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Equality and diversity in local authority employment and service provision

Esther Maurer, Switzerland (L, SOC)

Explanatory Memorandum
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Summary:

Access to jobs and progress in employment is a key dimension of the integration process, as is provision of services that migrants can access fully and effectively, without discrimination.

Municipal authorities are major employers and service providers yet their role in this context, particularly as employers, is rarely analysed. Even though local authorities may be aware of the importance of achieving labour market integration of migrants, they have not as yet been successful in integrating them into their own workforces.

This report, providing an overview of current practice in 25 European local authorities, fruit of the work of the CLIP (Cities for Local Integration Policy) Network, makes practical suggestions on ways in which local authorities can ensure that, in relation to their own staff and service provision, they make a positive contribution to the integration of migrants in their area.

R : Chamber of Regions / L : Chamber of Local Authorities
ILDG : Independent and Liberal Democrat Group of the Congress
EPP/CD : Group European People's Party – Christian Democrats of the Congress
SOC : Socialist Group of the Congress
NR : Member not belonging to a Political Group of the Congress

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1.   Introduction[1]

It is widely recognised that the promotion of non-discrimination and of equal opportunities in jobs and services, and the management of diversity, play a crucial role for migrants in the integration process. It is also recognised that integration primarily takes place at the local level. This report, providing an overview of current practice in 25 European local authorities, makes practical suggestions on ways in which local authorities can ensure that, in relation to their own staff and service provision, they make a positive contribution to the integration of migrants in their area.

In 2004 the Congress of Local and Regional Authorities adopted Resolution 181: *A pact for the integration and participation of people of immigrant origin in Europe's towns, cities and regions*.[2] It noted that migratory flows into Europe constitute a major challenge for integration and social cohesion but also foster the diversity and vitality of European cities, bringing numerous advantages in the demographic, economic and cultural spheres. The Congress identified three aims in this context:

- Integration and participation which will facilitate equality of opportunity and the same rights and obligations for all
- Peaceful co-existence ensuring the rights and the freedoms of the individual and
- The use of cultural diversity as a resource by opening up urban life and public services in an intercultural manner.

Access to jobs and progress in employment is a key dimension of the integration process, as is provision of services that migrants can access fully and effectively, without discrimination. Municipal authorities are major employers and service providers yet their role in this context, particularly as employers, is rarely analysed. Moreover, it is known that only 4.5% of the foreign-born workforce are employed by the public administration (EU 15, 2005) compared to 7.5% of the workforce as a whole and the percentage of non nationals working in national and local public administration is only 1.9%. This shows that, although local authorities may be *aware* of the importance of achieving labour market integration of migrants, they have not as yet been successful in integrating them into their own workforces. Sharing practice in employment and service provision was thus a priority for the 25 local authorities which came together under the auspices of the Cities for Local Integration Policies Network to share the experiences which form the basis of this report.

1.1   Network of Cities for Local Integration Policies (CLIP)

In 2006 the Congress of Local and Regional Authorities of the Council of Europe, the cities of Stuttgart, Vienna and Amsterdam and the European Foundation for the Improvement of Living and Working Conditions created a European network of Cities for Local Integration Policies (CLIP). The aim of the network is to support the social and economic integration and full participation of migrants, to combat social inequalities and discrimination, to create conditions leading to peaceful co-existence and to engender respect for migrants' own cultural identity. It aims to do this by bringing together European local authorities to foster a joint learning process. Through the medium of separate city reports and workshops, the network enables local authorities to learn from each other and to deliver a more effective integration policy. The analysis carried out under the auspices of CLIP also supports the emerging European policy debate with innovative ideas and concepts of integration policy at the local level. The cities are supported by a group of expert European research centres based in Bamberg (efms), Oxford (COMPAS), Vienna (ISR), Liège (CEDEM) and Amsterdam (IMES). The experts assist in the preparation of the city reports and provide an overview report.

The first CLIP module was on housing[3] and the second module, on which this report is based, on equality and diversity policies. The aim was to establish and compare the equality and diversity practices of the local authorities in relation to the employment of migrants and provision of services to them, identifying the challenges they face but also the approaches which they have found most successful.

The 25 local authorities which participated in this module are: Amsterdam (Netherlands), Arnsberg (Germany), Antwerp (Belgium), Breda (Netherlands), Brescia (Italy), Budapest (Hungary), Copenhagen (Denmark), Dublin (Ireland), Frankfurt am Main (Germany), Izmir (Turkey), Liège (Belgium), Luxembourg (Grand Duchy of Luxembourg), Malmö (Sweden), Mataró (Spain), Prague (Czech Republic), Sefton (UK),

Stuttgart (Germany), Tallinn (Estonia), Terrassa (Spain), Torino (Italy), Turku (Finland), Valencia (Spain), Vienna (Austria), Wolverhampton (UK), and Zagreb (Croatia).

These local authorities are hugely diverse in their experience of migration, in their geography, population size and proportion of migrants, the range of services provided, political control, their significance as an employer in the local labour market, and in the approach which they take on equality and diversity issues. Nevertheless, they face similar opportunities and challenges in relation to migration and have come together in the CLIP network in recognition of the extent to which they can learn from, and contribute, to each other.

