

## THE EXECUTIVE

17 AUGUST 2004

### JOINT REPORT OF THE DIRECTOR OF CORPORATE STRATEGY AND THE DIRECTOR OF EDUCATION, ARTS AND LIBRARIES

<b>THE EXPERIENCES OF LESBIAN, GAY MEN, BISEXUALS AND TRANSGENDER (LBGT) PEOPLE IN BARKING AND DAGENHAM</b>	<b>FOR DECISION</b>
<i>This report will assist the Council and its strategic partners in meeting the service needs of the LGBT community as well as the objectives of the new European Union (EU) Employment Directive on Sexual Orientation</i>	
<b><u>Summary</u></b>	
<p>This report is based on a survey carried out in the borough in 2002/2003. The survey explored the experiences of LGBT people living and working in the borough and identifies key issues and concerns which will help to inform policy and service planning.</p>	
<p>The survey was carried out because of the need for Public Authorities to address LGBT issues. This has become increasingly prominent on the Government's agenda, especially with the implementation of the EU Directive on Sexual Orientation and the recent proposals on gender recognition, partnership rights (Civil Partnership Bill) and tackling homophobic crime.</p>	
<p>The report was prepared through the active participation of 42 local lesbians, gay men, bisexuals and transgender people and professionals working in the field of LGBT support. The report highlights 12 key issues, one of which is employment.</p>	
<p>The recommendations in the Report cannot be delivered by the Council alone. The implementation requires co-ordinated multi-agency action through the Barking and Dagenham Partnership. As such, it is recommended that the report be formally referred to the Partnership for action.</p>	
<b><u>Recommendations</u></b>	
<p>The Executive is asked to:</p>	
<ol style="list-style-type: none"><li>1. Approve the contents of the report.</li><li>2. Agree the LGBT Strategic Statement of Intent; based upon the recommendations contained in the 'Breaking the Silence' Report</li><li>3. Endorse the establishment of an LGBT consultative mechanism and proposals to continue work with the local LGBT communities through the Council and the Partnership; and</li><li>4. Recommend that the Report and its Executive Summary be formally referred to the Barking and Dagenham Partnership</li></ol>	

<b><u>Reason</u></b>		
In order to respond proactively to the European Union Directive on sexual orientation and deliver on existing policy commitments in the Council's Corporate Equalities and Diversity Policy Framework.		
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## 1. **Background**

1.1 In June 2002, the Assembly agreed the Council's Corporate Equalities and Diversity Policy Framework, which included a Corporate Equalities and Diversity Policy Statement and 5 specific policy statements covering the following areas:

- Race
- Gender
- Disability
- Sexuality
- Older People

1.2 The policy statement on sexuality recognises the effects of homophobia in society and the discrimination and repression of lesbians and gay men in their daily lives. In addition, it makes the following specific commitments:

- *'To strive for the provision of equal access to its services and equal treatment of people who use its services and its employees who are lesbian and gay'*
- *To meet the specific needs of lesbians and gay men arising from the discrimination that they face. The Council recognises that lesbians and gay men have a range of different needs and concerns. It accepts its responsibility to identify these concerns and needs through consultation and research.'*

1.3 In order to implement these policy commitments, the Council needs to engage with local LGBT people and become aware of their needs and concerns. The 'Breaking the Silence' report was commissioned by the Council's Corporate Equalities and Diversity Team to enable the Council to establish contact and build up a knowledge of the views of this particular community and , in doing so, begin to fulfil its agreed policy commitments and tackle homophobic discrimination.

- 1.4** The race Equality Scheme (RES) is a three year programme and we have recently ended Year Two (2003/04 - Community Involvement). The scope of the Year Two RES Action Plan was extended to address 5 other equalities issues in addition to race. These are gender, sexuality, faith/belief, age (young and old) and disability. Bringing forward the study into needs and concerns of the LGBT community is one of the ways in which the Race Equality Scheme is being developed into a Generic Equality Scheme, as we continue to streamline our approach to equalities and diversity as a whole.
- 1.5** The inclusion of the policy statement on sexuality in the Council's Equalities and Diversity Policy Framework anticipated that these issues would form an increasingly prominent element in the Government's equalities agenda. That prediction has proven correct with the implementation of the EU Directive on Sexual Orientation which makes it unlawful to discriminate in employment on grounds of sexual orientation. Proposals have also recently been launched on gender recognition and partnership rights. The DfES now expects school bullying strategies to include homophobic bullying and the police have recently given much greater attention to homophobic crime.

