

Subject:	Single Equality Scheme update		
Date of Meeting:	9 June 2011		
Report of:	Strategic Director, Communities		
Contact Officer:	Name: Mary Evans	Tel: 29-1577	
	E-mail: mary.evans@brighton-hove.gov.uk		
Key Decision:	No		
Wards Affected:	All		

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 Equality, fairness and a more equal society are key council objectives; the Single Equality Scheme and its associated action plan form one of the many strands that complement one another to reduce inequality and improve lives for all residents.
- 1.2 The Single Equality Scheme sets out council equality priorities and actions from January 2010 until December 2011. The scheme was approved on 11 February 2010.
- 1.3 Overview & Scrutiny Commission requested a six-monthly update of progress against the action plan. This report covers the period June 2010-March 2011.
- 1.4 This report went to the Overview and Scrutiny Commission on 5 April and there were no amendments made.

2. RECOMMENDATIONS:

- 2.1 That Cabinet supports the work to reduce inequality across the city and note progress made so far against the objectives set out in the Single Equality Scheme Action Plan.
- 2.2 That Cabinet notes plans for a review of the Scheme and, concurrently, the council's Equality and Inclusion Policy, to build on existing good practice and ensure outcomes that make a real and lasting difference to the way the city deals with these priority areas of work.

3. SINGLE EQUALITY SCHEME ACTION PLAN - BACKGROUND

- 3.1 The Single Equality Scheme included a new action plan. This was based on extensive consultation and addresses key priorities across all the equalities strands including economic disadvantage. It is intended to be focused enough to

be easily understood and monitored and to include actions which will have significant impact. The full progress report is attached as Appendix A.

- 3.2 This report identifies highlights from the progress report and outlines the plans for reviewing the Scheme. The current Scheme runs until December 2011.

4. SUMMARY OF PROGRESS (see full report Appendix A)

4.1 Over-arching Actions for Promoting Equality

- 4.1.1 The council achieved the top 'Excellent' level of the Equality Framework for Local Government in January 2011.

- 4.1.2 Highlights identified in the Assessors' presentation (attached as Appendix B) were:

1. Commitment to equalities from political leadership
2. Cross party member equalities group
3. Civic culture
4. Staff passion for equalities
5. Communities and equalities team
6. LGBT successes
7. City Inclusion Partnership
8. Community Engagement Framework
9. Equality Impact Assessments (internally and externally)
10. Sharing good practice with partners
11. Good practice library
12. Good working relationship with Community and Voluntary Sector
13. Staff feel supported in their development of their understanding and skills around equality

- 4.1.3 Key recommendations are:

1. Clarify the vision for equality in the city, its communities and the desired outcomes
2. Rationalise the support provided to community groups to ensure sustainability
3. Evaluate the effectiveness of the Intelligent Commissioning approach
4. Induct newly elected members post election to support their work with diverse communities
5. Clarify role and number of networks, partnerships and fora
6. Transfer leadership on workforce equalities from Communities and Equality to HR to support excellence
7. Greater focus on diversity in the staff survey
8. Retain focus on excellence status

- 4.1.4 A significant contribution to our success was our robust and transparent Equality Impact Assessment process which leads to actual outcomes and service improvements from assessments. The assessments use data and consultation, include evidence of community engagement, and influence how we deliver services to meet the needs of the city's diverse communities.

- 4.1.5 Equality Impact Assessments (EIAs) have been timetabled across all directorates over a three year period (Jan 2008 - Dec 2010). With the new council structure we are developing appropriate systems for maintaining the EIA process in Delivery Units and for embedding it in the commissioning stages of the new Intelligent Commissioning Process.
- 4.1.6 Screening EIAs were prepared for the Budget. These were intended to highlight issues where diverse groups might be disproportionately affected by changes to funding or services and were used internally in the council and by other external stakeholders in the process.
- 4.1.7 Summaries of completed Equality Impact Assessments can be found on the council's main website. These summaries give an overview of the full assessments by detailing key outcomes and actions on how outcomes will be implemented to improve the service or policy. These outcomes are used as equality objectives through the business planning process to ensure a thorough monitoring and reviewing process.