2. Equality and diversity policy at the local level

The policies of the Council of Europe and European Union on equality and diversity, and on broader integration issues, have been among the drivers of action at the local authority level. The approach which each city has taken, the migration context in which its policies have been developed and the priority they are given are also necessarily influenced by national policy frameworks, including their differing social and employment policies, and the role of municipal government and of the voluntary sector in delivering them.

2.1 Clarifying the terminology

The terminology relating to equality and diversity can be confusing. While the use of differing terminology among cities can reflect differing priorities it can also simply reflect a lack of clarity on their meaning.

Diversity management

'Diversity' refers to differences in attitudes, values, cultural frameworks, languages lifestyles, skills and experiences among people of differing national, ethnic and religious groups and diversity management to the ways in which people's differences can be mobilized for the benefit of the individual, organisations and society as a whole. Diversity management is a term that has been increasingly used in Europe since the mid 1990s. It is particularly associated with the private sector but at the municipal level has similarly been developed to generate added value out of cultural difference: to reap the benefits of the differing experiences and language skills that diverse employees bring to the job, ensuring that the organisation recruits from the widest pool of talent, enhancing the organisation's image with external stakeholders and contributing to the organisation's creativity and innovation. An advantage of this approach is that it is positive and inclusive, in contrast to the more negative focus on discriminatory practices. Diversity management can also however be necessary to overcome the challenges which diversity can pose, including accommodating the differing values and expectations of a diverse staff, building trust and overcoming communication barriers. Diversity management is thus relevant not only for a city's employment policy but for the provision of services that meet the diverse needs of its local population.

Discrimination and equality

While diversity management focuses on the benefits (and costs) of a culturally diverse workforce and populace, a policy with this exclusive focus can lose sight of the fundamental right to freedom from discrimination which employees and service users have, *regardless* of whether their diversity is considered a benefit. If diversity management were the only policy framework, managers could argue that they prefer the convenience of having a workforce with a common culture and language over the benefits which diversity can bring. In practice, these two approaches are complementary: co-existence of a diversity management approach with measures to tackle discrimination is both possible and desirable.

Discrimination is defined as a person or group being treated less favourably than another on grounds covered by discrimination law, including gender, age, disability and race. Indirect discrimination occurs when an apparently neutral requirement is liable to disadvantage members of a particular group because they are disproportionately less likely to be able to meet that requirement. It is not discrimination if the requirement is 'objectively justified'. While non-discrimination in the context of migrants has traditionally focused on race – and there is contemporary evidence across Europe that it persists – it has increasingly been recognized that discrimination experienced, for instance, by those who are identifiable as Muslims, can also be on grounds of religion or belief.

Where an organisation's aim is to ensure equality of opportunity, it is necessary to go beyond procedures to avoid discrimination. Individuals may face barriers to equality such as lack of awareness that job vacancies exist for which they are eligible, and an equality policy seeks to identify and address these barriers. While an anti discrimination policy may treat everyone in the same way (regardless of the inequality in outcomes that may result), an equality policy recognises that people have different needs and may in some respects need to be treated differently (e.g. to have information on a service translated into their mother tongue) in order to provide genuine equality of opportunity leading to greater equality in outcomes.

Positive action and positive discrimination

The steps which an organisation takes to overcome barriers and increase the participation of underrepresented groups are known as positive action. Targeted advertising to attract job applicants from underrepresented groups falls under this heading. Positive action of this kind is lawful under EU law. It is distinct from positive discrimination in which individuals from an underrepresented group are given preference at the point of selection over applicants who are equally qualified. Positive discrimination is unlawful in most circumstances.

3. Beyond theory: implementation by European cities

3.1 Background

Among the 25 local authorities which participated in the CLIP study, 17 have a written equality or diversity policy in some form (including within a broader integration strategy or strategy addressing disadvantage), two have such a document under consideration and in six cases there is no written policy. Nevertheless, most are engaged in initiatives relating to diversity in their employment and/or services.

Drivers of reform

The drivers of reform identified by the authorities are listed below. Whereas the law, demographic and economic pressures primarily drive policies in relation to employment, reform in service provision has often been a 'bottom-up' response to the demand created by an increasingly diverse population of service users.

- **Compliance with law:** The law in all EU states requires protection from discrimination in employment on grounds of race, religion and belief and protection from race discrimination in service provision. In some cases, national law requires public bodies to go further: to promote equality of opportunity in jobs and services. The law may require monitoring of ethnic minority access to jobs and services, allow monitoring but not require it, or not allow it.

- **Labour shortages:** Demographic drivers are cited by cities with an ageing workforce which need to attract migrants to meet their labour shortages. Labour shortages similarly create an economic imperative for the city to be attractive to migrants and local authorities cited the need to ensure a positive image for the city in this respect and to set a good example to the private sector. Cities also cited the innovation and creativity that migrants can bring: the 'business case' for diversity.

- **Evidence of disadvantage or community tensions:** Some cities developed their policies in response to political pressures arising from evidence of disadvantage; or from fear of radicalisation if migrants are not well integrated;

- **Principle:** The intellectual case for reform could also prove influential: elected representatives and officials arguing that human rights and equality principles demanded action to ensure the fair treatment of migrants in employment and service delivery.

