

Meeting Date	18 May 2011
Report Title	Corporate Equality Scheme
Portfolio Holder	Cllr John Morris, Safer & Stronger Communities
SMT Lead	Abdool Kara
Head of Service	Louise Matthews
Lead Officer	Louise Matthews
Key Decision	No
Classification	Open
Forward Plan	Reference number:

Recommendations	1. Council is asked to approve the proposed corporate equality scheme.
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Purpose of Report and Executive Summary

1.1 This report provides an brief update on the key elements of the general and specific equality duties as set out in the Equality Act 2010, and makes recommendations for implementing the specific duties including a Corporate Equality Scheme.

2 Background

2.1 On 6 April 2011 new general and specific equality duties come into force for the public sector, although some of the specific duties have different timeframes for implementation.

2.2 The general duty is set out in section 149 of the Equality Act 2010. In summary, those subject to the Act (which includes Local Authorities and also applies to other organisations, private bodies or voluntary organisations who are carrying out public functions on behalf of a public authority) must in the exercise of their functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- advance opportunity between people who share a protected characteristic and those who do not; and
- foster good relations between people who share a protected characteristic and those who do not.

- 2.3 These three bullet points are often referred to as the aims of the general equality duty.
- 2.4 The duty covers eight protected characteristics – age, disability, gender reassignment, pregnancy, and maternity, race, religion or belief, sex and sexual orientation. These are also known as protected groups. The duty also covers marriage and civil partnership but not for all aspects of the duty.
- 2.5 The specific duties require a public authority to public specific items of information.
- A) Publish information – publish sufficient information to demonstrate its compliance with the general equality duty across its functions. This must be done by **31 July 2011**, and at least annually after that from the first date of publication. This includes information on the effect that its policies and practices have had on people who share protected characteristics, to demonstrate the extent to which it furthered the aims of the general duty for its employees and for others with an interest in the way it performs its functions.
- B) Public authorities (with more than 150 employees) also have to publish the following information:
- evidence of analysis that they have undertaken to establish whether their policies or practices have (or would) further the aims of the general equality duty;
 - details of the information that they considered in carrying out this analysis;
 - details of engagement that they undertook with people who they considered to have an interest in furthering the aims of the general duty; and
 - prepare and publish equality objectives. By **6 April 2012**, prepare and publish (i) objectives that it thinks it should achieve to meet one or more of the aims of the general equality duty and (ii) details of the engagement that it undertook in developing its objectives with people whom it considers to have an interest in furthering the aims of the general equality duty.

3 Proposal

- 3.2 To ensure the other information publication requirements under the specific duties are met a dedicated website page is being created which will contain all community (equality) impact assessments and an overview summarising the levels of impact found.

- 3.3 Although the legal deadline for preparing and publishing equality objectives have been extended from April 2011 to April 2012, officers have been undertaking the necessary work to ensure this duty is met throughout 2010/11.
- 3.4 The attached draft corporate equality scheme proposes three corporate equality objectives, and a series of accompanying actions to deliver those objectives. Further detail will be contained within individual service plans.
- 3.5 Cabinet is asked to discuss and debate the content of the scheme and to endorse the document for Council approval.

4 Alternative Options

- 4.1 Cabinet could determine not to progress with implementing the scheme and defer progress until the April 2012 required date of implementation.

5 Consultation Undertaken or Proposed

- 5.1 Page 7 of the scheme gives details of the consultation undertaken with a range of voluntary organisations, citizens and employees and how that has influenced the shape of the document.
- 5.2 Further consultation is to take place with the Auxiliary Portfolio Holder for Safer and Stronger Communities and the Portfolio Holder for Health on Monday 21 February 2011.

6 Implications

Issue	Implications
Corporate Plan	The corporate equality scheme underpins all corporate priorities and has a specific reference under SSC3 Work with partners to build more cohesive communities celebrating diversity and tackling inequalities. This delivers one of the key actions under SSC3 to Implement the corporate equality scheme.
Financial, Resource and Property	The Council has previously agreed to a £20,000 performance fund bid to support this area of work.
Legal and Statutory	The Council has a statutory duty to comply with both the general and specific duties of the Equality Act 2010.
Crime and Disorder	None identified at this time.
Risk Management and Health and Safety	There is a significant potential corporate risk for the organisation of failing to comply with the general and specific duties. The Equality and Human Rights Commission has responsibility for monitoring and enforcing the equality duty. The latest guidance from EHRC

	on the public sector duty suggests an approach to ensure compliance which covers assessing and relevance, collecting and publishing information, engagement, equality analysis, equality objectives, commissioning and procurement and business planning and reporting.
Equality and Diversity	<p>The three aims of the general duty are about:</p> <ul style="list-style-type: none"> ▪ having due regard for advancing equality which includes removing or minimising disadvantages suffered by people due to their protected characteristics; ▪ taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and ▪ encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
Sustainability	None identified at this time.

7 Appendices

- 7.1 The following documents are to be published with this report and form part of the report:
- Appendix I: ***Achieving Accessibility, Equality and Diversity***

8 Background Papers

- 8.1 Equality Act 2010 http://www.equalities.gov.uk/equality_act_2010.aspx
- 8.2 The essential guide to the public sector equality duty Vol 1 of 5
<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-duties/new-public-sector-equality-duty-guidance/>