

MINUTES OF A MEETING OF THE CABINET COMMITTEE - EQUALITIES HELD IN COMMITTEE ROOM 2/3, CIVIC OFFICES, ANGEL STREET, BRIDGEND, ON THURSDAY, 13 MARCH 2014 AT 10.00AM

Present:

Councillor D Sage - Chairperson

Councillors

M E J Nott MBE
M Gregory

Councillors

L C Morgan
P J White

Invitees:

Councillors

M W Butcher
C A Green
R C Jones

Councillors

M Reeves
M Thomas
H J Townsend

Officers:

D Mepham - Chief Executive
S Kingsbury - Head of Human Resources and Organisational Development
E Blandon - Marketing and Engagement Manager (HR)
W Wilcox - Group Manager Disability, Transition and Case Management
A Rees - Senior Democratic Services Officer – Committees
P Williams - Equalities and Engagement Officer

Invitees:

S Bowler
J Rowlands

54 THANK YOU

The Deputy Leader and Chairperson placed on record his thanks to Councillor Gregory - Cabinet Member - Resources for his support in chairing meetings of the Committee during his recovery from an accident.

55 APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members for the reasons so stated:-

Councillor H J David - Other Council Business
Councillor D M Hughes - Work Commitment
Councillor C L Jones - Work Commitment
Councillor C Reeves - Trade Union Commitment

56 DECLARATIONS OF INTEREST

None.

57 MINUTES OF THE PREVIOUS COMMITTEE MEETING

RESOLVED: That the minutes of a meeting of the Cabinet Committee - Equalities of 18 December 2013 be approved as a true and accurate record.

58 SUPPORT FOR TRANSGENDER PEOPLE IN BRIDGEND

The Corporate Director Resources presented a report which gave an overview of the support available for transgender people in Bridgend County Borough and introduced Samantha Bowler - Diversity and Equality Trainer/Consultant and Vice-Chair of VALREC who would make a presentation to the Committee on raising awareness and supporting transgender people and who would describe the issues faced by transgender people and the support available to them in the County Borough.

Samantha Bowler presented her life story of living with gender dysphoria in presenting the issues faced by transgender people. She stated that she is a father and had suffered racism and had lost her job as she was going through the transition process. As a result of her dismissal, she had taken her former employer to a tribunal and won her case against dismissal.

Samantha Bowler informed the Committee that there are thousands of transgender people in all walks of life and they need a platform to be heard in order to highlight their issues.

Samantha Bowler informed the Committee that she was going through the medical transition and had previously been well thought of in her job in the construction industry and during the transitioning had lost contact with many members of her family and friends. She outlined the difficulties in the transition process and that she had required changing her body.

Samantha Bowler outlined to the Committee the different characteristics of gender and sexuality in that transgenderists are persons who live full time as a gender other than their biological sex. Transexuals are persons whose gender identity through their self-perception as a male or female, while gender queer is a term used to describe a gender variant person. She informed the Committee that sex is assigned at birth and gender refers to socially constructed roles. Transgenderism is a birth condition and that people suffer from gender dysphoria which is also known as gender identity disorder. She stated that transgenderism is not about sexuality and that men, women and animals can be affected with gender dysphoria affecting 1 in 10,000 babies.

Samantha Bowler informed the Committee that supporting transgender people had improved but accessing the NHS was still problematic in that there were a few GP's who did not understand transgender issues or had personal prejudices and it was difficult to have access to treatment. Many transgender people faced losing their wife, husband, partner, family and friends, their home, job and may have to cope with rejection, hate crime and prejudice.

Samantha Bowler informed the Committee that she wanted to help children in the transitioning process.

She stated that her son had experienced bullying by teachers as a result of her transition and highlighted the importance of training being available in schools to raise awareness of transgender people. She also highlighted the difficulties in employers accepting transgender persons and stated that although hate crime could not be eradicated, people could be educated at an early stage.