- **Pressures from service users:** In relation to services, adaptation has primarily come from service providers responding to the differing needs of migrant users and in some cases the pressures this created. Health care providers and libraries were among those which had responded in this way. Thus policy reform was not always a top-down process from elected representatives and senior management but a response to demands on, or innovation by, service providers.

Reflecting these various drivers of policy, local authorities have a differing balance of objectives and priorities. While most acknowledge the importance of each of the objectives below, there are significant differences in the emphasis which is placed on:

- **The rights and needs of migrants**: the dominant objective for those cities approaching the issue from an anti discrimination or equality perspective. Thus eleven cities emphasised compliance with discrimination law or the broader achievement of a representative workforce and equality of access to services. Nevertheless, fairness for individual employees and services users is never the sole objective.

- **The benefits for the city:** including businesses and local residents, including the avoidance of community tensions, was emphasised by eight of the cities. Some saw their policies as contributing to building a sense of common citizenship and community cohesion; that the collection of evidence on service user needs and consultation with community groups could provide 'early warning' of tensions that could develop; or that creating a positive image for the city would enable employers to attract workers to a city seen as welcoming to newcomers.

- **The benefits of migrants as a resource for city administrations in their role as employers and service providers:** the dominant approach for those cities taking a 'diversity management' perspective often with priority given to developing the intercultural competence of staff. Two cities placed greatest emphasis on this approach.

In practice, while these differences in emphasis are apparent, cities have complementary goals and combine these approaches. Objectives are, moreover, not always spelt out and can differ between those responsible for policy development and those responsible for personnel or service delivery. Thus there can be significant inconsistencies between a city's stated policies and what is actually happening, and between the progress made in different departments and services.

Targeted groups

The migrant groups to which the local authorities' policies are targeted differ according to their immigration history and to those in particular need of support or presenting a challenge. The focus in some cities is on non Europeans who have come as refugees, labour migrants or for marriage; in others EU citizens from Central and Eastern Europe are now among the target populations and elsewhere there is a strong focus on the second (or third) generation. In each case, particular sections of the population can be the focus of particular attention: women, young people or elderly migrants for instance. While the policies of most cities are directed towards legal residents, some cities acknowledge the needs of irregular migrants and make some provision for them. In some instances cities also target local residents who are not migrants, arguing that integration is a two-way process in which the non migrants also need information and to adapt their attitudes and behaviour. Some cities include migrants within a broader strategy targeting disadvantaged groups.

Responsibility

Where responsibility lies for developing and implementing equality and diversity policies depends on the structure of the authority and on the roles of its elected representatives. In some authorities there has been scope for individual departments to develop quite distinct approaches. In others, explicit expectations from the central leadership have been more clearly reflected throughout the administration.

Some cities have designated an elected representative (e.g. Deputy Mayor) and a named department to lead on integration or equality and diversity issues, albeit responsibility for diversity in employment invariably remains the responsibility of the human resources/personnel department or is devolved to individual departments. This separation can lead to very different approaches, for instance to monitoring or to moving beyond anti discrimination compliance to a more proactive promotion of equality of opportunity. Where a department is designated to take the lead, a key factor in impact is whether that department is given any leverage over the approach taken in the departments responsible for delivery: whether its role is to advise and encourage, or it has the capacity to ensure that diversity issues are reflected across the administration

Engaging with civil society

Many cities work with non governmental organisations (NGOs), community groups and the social partners: drawing on their advice and expertise; relying on them to deliver training (for instance on cultural awareness to their staff), and funding them to provide services to migrants. Of those authorities which have an established structure for consultation, the mode of representation, role and extent of influence vary with some funding or facilitating a consultative body for ethnic minorities and/or migrants. Even where such bodies work well, cities can face challenges in reaching beyond 'community leaders' to consult individuals, including women. Hence additional means of consultation on particular services are often organised separately from the consultative body.

Contract compliance

In 2002 the Council of Europe's Commission against Racism and Intolerance (ECRI) recommended to member states that they place public authorities under a duty to ensure that parties to whom they award contracts or grants be subject to a condition that non discrimination is both respected and promoted.[4] Among the CLIP cities which contract external organisations to provide services, six have built equality and diversity principles into their contracts to ensure that the service provider does not discriminate against migrants as employees or service users. NGOs that receive funding to provide services similarly have to show that they reflect the city's equality and diversity policies in their employment and service provision.

Monitoring, data and impact assessments

Many cities report that monitoring implementation and outcomes is at some level built into their plans including evaluation by a higher tier of government. A commitment to introduce or strengthen monitoring and evaluation is a theme among many cities' future plans. Significantly, a system for monitoring the migrant status or ethnicity of staff is usually quite separate from that of service users, often the responsibility of the service department itself. Cities use monitoring as a means to assess progress, including that of individual departments, as a tool for forward planning, and as a means to raise awareness within departments and diagnose barriers to achieving equality in employment or service provision. United Kingdom public bodies are also expected to assess the *potential* impact of new policies and services on different ethnic groups.