## **2. The Methodology**

- 2.1** This report is the result of consultation with a sample of 42 lesbians, gay men, bisexuals and transgender people living or working in the borough and targeted professionals working in the field of LGBT support.
- 2.2** 92 local lesbians and gay men were initially contacted through the internet, a local support group, a lesbian and gay youth group based in Romford, a transgender support group based in Dagenham and friendship and personal contacts. Most participants were asked to complete an 81 question survey (35 responded) and (7) of them were interviewed face-to-face.
- 2.3** Gay men were over-represented in the research, due to their high usage of the internet, and the easier access that this affords us. Lesbians are harder to reach, albeit the fact that there are lesbian websites for chat/meeting people, there are not so widely used and it is more difficult to make contact with lesbians locally.
- 2.4** The internet is developing as a crucial tool for contacting and interviewing lesbians and gay men, especially those who do not access lesbian and gay venues and those who treat internet usage as part of their regular life. It also guarantees the safety of consultees in that it maintains confidentiality and interviews can be carried out in real time.
- 2.5** One of the key issues arising from the survey is that the Council needs to develop the use of the Internet as one of the tools in engaging with the local LGBT communities. The advantage being that it will facilitate contact with those people who wish to engage with the Council, but want to maintain confidentiality and do not wish to be visible.

### **3. What Kind of Population?**

- 3.1** National statistics suggest that there are approximately 5-10% of LGBT people in Britain. The transgender community is far more difficult to estimate. However, there is an estimated 5,000 post-operative transgendered people nationwide.
- 3.2** The report suggested that the local LGBT communities appear isolated and most social activities and friendships networks are based outside the borough. Only 18% of those surveyed had six or more LGBT friends in the area and more than half had no or just one LGBT friend in the borough.
- 3.3** The absence of a strong LGBT infrastructure and social scene in Barking and Dagenham is a contributing factor to the isolation and exclusion of LGBT people in the borough. The Project Co-ordinator of Caress (a local LGBT support organisation) described the situation locally as: *'a lonely community. When people attend the LGBT support group for the first time they are incredibly nervous, but slowly come out of their shells.'*

### **4. Responding to the EU directive on employment issues**

- 4.1** On 1 December 2003, the new EU Directive on Sexual Orientation came into force. The new regulations made it unlawful to discriminate in employment or training on grounds of sexual orientation. The legislation means that employers now risk legal action from people who:
- Have been treated less favourably - in for example, recruitment, promotion, training or dismissal, because they are Lesbian, Gay, Bisexual or Transgender (LGBT) or because they are assumed to be from this community or associated with it.
  - Are disadvantaged as a group by workplace practices and policy because of their sexual orientation.
  - Have been offended - even if unintentionally or unwittingly - by homophobic/transphobic actions or comments.
- 4.2** In response to the new EU Directive, officers are undertaking a number of initiatives. Based on the Stonewall Guidance, on creating a workplace culture that values people and all their differences, officers have:
- Began reviewing the Council's recruitment policies, procedures and practices in relation to LGBT issues
  - Reviewed the Council's harassment and bullying procedure to ensure that confidentiality is maintained when reporting a homophobic crime
  - Began mainstreaming LGBT issues into a Corporate training programme which will include training members and all staff on LGBT issues
  - Convened a Working Group to examine the broad range of LGBT staff issues. This Group consists of the LGBT Staff Group, Trades Unions representatives and relevant Council officers.

## **5. Follow up on wider work with the LGBT Communities**

**5.1** One of the major bonuses arising from the project is that it has drawn together local LGBT people who wish to establish a consultative mechanism to facilitate further engagement with the Council and other strategic partners on their concerns and service needs. This is a development which the Corporate Equalities and Diversity Team have sought to facilitate and support and there has also been strong interest by other local agencies, such as the Police and the PCT, to access such a structure. The council in partnership with other agencies now needs to build on this initiative

## **6. The Twelve Areas of LGBT Inclusion Identified in the Report - A Strategic Statement of Intent**

**6.1** The report identifies 12 key areas of LGBT inclusion. These are the areas where local authorities and other public sector bodies impact upon the lives of LGBT people.