Samantha Bowler outlined to the Committee the NHS care pathway and that she had gone through a four and a half years process of waiting as there was only one clinic available in

Charing Cross, London but no longer taking on more cases. She highlighted the benefits of treatment in that since her transition was now working delivering training and therefore paying taxes. She stated that without treatment she would not have been able to get a job, would have had difficulty in accessing housing and been on benefit.

Samantha Bowler outlined the male to female transition and that since her transition had been offered a job as an assessor in the construction industry training board. She stated that transgender people's liberty was restricted in accessing facilities such as swimming pools and that more than one in three people had attempted suicide and had also required access to mental health services. Locally, the support group ABFABB was facing cuts in its funding which would affect the organisation's future, thereby impacting on the support available locally to transgender people. Since September 2011, the Police had reported a rise in transgender hate crime in the United Kingdom and that hate crime in Bridgend was still prevalent, however the reporting of incidents was low. She stated that the Crown Prosecution Service would often downgrade hate crime prior to Court to disorder in order to secure a conviction. She stated that the Welsh Government had no reliable statistics on the number of people in Wales based on gender reassignment. There was a need for positive role models and that 48% of transgender people had been the victims of assault and 79% had been verbally abused by strangers and 43% the victims of crime, whilst 80% of transgender people had been the victims of domestic abuse. She stated that there was a need for support and that the Police had taken positive steps in that they had trained her to be a trainer. The ABFABB project based in Bridgend Town Centre had set up a Forum with the Police and the Council's Equality and Engagement Officer. The project's funding was largely through the Big Lottery Fund, and with its Communities First funding ending, the project faced uncertain times ahead.

Samantha Bowler stated that work was ongoing with Social Services and that a three year training and advocacy project was being developed. However, there was a lack of support from public service providers to transgender people and there was a need to improve diversity training and the need for increased support services. She thanked the Committee for listening to her presentation.

The Committee asked whether there was a process in place for the gender of birth certificates to be changed. Samantha Bowler confirmed that as a result of the Gender Recognition Act 2004 a person who had gone through transition could now be issued with a new birth certificate of a different gender, however this could take up to a year to process and a great deal of evidence would have to be presented before a birth certificate was changed. The old birth certificate would then be archived.

In response to a question from the Committee on the Welsh Government initiative to tackle hate crime, Samantha Bowler stated that the Welsh Government initiative was likely to come out later this year. ABFABB are working with the Police in an effort to tackle hate crime in the Bridgend area which was not only prevalent locally but throughout the UK. Samantha Bowler confirmed there were more organisations supporting transgender now and that advances had taken place through training in the Police, however hate crime was increasing. Many abuses experienced by transgender people went unreported as it was not worth the paper trail of pressing charges.

Members of the Committee considered the need to increase public awareness and for support to transgender people to be raised on a wider basis at a pre-Council presentation.

Jayne Rowlands informed the Committee that a march to celebrate equal marriage would be taking place in Bridgend Town Centre on 29 March 2014.

Samantha Bowler informed the Committee that she worked with the Scrutiny Panel on hate crime and that in the interests of securing a conviction the CPS will prosecute on a reduced charge from the original offence of hate crime.

The Chief Executive informed the Committee that the biggest impact to supporting transgender people would be to have the right training in place which could be held at a Head Teachers Conference. The Committee also considered that training on support for transgender people could be provided to school governors. Samantha Bowler stated that she had highlighted her child's bullying to the governing body of the school he attended which had since implemented recommendations she had made to the school.

Jayne Rowlands informed the Committee that a Focus Group had been set up with health professionals due to there being only one clinic available for treatment.

The Group Manager Disability, Transition and Case Management informed the Committee that she would raise the issue of training for front line social services workers on support for transgender people.

RESOLVED: That:-

- (1) The Committee place on record its thanks to Samantha Bowler for her very informative presentation on support to transgender people.
- (2) That arrangements be made to all Members to receive a presentation on support for transgender people at a pre-Council briefing.
- (3) That arrangements be made for governor awareness training and a head teachers conference on support for transgender people in Bridgend.

