and groups, there is likely to be significant competition between, and pressure from single ethnic interest groups to be given resources to undertake those functions no longer performed by RECs. Development of this kind may not provide the necessary bridge-building that *Getting Results* was designed to encourage and, over the longer term, may undermine community cohesion.

The White Paper on a New Commission for Equality and Human Rights

Following consultation on the document, *Equality and Diversity: Making it happen*, the Government announced on 30 October 2003 its intention of establishing a single Commission for Equality and Human Rights (CEHR). The Secretary of State for Trade and Industry presented the White Paper, *Fairness for All: A New Commission for Equality and Human Rights*, in May 2004. The new Commission is intended to replace the Commission for Racial Equality, the Equal Opportunities Commission, and Disability Rights Commission, assuming their powers and functions, as well as taking responsibility for promoting good practice and enforcing the law in respect to new areas of discrimination legislation covering sexual orientation, religion or belief, and age.

The role of the CEHR will be to promote equality of opportunity, challenge unlawful discrimination, promote human rights, and promote citizenship and a cohesive society. It will undertake these functions in respect of the following groups:

- men and women
- people of different racial groups
- people of different sexual orientations
- people of different religions or beliefs
- people of different ages
- people who undergo gender reassignment
- people with disabilities

The new commission will involve itself with all the major pieces of discrimination legislation. In regard to promoting good relations between different communities, the new body will maintain the CRE's programme of support for local project delivered through race equality councils and eventually extend this cover to other strands. The CEHR will be able to undertake learning, education and outreach activities, and have the power to make financial grants to organisations that support its work. Like the CRE, the CEHR's key customers will be individuals, business, the public sector, and voluntary and community sector organisations. It will be expected to work in partnership with other organisations to provide services such as:

Services for individuals

- information and advice to individuals.
- direct and indirect support in bringing cases of discrimination to court. (The CEHR would mostly work in partnership with agencies such as CAB, CLSPS and ACAS.)

Services for business

- business-specific information and guidance.
- promoting the business case for equality and diversity.
- consulting with businesses on CEHR strategic aims.
- working with intermediaries on providing expertise to small business.
- work with Regional Development Agencies, Small Business Service and ACAS.
- a separate regulatory role.

Support for the public sector

- a resource for the public sector.
- information, advice and guidance.
- ensuring compliance with discrimination and human rights legislation and the public sector duty on race equality (to be extended to disability and gender).
- encouraging mainstreaming.
- working with inspectorates and standard-setting agencies.

To facilitate the delivery of its work, the CEHR will have a presence in each of the nine English regions to enable it to take full account of regional developments and priorities, including productive relationships with Business Links, Chambers of Commerce, Regional Development Agencies, Learning and Skills Councils, and Local Strategic Partnerships.

The CEHR will have an important role to play in promoting good relations and contributing to the government's wider strategic goal of promoting cohesive communities. This requires the CEHR to have the capacity to engage at local level with communities, groups, and individuals.

The White Paper mentions the network of RECs currently supported by the CRE, which it will continue to fund in respect of specified programmes. These are those designed: to promote leadership and civic participation among young people and women in minority ethnic communities, to provide outreach services for isolated groups, such as Gypsies and Travellers, and to tackle issues of conflict and tension in communities divided along ethnic and faith lines. The emphasis is clearly on projects supporting cohesion between different ethnic communities and bringing together the different strands of equality work.

The CEHR is seen as having many advantages. It will be a *strong and authoritative champion*, incorporating a depth of expertise on specific areas of discrimination but casting a wide net across all equality and human rights issues. It will adopt a *cross-cutting approach*, to tackle the inequalities affecting several groups. It will *benefit individuals* seeking advice and support on a range of discrimination issues. It will be able to *tackle discrimination on multiple grounds*. It will provide a *single access point* for advice on the full breadth of equality and human rights issues. It will be more effective in promoting *improvements to the delivery of public services*. It will pursue a more *coherent approach to enforcing anti-discrimination legislation*. It will be able to *promote good relations among different communities* and contribute to a more cohesive society. Combining the strengths of existing commissions, it will be able to *identify and promote creative responses* to the challenges of multiple inequality.

Many of the proposed CEHR services for individuals, business and the public sector will have to be delivered at local and regional level in partnership with other organisations. The role of LSPs is specifically mentioned. Local (race) equality organisations will continue to be eligible for CEHR funding to achieve outcomes that increase social participation, benefit excluded groups, and bring about community cohesion. Unlike the three existing commissions, however, the CEHR has a much broader generic equality remit aimed at tackling discrimination on multiple grounds. It will also have the function of promoting awareness and understanding of human rights.

Responses to consultation in the initial proposals (contained in the document *Equality and Diversity: Making it Happen* (October 2002) showed wide support for a single body as long as there was no diminutions of service to the strands covered by the current commissions.

In late July 2004, the Commission for Racial Equality, which participated as a taskforce member, advising government on the role, functions, priorities and activities of the CEHR and appeared to support the move to a single equality commission, at least in principle, suddenly took the decision to 'unequivocally reject' the proposals.

Implications for local race equality work

The new Commission will have the power to award grants to other organisations operating at local level and will be able to give financial support to 'local projects

with a good relations or equality remit, delivered by voluntary or community organisations with robust systems of accountability and transparency and where projects are clearly defined'. This suggests the adoption of the CRE's Getting Results model, with its emphasis on supporting projects and outcomes in line with the Commission's priorities.

The White Paper recognises that the existing network of RECs might form a foundation for CEHR work at local level and promises that important local race equality work will be supported through this network, as well as through other voluntary organisations. There is also a pledge to protect current levels of funding for race equality work for the foreseeable future. But the CEHR will also wish to support 'innovative and creative projects that involve organisations working in partnership across more than one equality area', thus binding communities and 'promoting shared appreciation and commitment to diversity, human rights and tackling discrimination'.

The vision seems to be one of a range of local organisations, including RECs, working alongside each other at local level to deliver various equality outcomes. RECs, as organisations, are seen as continuing to exist, but delivering programmes aimed essentially at bringing about community cohesion, with examples given (evidently from Getting Results) of promoting leadership and civic participation among young people and women in minority ethnic communities. The CEHR will also support outreach services for disaffected groups such as Gypsies and Travellers and projects for ethnic and religious conflict resolution. There is no recognition of complainant aid work or policy development. On balance, the future for RECs is envisaged, not as one of transforming themselves into local councils for equality and human rights, but as a network of agencies specialising in community cohesion and promoting good relations between different communities, or in alleviating inter-ethnic and faith conflict.

The CEHR is committed to work in partnership with voluntary and community sector organisation, as well as with the public and private sectors. It will develop links with Business Links, Chambers of Commerce, and Regional Development Agencies to influence employees, and with Learning and Skills Councils, and Local Strategic Partnerships to promote awareness and understanding.

These proposals have important implications for the positioning and connectivity of local race equality organisation, whether or not they are implemented in the face of current CRE opposition.

The Human Rights Act 1998

One significant aspect of the proposed new commission is its responsibility for human rights. The Human Rights Act 1998, which came into force in 2000, enables people living in the United Kingdom to claim their rights under the European Convention on Human Rights in UK courts and tribunals, instead of having to go to the European Court in Strasbourg. The Act underpins this by requiring all public authorities in the UK to act compatibly with Convention rights.

The European Convention of Human Rights is a treaty of the Council of Europe, adopted in 1950 and ratified by the United Kingdom in 1951. It was intended to give binding effect to the guarantee of the rights set out on the 1948 United Nation's Declaration on Human Rights and to protect human rights and fundamental freedoms and promote and values of a democratic society.

The rights are set out in a series of Articles, as follows:

Article 2: the right to life.

Public authorities, such as the army, police, prison, or hospital, must not cause a person's death. In some situations they have an obligation to protect life.

Article 3: the right to freedom from torture and inhuman or degrading treatment or punishment.

Ill-treatment relates to both mental and physical suffering. Whether ill-treatment qualifies as torture or inhuman treatment depends on its duration, severity, or the vulnerability of the victim.

Article 4: the right to freedom from slavery, servitude and forced compulsory labour.

Article 5: the right to liberty and security of person.

People have the right not to be arrested or detained, except where the detention is authorised by law. This does not just apply to police arrests, but covers all aspects of detention, including medical or psychiatric reasons.

Article 6: the right to a fair and public trial within a reasonable time.

Anyone charged with a criminal offence has certain rights, including the right to be presumed innocent until proved guilty.

Article 7: the right to freedom from retrospective criminal law and no punishment without law.

A person may not be convicted of an act which was not a criminal offence at the time it was committed.

Article 8: the right to respect for private and family life, home and correspondence.

This covers matters such as the disclosure of private information, monitoring of employees' phone calls and email, carrying out body searches, and restrictions on entering a person's home. The right is limited by the need to protect public health and safety.

Article 9: the right to freedom of thought, conscience and religion.

People have the right to hold whatever thoughts, positions of conscience, or religious beliefs that they wish, and to manifest their religion or belief in worship, teaching, practice, or observance.

Article 10: the right to freedom of expression.

Freedom of expression guarantees the right to comment in conversation or speeches, publish books, articles or leaflets, broadcast, produce art, or use the Internet.

Article 11: the right to freedom of assembly and association.

People have the right to peaceful demonstration and to join, or choose not to join, trade unions.

Article 12: the right to marry and found a family.

The Strasbourg Court has decided that this does not require a state to grant transsexuals or homosexuals the right to marry.

Article 14: the prohibition of discrimination in the enjoyment of the Convention rights.

People should be able to enjoy the Convention rights without discrimination on grounds such as sex, race, colour, language, religion, political opinion, national or social origin, association with a national minority, property, birth, or other status. 'Other status' has been interpreted to mean, among other things, sexual orientation, marital status, illegitimacy, status as a trade union, military status, and conscientious objection.

These articles have been supplemented by four protocols: the right to peaceful enjoyment of possessions and protection of property, the right of access to education, the right to free elections, and the right not to be subjected to the death penalty.

Implications for local race equality work

Most RECs will find consideration of their objectives from the point of view of human rights a new experience, propelling them once again in the direction of legal complainant aid. The 1998 Human Rights Act clearly has important implications for race equality, but it is an aspect of the White Paper's proposals for a new Commission that remains relatively underdeveloped. There is also scepticism as to the capacity of a national agency close to government to take on the issues involved, as governments themselves seem best-placed to violate those rights. It may be that human rights issues are best taken up at regional, rather than local, level.

Significantly, the government emphasises the need, not to pursue human rights issues through the courts, but through the promotion of a culture of respect for

human rights in the form of advice and guidance for public services. It sees human rights primarily as an issue of service access, and assertion of rights by, for example, the elderly and people with disabilities. Local race equality organisation might be in a position to assist in developing a local human rights culture.

In the West Midlands, there have been issues surrounding the detention of residents at Camp Delta, Guantanamo, Cuba, and arrests and detention without trial under the Prevention of Terrorism Act.

The Race Relations (Amendment) Act 2000

The Race Relations (Amendment) Act 2000 requires public authorities to promote race equality in relation to their policy, service delivery and employment practices. The legislation has the potential to make a fundamental and lasting contribution to race relations.

Listed public authorities must undertake general and specific duties. The general duty is to eliminate unlawful discrimination and to promote equality of opportunity and good relations between people of different racial groups. Specific duties require public authorities to make special arrangements to help them meet their general duty. They must identify which of their policies and functions are relevant to the duty, set priorities based on the relevance to race equality of those policies and functions, assess how they affect race equality, and consider what changes they need to make to meet the general duty.

Many public authorities are also required to produce a Race Equality Scheme (RES) in which they must set out:

- the functions, policies and proposals that are relevant to the performance of their general duty to promote race equality.
- their arrangements for assessing and consulting on the likely adverse impact of their proposed policies.
- their arrangements for monitoring their policies for any adverse impact on race equality.
- their arrangements for publishing the results of any assessments, and the consultations and monitoring that they do to identify any adverse impact on race equality.
- their arrangements for making sure that the public has access to the information and services they provide.
- their arrangements for training their staff in connection with general and specific duties.

Most public authorities have to meet specific duties in relation to employment. Public authorities must monitor by racial group the number of staff in post and applications for employment, training and promotion. Where more than 150 full-time staff are employed, training, performance assessment procedures, and cases of grievance, discipline, and of staff leaving employment, must also be monitored. Monitoring outcomes have to be published on an annual basis.

Local authorities are expected to measure their progress in promoting race and other equalities and have been set best value performance indicators (2a and 2b) in relation

to the joint CRE, EOC and DRC equality standard for local government and the race equality scheme required of them under the Race Relations Act.

The White Paper on a new Commission for Equality and Human Rights makes it clear that the government intends to extend the requirement to promote equality to cover disability and gender, as well as race.

The Commission for Racial Equality has the legal responsibility for enforcing the specific duty. Local race equality organisations are seen as playing an important role in making these procedures effective. They may offer advice and guidance to public authorities. They should expect to be consulted on the impact of authorities' functions and policies. They have a function in scrutinising and monitoring race equality schemes for any adverse impact on race equality. Public authorities have increasingly turned to effective local race equality organisations to assist them with public consultation, impact assessment, training in respect of the race equality duty and the dissemination of information. In many cases, this has led to a significant extension of RECs' policy development function.

Local race equality organisation, however, may itself become the subject of race equality schemes, the monitoring of service delivery and impact assessment. When public authorities provide or withdraw funding for local race equality services, they are expected to assess whether that provision affects racial groups differently and to what degree. In other words, local service level agreements might be one of the means of promoting race equality and should, therefore, be monitored and assessed for any impact brought about by the contribution, or otherwise, of the delivery agency. Despite being in the voluntary sector, a local race equality organisation, if funded by and providing services on behalf of a public authority, is arguably a proper subject for assessment.

Implications for local race equality work

Race equality councils are assisting public authorities with public consultation, impact assessment, training in respect of the race equality duty, and the dissemination of information. This work has increased significantly since the Race Relations (Amendment) Act came into force and a recent REWM survey showed that public authorities expected this service from a REC. RECs receive no funding under *Getting Results* for this work, implying a presumption that public authorities themselves must pay for this service.

Public authority support for local race equality organisation should itself be a subject for inclusion in race equality schemes and for impact assessment.

In the West Midlands, the regional race equality agency has worked in partnership with the CRE to provide advice and support to local authorities and other public agencies seeking to improve their schemes.

To be seen as having any relevance, local race equality organisation must engage in the drive for service improvement by working in partnership with public authorities, Local Strategic Partnerships, and the private and voluntary sector. Earlier sections on the need to eliminate institutional racism, the Audit Commission report, the objectives of Local Strategic Partnerships and the Race Relations (Amendment) Act all reinforce the need for local race equality

organisation to be strategically placed and prepared to contribute to the drive for service improvement for all ethnic groups.

Racial harassment

Two other recent acts have had a major impact on RECs/REPs and led to an expansion of their work in the field of victim support. The Protection from Harassment Act 1997 prohibits harassment, including causing alarm or distress or fear of violence. A court may make a restraining order prohibiting the defendant from any further harassment of the victim and impose a fine or prison sentence.

The Crime and Disorder Act 1998 created a new offence of racially-aggravated crime, occurring when, at the time of committing an offence, an offender demonstrates towards the victim of offence hostility based on the victim's membership of a racial group. The introduction of these acts has encouraged RECs/REPs to develop, usually in close partnership with the local police and other relevant agencies, new services for the victims of racial harassment.