4.2 PROMOTING EQUALITY THROUGH OUR PARTNERSHIP WORKING

4.2.1 Disability Hate Crime

Information about how to report incidents is being promoted via the council in the city and Learning Development Partnership Board websites, increasing reporting of disability hate incidents in general and particularly from people with learning disabilities. Training has been delivered to people with learning disabilities about community safety in general and community safety information has been produced in an easy read format.

4.2.2 Prevent Project

Needs assessment work has been carried out with Muslim communities in the city: the process was consultative and identified issues, needs, priorities from 15 local Muslim community groups and organisation. A series of events and training sessions have also been run.

4.3 PROMOTING EQUALITY THROUGH COMMUNITY ENGAGEMENT

4.3.1 Community Engagement Framework (CEF)

A communications plan has been produced to support implementation of the CEF. Community Engagement Training is being embedded within core BHCC Learning offer for 2011-12 and ongoing support is provided to council staff.

4.3.2 Get Involved Group of Disabled People

The Group has completed its review of the disability awareness training used within the Council, NHS Trusts and Sussex Police and the Federation of Disabled People (FED) is now volunteering as a host-organisation for student officers during training. Work with parks teams is completed to identify barriers and opportunities to accessing park facilities across the city. Further consultation is being undertaken around disabled people and recycling

4.4 PROMOTING EQUALITY IN OUR SERVICE DELIVERY

4.4.1 Combating Blue Badge Fraud

To combat fraud, Civil Enforcement Officers (CEOs) are working with the police to clamp down on misuse. The new scheme is a joint initiative between Brighton & Hove City Council, Sussex Police, and NSL, the council's parking contractors. It gives parking attendants the technology to identify and recover lost and stolen blue badges and has resulted in dozens being recovered and several arrests.

4.4.2 Housing Benefit Claims

Housing Officers are now offering support to new tenants to correctly complete Housing Benefits Claims. In addition the officer also completes a financial inclusion health check with the tenant to find out if financial advice and assistance are needed. Among the topics covered are: the credit union, loan sharks, basic bank accounts, low cost insurance and changing energy providers. Advice on changes in income or benefits, and help with planning a budget are offered, all of which early intervention can help debt accruing

4.4.3 Fire Safety for Vulnerable People

To ensure that our most vulnerable residents know what to do in the event of a fire, we have used information from the 2006 tenant census alongside the returns from a 2009 article on fire safety in the Homing-in magazine to create a vulnerable persons report on OHMS. Housing Officers are encouraged to visit these residents as a priority under the tenancy check scheme to discuss aspects of fire safety and complete a Personal Emergency Evacuation Plan

4.4.4 Partners In Art

This ongoing project will provide opportunities for people who want to follow their interest in art and heritage but need additional support to do so due to a disability or long term health issue. The scheme places them in a partnership with a volunteer who has a similar passion for art and museums (e.g. a practising artist, local history enthusiast, craft maker, archive researcher). Their partnership is built around this shared interest and the museum facilitates them to develop it.

4.4.5 Targeted Mental Health In Schools Pathfinder

The Pathfinder has developed an online assessment tool which identifies and assesses children who may be socially isolated and/or have emotional/mental health concerns, enabling appropriate early interventions for identified children and young people. Ongoing support is being rolled-out to all schools.

4.5 PROMOTING EQUALITY IN EMPLOYMENT

4.5.1 Mandatory Equalities Learning for all Staff and Managers

The Learning & Development Team has refreshed the one hour Equalities and Diversity eLearning module to align with the new Equality Act 2010 and help staff understand and comply with the new legislation. Priority learners are people managers and staff providing frontline services but all staff are required to complete the module by the end of the year.

