

Policy & Resources Committee Meeting	
Meeting Date	7 February 2024
Report Title	Corporate Equality Scheme
EMT Lead	Larissa Reed – Chief Executive
Head of Service	Philip Sutcliffe – Communications & Policy Manager
Lead Officer	Janet Dart – Policy & Engagement Officer
Classification	Open
Recommendations	1. To approve the draft Corporate Equality Scheme 2024-2028 to undertake a public consultation

1 Purpose of Report and Executive Summary

- 1.1 This report provides an update on the key elements of the general and specific equality duties as set out in the Equality Act 2010 and makes recommendations for consulting on a new Corporate Equality Scheme covering the period 2024 – 2028.

2 Background

- 2.1 Public authorities in England and Wales, which were subject to the specific duties of the Equality Act 2010, had until 6 April 2012 to publish equality objectives. Swale BC went beyond these requirements by publishing a Corporate Equality Scheme, containing equality objectives, in 2011 – a year ahead of schedule.
- 2.2 It is expected that authorities which are subject to the duties of the Equality Act 2010 review and/or replace their equality objectives every four years. Due to departmental restructures and the temporary lack of a policy team resource, there was a delay in carrying out the four-yearly review. This has now taken place alongside the development of the Corporate Plan priorities for 2023-2027.
- 2.3 This report seeks The Policy & Resources Committee’s comments on the draft Corporate Equality Scheme, and approval to submit the draft for consultation.

Proposals

- 3.1 The General Equality Duty is set out in Section 149 of the Equality Act 2010. In summary, those subject to the Act (including local authorities) must in the exercise of their functions, have 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.
- 3.2 The duty covers nine protected characteristics – age, disability, gender reassignment, marriage and civil partnership*, pregnancy and maternity, race, religion or belief, sex and sexual orientation. These are also known as protected characteristics. *The duty covers marriage and civil partnership but not for all aspects of the duty.
- 3.3 The specific duties require a public authority to publish specific items of 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.
- 3.4 The Council has sought to meet these requirements by publishing a Corporate Equality Scheme which incorporates all of the elements of paragraph 3.3, and the draft Corporate Equality Scheme 2024 – 2028 continues this approach.
- 3.5 The draft Corporate Equality Scheme 2024 -2028 objectives and key actions focus on Swale’s communities rather than the Council’s internal processes.

4 Alternative Options Considered and Rejected

- 4.1 Not to publish a new Corporate Equality Scheme, although this would run the risk of censure by the Equality and Human Rights Commission who have powers to serve public authorities with compliance notices in the event of breaches of the general duty.

5 Consultation Undertaken or Proposed

- 5.1 Workshops were held in August 2023 with representatives from a range of external organisations where they were asked to provide input into what sort of things people with any of the protected characteristics find difficult when dealing with organisations such as Swale Borough Council when accessing their services.

- 5.2 An 8-week public consultation on the draft Scheme, incorporating further engagement with voluntary organisations and representative groups, is proposed as the next step.

6 Implications

Issue	Implications
Corporate Plan	The Corporate Equality Scheme will support all three objectives in the Corporate Plan, and numerous cross-references to the Corporate Plan have been included within the text.
Financial, Resource and Property	There will be minimal financial implications for publishing a new Corporate Equality Scheme.
Legal, Statutory and Procurement	As a public authority, we are required by statute to publish equality objectives and associated information by the Equality Act 2010.
Crime and Disorder	None envisaged at this stage. Some of the key actions in the Scheme refer to existing activity being undertaken by the Swale Community Safety Partnership.
Environment and Climate/Ecological Emergency	No specific implications have been identified at this stage.
Health and Wellbeing	No specific implications have been identified at this stage.
Safeguarding of Children, Young People and Vulnerable Adults	No specific implications have been identified at this stage.
Risk Management and Health and Safety	No specific implications have been identified at this stage.
Equality and Diversity	The entire draft Corporate Equality Scheme is concerned with the Council's obligations under the Equality Act 2010.
Privacy and Data Protection	No specific implications have been identified at this stage.

7 Appendices

- 7.1 The following documents are to be published with this report and form part of the report:

Appendix I – Draft corporate equalities scheme 2024-2028

8 Background Papers

SBC Corporate Equality Scheme 2016-2020 available at
<https://services.swale.gov.uk/assets/Consultations/Corporate-Equality-Scheme-2016.pdf>