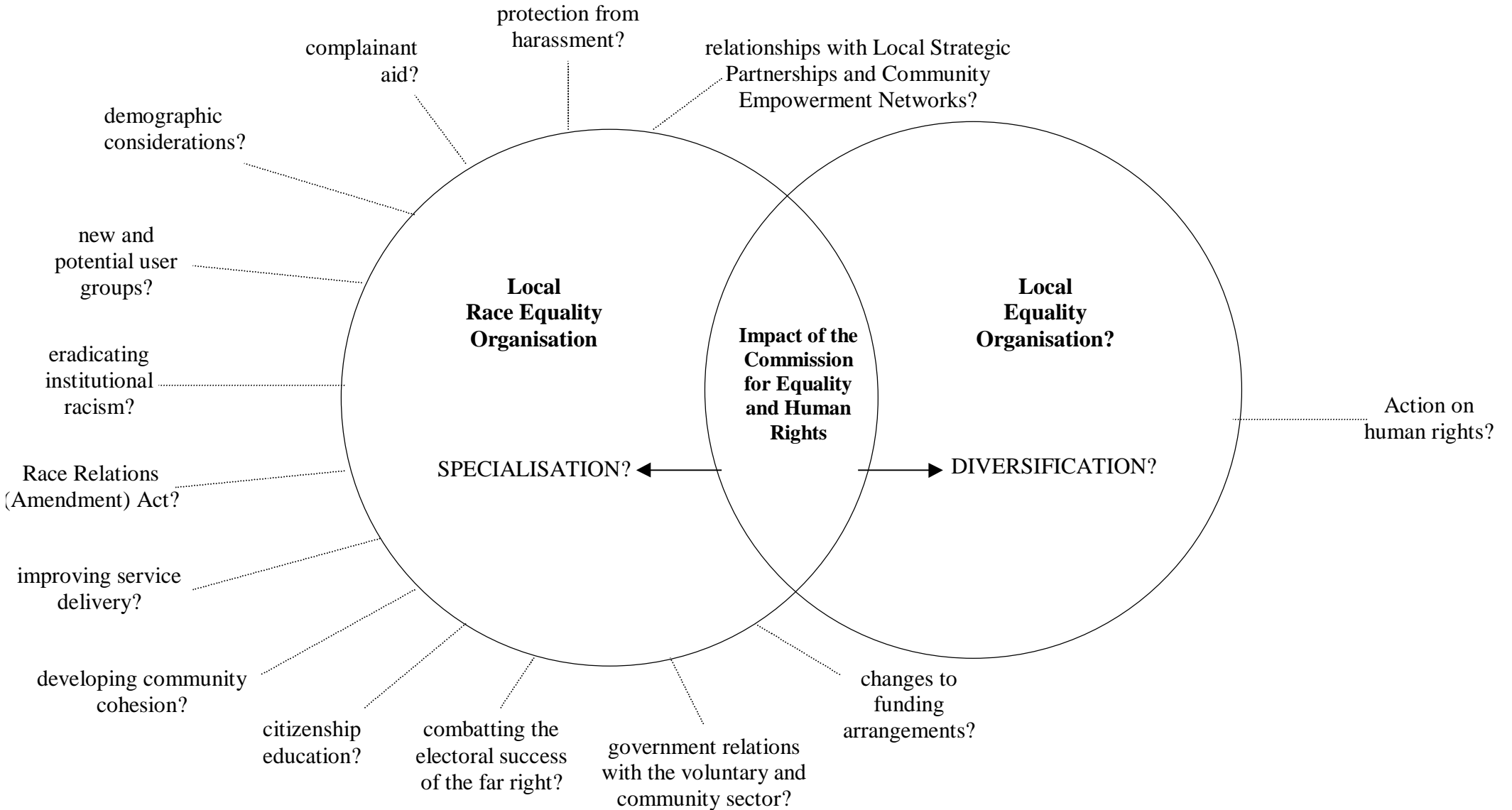
Implications for race equality work

In many places, networks for reporting incidents of racial harassment and providing support to victims have been set up as an extension of the work of a REC or in partnership with it. This comparatively recent development has usually resulted in improved collaboration with the police and other criminal justice agencies. Often, it has led to the creation of 'reporting stations' in black and minority ethnic communities and the improvement of relations between communities, the local REC, and the police. These positive developments need to be taken into account in any attempt at reorganising local race equality work.

The new broader equality agenda raises the question of the scope for developing more generic approaches to support for victims of racial harassment, domestic violence, and homophobia.

Table 2

Strategic Decisions facing Local Race Equality Organisations



Emerging solutions

A large number of external factors, with far-reaching consequences, is currently impacting on local race equality work and structures.

Where there is no dedicated local race equality structure, other organisations will attempt to fill the vacuum and take on some of its functions. Organisations representing single ethnic groups may have difficulty in performing an overarching bridging role between communities, and pursuing a race equality, rather than ethnic interest, agenda.

Local race equality organisation must make strategic and possibly irreversible choices as to what local services are needed and how it is going to deliver them.

Given their often small size, and sparse and uncertain resourcing, local race equality organisations will have to specialise in some aspects of their work and diversify in others.

Specialisation in regard to complainant aid, community development, work on improving relations between different racial groups, anti-harassment networking, and consultancy or consultation on policy matters, is already a feature of race equality organisations and is likely to become more pronounced.

The White Paper on the Commission for Equality and Human Rights envisages local race equality organisations specialising in promoting good relations between different communities, community cohesion, and inter-ethnic and faith conflict resolution. This more limited set of objectives is clearly already implicit in the CRE's *Getting Results* approach.

By specialising in areas such as complainant aid, victim support, conflict resolution or equality standards, a local race equality council would be better placed to extend its provision to further dimensions of equality work in these areas. For example, complainant aid services could be extended beyond race, to sex and disability discrimination in employment.

General diversification across the whole range of equality strands in an attempt to become an 'equality council' is likely to prove problematic, given (i) the level of competition from other local single equality interest groups already established in the field, and (ii) the finite capacity of, and limited range of knowledge, skills, experience and expertise in, existing race equality organisations.

The broader remit of the proposed national Commission for Equality and Human Rights could be reflected at local and regional level in the form of an overarching and coordinating umbrella organisation, of which existing local race equality organisations(s) would form an integral part. They might also be in a position to play a leading role in setting up a partnership arrangement of this kind.

Any umbrella equality organisation would have to be closely associated, not only with local community and equality-interest groups, but with a cross-cutting equality and diversity thematic group of a Local Strategic Partnership.

Chapter Two

Modelling the delivery of local equality services

How can the race equality movement and decision makers, who wish to promote equality work at local level best respond to the challenges described in the previous section? How well equipped is the local race equality council structure originally designed for the 1990s, able to deal with the demographic trends, policy initiatives and statutory requirement of the early twenty-first century? In particular, how well placed are RECs to contribute to measures to eliminate institutional racism, improve public services, mainstream equality, and create greater community cohesion? And in what way are RECs to relate to five other strands of equality work and the proposed Commission for Equality and Human Rights, in a context in which alternative service providers are already competing? Even were levels of funding to be substantially increased, is existing local race equality organisation sufficient for purpose? More fundamentally, what should be the purpose of a REC in the current social environment? Should it become more generic in scope or specialise in its areas of greatest competence?

The British Federation of Race Equality Councils (BFOREC), Race Equality West Midlands (REWM), and individual RECs have been aware of the challenges outlined above for some years now. In June 2004, BFOREC held a conference at Stoke Rochford entitled *Where does race fit in?* on the theme of how the RECs should respond to the government White Paper: *Fairness for All*.

As long ago as June 2001, West Midlands REC directors participated in a scenario planning exercise (see scenarios, table 3), including scenarios entitled 'Equality Council' and a 'Community Cohesion Alliance'. Their choices at the time showed they were not agreed on the way forward. They recognised elements of all the scenarios in their work, but were loath to foreclose on the possibilities by opting for one or other of the proposed models, when there was no consensus generally as to the way forward. The situation since then has changed. Local Strategic Partnerships and Community Empowerment Networks are now well established and the government's intention of bringing together the six strands of equality has been made clear, although the effect of the CRE's late opposition may delay implementation.

This context makes it vital for the race equality movement to revisit the issues of RECs' aims and of the most appropriate structures for engaging in equality work (that is race and other equality strands) at local level.

In this chapter, the existing race equality council model is described, together with four other approaches that have been recently developed to satisfy changing circumstances and to respond more particularly to the needs of particular localities (for example, urban or rural environments). Of the five models, the race equality council and the race equality partnership already exist. Others, such as the county-wide (race) equality model, are in the process of being implemented. Model Five, the Partnership for Equality and Community Cohesion, is still at the conceptual stage, but represents the most innovatory and advanced thinking on how to proceed towards

Table 3
Race Equality Scenario Planning Exercise 2001

1. The Racial Equality Council

Racial equality councils will continue much as at present, allowing for a degree of rationalisation as sub-regional centres of excellence. They will deliver much the same kind of service (ie. complainant aid, policy development, community development, public awareness-raising).

2. The Strategic Race Equality Partnership

As an extension of REC policy development work and in the light of the new positive statutory duty placed on public authorities, strategic race equality partnerships will be set up to help the public sector to provide and improve services suited to ethnic minority users and to fulfil the legally-enforceable duty on public authorities to positively promote equality of opportunity. Strategic partnerships will be collaborative ventures, duly institutionalised and constituted, facilitating meaningful consultation with, and involvement of ethnic minorities in the development and delivery of a range of public services (eg. local government, health, criminal justice, law enforcement, education, housing and regeneration).

3. The Equality Council

There will be moves at national, regional and local level towards the rationalisation of provision for human rights work and support for anti-discrimination legislation generally, together with a new emphasis on client-focused community legal services. RECs will be transformed into local, sub-regional and regional equality councils aiming to promote a broad spectrum of equalities and providing a professional legal information, advice and representation service for alleged victims of discrimination on the grounds of race, gender and disability.

4. The Alliance for Social Cohesion and Civic Renewal

Stressing the need to empower disadvantaged and excluded communities, the National Strategy for Neighbourhood Renewal recognises that people from ethnic minorities are more likely to live in deprived areas and be poor. Having become increasingly involved in community development, RECs will play a role in establishing alliances for action against social fragmentation, eventually dissolving themselves to form new community empowerment companies, with guaranteed and extensive ethnic minority board representation.

5. The Minority Rights Council

In response to the need to define and support the rights of minorities, and Government Office policy of fostering the black and minority ethnic (BME) voluntary sector, RECs will reconstitute themselves as minority rights councils with the primary aim of securing BME rights both legally and socially through capacity building the local BME voluntary sector by providing legal aid, acquiring additional funds, offering training, and mounting community projects. They will seek additional regional development, SRB and Home Office funds.

effective strategic partnership working for race equality and multi-strand equality coordination. It is presented as a means of accommodating the pressure both to specialise in and to diversify local equality work within a framework provided by the Local Strategic Partnership.

The five models set out below are:

Model One: The Race Equality Council

Model Two: The Centre for Diversity, Learning and Living
(Sir Herman Ouseley, Bradford Vision)

Model Three: The County-Wide (Race) Equality Model

Model Four: The Race Equality Partnership

Model Five: The Partnership for Equality and Cohesion (two-tier approach)

All models, other than that of the Race Equality Council, are based on a recognition of the indispensability of meaningful partnership work, and the need for local race equality strategy to be delivered by joined-up working.

Each model, however, exhibits a degree of flexibility and can be adapted within its formal constitutional framework to meet a broad range of current and emerging requirements.

Model One: The Race Equality Council

Context

The Race Equality Council (REC) is still the most common form of local race equality organisation in Britain. During the 1990s, nearly one hundred RECs provided a comprehensive national network of local provision. Since then, for a number of different reasons, relating ultimately to perceptions of their fitness for purpose, they have been in steady decline. In the West Midlands region alone, their number has fallen from thirteen in 1995, to ten in 2000 (as partnerships were developed), and to five by 2004 (their demise exacerbated by changes to the funding), but with the addition of three Race Equality Partnerships (REPs).

RECs work at local level to eliminate racial discrimination and to promote equality of opportunity and good relations between people of different racial groups. Their work is conveniently summarised under four headings: assistance to individuals, policy development, community development and public education, referred to collectively in the REC model constitution (see below) as 'modes of operation'. In practice, the range of service on offer has expanded considerably since the model constitution was written and can no longer be characterised adequately under the old headings. Services include:

- assisting people who believe they have suffered from racial discrimination in taking complaints to employment tribunals and the civil courts under the Race Relations Act.

- helping victims of racial harassment and violence.
- assisting public authorities with their duties to promote race equality under the Race Relations (Amendment) Act.
- establishing partnerships with the public, private and voluntary and community sectors to improve the quality and sensitivity of service delivery.
- managing and undertaking local community development of regeneration projects, usually those involving black and minority ethnic communities.
- raising public awareness of racial and ethnic issues and the benefits of cultural diversity.

RECs are increasingly seen as organisations whose primary purpose is to provide a service, in their case, a race equality service. They form part of the voluntary sector which, together with statutory public services, provides a wide range of facilities to the general public, usually free and on the basis of need, rather than on the ability to pay. RECs have been forced to emphasise their role as service providers, partly to secure funding and charitable status, and partly because another historically significant function that they perform was taken for granted or ignored.

RECs were never originally conceived as direct providers of services, but as community-expressive forums to enable spokespersons for newly-arrived minority ethnic groups, and those progressive elements in the population who were concerned to ensure such groups were fairly treated, to articulate, aggregate and advance the collective community interest. The aim was to improve the treatment of ethnic minorities by informing and educating the general public and bringing political pressure to bear on firms and public service providers which discriminated or contributed to the disadvantage of minority individuals.

The original Councils for Racial Harmony or Community Relations Councils were *councils*, in the sense that they deliberated about, and spoke out in support of, improving ethnic and race relations, and formed a kind of alternative local parliament on behalf of what were then the most politically marginalised sections of the community. In the context of the Race Relations Act 1976 and the growing reliance on government and local authority funding sources, RECs have increasingly asserted their functions as service providers while downplaying their community-expressive political role.

The organisational shape of RECs, however, continues to reflect their historical and continuing community-expressive dimension. There is a diverse membership of organisations, including local ethnic minority organisations. A large executive committee provides governance for much smaller numbers of paid staff. REC directors spend a great deal of their time arranging and servicing council executive and sub-committee meeting, as well as managing service delivery. There is a sense in which the government has begun to acknowledge the earlier community-expressive agenda of the RECs with its new emphasis on the importance of community, involvement and participation, now embodied in initiatives such as the Community Empowerment Networks (CENs). The community-expressive dimension of race equality work plays little part in current assessment of RECs' contribution to local race relations and communities. RECs are judged on the services they provide, not on the contribution they make to participatory bodies.

While mostly operating under the CRE recommended model constitution RECs have adapted their work in response to local conditions and the resources available to them.

RECs have tended to specialise in one or more areas of service provision and now rarely undertake the full range of activities (at the same level of intensity) as stated in their modes of operation. Four main service types, styles of approaches can be distinguished:

- Type 1: Professional support bureau for complainants of racial discrimination or victims of racial harassment and violence.
- Type 2: Consultancy and training service for public authorities or voluntary agencies on race equality and equality of opportunity policy. (Alternatively, pressure group for improving services to black and minority ethnic communities.)
- Type 3: Community development agency seeking to empower and/or build the capacity of local black and minority ethnic groups and communities.
- Type 4: Public awareness and education service (often delivered in partnership with local schools, colleges, or youth service). (In practice, Type 4 is not found separately but in combination with any of the other three.)

There are very few RECs specialising in complainant aid (Type 1), as it is resource-intensive and, in recent years, has not been a CRE funding priority. Many RECs have found it easier to acquire community development grants and have increasingly focussed their work on delivering community development projects (Type 3). This may explain why they are seen in the White Paper on the Commission for Equality and Human Rights as playing a major role in community 'bridge-building', ironically, the main and much-criticised purpose of their predecessors, the Community Relations Councils. In the context of the duty placed on public authorities to promote race equality, many RECs have also aspired to playing a greater role in assisting public authorities (Type 2), but have not always had the capacity, or been strategically well placed, to do so.

Self-evidently, the current REC structure has already demonstrated a considerable ability to adapt to the changing local environment. Yet, at times, criticism has been strident. Paul Boateng, then minister at the Home Office, was reported as describing RECs as 'appalling' and 'an absolute waste of space' (*The Times*, 15 July 1999). In 1997, however, KPMG had been asked by the CRE to review the service role of RECs.

The review, as a whole, portrayed RECs in an extremely positive light, confirming their important contribution to local race equality work and their vital role as a point of access for individual complainants. RECs needed to plan their work strategically, review their objects and modes of operation in the context of local requirements, set specific targets and mobilise resources to achieve them.

What then are the main reasons for questioning RECs' continued fitness for purpose? This is not the place to provide a comprehensive analysis of REC weaknesses. Nevertheless, the following conclusions have frequently been levelled and need to be taken into account in any process of change. Factors listed relate not only to the structure of the organisation, but to the susceptibility of the structure to exploitation, insufficient attention paid to strategy, failure to adapt to changes in government

policy, inadequate resourcing, and the calibre of management, all of which have a habit of coming together at a given juncture to undermine effectiveness.