A key factor in a city's capacity to measure progress is the extent of its data collection. There is a marked difference between cities which monitor the ethnicity, country of birth or nationality status of their employees and service users and those which traditionally have not done so. While some consider data collection essential in order to identify barriers to equality and to monitor progress, others consider monitoring to be discriminatory, or to reinforce a perception of difference. Eleven of the CLIP cities currently monitor their employees by nationality, country of birth or ethnicity, two are planning to do so, and ten do not. Similarly, 17 of the cities conduct some monitoring of service users.

Addressing discrimination

In addition to the legal protection from discrimination provided by national law, some cities have an internal code of practice requiring staff to treat people equally irrespective of their ethnic or social origin. Most have a complaints mechanism for employees or job applicants who feel they have not been treated fairly and the individual may have the additional option of complaining to an Ombudsman or to a national office for employment rights or equal opportunities. Trade unions may also take up cases on behalf of the individuals concerned. Complaints systems cover staff with a migration background in the same way as others but in most cases authorities do not monitor whether there are more or fewer complaints against those staff. In no case did reports by or against migrant staff appear to be a significant issue. This may reflect a lack of concerns. However, migrants may not be aware that they have a right to complain and cities have taken steps to raise awareness of this right and to make the procedure and advice accessible.

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[4] ECRI General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination, adopted on 13 December 2002, S111 (8-9).

Challenges cities face

It is possible to identify some common themes in the broad challenges local authorities are experiencing before looking more closely at their experiences in relation to jobs and services:

- **Lack of vision and leadership from senior management**, limiting the capacity of the responsible department to deliver. Even where leadership on the issue is strong, establishing cooperation across the authority and its external partners takes time;

- **Low staff awareness and expertise**, with some staff resistance, and concentration of responsibility and expertise in a small number of people;

- **Lack of staff numbers and of funds** to resource new services or initiatives, and some tensions over who should pay;

- **Local public resistance**, exacerbated by the media, arising in part from perceptions of preferential treatment for migrants in situations where jobs or resources for services are scarce;

- **Inconsistency across departments**: cities reporting that they have an excellent plan but limited capacity to implement it or that a positive initiative in one department has not been mainstreamed across the authority;

- **Undocumented migrants** with welfare needs for whom municipal authorities may not be allowed by law to provide services, or have no funding to do so;

- **Conflicting national policy and political discourse** and the rapidity of change in national policies on integration issues;

- **Long time scale**: a concern at the time it will take, for these and broader reasons, to reach a level of equality in access to jobs, training and promotion, and in access to services which meet the differing needs of their local population.

3.2   Municipal employment

There is a marked difference between cities which have not yet considered their potential as a major employer to facilitate the labour market integration of migrants and cities which have taken steps to realise that potential. The latter cities focus predominantly on the implications for their recruitment of staff and apprentices, with some giving thought to the need for inter-cultural competency of staff and to the potential implications for working conditions. In relation to action on recruitment and promotion, cities can be divided into four groups:

- *No action:* Ten cities had decided (actively or by default) that it is not necessary to have an employment diversity policy;

- *Intention to act:* Three cities reported that they intend to do so;

- *Limited action:* Three cities had taken the first step, having anti discrimination procedures in place designed to ensure that migrants or ethnic minorities are not treated less favourably in applying for jobs or promotion;

- *Proactive:* The remaining nine cities have gone beyond the avoidance of discrimination to identify barriers that people of a migrant background may face in relation to jobs in the authority and to address those barriers in their employment procedures; that is, to promote equality of opportunity. Most commonly, this involves taking steps to ensure that people of migrant background are aware of job opportunities and that their application would be welcome: provision of information about applying for jobs, advertising in places that migrants are likely to see, using the network of migrant associations, explicit encouragement to migrants on the city's website to apply for vacancies, sending information to schools they attend, informing the agencies that provide migrants with job search advice, providing training programmes in skill shortage areas and exchanges for students from technical fields. Cities which have taken 'positive action' measures

of this kind to enable migrants to compete successfully for jobs or promotion, do not (with rare exceptions) give any preference to migrants above other applicants in the appointments process.

Few cities had taken action to ensure equal access for migrant employees to promotion opportunities. Those which had monitored access reported that employees with a migration background were generally less likely to receive promotion.

Barriers to recruiting a diverse workforce

In addition to the broad challenges already identified, cities faced some challenges specific to the recruitment process:

- **Labour market conditions and cutbacks in public sector employment:** Some cities reported that jobs in the private sector had more attractive pay and conditions; that the image of working in a 'nine to five job' for the city administration was not attractive for young people; that it could be difficult to find suitably qualified migrants for skilled jobs or apprenticeships; or that staff cutbacks were a barrier to building a more diverse workforce;

- **Formal requirements:** a significant obstacle is a legal barrier: that certain jobs in the local administration are only open to nationals and EEA nationals, a practice which has been termed 'legal discrimination'. This is the case in German and Italian cities for instance, but not in Austria, the Netherlands, the United Kingdom or Ireland. Where restrictions are in place, foreigners may work for subcontractors but not for the local authority itself.

- **Language proficiency:** Language proficiency is essential to employment in any capacity, but the level of language needed depends on the nature of the work. Selection criteria that emphasise a high level of language proficiency may not always be justified by the requirements of the job. Most challenging is the requirement in some cities that applicants speak *two* languages for some posts. A minority of cities offer advanced language courses for employees whose language skills would otherwise damage their promotion prospects.