59 SUPPORT FOR CHILDREN WHO ARE CARERS IN BRIDGEND COUNTY BOROUGH

The Group Manager Disability, Transition and Case Management reported on the definition of a carer which was defined in the Carers Strategy (Wales) Measure 2010 as an individual whether an adult or a child, who provides or intends to provide a substantial amount of care on a regular basis for a child who is disabled or an individual aged 18 or over. It was estimated that there are over 350,000 unpaid carers in Wales and that young carers are children and young people who look after someone in their family who has an illness, disability, or is affected by mental health or substance misuse. She stated that young carers often take on practical and/or emotional caring responsibility that would normally be expected of an adult, with the tasks undertaken varying in nature and the level and frequency of need for care and the structure of the family as a whole. She also stated that some young carers may undertake high levels of care, whereas for others it may be frequent low levels of care, however, either can impact heavily on a child or young person.

The Group Manager Disability, Transition and Case Management outlined the local support for carers and achievements to date.

The Group Manager Disability, Transition and Case Management informed the Committee that the Carers Strategy (Wales) Measure enabled the introduction of legal duties on the NHS and local authorities in Wales to work together and in consultation with carers, to prepare, publish and implement a joint Carers Information and Consultation Strategy. The Measure was not targeted at specific age groups but encompassed carers of all ages including Young Carers and Young Adult Carers.

The Group Manager Disability, Transition and Case Management reported that senior managers in the Childrens and Wellbeing Directorates work closely in relation to the Carers

Strategy, with a key component being young carers. She stated that the assessment of young carers as an issue currently being addressed by the Carers Development Officer, which is a post funded for 12 months by the ABMU led Carers Strategy. Whilst some carers are being identified and signposted to support services, they were not being assessed consistently and there may be a number of young carers within the County Borough who had not yet been identified and unaware of the support potentially available to them. This was being addressed as part of ABMU Carers Strategy and the Development Officer post will play a pivotal role in moving this forward.

The Group Manager Disability, Transition and Case highlighted an overview of service provision for young carers and young adult carers within the County Borough to date and informed the Committee of a workshop for young carers taking place on 29 April at the Heronston Hotel and that representatives from the Committee were welcome to attend.

The Committee questioned whether the Council was successful in identifying more young carers. The Group Manager Disability, Transition and Case Management stated that improvements are being made and that schools are keen to working with officers to identify young carers. The Committee considered the need for schools to be more aware of young carers and to have a better understanding of the problems facing young carers and to provide young carers with support. The Committee also considered that it would wish to see areas where it was improving support to young carers to ensure that communities have the correct levels of support in place for young carers and a further report be submitted to the Committee.

The Committee questioned whether young carers were reticent about approaching Social Services for fear they may be taken away from their family. The Group Manager Disability, Transition and Case Management stated that there could be an element of young carers not approaching Social Services, but there was a need to identify service provision being put in place, not only education provision but Families First support and Early Intervention.

RESOLVED: That the information noted in the report be noted.

60 EMPLOYEE DATA COLLECTION PROJECT UPDATE

The Equalities and Engagement Officer reported on an update on the work being done to capture employees' equality and other sensitive information. He stated that the Council published its first Strategic Equality Plan in 2012 with an objective to describe the actions the Council will undertake to address equality issues within its workforce. An objective within this action is that "a significant increase in the level of employee data collected will be available which will assist the identification of barriers and arrears requiring action".

He reported that implementation of Phase 1 of the Data Collection exercise was planned over a twelve month period concluding in November 2013 and employees were asked to respond to a standard set of equality monitoring questions. An overall employee profile by each of the protected characteristics would then be reported to Committee for review on a bi-annual basis. Issues such as a disproportionate or over or under representation of a specific equality group in the Authority as a whole or in specific service areas would be addressed by Human Resources. He stated that the response rate was low with 924 employees completing the survey and work was now underway to address the reasons for this low response rate and to develop a more engaging employee strategy encouraging employees to respond. The revised date for conclusion of the project was the 30 September 2014. He stated that he would also encourage Members to engage in the survey.

