

Council	Agenda Item:
Meeting Date	27 July 2016
Report Title	Corporate Equalities Scheme 2016-2020
Cabinet Member	Cllr Andrew Bowles, Leader
SMT Lead	Abdool Kara
Head of Service	David Clifford
Lead Officer	Bob Pullen
Key Decision	No
Classification	Open
Forward Plan	Reference number: 5
Recommendations	1. Cabinet is asked to approve the Corporate Equalities Scheme 2016-2020.

1 Purpose of Report and Executive Summary

- 1.1 The report invites Council to note the response to consultation on the draft Corporate Equalities Scheme 2016-2020, and to approve the final version for publication.

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 Equalities Scheme, containing equality objectives, in 2011 – a year ahead of schedule.
- 2.2 It is expected that authorities that are subject to the duties of the Equality Act 2010 will review and/or replace their equality objectives every four years. Therefore, our objectives come to the end of their life in March 2016.
- 2.3 Guidance to public authorities issued by the Equality and Human Rights Commission (EHCR) states:
- “Ideally, the development of equality objectives should be carried out as part of the normal business planning processes of your organisation. The flexibility to publish objectives any time up to 6 April 2012, and to set and publish new objectives at any point in the following four years, is intended to support this approach.”*

2.4 SMT agreed at their meeting on 20 November 2015 that the new Corporate Equality Scheme should be published by the end of July 2016, to enable a full public consultation period, including engagement with the various representative groups within Swale, and the necessary clearances through Cabinet and Council. Cabinet endorsed the scheme on 13 July.

2.5 This report seeks Council's approval of the Corporate Equalities Scheme for publication.

3 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 eight protected characteristics – age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. These are known as protected groups. The duty also 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 Corporate Equality Scheme 2016-2020 at Appendix I continues this approach.

3.5 The Corporate Equalities Scheme 2016-2020 is different from the Council's previous schemes in that objectives and key actions focus more on Swale's communities and less on the Council's internal processes.

3.6 Council is asked to approve the scheme for publication.

4 Alternative Options

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

5 Consultation Undertaken or Proposed

5.1 SMT and the Policy Development and Review Committee have been involved in early discussions to help shape the new objectives for the period 2016-2020 and the resulting draft Scheme. The scheme was endorsed by Cabinet on 13 July.

5.2 A full public consultation on the draft Scheme was launched on 26 February until 29 April 2016. The consultation was publicised by way of a Press Release and promotion through the Swale Community Empowerment Network's newsletter, which is sent to just under 400 organisations and individuals across Swale.

5.3 Furthermore, all local organisations representing those with protected characteristics were sent a copy of the draft Scheme, along with a covering letter signed by the Portfolio Holder inviting them to meet and discuss the draft.

5.4 The Policy Development and Review Committee considered the draft Scheme at their meeting on 23 March 2016.

5.5 A schedule of comments received is at Appendix II.

6 Implications

Issue	Implications
Corporate Plan	The Corporate Equalities Scheme will support all three objectives in the Corporate Plan, and numerous cross-references to the Corporate Plan have been included in the text.
Financial, Resource and Property	There will be minimal financial implications for publishing a new Corporate Equalities Scheme. Staff and publication costs were planned for in the last Service Planning round. Delivery of the actions within the Scheme will be undertaken within existing resources.
Legal and Statutory	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.

Sustainability	None.
Health and Wellbeing	None.
Risk Management and Health and Safety	None.
Equality and Diversity	The entire draft Corporate Equality Scheme is concerned with the Council's obligations under the Equality Act 2010.

7 Appendices

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

- Appendix I: Corporate Equality Scheme 2016-2020
- Appendix II: Responses to consultation on draft Corporate Equalities Scheme
- Appendix III: Progress made on Corporate Equality Scheme 2011-2015
- Appendix IV: Community Impact Assessment.

8 Background Papers

Swale Borough Council – Our Four Year Equality Scheme 1 April 2011 to 31 March 2015

[Report to Policy Development and Review Committee on draft Corporate Equality Scheme 2016-2020](#)

[Press release announcing launch of consultation on the draft Corporate Equality Scheme 2016 - 2020](#)

[Report to Cabinet – 13 July 2016](#)