- **Non recognition of qualifications:** City administrations necessarily require qualifications for many posts. Where the requirements may exceed those required for the job, imposing an unnecessary barrier to migrants, cities have reviewed their procedures. Where specific qualifications are necessary, non recognition of qualifications obtained abroad is a significant barrier. Municipalities cannot themselves decide on the comparability of qualifications so the migrant must apply to a national body to see if their qualification is acceptable, a bureaucratic procedure with which some cities offer assistance.

- **Informal restrictions on advertising posts:** A further barrier has been an agreement that certain manual jobs will only be advertised to existing union members; advertised internally; or recruited through employees' informal networks. Such practices operate against equality of opportunity and are to the detriment of the authority because appointment is not open to all on the basis of merit.

Intercultural and diversity training

Many cities place emphasis on the importance of intercultural training – ensuring that its front line staff and managers are knowledgeable about the particular needs, cultural and religious practices that may be characteristic of migrant communities; and staff are aware of the importance of equal opportunity procedures. While some cities ensure that all of their senior managers have this training, elsewhere it is offered at the discretion of departmental managers. Where staff need access to further knowledge, the central office responsible for integration is often given a responsibility to provide it.

Religious or cultural needs

The diversity management approach, valuing cultural difference, may imply some flexibility in the work environment to reflect differing religious or cultural practices. The extension of protection from discrimination at work within the EU to protection from discrimination on the grounds of religion and belief (EU Employment Discrimination Directive 2000) has further highlighted the need for equal treatment of employees in relation to their beliefs. There were in practice striking differences between CLIP cities that consider it good practice to be flexible to accommodate religious difference, for instance in clothing, and cities which emphasise 'neutrality' particularly for staff engaging directly with the public. Some cities had formal agreements relating

to the right to wear a headscarf for religious reasons, menus in hospitals or schools offering one meal without meat or without pork, time off for religious holidays, and prayer rooms. In contrast there are cities where making any adjustments to acknowledge religious or cultural requirements is not discussed or, in relation to religious dress and symbols, not allowed.

Health and safety

The health and safety of migrant employees could be an issue if they lack sufficient language skills to read or hear instructions or have not had the same level of training as other employees. Some cities provide employees with instructions in their own language for instance in relation to dangerous machinery, fire prevention and hygiene in hospitals. While some cities have moved towards a policy of avoiding translation and interpretation wherever possible, it is recognised that in such areas this may not be possible.

The outcome: staff profile

Many cities cannot provide data on the migrant or ethnic profile of their employees. Those which can do so and which have taken active steps to achieve a representative workforce can demonstrate significant progress, raising the proportion of the workforce who have a migrant background relative to the proportion within the working population as a whole. In Wolverhampton (UK), where 22.2% of the population are from ethnic minorities (2001), 14% of the city's workforce is from ethnic minorities including 7.2% of staff earning in the top 5% of full time salaries. In Amsterdam, 49% of the population and 22.5% of its own staff is from ethnic minorities (2006) while Malmö increased the proportion of its staff with a migration background from 13% in 1997 to 25% by 2006. In Frankfurt, where 25% of the population are foreigners, 18% of its new apprentices in 2007 were foreign born or foreigners.

3.3   Municipal services

While the cities in the CLIP network vary considerably in their range of responsibilities, all provide services of significance in the integration process: from health care and education through to public libraries and provision of motor tax. In developing diversity and equality policies, some cities emphasise compliance with discrimination legislation and its principle of equality of access to services; others the need to address negative outcomes (such as under achievement at school), or to reduce the pressures that service providers can experience when migrants lack language skills or knowledge of the services on offer.

There are many reasons why migrants can face additional barriers in accessing a city's services: lack of language proficiency limits access to written or spoken information about the service; lack of understanding of the structure of service provision and hence where to go in particular circumstances, such as visiting the Accident and Emergency department at a hospital instead of the local doctor. There can be psychological barriers because of experiences in their country of origin – distrust of officials for instance, or arising from negative treatment after arrival. Migrants may have no expectation that any service will be provided by a public sector of which they have no experience; or may have inflated expectations of what they will receive from a service not equipped to provide it. Sections of the migrant population may face particular barriers such as the reluctance of women to go to a service where there are men, or at times of day when they have to look after children. It is, moreover, not only the recent arrival, ethnicity or religion of migrants that can mean that they have a different impact on services than the rest of the population. The gender, age or family structure of migrant communities may also differ from that of the rest of the population.

General or specific services for migrants?

In addressing the service needs of migrants, cities adopt two broad approaches:

- Addressing migrants' needs within the city's existing services – whether by adapting that service to meet the needs of migrants and/or by targeting that service at an area or a section of the public (e.g. the unemployed) which in practice disproportionately benefits migrants.
- Providing specific services targeted at this section of the community or parts of it (whether provided by the mainstream service or contracted out to another organisation).