RESOLVED: That the Committee noted the progress being made with the employee data collection project.

61 WELSH LANGUAGE (WALES) MEASURE 2011/WELSH LANGUAGE STANDARDS

The Equalities and Engagement Officer reported the Welsh Language (Wales) Measure 2011 will replace the Welsh Language Scheme with a set of enforceable national standards, which would impact on the work of the Council. The standards will be linked to the equalities agenda and form a key component of the Council's Customer Care Programme.

The Equalities and Engagement Officer reported that the First Minister had announced a timetable for making the first set of standards relating to the Welsh Language, with the Welsh Government aiming to have draft regulations for the standards in September 2014 in force by November 2014. He stated that the Council's Welsh Language Scheme would therefore come to a legal end in 2015, and that the first set of proposed standards had been published with the Welsh Language Commissioner using these as a basis for a 12 week standards investigation to determine whether Welsh Councils, National Parks and Welsh Ministers can comply with the standards and, if so, which standards should apply. There would be a requirement for annual monitoring reports in the interim period. The Welsh Language Commissioner will submit a report on the standards investigation to Welsh Ministers in May 2014 to allow for the drafting of the regulations. Preparations were underway for the Commissioner to conduct investigations in order to test performance and a compliance checklist had been drafted in order to test the Council's compliance with the proposed standards.

The Equalities and Engagement Officer reported that Council welcomed developments in legislation offering a more consistent level of service to Welsh speakers, and highlighted key points and concerns about the measure.

The Committee expressed concern regarding the additional burdens being placed on the Council which would not only have financial implications for the Council but was disproportionate to the number of Welsh speakers in the County Borough. The Committee also considered that the established Welsh medium comprehensive school in the County Borough would better promote the use of the Welsh language than the Council having onerous duties being placed on it. The Committee further considered the onerous requirements to be placed on contractors to comply with the Welsh language.

The Equalities and Engagement Officer informed the Committee that he would produce a further report on compliance with the Welsh Language Standards.

RESOLVED: That the Committee considered that compliance with the Welsh Standards would be onerous on the Council.

62 DRAFT ANNUAL REPORT 2012/13 ON THE STRATEGIC EQUALITY PLAN

The Equalities and Engagement Officer reported on an update on the work being done to develop the Council's second annual report on the Strategic Equality Plan. He stated that the Equality Act 2010 had set out both general and specific duties for local authorities in Wales, which included the specific duty to develop a Strategic Equality Plan to identify the Council's equality objectives and the publication of an annual report. The Act also introduced a new general duty for public bodies to eliminate discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between persons who share a protected characteristic and persons who do not share it.

The Equalities and Engagement Officer also reported that the Welsh Government had introduced specific duties for public authorities to publish equality objectives and a strategic equality plan by 2 April 2012. He stated that the SEP annual report gave the Council the opportunity to include 2012/13 updates relevant to required information, detail on equality impact assessments, procurement arrangements and training. It also allowed the Council to

outline work that had been taken forward under the previous Corporate Equality Scheme or linked in to the SEP. He highlighted the purpose of the annual report and the opportunities provided by the annual report, which placed an emphasis on evaluating progress over the reported period, rather than reproducing information included in the SEP. Progress made by the Council on each of the equality objectives and themes had also been included in the report.

The Committee commended the improvements made on the Strategic Equality Plan and on progress made in meeting the equality objectives and that the Council had been proactive in flying the LGBT flag amongst its equalities achievements. The Committee considered that a national performance indicator be developed to measure the performance of Councils on equalities issues. The Committee placed on record it thanks to officers for the hard work they do in communities on equalities issues.

RESOLVED: That Committee noted the progress being made on the Strategic Equality Plan.

The meeting closed at 12.20pm.