4.5.2 Workforce Composition Figures

The council's workforce profile (excluding schools) as at 31 December 2010 is attached at Appendix C. As this data is based on the new organisational structure it is no longer possible to draw direct comparisons with previously published data for individual directorates. However, trend data based on the new council structure will be available going forward.

4.5.3 Dignity and Respect at Work Policy

The new Dignity and Respect at Work Policy was approved by Governance Committee. This policy was developed in close collaboration with representatives from senior management, the Workers' Forums and the trade unions. The network of Advisers together with a pool of independent investigators has been recruited and trained.

4.5.2 Disabled Staff

The Staff Disabilities Scrutiny Review was also presented to OSC at the 5 April meeting.

Guidance for managers on when and how to make reasonable adjustments for staff with disabilities was approved and published in October 2010. The revised sickness absence procedure called "Attendance Management" will be launched in April 2011.

5. IMPLEMENTATION OF THE EQUALITY ACT 2010

5.1 The Equality Act replaces the previous anti-discrimination legislation with a single Act that simplifies the law, removing inconsistencies and making it easier to understand. It also strengthens the law to help tackle discrimination and inequality, and expands the Duties placed on public bodies.

5.2 The Act came into force on October 1 2010. The new public sector Equality Duty comes into force on April 6 2011. The Equality Duty aims to embed equality considerations into the day to day work of all public bodies, and those carrying out public functions, so that they tackle discrimination and inequality. The Duty requires public bodies to engage with the diverse communities affected by their activities and decisions to ensure that policies and services are appropriate and accessible to all and meet different people's needs.

5.3 The Duty consists of a **general Duty** and **specific Duties** – the specific Duties are designed to enable public bodies to meet the general Duty. The new Duty replaces the existing public sector equality Duties and covers the following protected characteristics:

1. Age
2. Disability
3. Gender reassignment
4. Pregnancy and maternity
5. Race (ethnic or national origin, colour, nationality)
6. Religion or belief (including lack of belief)
7. Sex
8. Sexual orientation

- 5.4 The Duty also applies to 'marriage and civil partnership' but only in respect of the requirement to have due regard to the need to eliminate discrimination.
- 5.5 It is designed to reduce bureaucracy whilst helping public bodies deliver equality outcomes. It will require public bodies to publish more information than before, and to demonstrate how they are delivering improvement so that the public can hold them to account.
- 5.6 The general Duty has 3 aims. Public bodies must consciously consider these three aims as part of the process of decision making, and the specific Duties require evidence that this has happened:
 - 1. **Eliminate unlawful discrimination**, harassment and victimisation and other conduct prohibited under the Equality Act 2010
 - 2. **Advance equality of opportunity** between people from different groups
 - 3. **Foster good relations** between people from different groups
- 5.7 The specific Duties provide a framework to enable public bodies to meet the general Duty. The Duties require public bodies to set specific, measurable, equality outcomes, embedded into core practice and process, and to publish information on their progress to enable public scrutiny and accountability.

6. **DEVELOPING OUR NEW SINGLE EQUALITY SCHEME AND EQUALITY AND INCLUSION POLICY**

- 6.1 The council Single Equality Scheme and Equality and Inclusion Policy 'Working Towards an Equal City' both end in 2011 and are therefore due for review. Because of changes in national legislation (the Equality Act 2010) and changes locally in relation to our partnership working with other statutory agencies, the introduction of Intelligent Commissioning and council restructure, we plan to combine these two documents into one. This enables us to have a single corporate document which encompasses all our equality, inclusion and community cohesion objectives and actions.
- 6.2 Following the Community Engagement Framework we will be launching an engagement process with all stakeholders to enable us to develop the new Scheme/Policy. The new Equality Act 2010 provides a clear structure for this process, which we will ensure also meets local best practice standards.
- 6.3 Through the City Inclusion Partnership we will aim to link in with the other statutory service providers who are also reviewing their Schemes, in order to increase consistency in approach across the city and to identify joint objectives and actions where appropriate and possible.
- 6.4 The timeframe for this review is:
 - 1. Apr-May: Review of existing Scheme and Policy to summarise progress, highlight outstanding issues, identify gaps, evaluate feedback, and consider new legal context.
 - 2. Jun-Sep: Stakeholder engagement, including members, staff, actual and potential service-users, community and voluntary sector groups, residents, city partners.