There are advantages and disadvantages to each approach. Providing specialised services targeted at migrant communities can be a cost-effective way of meeting needs by concentrating expertise and specialist facilities (e.g. translators) in one service rather than distributed across many service providers. The whole service is designed to meet particular needs, at a place and time which are accessible to migrants, and this may be easier and less expensive than adapting existing services. Communication with migrant groups to

raise awareness of the service may also be more effective. On the other hand, providing specific services of this kind removes the pressure from general services to adapt the service to the needs of a diverse population – adaptation which may already be taking place in relation to the differing needs of women, older or disabled people. As the size and diversity of the migrant population increases, it may no longer be feasible to meet their needs through a specialized service, requiring general services to adapt. There can also moreover be a political advantage to avoiding targeted services if the public resent what they see as special treatment of a minority. Finally, adaptation of general services is appropriate for cities which are strongly committed to a diversity policy for the whole population, not only for migrants.

For these reasons, seven CLIP cities provide targeted services only where absolutely necessary, where migrants' needs differ from those of the general public – most notably for new arrivals with language and information needs. A small number consider that no separate consideration of the needs of migrants is needed, whether adaptation of general services or specific services, arguing that 'we treat everyone the same so there is no problem' (although in practice in some cases a targeted service has been provided through NGOs to meet a particular need). In most cases, however, local authorities have found that to achieve equality of access to services and to meet diverse needs, including those of migrants, a combination of general and specific services can be required. A broader shift in municipal approaches towards 'customer' focus, recognizing that people of differing ages, gender and disability, for instance, have differing needs and that 'one size fits all' approaches do not deliver equal outcomes, has laid the ground for recognition that migrants add to, rather than create, diversity among service users.

Collaboration in provision of services

There is a strong tradition in some member states of service delivery through external organisations and these organisations are similarly involved in provision of targeted services to migrants. In countries where welfare services are still largely provided by public bodies, many of the specific services targeted at migrants are nevertheless delivered by NGOs, trade unions and community associations. Provision of services for cities can put NGOs in a strong position to influence the development of the city's policy. Some cities have found that without the involvement of NGOs who have access to migrants many initiatives do not succeed. It can be cheaper to provide services through NGOs; and this approach also enables the city to provide services to irregular migrants if they cannot be seen to be doing so directly. The municipality also avoids being on the receiving end of complaints from those members of the public who think that migrants get too many services. Cities also benefit from services provided by trade unions to migrants and by the private sector.

Meeting needs within existing services

The general services relevant to migrants include schools and youth centres, public housing and services for homeless people, urban planning, social services, leisure services, public safety, and specialist services for women, the elderly and disabled people. There are also services which local government may administer for central government such as collection of census data and provision of motor tax. Even services such as waste collection may raise particular issues for migrants, demonstrating the importance of the city's diversity policy objectives being mainstreamed across the organisation. Some local authorities are significantly more advanced than others in mainstreaming diversity policy objectives within service provision – ensuring equal access to the service for instance – and in adapting to the particular needs that migrant service users might have. The measures cities have taken include:

- **Information and advice:** To ensure equal access to services, some cities ensure that, where there is an information service for the public, there is a counter that is specifically for migrants, or a member or section of staff with the intercultural expertise and language skills to address migrants' particular needs. Web pages are also translated into relevant languages.

- **Translation and interpreting:** Many cities provide written information on services in different languages, distributed in places that migrants are likely to see, and/or a telephone interpreter service. It is not only for personal services such as health care in which communication is essential. Disposal of rubbish for instance is a frequent source of community tension if new migrants are unfamiliar with the local system. Authorities provide information to newspapers that publish in mother tongue languages, translate leaflets and official publications and ensure that pictures of service users on leaflets include images of people from different backgrounds. The cost of translation and interpreting services is a growing challenge as the diversity of migrants and number of languages grows; although it is also an issue where migrant numbers are too small to justify translation costs. Cities have had to consider when it is cost effective to translate a document, and

there is some questioning at national level whether reliance on translated documents may deter long-term migrant residents from learning the language.

- *Adapting services to meet migrants' needs:* Some cities have gone further in adapting the services they provide, such as setting aside a particular time when the municipal swimming pool is open for women only and ensuring that library material reflects the languages and cultures of the city's population. Monitoring of service users reveals the positive impact this has on migrants' use of the services concerned.

- *General services for the disadvantaged:* Those cities which avoid targeted services may nevertheless locate a service for disadvantaged people, such as primary health care, in an area which in practice services a largely migrant population. Alternatively, an initiative may be designed for disadvantaged people, among whom migrants in particular may benefit; such as education and unemployment schemes.

Specific or targeted services for migrants

Many cities thus avoid providing targeted services unless absolutely necessary. Others have been open to a wider range of specialist services, arguably reducing the pressure on the cities' existing services to adapt. Targeted services include:

- *Reception and language tuition for newcomers:* The most frequent services are those provided for newcomers – advice, social orientation, language classes and welcome packs. Cities may provide a coordinated reception programme or ad hoc services. Many cities enjoy the assistance of NGOs in providing this support.

- *Education:* Schools regularly provide targeted support for migrant children, including language tuition, and information for their parents on the education system. Schools in some cities enable children to be taught in their mother tongue. For adults, provision may include compulsory language and citizenship courses tied to renewal of residence status.