- RECs have failed to position themselves strategically and to optimal effect in the local context. This has the following consequences:
 - RECs are denied access to important decision-making.
 - RECs have failed to set or engage with the changing race equality agenda.
 - RECs are seen by black and minority ethnic communities and public authorities as peripheral, rather than central, to solutions.
 - RECs are no longer in a position to act as key links between local communities and public authorities.
 - RECs' current governance hinders rather than promotes effective partnership work.
 - There has been little or no engagement with the private sector.
- RECs have failed to engage sufficiently with the government service improvement agenda and other policy development. This has the following consequences:
 - RECs have an inadequate grasp of public sector priorities, performance measures, and best value issues.
 - Public authorities have appointed their own specialist equality and diversity officers.
 - Public authority equality and diversity officers are pursuing a generic equality – not merely a race equality – agenda.
 - Public authority equality and diversity officers rarely recognise any specialist dedicated REC public service improvement expertise with which they can engage.
 - Public authorities prefer to consult directly with black and minority ethnic communities and service users.
 - Public authorities are less willing to fund RECs.
- REC officers' skills and expertise are usually limited to race equality issues. This has the following consequences:
 - RECs, as presently constituted will encounter difficulty in taking on a broader equality remit in the intensely competitive environment of multiple-strand equality.

- RECs may have to content themselves with the role of community-cohesion building and conflict resolution as envisaged in the White Paper on the Commission for Equality and Human Rights.
- RECs have not developed sufficient general, strategic, project, finance, and human resource management skills. This has the following consequences:
 - RECs have not always kept abreast of national and local policy, nor developed effective race equality strategies.
 - RECs have sometimes failed to manage community development projects effectively or to monitor and achieve agreed outcomes.
 - There have, on occasion, been financial crises.
 - Staff have sometimes been badly managed by an organisation that should have been an exemplar of good employment practices.
 - RECs have not always achieved the CRE's basic quality assurance standards.
- RECs have had to compete for scarce resources with other organisations in the voluntary and community sector.
- RECs have not been able to maintain dedicated complainant aid services, nor to represent individuals at employment tribunal or county court.
- In urban areas with proportionately larger black and minority ethnic populations, RECs have come to serve only the interests of these populations. This has the following consequences:
 - The members and executive committee are insufficiently representative of the interests that the REC is set up to serve and the functions it performs.
 - Smaller, or white, minorities suffering from discrimination or disadvantage are neglected.
 - Narrower ethnic, rather than collective race equality, interests are pursued.
 - There is a failure to build bridges between black and minority ethnic and neighbouring white communities.
 - Inter-ethnic factionalism on the executive board occurs, resulting in humiliated groups withdrawing their support.
 - Questions are raised as to whether numerically strong and politically powerful black and minority ethnic groups need a REC to mediate between them and local institutions.

- RECs should have been more effectual in resolving intergenerational conflict among minority ethnic groups or at engaging young people in equality work.
- Conflict on executive committees will affect the REC's ability to deliver its work programme and speed the departure of its senior staff if they are unable to manage.

(These issues may not arise in a more rural environment with smaller or more dispersed black and minority ethnic populations. RECs in rural areas appear to be far more fit for purpose, providing they can improve services and service access for isolated black and minority ethnic groups (but see Model Three below).

Aims

These are set out in standard form in the CRE-agreed *Model Constitution for Race Equality Councils*.

The REC will:

- work towards the elimination of racial discrimination, and
- promote equality of opportunity and good relations between persons of different racial groups.

within a particular locality or 'area of benefit'.

To achieve these aims, the REC will undertake the following functions:

Policy development: Acquaint organisations, agencies in the statutory, non-statutory, private and voluntary sectors with the extent and nature of racial discrimination and inequality experienced by racial groups in the field of social welfare, and in particular, the fields of housing, employment, education and health care, with the aim of encouraging them to implement policies and practices which will eliminate racial discrimination and promote equality of opportunity and good relations between persons of different racial groups.

Community support: Support organisations which are concerned with the promotion of equal opportunity and good relations between persons of different racial groups, by providing them with information, advice and other forms of assistance in keeping with the REC objectives.

Assistance to individuals: Give information, advice and support (including representation at tribunals) of a non-financial nature to individuals who seek the REC's assistance as a consequence of their experience of racism or racial discrimination (where that information and advice and support are not readily available from other local agencies).

Public education: Maintain an appropriate programme of public information and education related to the REC's aims and functions.

Governance and structure

A REC's membership is open to any incorporated association (affiliate membership) and individual (individual membership) which/who are interested in furthering its work. Affiliate members must make a written declaration of their commitment and satisfy the REC that there is nothing in their constitution which conflicts with the REC's aims. Individual members must also make a formal declaration of their commitment. RECs, therefore, have an open membership providing those who seek to join agree with their aims.

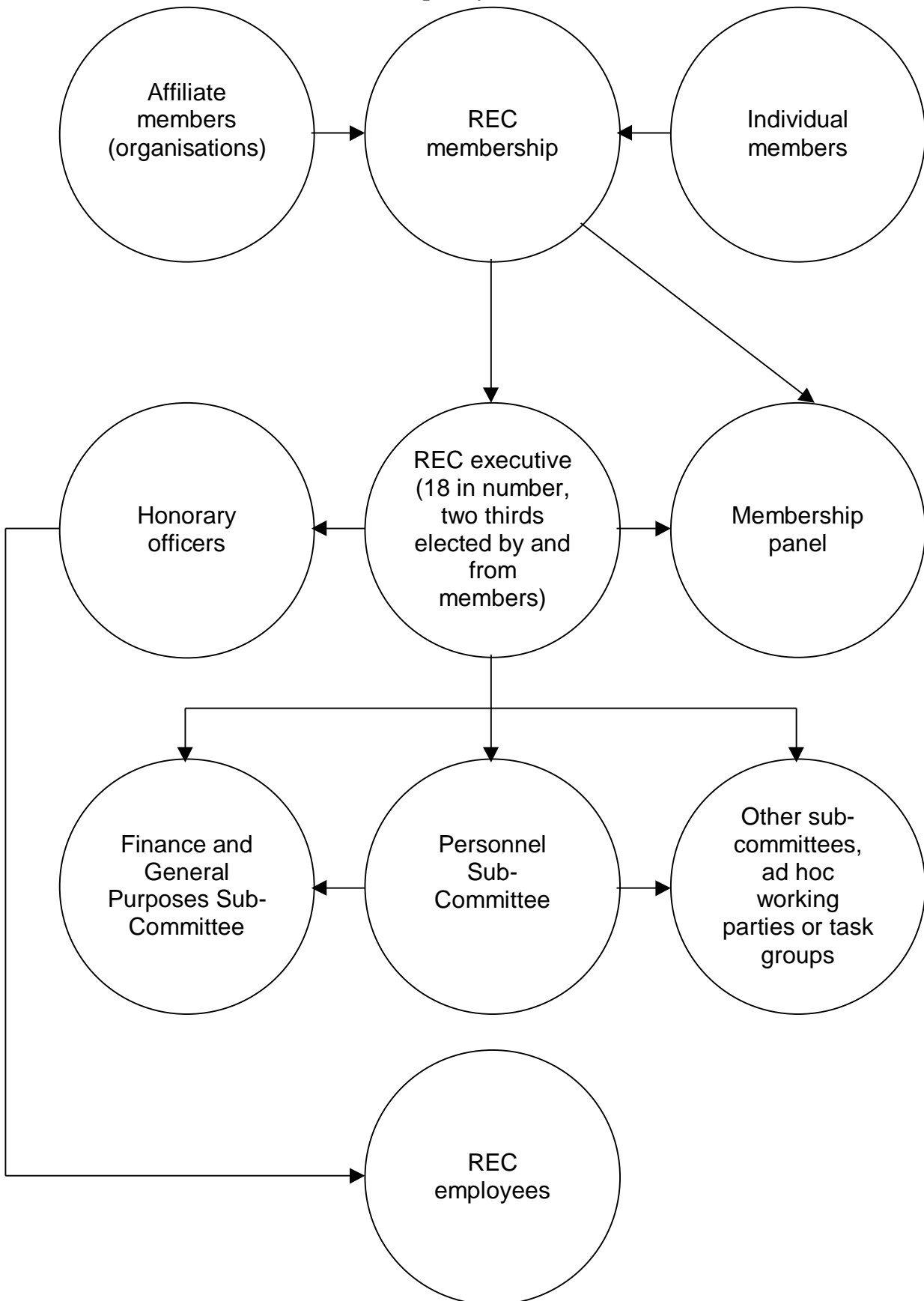
The membership of associations and individuals elects an executive committee, consisting of not more than eighteen members of which two thirds must be elected by ballot members at the annual general meeting. Honorary officers (chair, vice-chair, secretary and treasurer) are chosen by the executive committee.

The executive committee must appoint a finance and general purposes sub-committee and personnel sub-committee. A membership panel will receive, consider and determine membership applications as well as recommending to the executive committee any termination of membership. The executive committee can set up other sub-committees, ad-hoc working parties, and task groups. The executive committee decides on the REC's strategic direction, deals with its financial and legal affairs, and is able to employ full-time staff.

In recent years, many RECs have registered as charities and/or companies to gain financial and legal benefits, such as exemption from tax relief on business rates and limited liability.

Table 4

The Race Equality Council: Structure



Model Two: The Centre for Diversity, Learning and Living (Sir Herman Ouseley, Bradford Vision)

Context

In his report on Bradford (Bradford Vision, July 2001), Sir Herman Ouseley remarked on the ‘worrying drift towards self-segregation, the necessity of arresting and reversing the process, and the role of education in tackling ignorance and bigotry’. He believed Bradford had ‘lost its spirit of community togetherness’ and was witnessing ‘growing divisions amongst its population along race, ethnic, religious and social class lines’. Existing funding regimes had failed to incorporate objectives to encourage social and cultural interaction and integration. There was a lack of trust between young people and those in established leadership positions. What Bradford lacked was a unifying vision and strong political, municipal and community leadership.

The Ouseley report is generally credited with providing the main conceptual framework for interpreting the social disturbances of 2001, despite the fact that it was written before the outbreaks of violence and destruction of property in the northern towns. The concept of ‘community cohesion’ originated essentially as the politically-positive way of presenting its antithesis: Ouseley’s negatively-formulated concept of ‘community fragmentation’. His analysis in terms of social fragmentation and self-segregation was subsequently adopted by the Clarke, Ritchie and Cantle reports.

The terms of reference of the Ouseley report required it to identify the causes of conflict and polarisation, facilitate bridge-building and recommend ways of promoting greater understanding and respect in a local context in which the district’s race equality council had been closed and community needs were no longer being met. Assistance with racial discrimination and immigration cases, advice to employers on race equality policy, and a public voice on the state of local race and community relations were no longer available, although other organisations were stepping in to fill the gaps.

Accordingly, the report proposes a model of ‘the organisational and institutional arrangements that must be pursued to achieve equality results and suggests a new innovation for independent community and race relations activity across the District’.

Among various other arrangements, a Centre for Diversity, Learning and Living is proposed to reflect the District’s ‘diversity of cultures, faiths and communities ... by providing a unique centre of excellence’. The centre would focus on the people of Bradford and on how they could share their diverse experiences in order to realise the ‘Bradford 2020 Vision’. They would do this by working, learning and living together, rather than separately. The centre would also ‘provide performance enhancement for the Bradford District’s institutions and organisations through its expertise, advice, guidance and independent audits on all aspects of equality, equity, fair treatment and diversity policies and practices ...’ It would perform an important function, giving leadership and direction and promoting learning and tolerance.

Features of the proposals are extremely significant for the future of local race equality work. The first is recognition that a locally-based race equality organisation is necessary, not to provide a service only to the black and minority ethnic communities, but to act as a bridge builder between all the communities of the district. This is the

origin of the 'community cohesion' objective singled out as the principal role for local race equality organisation in the White Paper on the Commission for Equality and Human Rights.

The second is the heavy emphasis placed on educational solutions to the problems of community fragmentation, together with the role envisaged for race equality organisation (through the proposed institutes for Inter-Faith and Inter-Cultural Studies) (but see also the reference to Citizenship education in the environmental scanning exercise, in Chapter One, above).

The third is the suggestion that the Centre provide services to the public and private sectors, in particular, that it perform an inspectoral role, undertaking best practice and best value audits. The fourth is the assumption that the local race equality organisation will continue to provide complainant aid services and support for victims of racial harassment.

Aims

The Centre would have the following aims:

- To provide specialist facilities and resources to encourage, enable and facilitate the adoption of best practices across the private, public and not-for-profit sectors in pursuance of equality, equity, diversity and fair treatment for all the people of the district.
- To provide access to advice, information, guidance and expert resources to institutions and organisations in the district to enable learning, knowledge and understanding that contributes to positive diversity, learning and living.
- To provide independent audit, scrutiny, inspection and review of performance services for institutions, agencies and public bodies in the district.
- To oversee the effective management of the different specialist agencies/resources in the centre in line with their explicit terms of reference, aims and objectives and performance targets.
- To liaise regularly with all sponsoring agencies, the regional and district based regulatory agencies, institutions, public bodies and not-for-profit organisations in the district in determining the centre's programmes of activities and in monitoring developments and performance in line with performance targets set for the centre.

(Bradford Vision, July 2001, pp.30-31)

Governance and structure

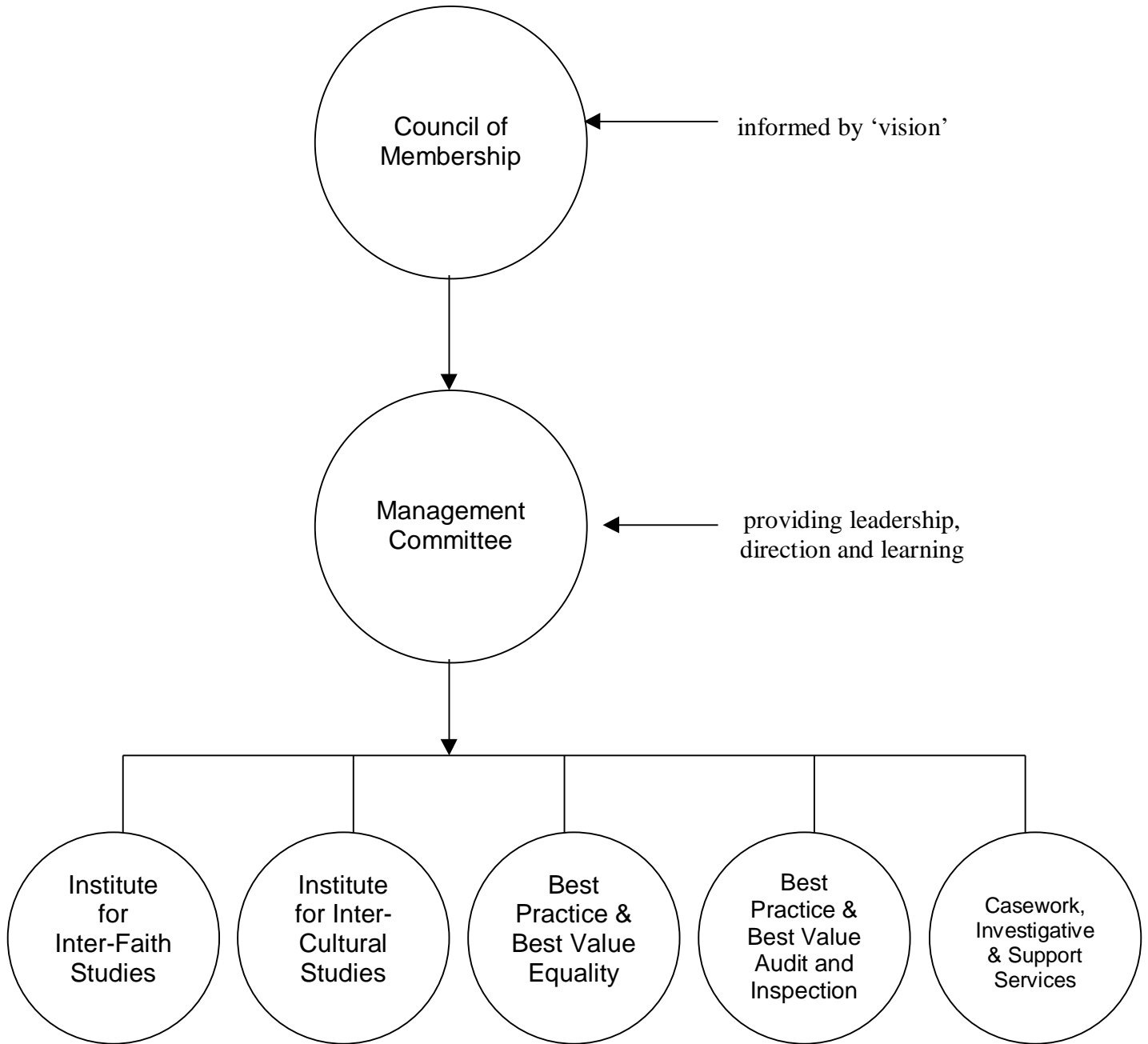
Little detail is provided in the report on governance and structure except that a council of membership would be drawn from all stakeholders in the district, including private employers, public authorities and voluntary organisations. The members would, on an annual basis, elect a management committee and appoint appropriate staff to run the centre.