**6.2** These 12 key areas provide the overall framework for the detailed list of recommendations contained in the Report. In adopting the recommendations, the Council and the Partnership are also requested to endorse the following:

### **'Breaking the Silence' Report - Strategic Statement of Intent**

Barking and Dagenham needs to become a place where the voices, experiences, needs and concerns of lesbian, gay men, bisexual and transgendered (LGBT) people are heard and responded to. We need to ensure that we are not discriminating against LGBT people in any way. Barking and Dagenham Council must be seen to be a good employer and an employer of choice. The Council and its strategic partners need to ensure that the concerns and needs of the LGBT communities are fed into and inform its policy and service planning.

Following initial consultation with local LGBT people, it is intended that action be prioritised in the following areas:

#### **1. Improving Community Safety**

- We need to mainstream action on homophobia into all local crime and disorder work
- We need to encourage the reporting of homophobic and transphobic crime, including same sex domestic violence
- The Council needs to respond to homophobic and transphobic incidents in the same way as all other incidents involving harassment and violence
- We need to build trust and understanding across the communities so that homophobic and same sex domestic violence is not tolerated

#### **2. Overcoming parenting discrimination**

- We must ensure that staff dealing with children and parents locally are trained on issues that LGBT parents and children may face
- The council should consider applications from LGBT people to become adoptive and foster parents where as with any parent they would provide a suitable

environment for the care and nurture of a child.

- LGBT parents and their children can experience discrimination which impacts upon their external perceptions of their parenting ability  
We need to encourage and build capacity at a local community level to support these families.

### **3. Overcoming financial discrimination**

- The Council will support and implement any legislative changes which provide those in same sex relationships improved rights in pension schemes
- The Council should support the Civil Partnership Bill and the Gender recognition Bill which will allow legal recognition of same sex couples and afford transsexual people the same rights and responsibilities appropriate to their gender

### **4. Overcoming employment discrimination**

- The Council can respond positively to the EU Equal Treatment Directive which came into force in December 2003 by reviewing and revising our employment policies procedures and practices.

### **5. Equality and Service Provision**

- The Council should utilize information from the Census to establish a clear baseline of information of co-habiting same sex relationships within the Borough.
- The Council and other agencies should consult with LGBT communities and feed the results into policy and service planning
- LGBT issues should be tackled in all equalities and diversity work/action plans and publications.

### **6. Promoting Health and Wellbeing**

- The Council needs to work with external partners to promote the sexual and other health needs of lesbians, gay men, bisexuals and transgender people and secure sufficient resources to promote health.
- The Council needs to ensure that LGBT people are not invisible in Health Services and that organisational policy in relation to mental health and other health needs reflect these communities.

### **7. Growing up Safe and Secure**

- Schools and colleges play a critical role in determining the experience of LGBT young people. Local counselling, support and Youth Services need to be flexible and responsive to the needs of LGBT young people
- The LEA should issue guidance on preventing and dealing with homophobic harassment and bullying, and consider a range of issues affecting LGBT students
- The council will encourage other educational establishments to develop similar guidance
- The guidance should include the issue of schools and colleges working with LGBT parents and dealing with the potential homophobia that affects them
- LGBT young people should be consulted to identify adverse impact of policies, services and procedures

## **8. Greater Security in Housing**

- Housing policies and procedures within the Local Authority and RSL Accommodation need to be assessed to ensure they are not inadvertently discriminating against same sex couples.
- The experience of discrimination for young people needs to be considered by staff working within Homelessness Services, and appropriate training needs to be in place to address this positively.

## **9. Inclusion and Regeneration**

- The social regeneration agenda needs to include the needs and experiences of LGBT people.
- Economic skills and development should encourage diverse and inclusive community for the future of Barking and Dagenham

## **10. Celebrating Diversity, promoting Culture**

- Arts, Sports and Cultural policies, strategies and events need to reflect positively the experiences and needs of LGBT people.

## **11. Supporting Stronger Communities**

- The Council needs to support and build LGBT capacity within the Local Voluntary Sector and Community Groups wherever possible
- Homophobia in service delivery should be challenged through the voluntary and community sector contracting process.

## **12. Establishing Partnership Rights**

- The Council and other local agencies should support the GLA's Partnership Register and encourage local use where appropriate
- The Council should encourage the support and development of Civil Partnerships of the same sex couples and ensure that the community priority of "increasing rights and responsibilities" reflects their needs and aspirations
- There needs to be a recognition that stable partnerships in the borough requires a stable LGBT infrastructure