- *Services targeted at women and vulnerable groups*
Some services target particularly vulnerable groups providing, for instance, crisis intervention support in case of family breakdown, legal assistance in relation to immigration but also family matters, and support in accessing the labour market and counselling. Included in this category are irregular migrants for whom some cities ensure access to medical care, shelter and education.

- *Asylum seekers and refugees*
Many cities have a responsibility to provide accommodation, reception services and long term support to refugees.

Migrant staff with appropriate skills

Many cities provide intercultural or diversity training to equip service providers to work with migrants. Where services are delivered by the local authority itself, managers have also increasingly become aware of the value of having a diverse staff to deliver services to a diverse population. Whereas people of migrant origin were initially, in many cases, employed only in services targeted at migrants, cities are beginning to ensure that migrants are employed in the police, health, child care centres and social services, a practice which also increases the intercultural competence of their colleagues.

While some cities were thus able to report progress in this area, it is also true that many were unable to say whether there were any people of migrant background employed within each service sector because no data on the country of birth, nationality or ethnicity of their staff is collected. Of those which did keep such statistics, few could give a detailed breakdown of migrant staff within the different service sectors.

Monitoring service outcomes

By monitoring access to services, cities can find out whether their objectives have been achieved: the proportion of migrants that have passed the school leaving exams for instance or who access particular medical services. It is then possible to identify barriers to equality and set priorities for improving performance. Many cities, however, are finding their lack of data on service users – their needs, access to services, satisfaction and outcomes – to be a major barrier. Without knowing which migrants are securing access to each service they are not able to identify the barriers which particular groups of migrants such as

women, rural workers or people whose language is not among those translated, are experiencing. Some rely on anecdotal information from front-line service staff; others do have some data on the use by foreign nationals or ethnic minorities of some or all of their services, information which informs their service improvements. Lack of information on service outcomes means that cities are resourcing services with no feedback on whether they are achieving their objectives.

As in relation to employment, it is thus clear that, in relation to equality and diversity, policy and practices in service provision exhibit many examples of good practice but also challenges which need to be addressed.

4.   Conclusions and recommendations

The cities covered by this report are diverse, not least in their experience of migration, in their significance as employers and in their responsibilities. It is thus not surprising that they are at very different stages in the development of policies and practices in relation to the employment of migrants (and people of migrant background) and in relation to the provision of services to them. From those with no policies at all there are cities with isolated areas of policy or practice development, through to those endeavouring to take a strategic approach across the administration. This reflects, in part, differing national traditions on diversity, equality and integration issues; the extent to which they have felt obliged by external and internal pressures to give priority to this issue, and their differing objectives.

While some cities have developed their approach within a discrimination or equality perspective – emphasising the rights of migrants to be free from discrimination and to have equality of opportunity in jobs and services, others have given greater emphasis to a diversity management approach, emphasising the benefits for the city to be gained from cultural pluralism (and the need to address the challenges it can pose). Those that have developed policies in this area most recently have often done so within a broader policy to promote the integration of migrants. There are, nevertheless, cities which have not yet identified the employment of migrants within the city administration nor the services the city provides to them as a priority. Yet cities may be the largest or one of the largest employers in their region; and, while the range of services provided by cities varies, most have responsibility for the services most significant in integration including education, housing and, in some cases, health care. Moreover, cities have greater control over their own personnel policy and services than over other levers that may promote integration; and some cities have made significant progress in doing so. The recommendations below are thus designed to help local authorities give greater priority to practices which enhance the employment of migrants and address the barriers migrants may face in access to their services.

4.1   Recommendations for local authorities

- *Provide leadership and ensure consistency across departments*
Local authorities should review their objectives in relation to the employment of migrants and service delivery; and put in place leadership and management systems that will ensure consistency in delivery across all relevant departments and services, including endorsing good practice where, on the initiative of their staff, it already exists.

- *Move beyond anti discrimination procedures*
Local authorities should review the evidence available to them on whether migrants and people of migrant background are able to access their jobs and services and identify any barriers that may be preventing them from doing so. They should take steps to overcome those barriers, to enable migrants to compete for jobs (and promotion) on an equal basis to other residents and to be able to access services that meet their needs (e.g. targeted advertising of jobs in migrants' own languages, advanced language classes, translation of information about services provided, and employing staff trained to provide assistance in completing job and other applications).

- *Provide data and implement effective monitoring and accountability*
Local authorities should review whether they have sufficient data to be able to monitor their progress in relation to employment and service delivery. Where they do not, they should consider whether there are additional forms of cost effective data collection which could be put in place across the administration, avoiding each service having to develop its own approach. Local authorities should consider what criteria they will use to measure progress and evaluate the impact of the measures they have undertaken; taking into account evidence on the needs of migrants; whether the activities of the authority correspond to the aims of its policies; the adequacy, effectiveness and sustainability of its policies and progress made. Finally, cities should consider whether there are adequate forms of accountability for departments and staff internally

in order to ensure feedback on performance and the opportunity to take account on a regular basis of lessons learnt.