The organisation would have five sections, each with its own functions as follows:

Table 5 The Centre for Diversity, Learning and Living: Parts and Functions	
Section	Functions
Institute for Inter-Faith Studies	Learning environment links with: <ul style="list-style-type: none"> - universities, colleges, schools - media - Learning and Skills Council - public services - local employers, communities, faith groups
Institute for Inter-Cultural Studies	Open access to: <ul style="list-style-type: none"> - information/materials - facilities - learning environment - students - individuals - institutions - organisations - information, guidance and promotional work
Best Practice and Best Value Equality	Organisations and individuals Advisory centres Conferences, seminars
Best Practice and Best Value, Audit and Inspection Services	Scrutinising performance Undertaking reviews Training, advice/guidance Independent assessment and audit reports
Casework investigative and support services	Advocacy for discrimination cases Advocacy on racial harassment Advice and guidance Support for individual cases

Table 6

The Centre for Diversity, Learning and Living: Structure and Links



Model Three: The County-Wide (Race) Equality Model

Context

This model has been developed to meet the race equality and other equality needs of a large, mainly rural, county with an ethnic minority population concentrated in a few of its county towns or dispersed and living in relative isolation in rural districts with poor communication systems.

In 2003, Warwickshire County Council and partners commissioned TMP Worldwide, assisted by Race Equality West Midlands, to develop a new approach to race equality in Warwickshire. TMP Worldwide was asked to develop a structure that improved the services for black and minority ethnic communities across the county as a whole, assist public authorities in discharging their statutory race equality duties, support local authorities in achieving the Generic Equalities Standard, and link with other strategic initiatives across the county, in particular with Local Strategic Partnerships.

Warwickshire has a population of 505,860 people, of which ethnic minorities form 4.42 per cent (22,359). There are also around 300 Gypsy and Traveller caravans camped on authorised sites in the county. Only two of the five boroughs and districts of the two-tier county council had any kind of independent local race equality service. Part of the research exercise was to investigate how best to expand the service to cover the remaining three fifths of the county.

In the course of the community consultation that formed part of the research, black and minority ethnic individuals and groups made known their feelings of exclusion and isolation, and their frustration at being unable to make the public authorities aware of their needs and aspirations, and to access sensitive services. There was widespread insistence on local access to relevant and sensitive services and to a means of redress for those who had suffered unfairness, discrimination or ill-treatment.

The strength of the two district-wide race equality councils was felt not to lie in the services they offered (which were criticised), but in their collective expression of communities' views and the access they gave to the various public bodies.

In districts with few black and minority ethnic residents and no history of resourcing local race equality work, public authorities were far more willing to consider funding generic equality work than race equality. But there was little opposition to the generic equality approach among ethnic minority communities, providing they had better access to public authorities and their voices were heard.

Despite widespread disagreement among community groups as to how the service might be extended, TMP and REWM recommended that local (race) equality services should be provided to all the county's boroughs and districts, but within the context of a county-wide strategic framework.

Aims

The Commissioning Partners were aware of the government proposals for a national Commission for Equality and Human Rights and also that a more general approach to equality was likely to be more warmly received by some districts and councillors. But the new organisation needed the support of black and minority ethnic communities and of the existing race equality structures in the county. A solution was sought in compromise and 'future proofing'. Where race equality councils existed they would be invited to nominate to the new board. In districts without race equality councils, equality forums were proposed.

The formal aims of the new organisation were based on the old race equality formula but with 'race' omitted from the wording. (The aims proposed for the CEHR had not yet been published.) At the time the report was completed, the aims were as follows:

The county wide organisation will work towards the elimination of unlawful discrimination and promote equality of opportunity and good race relations between persons and individuals in the county.

In relation to modes of operation, functions, and the provision of services, the research showed a difference of opinion between community groups and public authorities as to what the new organisation should prioritise. Community groups wanted the organisation to raise public awareness about race equality, to provide support for victims of racial harassment, and to offer casework and complainant aid. As already mentioned, the key issues for communities were service location and local accessibility. Public authorities, on the other hand, saw the main role of local race equality organisation as assisting public authorities with their race equality duties. Most of the advice offered in response to the question on the role and activities of local race equality work could be summarised under the race equality councils traditional constitutional modes of operation: assistance to individuals, community support, policy development and public education, but prioritised in different ways by the main interest groups.

Governance and structure

A new single independent county-wide organisation which will register as a charity and a company is proposed. It will have a board of directors with two thirds of its membership drawn from local communities and one third from public authorities.

Board members will be nominated from the communities in each of the county's boroughs and districts. In those boroughs and districts where they exist, the race equality council will make the nominations. Boroughs and districts currently without race equality councils will be encouraged to set up equality forums to make nominations.

The County Strategic Partnership will set up, or make use of its existing equality and diversity cross-cutting sub-committee, to select six members to represent public authorities on the board. Public authorities might include the county council itself and others such as the Primary Care and Hospital Trusts, the police force, and the Learning and Skills Council.

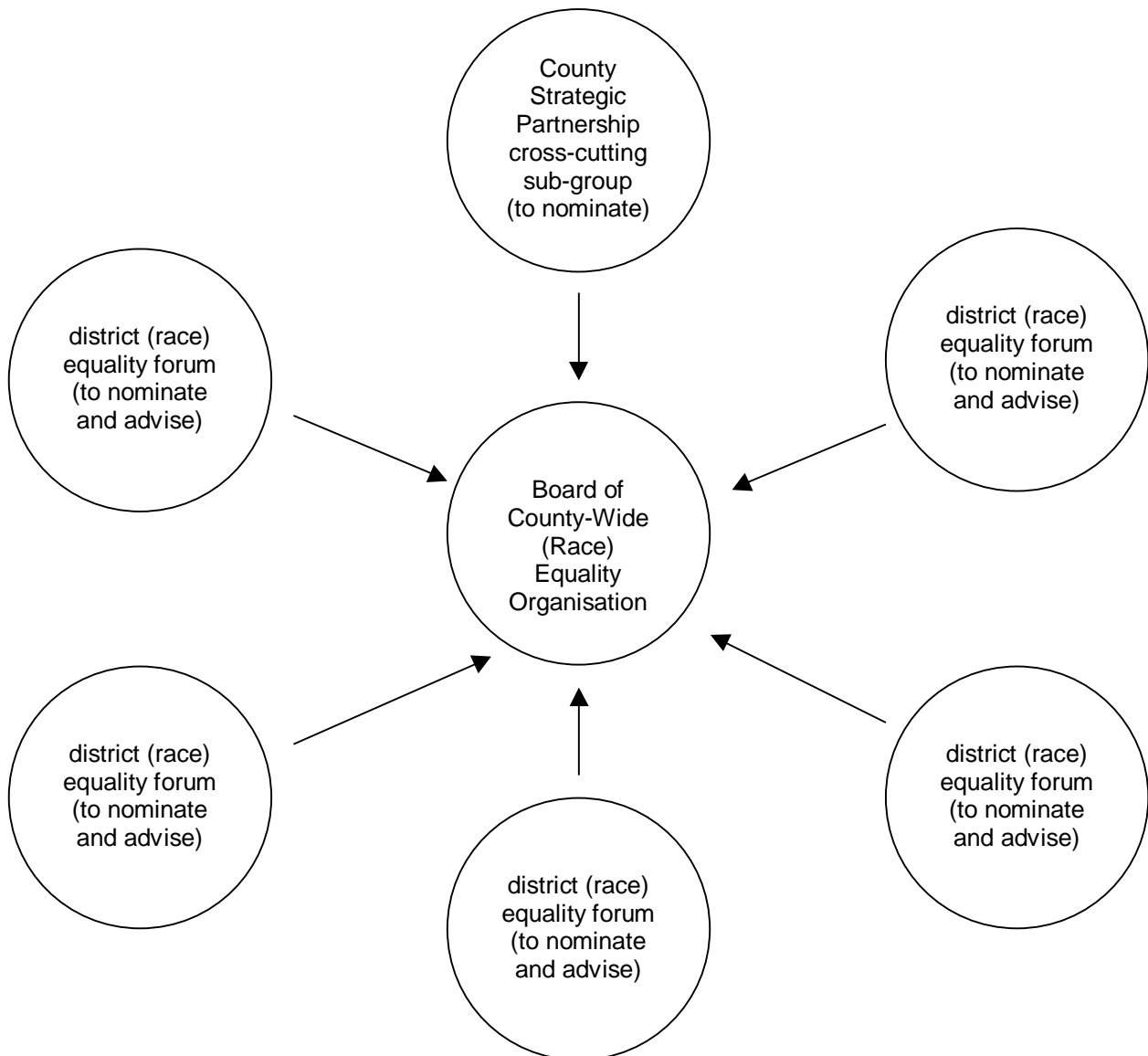
A minimum staffing complement of a chief executive, support staff and equality officers (at least five officers, one per borough/district) is proposed. Any existing REC will cease to be an employer, transferring, as appropriate, staff to the new organisation.

Equality officers will be allocated for half of their time to work in the boroughs and districts. An initial responsibility will be to establish local equality forums in boroughs and districts without them, and to ensure the continued activity of the reformed race equality councils as forums.

The new organisation will have to improve local access to its services by making extensive use of networks and new forms of communication, such as mobile phones and emails. In addition to its central office, the organisation would have local bases, preferably sharing accommodation with other local voluntary organisation, eg. CAB and CVS (co-location).

Table 7

The County-Wide (Race) Equality Organisation



Model Four: The Race Equality Partnership

Context

The partnership model of local race equality work has been developed to assist public authorities in improving their services to black and minority ethnic communities and to develop a synergy between various community development, regeneration and empowerment initiatives. The race equality partnership is intended to form an inclusive bridge between service providers and users, assisting and strengthening government initiatives to improve service standards and quality of life in a particular administrative area or neighbourhood. It is often seen as a means of engaging a wider range of voluntary and community groups, or 'hard-to-reach' populations, in local decision-making and regeneration.

There has been a tendency, however, to focus on the issues of public service improvement and the eradication of institutional racism from the point of view of the more powerful public agencies participating in the partnership, possibly at the expense of grass-roots community development, casework with individuals, or victim support. As with traditional race equality councils, partnerships may demonstrate both strengths and weaknesses in regard to purpose, leadership, local support, staffing, user focus, and adequacy of resourcing.

Three local race equality partnerships have been set up in the West Midlands each replacing or supplementing preceding local race equality organisations. They are:

Birmingham Race Action Partnership,

Race Equality Sandwell,

and Walsall Strategic Race Equality Partnership.

Two remain extant, but Walsall has closed. Their approaches to local race equality work have had varying success.

Birmingham Race Action Partnership (BRAP)

Birmingham has a population of just under one million people (977,087), nearly a third of whom are black and ethnic minority. Its size alone singles it out as a city needing its own customised solution to race equality issues.

The Birmingham Race Action Partnership (BRAP) developed from the All Different All Equal Campaign launched in Birmingham in 1995, itself an attempt to fill the gap left by the demise of the Birmingham Race Equality Council in the early 1990s. The initiative was intended as a response to the CRE-commissioned KPMG report and recommendations on race equality councils, the review of the sufficiency of the 1976 Race Relations Act, the 1997 PSI survey on diversity and disadvantage, and the McPherson report. It was recognised that a new approach to local race equality in Birmingham was needed to tackle issues of institutional racism highlighted by McPherson, the relative failure of public policies designed to address racial discrimination and disadvantage, the weaknesses in inter-agency collaboration, growing 'consultation fatigue' (with corresponding failure to improve services), and the increase in the city's ethnic minority population.

Race Equality Sandwell (RES)

Sandwell is a borough of 283,000 people (a fifth ethnic minority) situated on the north-western border of Birmingham. Race Equality Sandwell was set up in interim form in April 2003, with the new finalised board coming into being in April 2004.

Following widespread discussion about the future of race equality and community cohesion in Sandwell, Sandwell's Local Strategic Partnership (the Sandwell Partnership) produced a proposal for a new local race equality partnership agency. The report was based on a review of the emerging race relations context (Sandwell had been designated a community cohesion pathfinder pilot), the closure of the Sandwell Racial Harassment Unit (following an adverse tribunal case), and a growing recognition of the inadequacy of, and difficulties created by, the constitution and remit of the Sandwell Ethnic Minority Umbrella Forum. It concluded that a wider partnership of public and voluntary sector partners was required to implement the provision of the Race Relations (Amendment) Act 2000. A new fully-inclusive mechanism was needed to engage ethnic communities, including white communities, and to tackle service improvement by bridging the gap between service providers and users.

Sandwell Ethnic Minority Umbrella Forum was set up in 1998 on the basis of recommendations from external consultants. Its governing body (often poorly attended) consisted of the chairs of six single ethnic minority forums drawn from the Indian, Sikh (sic), Pakistani, Bangladeshi, African-Caribbean and Yemeni communities. (Constitutional problems had been caused when the Irish had asked to join the umbrella forum.) The governing body was served by a core of three staff: a director, administrator and secretary, and a Community Funded development project was also attached. Tension arose after SEMUF's inception over whether funds should be allocated directly to the single ethnic forums or to the umbrella organisation. Nevertheless SEMUF was always viewed in the West Midlands as an example of a 'community partnership' model.

The CRE responded in detail to the LSP consultation document, stressing the importance of equality bodies being independent, free-standing agencies to ensure that independent advice and criticism could be given on race issues, at arms distance from key funders. The CRE specified that the organisation should:

- (i) be inclusive, working with and across all communities (not like SEMUF),
- (ii) be integrated and serve key stakeholders,
- (iii) have a multiple funding base,
- (iv) not be overly complex or multi-tiered,
- (v) have an elected board which would make decisions to be executed by paid officers,
- (vi) be strategic in vision, but practical in operation, and

- (vii) be realistically resourced to achieve agreed outcomes, fulfil its business plan, and meet quality assurance standards.

The new organisation came into being in April 2003.

Walsall Strategic Race Equality Partnership (WSREP)

Walsall is a borough in the West Midlands conurbation with a population of over 253,000 people, of which 14 per cent are from black and minority ethnic communities. Following the failure of the Walsall Race Equality Council, which was felt to have focussed unduly on immigration and language issues and to have lost strategic direction, Walsall Council, Walsall Council for Voluntary Service and the Commission for Racial Equality embarked on a joint venture to set up the Walsall Strategic Race Equality Partnership which came into being in January 1997. In March of that year, a Racial Harassment Forum was also established.

Following an unsuccessful *Getting Results* funding application for 2003 to 2004 to the Commission for Racial Equality, Walsall Metropolitan Borough Council reviewed WSREP's work and achievements and decided to withhold funding, leading to wholesale staff redundancy in autumn 2003. At the same time, discussion took place between the Council, Walsall Strategic Partnership, the Commission for Racial Equality and Race Equality West Midlands on what measures to take to restore local race equality services in Walsall.

Aims

BRAP

BRAP was set up to be a strategic multi-agency partnership aimed at improving the way institutions dealt with issues of race equality in employment and service delivery. This was to be achieved by developing collaborative working between the major public bodies and involving black and ethnic minority communities in meaningful decision-making about their services and neighbourhoods.

It explains its aims as follows:

to bring together Birmingham's major stakeholders, community and voluntary sector organisations, community activists and you, the people, in issue-based forums to develop mainstream policy and practice... To ensure that the services delivered to our black communities are appropriate, effective and meet our needs, to ensure that employment, retention and promotion opportunities are equally available to us all in all sectors. For the first time, there are no middle people; people from the heart of our communities have direct access to key decision makers to work with them to influence change.