3. Oct-Nov: Drafting and further consultation on proposed Scheme / Policy
4. Dec-Jan: Council sign-off

7. CONSULTATION:

- 7.1 The Single Equality Scheme was developed from a range of consultation and data sources, including feedback we received to our Race, Disability and Gender Equality Schemes, and consultation with staff, local and national organisations and representative groups.
- 7.2 In October - December 2009, with Brighton and Hove City Primary Care Trust and Brighton and Sussex University Hospitals NHS Trust, we carried out a programme of consultation and engagement in order to shape this Scheme. We held 8 public consultation events, and conducted a public online consultation.
- 7.3 We were particularly keen to reach seldom-heard-from groups in order to ensure our findings were relevant to diverse groups. To do this, we asked for views at the Older People's Day, the Get Involved Day, the Black and Minority Ethnic (BME) Elders' Day, and ran targeted events for men, BME communities and the Federation of Disabled People. Community and Voluntary Sector groups were also sent the Scheme to comment on, as were the council staff forums and unions.
- 7.4 As well as the public consultation events, approximately 30 members of the Get Involved Group (jointly funded with the PCT) attended a workshop in order to help us clarify the issues for disabled people across all impairment groups.

8. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 8.1 The resources to fund ongoing work as described in this report are met from agreed council budgets and partnership funding.

Finance Officer consulted: Anne Silley

Date: 19/04/11

Legal Implications:

- 8.2 The statutory framework for the council's Single Equality Scheme is the Equality Act 2010, in particular sections 149 to 157 which set out the 'Public Sector Equality Duty' consisting of a general duty and supporting, specific, duties. The general duty came into force on 6 April 2011 and the specific duties are expected come into effect in July 2011 following consultation on a revised set of regulations.
- 8.3 The Single Equality Scheme will need to give effect to both the general and specific public sector equality duties under the 2010 Act

Lawyer consulted:

Oliver Dixon

Date: 09/05/11

Equalities Implications:

- 8.4 The equalities implications are directly addressed by the work contained within the report.

Sustainability Implications:

- 8.5 None directly in relation to this report

Crime & Disorder Implications:

- 8.6 The Crime and Disorder Reduction Partnership and the Partnership Community Safety Team are key contributors to equalities & inclusion work in the city and this is reflected in the single Equality Scheme action plan

Risk and Opportunity Management Implications:

- 8.7 The implications for risk are directly addressed by the actions contained within the report.

Corporate / Citywide Implications:

- 8.8 The actions contained within the report have been developed with input from all council Directorates.

9. EVALUATION OF ALTERNATIVE OPTION(S)

- 9.1 Councils are required to produce schemes relating to the equality groups covered by legislation. The alternative to a single scheme was to produce multiple schemes (one for each of the 6 equality strands, plus carers, socio-economic disadvantage and others). However, this was not considered appropriate, as it creates significant duplication and would not effectively address issues of cross-cutting disadvantage or multiple discrimination. Therefore it was decided to develop one Single Equality Scheme.

10. REASONS FOR REPORT RECOMMENDATIONS

- 10.1 It was agreed that six-monthly reports would be made on progress against the Single Equality Scheme to be discussed and noted by the Overview and Scrutiny Commission.
- 10.2 The current Single Equality Scheme and Equality and Inclusion Policy run out at the end of 2011 and need to be reviewed. Creating a single combined policy and scheme will simplify and streamline the council's equalities approach.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A: Single Equality Scheme Action Plan – Progress Report June 2010
2. Appendix B: Highlights of the Equality Framework assessors' presentation
3. Appendix C: Council Workforce Statistics 2010

Documents In Members' Rooms

None

Background Documents:

None