- *Review recruitment procedures and procedural barriers to employment*

Local authorities should review the eligibility of migrants for jobs in the administration and consider whether the criteria that apply to all applicants but disproportionately disadvantage migrants, such as the level of language proficiency, are necessary in all cases. They could raise with the appropriate national authority any difficulties which job applicants have experienced in relation to recognition of qualifications with a view to securing a national system that is able to confirm comparability of qualifications within a reasonable time scale. Finally, they should consider the relevance of the proactive approaches taken by other local authorities to attract migrant recruits and, where appropriate, pilot such approaches within their own recruitment strategy.

- *Ensure work environment is welcoming and affirming for migrant employees*

Local authorities should assess whether the working environment in all departments and services is appropriate and welcoming for migrants and consider any adaptations which, without accruing excessive additional costs or having a negative effect on other parts of the workforce, would encourage migrants to apply for jobs and to remain in the their employment.

- *Extend training on diversity management and equality practice*

Securing equality of opportunity for migrants in employment is not the only objective. Cities need to ensure that they achieve the maximum benefit from a culturally diverse workforce and that any challenges it poses are managed effectively. Migrant staff should not be restricted to specialist posts working with migrants but contribute to improving standards across the mainstream services that are delivered to a diverse local population. Managers should ensure that all employees have sufficient training on inter-cultural awareness so that they feel confident working with and providing services to people of differing cultures and faiths; and recognise the value of intercultural competence in the recruitment process.

- *Build diversity and equality standards into contracts with external providers and partnership agreements*

Where local authorities subcontract services to external organisations or enter into formal partnerships with them, they should consider the appropriate way in which, in contracts and partnership agreements, they can include a provision to ensure that those organisations fulfils the city's objectives in relation to securing equal access for migrants to the service provided and to the employment of the service provider.

- *Extend consultation and participation with migrants*

Local authorities should consider the most effective means to ensure that the voices of migrants are heard when new policy approaches and service reforms are under consideration, moving beyond consultation to involve migrants and people of migrant background in the policy planning process. Cities should consider consulting on the *potential impact* of new policies and services on migrants (known as Equality Impact Assessments), a means to anticipate negative impacts and to ensure that opportunities are taken to promote equality which might not otherwise have been considered.

- *Ensure all new migrants can access advice, information and language tuition*

In consultation with migrants, NGOs and relevant unions, local authorities should review whether the needs of newcomers are being met and consider ways in which, through adaptation of general services wherever possible or targeted provision where necessary, they can broaden the services available and migrants' awareness of them.

- *Develop an effective public communication strategy*

Local authorities should consider ways in which they can raise awareness among their staff and among the public of the rationale behind their diversity policies and steps they can take to refute misinformation about migrant's access to services where these are a source of community tensions.

4.2   Recommendations for European policy makers

- *Guidance on concepts, terminology, legal obligations and good practice*

Cities could benefit from authoritative guidance on concepts and terminology in this field (the difference between equality and diversity management; and between positive action and positive discrimination for instance), and on the strengths and limitations of adopting a particular policy framework.

- *Review legal restrictions on access of non EEA nationals to municipal jobs*

Extensive restrictions on access to municipal jobs for non EEA nationals significantly restrict their eligibility and confines many to temporary posts or jobs through contractors offering lower pay and poorer working conditions. A comparative overview of these restrictions could investigate their rationale, necessity and impact with a view to producing guidance for national governments on limiting these restrictions.

- *Review the need for protection from religious discrimination*

In contrast to awareness of race discrimination there is limited debate on the potential for religious discrimination and on the legal remedies necessary to address it. Practice in relation to religious dress, food, holidays and prayer rooms also differ significantly between authorities. A review of the differing approaches being taken by local employers could lead to guidance that local authorities would find helpful in what can be a sensitive area of employment relations.

4.3   Recommendations for Council of Europe member states

- *Consider a legal requirement on cities to promote equality of opportunity*

The Council of Europe's ECRI recommended in 2002 that 'the law should place public authorities under a duty to promote equality and to prevent discrimination in carrying out their functions'.[5] Few member states have so far implemented this recommendation yet those cities in the CLIP network that had done so found this proactive approach – taking steps to promote equality that do not involve any positive discrimination – had the potential to be effective levers for change. Member states should consider the potential of these levers to shift practice, learning from those states which have begun to take this approach.

- *Include responsibility of local public employers in national integration plans*

Member states should recognise in their integration plans the importance of municipal employment and services for migrants. They should encourage local authorities to become role models for a proactive and comprehensive equality policy for migrant workers within their own administration, and consider providing funding for an exchange of experience between local authorities on these issues.

- *Recognition of qualifications of migrants*

Member states may wish to review their current arrangements for recognition of qualifications to ensure that they do not present an unnecessary obstacle to full integration of migrants within the labour market and within municipal employment in particular.

- *Inform migrants about their employment rights and rights to access services*

National governments should consider providing brochures in different languages informing migrants about their employment rights and highlighting job opportunities within local public administration and ensure that migrants receive information on the services provided by local authorities to which they are entitled.

If European, national and local policy makers take these practical steps to foster the integration of migrants within municipal employment and to ensure their access to services they could make a significant contribution to the integration process. The success demonstrated by authorities within the CLIP network which have been proactive in this field, often without substantial staff expertise or resources, should encourage others to include these measures within their forthcoming operational plans.

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[5] ECRI General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination, adopted on 13 December 2002, S111 (8-9).