(BRAP Newsletter, April 2001)

The principal aim of BRAP is 'fundamentally to change institutional policy and practice through genuine partnership working with black and minority ethnic communities'. Instrumental in this task are BRAP's community action forums: a number of thematic or issue-based panels (eg. employment access, health and social care, housing) made up of a maximum of twelve 'community auditors' (see below).

The emphasis is on strategic intervention and ensuring services developed for black and minorities are mainstreamed. Thus, BRAP was well-placed to assist the Birmingham (Local Strategic) Partnership and its members with its inclusivity objectives, and is now an active and respected member of the Partnership.

BRAP does not provide services to individual clients in the form of aid to complainants of racial discrimination or support for victims of racial harassment. Two other Birmingham-based organisations: Birmingham Racial Attacks Monitoring Unit and Birmingham Partnership Against Racial Harassment exist for this purpose.

RES

Race Equality Sandwell's objects are the same as for the standard race equality council and are taken from the Race Relations Act, but with a nod towards generic equality work.

- to work towards the elimination of unlawful discrimination, but especially of the kind based on colour, race or ethnicity.
- to promote equality of opportunity in Sandwell within and across the borough's public, private, voluntary and community sectors.
- to promote good relations between persons and communities of different racial groups.

The aims are augmented with a list of detailed and inclusive functions, set out under headings deriving from the 1990 CRE race equality council model constitution: policy development, community development, casework and public information and education (see Appendix A).

WSREP

WSREP had the standard local race equality council aims of working towards the elimination of racial discrimination and promoting equal opportunity and good race relations.

It was intended to work at a corporate level with the major public authorities in Walsall, especially Walsall MBC, as well as with private sector companies, to tackle 'the causes, rather than the symptoms, of discrimination'.

The emphasis was on offering advice, consultancy, training, policy development and joint promotions, but at a strategic level, to achieve structural change over the longer term. This was interpreted as focussing on public authority policy advice, with perhaps too little emphasis on community involvement and empowerment. WSREP made it clear that it had no brief to undertake casework with individuals. Nevertheless, later, in the course of its evolution, it secured funding to set up a service for victims of racial harassment (Walsall Racial Harassment Partnership) and a network of local community-based reporting stations was established.

Governance and structure

BRAP

BRAP is a private limited company with a status independent of its partner agencies. (The five founding agencies were Birmingham City Council, Birmingham Trades (Union) Council, Birmingham Voluntary Services Council, and (since replaced by successor bodies) Birmingham and Solihull TEC and Birmingham Health Authority.) Half of the company board, therefore, is drawn from bodies in the public and voluntary sector and half from members of the communities in Birmingham.

BRAP selects community auditors from among local Birmingham community groups on the basis of their professional, voluntary or personal knowledge and understanding of an issue and their commitment to a multi-ethnic approach. Community auditors are offered travel and child-care expenses, accredited training and up-dating, links with the higher education sector, and other kinds of support. They are also represented on, and comprise at least fifty percent of the BRAP governing body or board.

RES

Race Equality Sandwell's structure and governance is best understood in terms of the driving force behind the move to set it up, namely the Sandwell (Local Strategic) Partnership, and the need to accommodate elements of previous local race equality organisations, especially SEMUF (the umbrella forum) and the Sandwell Racial Harassment Unit.

Race Equality Sandwell's executive committee was constituted in two stages: in the first year it consisted of twelve members drawn in equal numbers from the Local Strategic Partnership (6) and from the Sandwell ethnic minority forums (6). The interim executive was charged with establishing Race Equality Sandwell, pursuing its new objects and functions, securing its funding, appointing its officers and staff, and making the necessary arrangements for setting up the second and final stage executive committee to take office on 1 April 2004.

The current executive committee is known as the Board. It was originally planned to have twenty voting members drawn from two categories (i) public authority and (ii) community. Public authority representatives would be nominated by the LSP. The community category would consist of persons nominated and selected by the Community Empowerment Network (3), the Citizen's Advice Bureau (1), a voluntary women's interest group (1), the Sandwell Disability Network (1), the Youth Forum and the Interfaith Group (1). Membership was recently reviewed and the board now has an additional category of membership: (iii) members from the private sector selected by way of the Chamber of Commerce. Note the attempt to include women's, disability, youth and faith interests in the governance arrangements of what is still primarily a race equality partnership.

WSREP

WSREP began life with a steering group of 33 members. This group approved the initial work programme and began work on the WSREP constitution. The steering group included individuals from the bme communities, members of the voluntary sector and representatives of most major public bodies, including Walsall Council, Chamber of Commerce, the TEC, the police, careers service, the health authority, the

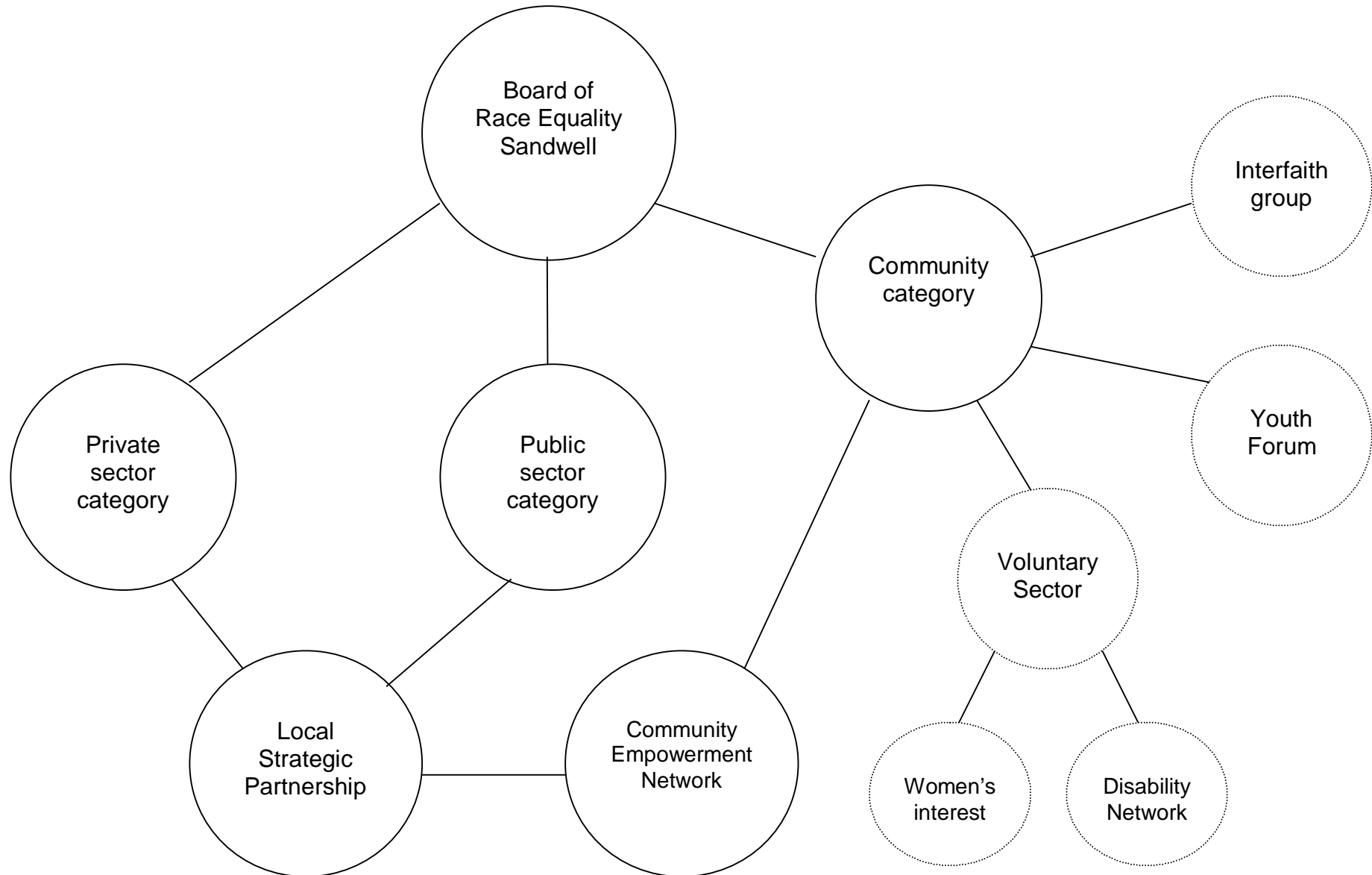
local technical college (WALCAT), and Wolverhampton University. The Council for Voluntary Service played a central role in driving forward the WSREP initiative and, for a time, the race equality officers were accommodated in the CVS office.

WSREP eventually adopted an incorporated company-style constitution in the form of a memorandum of agreement and articles of association, although the new company's aims were identical with those of the CRE's model constitution for race equality councils. The main change, considered a radical departure at the time, was a departure from the model constitution's open membership (where organisations and individuals are free to join as members providing they register their agreement with the REC's objects). In the case of the WSREP constitution, founding members were free to decide whom they admitted to the company. The company framework was standard for its type, with provision for company members to be elected to a board of directors registered as a company. No restrictions or limitations were put on the proportion of board members from community and voluntary groups or public authorities.

The board employed a number of staff in various capacities and the organisation functioned, at least in employment terms, much like a conventional race equality council.

Table 8

Race Equality Sandwell: Structure and Links



Model Five: The Partnership for Equality and Cohesion (two-tier approach)

Context

Model Five, the Partnership for Equality and Cohesion (second-tier approach) (referred to below as the PEC), builds on many of the features of Model Four, emphasising the importance of partnership working (through the Local Strategic Partnership and its thematic, geographical, and cross-cutting groups) as the main means of achieving equality and community cohesion.

The PEC has been developed with urban Neighbourhood Renewal Fund areas in mind, especially those with proportionately greater numbers of black and ethnic minorities and where the voluntary and community sector has a strong presence.

A primary function will be to drive forward the race equality and community cohesion work of the Local Strategic Partnership and its associated thematic partnerships in accordance with CRE and ODPM guidance for partnerships (July 2004).

This involves drawing up a list of the relevant functions and policies of the the partnership itself, and then a list of the relevant functions and policies from the partnership's public authorities' race equality schemes and policies, and then compositing them to achieve a common set of partnership objectives and outcomes, and a practical action plan. The PEC will ensure that the planned outcomes are measurable and it will assume a role in monitoring and scrutinising the delivery of those outcomes.

Although equality work needs to be strategically managed and coordinated for maximum effect through partnership, it is inconceivable, impractical and undesirable to bring all equality work together into a single integrated organisation at local level. A coordination exercise between organisations is required instead, similar to that undertaken by the local LSP, whose activity spans public, private, voluntary and community sectors.

In the public sector, a key objective is to embed equality principles in every dimension of an authority's activity as part of the drive for service improvement. In the private sector, the business case for equality and diversity has to be made and a diversity management approach advocated. In the voluntary and community sector, autonomous specialist advocates and agencies already exist, or readily spring into being to fill the gaps left by others.

These observations apply not only to generic equality work but to race equality, too. Even in the narrower field of race equality, alternative service providers have emerged, especially in areas where a dedicated race equality organisation has been absent or ineffectual for some time.

The PEC is based, therefore, on a clear understanding that specialist race equality organisation and functions must sit alongside other agencies and projects in the common pursuit of generic equality goals. It envisages a situation in which equality work is delivered by a range of increasingly professional and specialist agencies

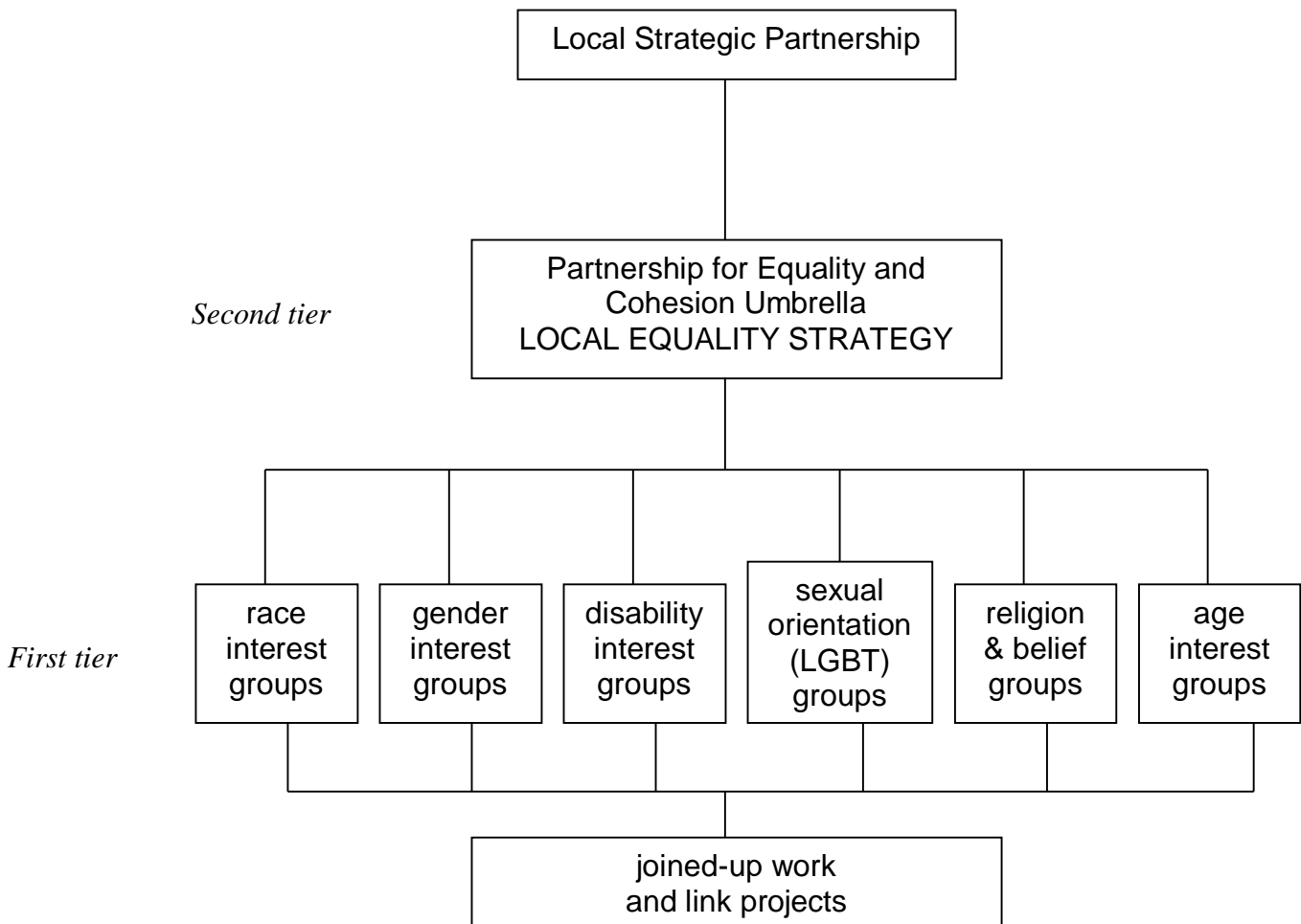
operating at a first, or grass-roots, level, strategically managed, coordinated, and partly-funded, by a generic umbrella forum and unit operating as a second tier.

Even in regard to the single strand of race equality, there is a strong argument for increased specialisation in areas such as community cohesion, conflict resolution, policy development, complainant aid, or victim support. Paradoxically, specialisation in these fields might increase the possibilities for tying in new strands of equality at service delivery level. Support for complainants of discrimination in employment, for example, could be extended beyond race to include gender, disability, religion, and sexual orientation.

The model proposed here is of a set of specialist agencies, functions, or projects, coordinated through an autonomous umbrella organisation under the auspices of a Local Strategic Partnership. Constrained only by the terms of their resourcing, first-tier agencies, functions and projects would be free to choose whether they wished to be members of the umbrella organisation and to agree to accept their role within its overarching strategic equality plan and related service level agreements. The two tiers of the model are explained in turn below.

Table 9

The Partnership for Equality and Cohesion: Two-Tier Approach



The second tier: strategic umbrella organisation

Aims

The objects of the PEC, as a second-tier organisation, are taken from those proposed for the national Commission for Equality and Human Rights, just as those for race equality councils are taken from two of the Commission for Racial Equality's three duties. As with the CEHR, the PEC will:

- encourage awareness and good practice on equality, diversity and human rights.
- promote equality of opportunity between people in the different groups protected by discrimination law.
- work towards the elimination of unlawful discrimination and harassment.
- promote good relations among different communities and between these communities and the wider society.

The PEC will promote equality of opportunity, human rights, citizenship and challenge discrimination in relation to the six 'strands' of equality work:

men and women (gender)
people of different racial groups (race)
people with disabilities (disability)
people of different sexual orientation and/or who undergo gender reassignment (sexual orientation)
people of different religions or beliefs (belief)
people of different ages (age)

Mode of operation

The PEC will work in partnership to deliver its objectives and to add value to the work of others. Principal partners will be public authority service provider, the private sector and voluntary and community groups. The PEC will form an autonomous but integral of the Local Strategic Partnership, coordinating and driving its race equality and cohesion initiatives.

It will provide leadership and promote good practice in the field of equality and cohesion. It will listen to and serve its local communities and work closely with the voluntary and community sector. It will be inclusive, strategic, effective and efficient. It will produce a strategy describing its equality objects and outcomes, and the work programme it intends to pursue to deliver them. In recognition of the magnitude and complexity of this task, the PEC might, as a preliminary stage, focus on one strand, eg. race, to produce a comprehensive borough-wide race equality strategy.

The plan and programme will set out arrangements for:

The Local Strategic Partnership

Action planning

- the production by the Local Strategic Partnership and its thematic geographical and cross-cutting sub-groups of an integrated equality and community cohesion strategy and action plan, to include jointly funded community regeneration and development initiatives.

Alignment

- the coordination and alignment by the Local Strategic Partnership and its thematic geographical and cross-cutting sub-groups of strategic partners' equality and community cohesion schemes, policies and initiatives, drawing out common themes, work strands and joint projects.

The Public Authorities

Scrutiny

- the methodical scrutiny of public authorities' statutory (race) equality schemes and policies, together with their methods and achievements, with a view to improving performance and raising standards.

The Voluntary and Community Sector

Community involvement

- the encouragement of community groups to become involved in the general democratic process as well as specific consultation exercises and decision-making to improve services.

Capacity building

- building the capacity of the voluntary and community sector by providing funding, training and other resources to promote equality and community cohesion.
- identification of significant gaps in local equality service provision and putting into place structures, agencies, or projects, to fill them.

Service delivery

- channelling resources to first-tier organisations to deliver those front-line race equality services and outcomes that have been prioritised in the PEC strategy action plan and work programme.

- commissioning voluntary and community sector agencies through service agreements, and other contractual arrangements, to deliver equality and community cohesion outcomes.

The Private Sector

Assistance

- Assistance as requested for enterprise in managing diversity in relation to the marketing and delivery of goods and services and work force recruitment and development.
- Assistance as requested for enterprise to ensure the contractual equality requirements of private finance initiatives and strategic service-delivery partnerships are met.

The PEC will engage with public authorities, voluntary and community organisations, and private enterprise through the partnerships and networks (especially the Community Empowerment Network) of the Local Strategic Partnership, thus assisting the LSP to promote race equality and community cohesion in compliance with strategic and inclusive performance criteria.

A typical LSP operates through a set of thematic sub-groups which strategically oversee and ensure activities are compatible and mutually supportive in a given area of policy or service deliver, such as:

crime and community safety
 lifelong learning
 health, well-being and social care
 housing and the environment
 economic regeneration
 community participation

The PEC will work through the thematic partnerships of the LSP to ensure suitable equality and community cohesion objectives are regularly and systematically pursued in relation to each of these themes.

Where possible, the PEC will encourage and support the development of equality and diversity specialisms and expertise within existing voluntary and community organisations which participate in the partnership. Only where no appropriate generic approach to, or means of delivering, a particular aspect of equality work can be located at local level, will the PEC consider initiating purposefully-designed projects of agencies to take on the work. Such work will only be embarked upon if it meets the terms of the Government Compact with the Voluntary and Community Sector, and the funding available is adequate to purpose.

The first tier: single-strand voluntary and community groups

The objects of first-tier operational voluntary and community groups are already likely to have much in common with those of the second-tier strategic umbrella, but in any case, will have already been decided and fixed by their constitutions. To be

sufficiently comprehensive and inclusive in its cover, the PEC will have to involve long-established voluntary sector agencies with their own specialist functions and networks, such as the Citizens' Advice Bureau and Age Concern. Organisations of this kind come to the table with well-defined objectives and settled working practices.

In each locality, there will be voluntary and community groups already leading the way with their efforts on behalf of women's rights, ethnic, cultural and language groups, race equality, victim support, people with disabilities, lesbian, gay, bisexual and trans (LGBT), faith and inter-faith, and older people. The more effective and active groups will form the backbone of the equality advisory groups suggested above, and also be in a position to take on commissioned work in their area of knowledge and expertise, and through local contacts with individual users, clients or complainants.

In regard to race equality, an extant race equality council could be expected to play a leading role in the work of the PEC, which would be able to draw and build upon REC expertise in complainant legal aid, race equality legislation (especially in respect of public authorities' duty to promote race equality), support for victims of racial harassment, and public awareness raising and education. The PEC might commission the REC to continue to supply these services and perhaps extend them (as with complainant legal aid) to cover other dimensions of discrimination in employment and service delivery.

When a REC did not exist, the PEC would have to consider how best to provide local race equality and other equality services. Existing ethnic minority support groups could be offered contracts to deliver work in relation to educational and health needs common to their communities. Often, however, single ethnic interest groups are poorly placed to perform the important bridging function between communities, so essential for the advancement of community cohesion.

It may well be that the PEC would have to facilitate measures to create a new agency specialising in the promotion of community cohesion and resolving issues of conflict and tension in communities divided along ethnic or faith lines, as proposed in the White Paper on the Commission for Equality and Human Rights. Alternatively, this issue could be strategically prioritised by the PEC and pursued as an integral element of the work of public, private and voluntary sector partners, individually and collectively.

If the PEC is to respond to the expressed needs of local communities (particularly black and ethnic minorities) it will also have to find ways of offering some kind of generic legal complainant aid for complainants of discrimination. It might well be possible to work with the Legal Services Commission and the CAB to meet this need.

In relation to victim support, there is a pronounced need for sensitive services for victims of harassment and violence in respect of many of the equality strands: racial, religious, sexual, LGBT, disability (special learning needs), and there may be possibilities for building closer ties with agencies supporting victims of domestic violence. This important work might best be developed and extended through the LSP's community safety and crime reduction thematic partnership.

Governance and structure

Responsibility for the initial development and governance of the second-tier PEC would rest initially with the LSP, possibly with a cross-cutting equality and diversity thematic sub-group if one had already been set up. Otherwise, a group consisting of LSP representatives of the community and voluntary sectors, and members who normally lead on equality and diversity issues on each of the main thematic groups, could be brought together to form the embryonic board of the PEC. Community and voluntary members might be drawn from the Council for the Voluntary Sector, or the Community Empowerment Network. Ideally, these members would constitute a minimal two thirds of PEC board membership and have credibility in representing some, if not all, of the six equality strands. Decisions would have to be taken as to the degree of autonomy and distance from the LSP that needed to be exercised, and whether the PEC should be set up formally as a company (with limited liability), or charity (able to draw on charitable funds and exempt from corporation tax).

The board of directors might wish to draw on the advice of a broader equality advisory group, on which all strands of equality were represented, or alternatively to consult regularly with single equality interest groups meeting separately.

The PEC would have the power to employ its own staff, or to have staff seconded to it on a long-term basis from other statutory or voluntary agencies. For the PEC to perform its coordinating functions in respect of race equality and community cohesion, it would need to have staff in post or seconded, full or in part, with professional understanding and expertise in equality, diversity and community development work in each of the main thematic areas: community safety (including criminal justice), education (including early years), health and social care (including work on ageing, infirmity, disability, learning difficulties and mental illness), housing and the environment, economic regeneration (including unemployment and employment law) and community participation (including community development, empowerment, consultation, involvement and participation). Meeting regularly as a team, these employees would coordinate and drive forward the LSP's race equality and community cohesion agenda.

Table 10

The Partnership for Equality and Community Cohesion: Structure and Links

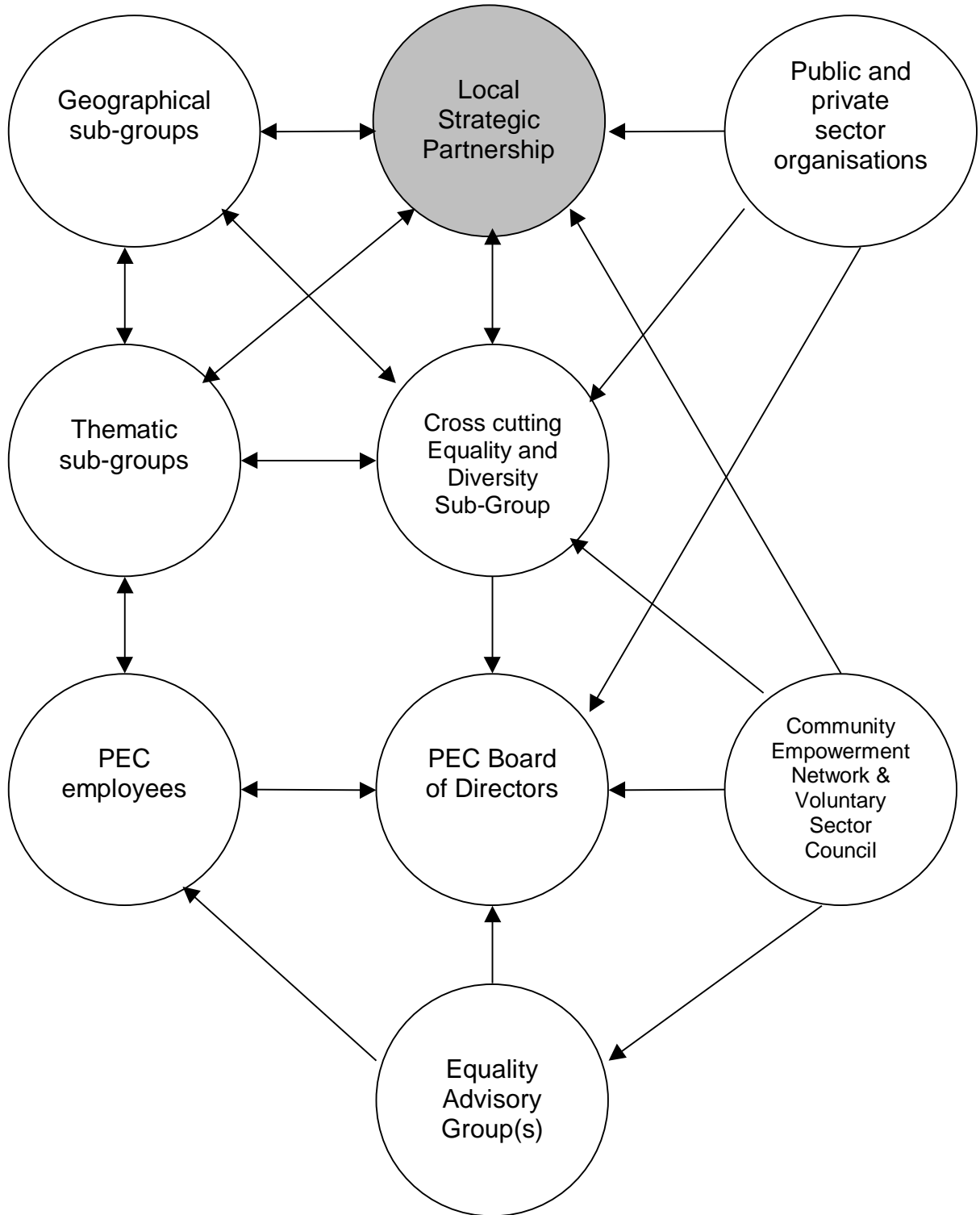
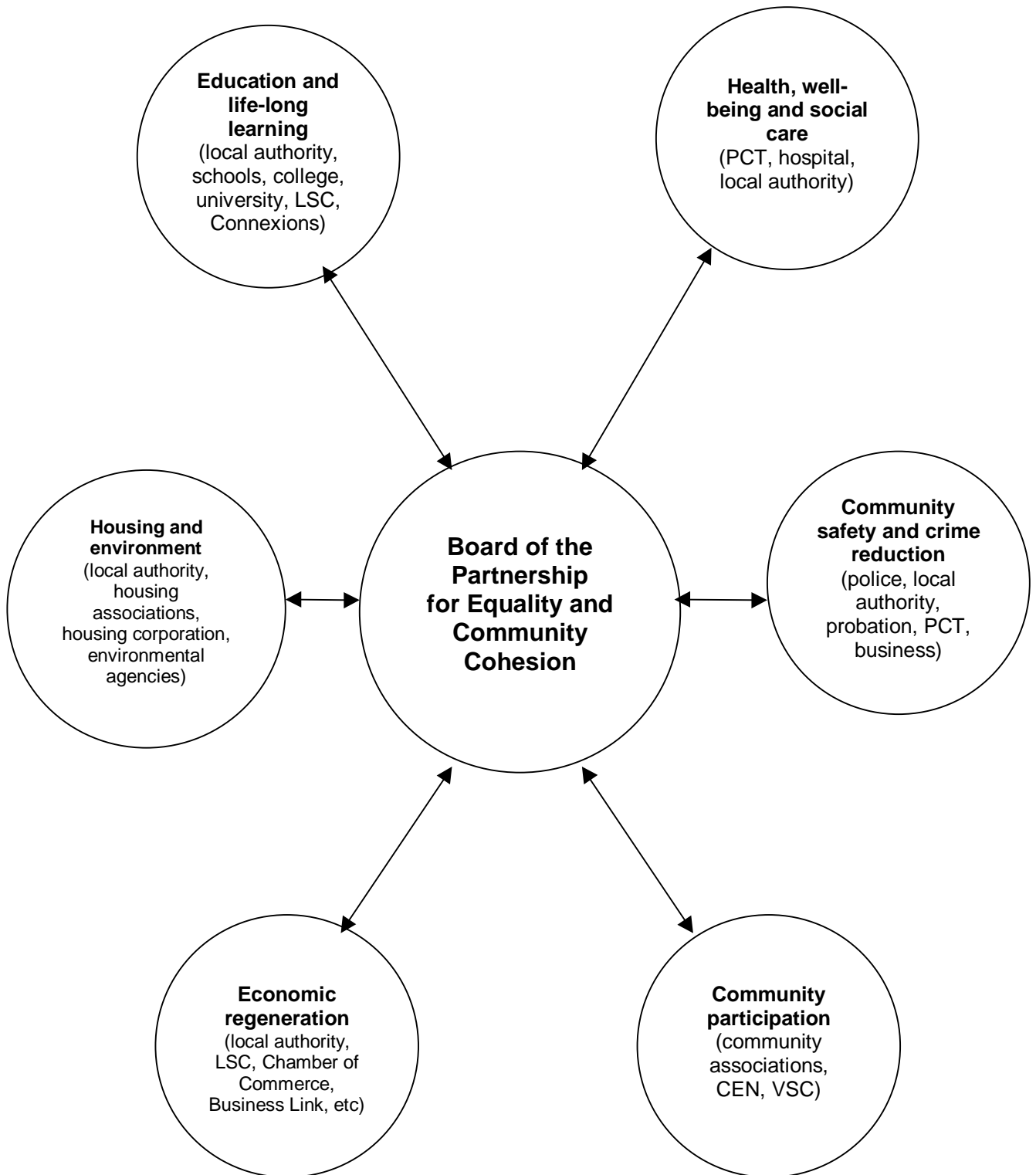


Table 11

The Partnership for Equality and Community Cohesion: Relationship with LSP Thematic Groups



Chapter Three

Factors critical to the successful delivery of local equality work

Why do local equality organisations fail?

What are the factors that result in the success of local equality organisations? One way of shedding light on this question is to examine the more common reasons for their failure. There has been a considerable flux over the last ten years in the fortunes of local RECs, some rising and others falling. In the West Midlands, RECs have closed in Birmingham, Coventry, Sandwell, Stafford, Walsall and Wolverhampton, whereas in Dudley, East and North Staffordshire, and Worcestershire, they have been very successful. In Birmingham and Sandwell, RECs have been replaced by race equality partnerships (REPs).

Common reasons for failure have been: lack of strategic direction, poor strategic positioning, failure to engage with the service-improvement agenda and other policy development, inadequate leadership and management, and political and communal factionalism within the executive, or between race equality council members. Conversely, successful race equality organisations play a strategic role in local affairs, provide valued services, have strong leadership and management, and demonstrate unity of purpose and a high level of achievement. A successful local race equality organisation also has to have sufficient internal resources and competences to operate in its constantly changing social, policy, political, economic, and legal environment.

Some of these resources and competences will be particular to race equality organisations. Others, however, will be common requirements for most voluntary sector service providers. In practice, however, the configuration of equality-specific and voluntary organisation-generic features are difficult to separate out. For example, while most voluntary organisations may need to demonstrate a degree of community support, a race equality council will have to earn the trust of the sub-set of black and minority ethnic groups, if it is to be successful.

How can local equality organisations succeed?

What follows is a list of nine factors considered critical to the success of any local race equality work. They are not entirely discrete and each impacts on the other. Some factors are complex and multi-faceted and could be described in other ways with different emphases. Nevertheless, an equality organisation that cannot demonstrate that it complies to some large degree with these criteria is unlikely to be successful whether judged by its members or the wider society.

The nine critical success factors are:

1. Clear aims, objectives and priorities.
2. Strategic awareness and positioning.

3. Strong links with local communities.
4. Strong links with public authorities and other service providers.
5. Autonomy and independence.
6. Accessible, relevant, and reliable service provision.
7. Sustainability and developmental potential.
8. Competitive conditions to recruit and retain quality staff.
9. Management expertise.

Each is explained below.

1. Clear aims, objectives and priorities

A local equality organisation must agree on its aims and objects, set them out clearly, translate them into a comprehensive work programme commensurate to the staffing resources available, and establish measurable outcomes and pursue them vigorously. It helps if all staff understand the vision, what is expected of them, and are enthused by the charismatic leadership of a director with a thoroughly ambitious ‘can-do’ mentality. It is important that the organisation sets out precisely what it is about and what it is going to do, goes out and does it, and then makes sure it demonstrates publicly what it has succeeded in doing.

RECs have failed in the past because their staff are uncertain about what they should do, which tasks have to be prioritised, when, and for what purpose. They fail because they do not deliver what they have promised, or are unable to demonstrate or explain what, if anything, they have achieved. They fail because they are overwhelmed by the multitude of tasks expected of them, by a lack of clarity as to how they should go about prioritising them, by ignorance and incompetence as to how to undertake them, and by an inability to generate any form of synergy or added value.

The process of clarifying aims is particularly important in a context of rapidly changing circumstances. The external factors impacting on local equality work will lead to the need for a constant revision of objectives and outcomes, and of the work programmes devised to deliver them. The social, policy, political, economic and legal factors described in Chapter One are all currently central to decisions that must be made about the way forward. The likely impact of the White Paper on a New Commission for Equality and Human Rights, government prioritisation of community cohesion issues, public authorities’ race equality duty, and the development and evolution of Local Strategic Partnerships in particular, will need to be taken into account in the process of establishing aims, objectives and priorities.

It will not always be possible for race equality and other equality agencies to adapt their current structures and organisations to meet these new demands in sufficient measure. Local race equality organisations will have to make strategic, and possibly irreversible choices, as to what local service are needed and how they are to be

delivered. More pronounced specialisation may be required along the lines of the four REC types described in Chapter Two. Alternatively, there could be a radical diversification involving other equality strands.

Consideration should be given to the new models of delivery outlined in Chapter Three (particularly the Partnership for Equality and Cohesion). If community cohesion is the local priority, then features of Ouseley's Centre for Diversity, Learning and Living could be included. In rural areas, the County-Wide Equality Model might be more suitable. Whatever course is pursued, existing organisations need to be aware of the changes and choices affecting them, and adapt their aims, objectives and priorities accordingly.

2. Strategic awareness and positioning

Equality organisations that fail to understand the power structures in which they operate, or the changing social climate, rapidly become isolated and irrelevant. Failure to sustain or generate increased economic resources impacts directly on the organisation's ability to deliver its objectives, but, in the long run, the inability to sustain or win political allies, or to enter into partnerships (or conversely, to avoid creating enemies) is equally damaging.

The focus in preceding chapters has not only been on achieving a far greater strategic awareness of the role of local equality work, but on positioning any local equality organisation at the hub of inclusive local service delivery and the community.

If it is to have any relevance at all, an equality organisation has to work closely with the public, private and voluntary sectors, and local communities themselves, to tackle social problems of health, crime, education, transport, housing and the local environment, each with its own significant (in)equality components.

It is essential that the local equality organisation avoids adopting an inward-looking 'silo' mentality and turns itself wholeheartedly outwards, working always at the interface with other agencies in the public, private, voluntary and community sectors. In this respect, it has to become an 'inside-out' organisation, recognising that the only effective way of promoting and mainstreaming equality is in its relationships with others. Its effectiveness will be judged only on the way these relationships bring about change in those other social institutions.

Local Strategic Partnerships are the government's preferred way of developing integrated approaches to local service delivery and of dealing with policy (including equality promotion) in a joined-up way. A model of how a local equality agency (a Partnership for Equality and Cohesion) might be developed to operate at the very heart of a Local Strategic Partnership is set out in Chapter Two.

3. Strong links with local communities

An equality service must have close links with the communities it has been set up to serve. These communities of interest, or of residents, need to be sharply defined and targeted in line with the need for clarity of organisational vision. Some of the more vulnerable groups with which (race) equality councils might seek to engage are listed

as ‘new and potential user groups’ in Chapter One. As might be expected, the groups with which established support agencies are least likely to relate to, meet with on a regular basis, or involve in the consultation process, are the ones least likely to receive equality of treatment in service provision or in other respects.

The degree to which an equality organisation establishes and sustains supportive links with the communities it purports to serve is a central justification for its continued existence. An equality organisation that has little or no contact with groups, such as Gypsies and Travellers, asylum seekers or refugees, black and minority ethnic communities living in isolated rural areas, victims of Islamophobia, mixed-race people or, for that matter, alienated and excluded white communities, yet claims the right to speak out on behalf of their interests, can have little credibility.

The support and confidence of communities is difficult to achieve and sustain, and the success of many RECs in surviving on the basis of their communities’ support over many years should not be underestimated. There is a strong argument for building future equality work onto long-standing organisations. The very fact that these organisations have survived, year on year, is a measure of local communities’ support for them and belief that they meet a need, real or imaginary.

The strength of tradition is also a weakness. The question of whether the communities supporting the original project have moved on, or have had their needs satisfied, whether new communities with pressing needs have been ignored, and of whether the organisation continues to serve any useful purpose, are seldom asked or objectively answered.

The fact remains, however, that any new equality organisation, especially one dealing with multiple equality strands, will have to identify carefully the communities it is set up to serve and establish close and supportive relationships with them. Alternatively, it will need to involve existing organisations, with already established community links, in partnership and/or governance arrangements.

Organisations focusing on community cohesion issues will have the further task of improving relationships between communities that live separate or ‘parallel lives’ and which frequently exhibit their mistrust for one another. Bridge-building activities require the bridge-builder to have firm foundations on either side of the divide.

The beauty of Local Strategic Partnerships (LSPs) in Neighbourhood Renewal Areas is that they are usually supported by Community Empowerment Networks (CENs), established with the specific purpose of encouraging local people, in particular, minority ethnic and faith communities, women, older people, young people and children, and disabled people, to participate in local decision-making. The proposals for a Partnership for Equality and Cohesion, set out in Chapter Two, draws on the strength of the local CEN to ensure that a broad spectrum of community links is established and that community interests are expressed in the development of equality initiatives.

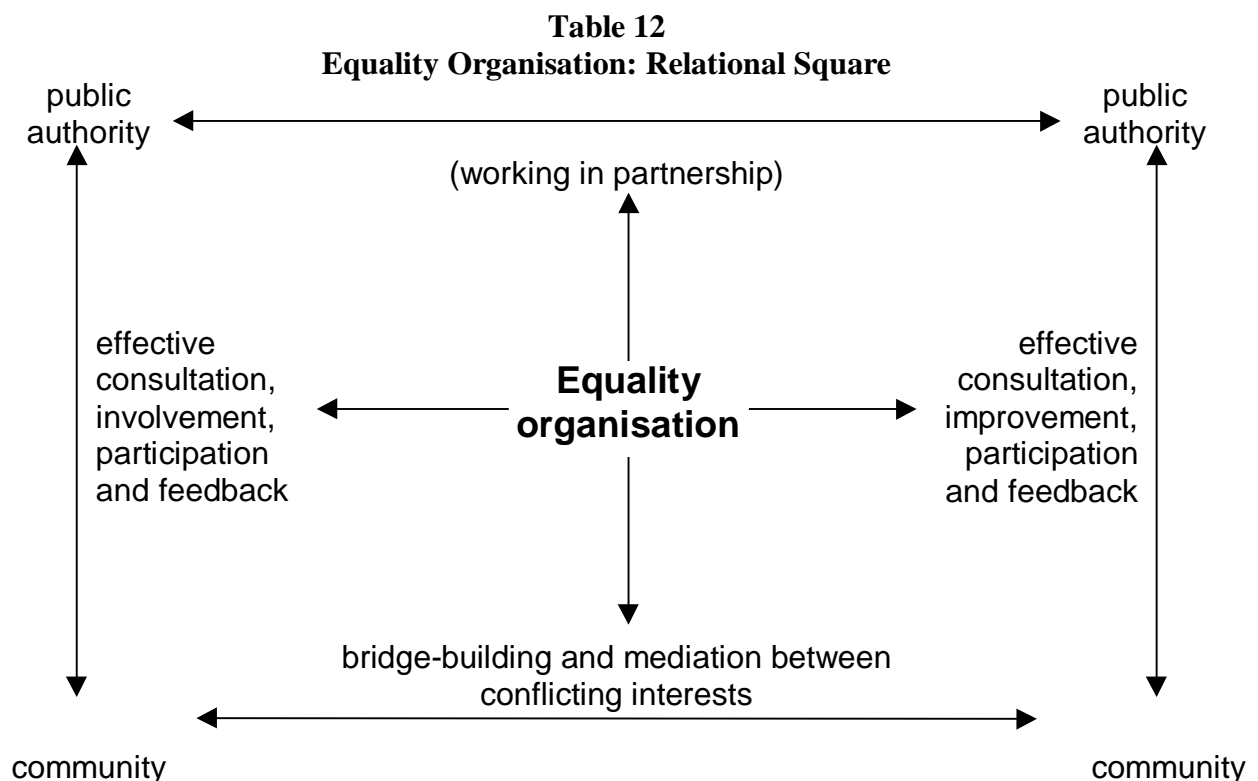
4. Strong links with public authorities and other service providers

The government is committed to raising standards and improving services across the full range of public services. Success involves reaching all sections of the community, especially the most disadvantaged. Many public authorities have equality targets aimed at raising the standard of their services to particularly vulnerable groups. In addition, the Race Relations (Amendment) Act places a statutory duty on listed public authorities to promote race equality. Public authorities which have to produce race equality schemes are required to consult with the general public and service users on how best to ensure all racial groups are treated equally. Public authorities working in partnership are also expected to draw up a joint race equality strategy. The White Paper on the Commission for Equality and Human Rights makes it clear that the duty currently to promote race equality will be shortly extended to cover two other equality strands: gender and disability.

Local equality organisation has an essential role to play in relation to the service improvement agenda of public authorities, whether working singly, or in partnership. If the local equality organisation has strong links with local communities, it will be in a good position to consult with them about local services and monitor the quality of delivery to provide essential critical feedback to the authorities.

Equality organisations, therefore, must develop friendly relationships with key personnel working for public authorities on equality and other strategic issues, and have ready access to the committees that make decisions affecting local communities. The Local Strategic Partnership and its thematic groups provide major opportunities for involvement of this kind.

With effective links established with local communities and public authorities, an equality organisation will be well placed to act as an essential bridge-builder or mediator to ensure relations are good and all are fairly treated. Table 12 shows the relational square that an effective equality organisation will work to establish.



In contrast with the requirement in the public sector to engage wholeheartedly with the service improvement paradigm, an equality organisation working with the private sector would need to focus on the business case for diversity management initiatives. Again, access to the private sector might be facilitated by links through the Local Strategic Partnership's economic forum to the Chamber of Commerce and Business Link.

5. Autonomy and independence

Unlike large impersonal public authorities, voluntary sector bodies are regarded as being close to communities and in a strong position to articulate and aggregate local needs. The voluntary sector is thought to play a useful role in responding innovatively to emerging needs, in augmenting and plugging gaps in existing services, and in pressuring local government and public authorities to improve their practice.

The recent Race Relations Act, aimed at eliminating all vestiges of institutional racism and ensuring there was no repeat of the events exposed in the MacPerson report, requires public authorities to undertake specific duties, one of which is to consult with local communities about their race equality schemes. Within this context, it is important for a voluntary equality body to be in a position to voice freely any criticism it may have. With any lesser arrangement, institutional racism or sexism is unlikely to be exposed. The Commission for Racial Equality currently stresses that local race equality agencies should have the autonomy to exercise just such a critical function.

While being encouraged to work in partnership with local authorities, such as the police and local councils, and to seek funding from them, equality organisations should have sufficient freedom, autonomy and critical space to speak out against what they may judge to be unfairness in the operation of the public services. Autonomy of this kind and the perception of its existence must remain at the heart of local equality work.

In practical terms, this means an equality organisation must be a separate autonomous organisation, with community groups, rather than funders, in a majority on any governing body. Local equality organisations should be largely accountable for their work and performance to local communities, as well as, but to a lesser extent, to the public authorities that fund them.

This may imply a governing board of three or four parts, two, at least, consisting respectively of community groups and voluntary agencies. In the final analysis, the organisation must be accountable to the local communities it was set up to serve, not to funders or public service providers.

6. Accessible, relevant, and reliable service provision

Just as it should be clear about its aims and objects, and the groups it serves, an equality organisation needs to decide on the services it will provide and make them known to users and potential users. The organisation is likely to have to provide services not only directly to individuals and local communities, but to public

authorities and, possibly, the private sector. Even within these parameters, there is a vast range of community needs and of public authorities.

Any equality organisation will have to demonstrate considerable flexibility in catering for these needs while, at the same time, maintaining its claim to specialist expertise. A small organisation might have difficulty in providing the range of services, demanded alike by communities and public bodies, but failure to satisfy the demand, once generated, might jeopardise any further service level agreement and funding. Conversely, of course, an insufficient or reduced budget is likely to restrict the range of services that the organisation can offer.

As has already been argued, there is a strong case for greater organisational specialisation in areas such as complainant aid, support for victims of harassment, community cohesion projects and conflict resolution, or public education and awareness-raising, (all accompanied by the extension of a single equality remit to other equality strands). There is also the need for a coordination of the various elements of equality work at local level and their incorporation into a comprehensive local equality strategy or plan.

In deciding on service range, the views of potential clients and user groups have to be taken into account. It is clear, for example, that local communities want complainant aid and victim support: services involving one-to-one casework and usually requiring expensive legal expertise. Funding for these kinds of service is not easy to obtain.

Public authorities, on the other hand, expect help with their race equality schemes, with policy development, neighbourhood renewal and regeneration, and consultation with hard-to-reach groups. These two distinct sets of demands have not in the past proved easy to reconcile.

For any equality organisation to succeed, it is essential that it gets clear what services it wishes to provide and specialise in, and ensures that they remain relevant, reliable and accessible to all who need them. The quality of the service and the reputation of the organisation has to be maintained in the face of all pressure to take on other funded tasks which the organisation has neither the capacity or expertise to deliver. In order to remain flexible and financially solvent, race equality organisations have been pressured in the past to become 'Jack/Jill of all trades and master/mistress of none', often raising expectations only to disappoint them at a later stage. This scenario of 'mission drift' has to be avoided if the organisation is to succeed, not only on its own terms but, more critically, on those of others.

Another requirement of equality organisations is that their services are locally accessible. This involves making potential users aware of the services and their availability and ensuring they can be accessed conveniently. This requirement is particularly pertinent in rural areas and for isolated black and minority ethnic individuals and families. It may require further thought to be given to the establishment of support networks using modern communications media of, for example, mobile phones, video-links and email.

7. Sustainability and development potential

A local equality organisation has to be of a sufficient size to be able to undertake the jobs expected of it. It has long been realised, for example, that the old singleton REC, where one race equality officer was expected to do everything, is not a viable option. Often, business came to a halt if the officer was sick, on holiday, or suspended for any length of time. And yet, strip out the time-limited project work of most RECs, and there are very few core staff in post. A staff complement of five is likely to be the minimum requirement to guarantee the sustainable long-term success of any kind of equality organisation.

The achievement of critical mass is essential to an equality body's success. Without a sufficient size it will be unable to deliver its services in sufficient quantity or quality. Its staff will be unable to specialise or to hone their skills and will rapidly relinquish any claim to be expert in their field. Overworked, they will soon lose any creative get-up-and-go and resort to the kind of routine response that inevitably fails to bring about change. The key is the acquisition of income to pay for a complement of suitably-qualified staff.

Although increasingly judged on their ability to provide relevant services to the community, many voluntary organisations experience difficulty in obtaining funding on a regular basis to sustain their work. RECs, in particular, have been beset by a steady reduction in the proportion of their budget supported by grant aid from the Commission for Racial Equality. This funding was originally envisaged as a quantum to support the salary and pension of one or more full-time race equality officer posts.

Under *Getting Results*, the CRE's latest funding regime, funding is directly related to proposed outcomes, and awarded on an annual basis per approved outcome, each of which must relate closely to the CRE's national priorities. As already mentioned previously, across the West Midlands as a whole, only one tenth of RECs' income is provided by the CRE. Local authorities contribute a fifth and the other two thirds currently come from the Community Fund and various neighbourhood regeneration grant programmes, such as the NRF and SRB. In rural areas, regeneration funds of this kind are generally not available

Funding is likely to be based on the delivery of outcomes, with correspondingly little so-called 'core funding' and most grants made on a short-term basis. In this uncertain financial climate, local equality organisation will be strongest and most financially viable when it attracts funding from a multiplicity of sources.

Paradoxically, as a result of the urgent need for voluntary sector managers to persuade others to give their organisations money, the success of personnel is no longer judged on the basis of knowledge and skill in the field, but on entrepreneurial skills, demonstrated by the speed with which the budget of the organisation expands. A good manager is seen as one who is able to attract funding.

It is apparent that unless there is some radical change in government policy towards voluntary-sector equality work, any local equality organisation will continue to experience demand for services far outstripping its capacity to supply them.

8. Competitive conditions to recruit and retain quality staff

Conditions of service in RECs have deteriorated in recent years. The CRE no longer underwrites race equality officer salary costs, nationally agreed pay scales have been abandoned, and the CRE/REC pension scheme has been closed to new appointees. Most REC employees have been denied success to the Local Government Pension Scheme. The majority of staff is on fixed-term contracts (making it difficult for them to obtain mortgages, for example). Their conditions compare most unfavourably with those in the public sector.

If the staff of an equality organisation are to provide quality services, they need attractive conditions, including opportunities for training and development. This can only partly be achieved through higher rates of remuneration. The financial stability of a voluntary organisation, with permanent appointments, and some measure of career progression, would enhance staff prospects and, in the longer term, improve the quality of the service on offer.

Equality organisations need to have staff who are sufficiently knowledgeable and skilled to provide advice and consultancy services that can be relied upon and respected. They will need to employ enough people to allow for specialisation. It is increasingly a requirement (particularly in this field) that advice and decisions should be evidence-based, with the implication that some staff at least should have current knowledge of research techniques.

Staff must also be kept up-to-date with other subject specialisms through training and staff development. Any successful organisation has to develop the core competences necessary to deliver the diverse set of services required of it. Equality policy development and delivery, and community regeneration techniques, are becoming increasingly specialised and sophisticated.

9. Management expertise

Management expertise is essential in any small organisation hoping to tap into a multiplicity of funding streams, to respond to the conditions imposed by different funding bodies, to elicit support from local communities, and to provide them with relevant high-quality services, as well as to mount successful projects and build a motivated team of staff. Indeed, precisely because the organisation is small and comparatively politically and financially fragile, the senior staff member must have considerable management knowledge, skills and experience. Otherwise, the organisation will fail, or at the very least, fail to live up to expectations.

In regard to current forms of equality organisation, the essential management skills are entrepreneurship and financial management, human resource management (with sound knowledge of employment law), project management (projects and services have to be delivered on time to specification), and, specific to the job, diversity management. A knowledge of quality, contracts, and estates management will not come amiss, either.

A manager will not be respected by a chair, executive committee, funders, public authority or private sector managers, politicians, or members of local communities, if

these skills are not apparent on the job. Advice given to others on, for example, management of diversity will not be appreciated if it is apparent that the advice giver is an incompetent manager.

Having a good manager is a prerequisite for all successful organisational endeavour, and probably even more so in small voluntary sector service delivery agencies. Unfortunately, good highly-motivated and committed managers rarely emerge naturally, have often benefited from expensive management training, and come at a price. Given the salaries and conditions in the voluntary sector, the quality of existing services should come as something of a pleasant surprise.

Appendix A

The Functions of a Race Equality Partnership

The Race Equality Partnership's functions are set out as follows:

Policy development

- To facilitate collaboration between the public, private and community sectors, by means of the Local Strategic Partnerships and other thematic, geographical and cross-cutting partnerships, in order to promote race equality, encourage inclusivity and improve community cohesiveness.
- To assist local service providers to work individually, and in partnership with one another, the private sector, and the broader community, to ensure their services are delivered in an holistic manner, free of institutional racism and discrimination.
- To advise and assist public authorities on their general and specific duties under the Race Relations (Amendment) Act 2000 and, where appropriate, to monitor and scrutinise their performance in relation to the legislation.
- To assist in identifying, assessing and monitoring functions and policies that impact on race equality, consulting groups that may be affected by those functions and policies, and making available information about the outcomes of assessment, consultation and monitoring exercises, and the benefits or services available.

Community development

- To engage with, and participate actively in plans, programmes and services aimed at alleviating disadvantage and discrimination and improving social conditions.
- To play an active role in local forums and community networks aimed at involving members of local communities in the decision-making processes that affect their lives.
- To encourage, support and empower groups, such as women, disabled and other persons, faith and youth groups, and people from black and minority ethnic communities.
- To contribute to community cohesion by playing an active part in developing a common vision, a sense of belonging, an appreciation of diversity, and strong and positive relationships between people from different backgrounds in local schools, colleges, places of work and residential neighbourhoods.

Casework

- Either separately, as a free-standing service, or in partnership with (a) other agency(ies), to give information, advice and other support to individuals who seek assistance as a consequence of their experience of unlawful discrimination, particularly of a racial kind, in circumstances where such information, advice and support are not readily obtainable from other local agencies.
- To offer help and support to victims of racial harassment, intimidation, and violence, and other racially-motivated crime.
- To monitor closely incidents of discrimination and racially motivated crime, with a view to providing information and advice to public authorities on measures that might be taken to reduce their number.

Public information and education

- To provide information and education to members of the public and to local organisations, especially those that are members of the Local Strategic Partnership, on race and community relations with a view to dispelling misconceptions and stereotypes and promoting understanding and tolerance.
- To monitor national, regional and local media news, views and opinion about racial groups and their relations and to take action to redress misinformation and promote positive reporting about the benefits of living in a multi-racial environment.
- To monitor and take effective action against the propaganda, behaviour and campaigning of extreme nationalist and racist groups that oppose the Race Relations Act and other anti-discrimination legislation and seek to undermine good race relations and the cohesion of local communities.

General

- To undertake any other similar function compatible with the general objects.
- To work closely and in collaborative partnership with other race equality organisations within the region to fulfil these functions.

(These functions are derived from the draft constitution prepared for Race Equality Sandwell. We wish to thank Race Equality Sandwell for its permission to reproduce this list.)

Appendix B

Extract from the Response by West Midlands Region Race Equality Councils to the White Paper, *Fairness for All: A New Commission for Equality and Human Rights*

Thank you for the opportunity to respond to the White Paper on the proposals for a new Commission for Equality and Human Rights (CEHR). We are aware of the previous opportunities we have had to respond to *Towards Equality and Diversity*, and *Equality and Diversity, the Way Ahead (ODPM)*. Nevertheless, the consequences of the current proposals for our members are likely to be long-lasting and fundamental.

We have now met on two occasions especially to discuss the White Paper. We should like to address four of the five questions on which you are seeking opinion.

Areas of activity the CEHR should support at local level to further its overall mission to promote relations between different communities.

We welcome the proposal for the CEHR, in common with its precursor, the CRE, to be given the power to award grants to organisations operating at local level. We note that the CEHR will be able to give financial support to ‘local projects with a good relations or equalities remit, delivered by voluntary or community organisations with robust systems of accountability and transparency and where proposals are clearly defined’. This clause, however, suggests that you may have in mind the CRE’s *Getting Results* model of funding, with its emphasis on funding outcomes which directly serve Commission priorities.

We should point out that this model ignores many of the principles set out in the *Compact on Relations between Government and the Voluntary and Community Sector*, and has already resulted in the collapse of a number of previously effective delivery agencies, and to gaps developing in what used to be a comprehensive national network. Its weakness is its failure to recognise the importance of core funding for small voluntary organisations, and the allocation of 100% of grant aid to the delivery of individual annual project outcomes (without any account being taken of the previous record of delivery).

There is recognition in the White Paper that the network of RECs provides a good foundation for the CEHR’s support at local level, and, of course, we welcome the commitment given to support important local race equality work through this network. However, the failure to ring-fence Section 44 funding for RECs, coupled with the proposed policy of distributing grants to a range of other voluntary organisations, as under *Getting Results*, spreads the available resources more thinly, undermines the financial viability of individual RECs and reduces their critical mass, resulting in fewer staff, poorer conditions, the loss of specialist expertise, and ultimately large holes developing in the network.

From our point of view, it is important to support not only projects and outcomes, but an infrastructure of competent credible expert delivery agencies, that is, the means of delivery as well as the outcome, end, or objective. The importance of preserving a local presence of this kind should not be in doubt. In the summer of 2001, for example, Burnley experienced serious social disturbances. There were signs of similar unrest in Stoke-on-Trent but intervention by the local REC dealt effectively with the problem. Burnley did not have a REC.

The White Paper defines the role of RECs/REPs narrowly as that of delivering programmes aimed essentially at bringing about community cohesion, with examples given (we assume from the priorities set out in the CRE's *Getting Results*) of promoting leadership and civic participation among young people and women in minority ethnic communities. The CEHR will also support outreach services for disaffected groups such as Gypsies and Travellers, and projects for ethnic and religious conflict resolution. This agenda for RECs follows almost exactly the priority areas for funding, outlined in the CRE's *Getting Results, a new approach to funding local racial equality work*, which are confined to community development projects and outcomes.

We wish to point out to you, as we have to the CRE, that this programme by no means reflects the scope of race equality work at local level. According to the long-standing CRE model constitution, RECs have four objects: policy development, community support, assistance to individuals, and public education. The White Paper appears to recognise only one of these: community support, interpreted largely to mean building bridges between communities, rather than capacity building single ethnic groups (an interpretation and objective, which we have no difficulty in accepting and of shifting the focus of our work towards). The point at issue, however, is the failure to recognise or take into account (i) RECs' role in providing advice and guidance (and in some cases legal representation) to complainants of racial discrimination, (ii) their extensive local policy development work, often in close partnership with public authorities anxious to improve their performance in relation to their new duties under the Race Relations (Amendment) Act, and (iii) their contribution to local public awareness raising and education, particularly now, in a context of misinformation about immigration, asylum seekers, and refugees.

We note with concern the failure to recognise in Section 7.14, the role RECs play in providing specialist information, advice and support to individuals, often working alongside or in partnership with, or taking referrals from, CABs, although we recognise that these services have been greatly truncated in recent years through lack of funding. It should be pointed out, however, that complainants, more often than not, are not members of trade unions, and that the strategic approach recently adopted by the CRE to taking on case work, means that there is an unsatisfied demand for local complainant aid services and no agency or service to refer clients to.

We would like you to reconsider and correct your view of the functions currently undertaken by RECs/REPs and to amend your proposals to take into account local demand for (i) aid for complainants of discrimination and (ii) partnership working, advice and consultation from public authorities, and (iii) public awareness raising and education from local schools and colleges.

Strategies for working with individuals, business and the public sector.

As previously pointed out, discrimination case work provision for individuals is currently inadequate and the situation has been made worse by the CRE's decision to take up only legally strategic cases, a policy that, as it stands, is now to be adopted by the CEHR. It is not at all clear whether and how individual complainants of discrimination will receive support. If help is to be offered across the six strands of equality, then demand will inevitably increase. Your current proposals are insufficiently precise to come to any conclusion as to whether the CEHR arrangements will be an improvement on what we have now, which is already dire. You admit this, but without offering a solution, in paragraph 7.20: 'The CEHR will not be expected to provide support across the board to all individuals with discrimination cases. This would risk opening up unmanageable demand and overwhelming the CEHR. Working to support partner advice-giving organisations will be a more effective approach'.

We are aware that 80 per cent of employees work in the private sector, many in a small and medium size business environment. We believe that RECs/REPS have a role in helping local business achieve compliance with the law both as employers and service providers. If appropriate materials are developed as suggested (7.26), it is likely that local advice and assistance will be in greater demand.

Again, in relation to support proposed for the public sector, there is no recognition of the role currently played by RECs in relation to assessment of functions for relevance, community consultation, and dissemination of information. We welcome the proposal (in 7.52) to promote cross-sector learning in relation to equality promotion. Peer review of race equality schemes is another way of taking forward the agenda. Currently, our umbrella organisation, Race Equality West Midlands, helps to coordinate a regional local authority forum and an LSP forum aimed at improving race equality work.

Other activities at regional level

In general, we are very much in favour of the proposed local and regional arrangements, but are conscious that they remain at a very general level of development. The CRE has had a regional presence, of course, which on the whole has been very supportive of local race equality organisation, but lately regional offices have been closed (Leeds) and the partnership office has been relocated to London. This has only served to highlight the necessity of a regional and, indeed, local approach to information gathering and support services.

The West Midlands region has developed its own regional race equality forum and strategic and capacity-building agency in the form of Race Equality West Midlands. A regional approach to voluntary sector organisation capacity building in the field of equality might be a useful way forward.

Race Equality West Midlands is currently in the process of developing new models for the delivery of equality work at local and/or sub-regional level, and is particularly interested in taking local equality promotion into the structures centring around Local Strategic Partnerships. We should be happy to share ideas and to join any working

group set up to map existing local equality promotion arrangements and to develop new models for generic approaches.

Ensuring that stakeholders have meaningful opportunity to shape CEHR priorities.

Finally, we should like to comment on the question of the CEHR's accountability to the various groups suffering from discrimination, which it will eventually serve.

Government policy recognises the importance of policy on inclusion for its LSP and service improvement initiatives. The Race Relations Amendment Act expects public authority service providers to consult on their race equality policies and schemes.

We welcome the proposal for dialogue with voluntary and community sector organisations, particularly those led by and working for individuals who experience discrimination.

One criticism of the Commission for Racial Equality's past approach is that it has no systematic or formal means of consulting with the public, race equality councils, users, potential users or beneficiaries.

The CEHR proposals are not sufficiently detailed to reassure us that service provider or beneficiary group involvement in planning, prioritisation or decision-making will be significantly different from those presently in operation. We believe that lack of beneficiary involvement is a significant weakness in current CRE governance. We would not like to see plans for the new organisation going ahead without greatly strengthened arrangements for 'bottom-up' or community accountability.

**West Midlands Race Equality Councils and Partnerships
20 July 2004**

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Race Equality West Midlands

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- RED 1 *Community cohesion, Bradford, Burnley and Oldham: four significant reports* (January 2003).
- RED 2 *The draft statutory code of practice on the duty to promote race equality* (February 2002).
- RED 3 *Ethnicity and religious affiliation in the West Midlands region: information from the 2001 Census* (Spring 2003).
- RED 4 *The success of the British National Party and other extreme right-wing parties in the local elections on 1 May 2003* (May 2003). RED Supplement: *From BUF to BNP: a concise chronology of extreme right-wing activity in Britain and of the responses to it* (May 2003).
- RED 5 *How should local race equality work be organised? Developing and positioning race equality organisation in the context of Neighbourhood Renewal and the statutory duty of public authorities to promote race equality* (October 2003).
- RED 6 *Race equality councils and partnerships: their strengths, needs and aspirations. The 2003 audit of resources of West Midlands race equality councils and partnerships* (February 2004).
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