

<b>Subject:</b>	<b>Equalities update</b>		
<b>Date of Meeting:</b>	<b>16 July 2012</b>		
<b>Report of:</b>	<b>Strategic Director Communities</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Mary Evans</b>	<b>Tel:</b> <b>291577</b>
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<b>Key Decision:</b>	No		
<b>Wards Affected:</b>	All		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Communities and Equality Team reports to OSC regularly on the council's progress in relation to equalities.
- 1.2 Previous reports have focused on the achievements against the Single Equality Scheme. This report provides an update on the new Equality and Inclusion Policy and Action Plan which replaces that Scheme and the council's previous Equality Policy. It also updates on wider equalities work across the council and in the city.

#### 2. RECOMMENDATIONS:

- 2.1 To note progress made.
- 2.2 To agree OSC's ongoing involvement in reviews of the Policy and Action Plan, and in overseeing progress more widely.

#### 3. EQUALITY AND INCLUSION POLICY AND ACTION PLAN 2012-2015

- 3.1 The previous policy and Single Equality Scheme both came to an end in December 2011 and it was decided to combine the two documents. This enabled us to incorporate the changes from the Equality Act 2010, make our approach more consistent and respond to changes within the council and the wider city.
- 3.2 The Equality Act 2010 places a number of new requirements on the council (Appendix A). These include developing equality objectives which now form the basis of our council Policy (Appendix B).
- 3.3 There was a wide consultation with staff, councillors, statutory partners, and Community and Voluntary Sector (CVS) groups, as well as online, and in line with the Community Engagement Framework we provided feedback on the comments we received.
- 3.4 The new Policy was agreed by full council in March and published.

- 3.5 One of the key points from the consultation was interest in how the Policy would be implemented and we are defining specific actions across the council which will enable progress against each of the objectives identified. This Action Plan is attached (Appendix C).
- 3.6 The Action Plan is currently being circulated internally and externally.
- 3.7 We plan a regular reporting process internally and externally on progress against the Policy and Plan. This will also be an opportunity to identify changes in the city and the council which may require a change in actions or approach and offers a chance for us to explain our approach and learn how it is working for residents, partners, Community and Voluntary Sector (CVS) groups and others in the city.
- 3.8 We are also working with the Communications Team on a plan for making the Policy, the new Act and our duties more widely known within the council. Equally, we aim to raise awareness of our work among our partners.

#### **4. EQUALITY IMPACT ASSESSMENTS (EIAs)**

- 4.1 The EIA process itself no longer defined or mandated in law but there is still an explicit legal requirement for public bodies to 'evidence due regard' to the potential impacts on all 'protected characteristic' groups (Appendix A has more information on 'due regard' and 'protected characteristics').
- 4.2 The council has given a commitment to meet this duty by continuing to follow our well-established EIA process on all new policies/services and when they are changed or reviewed. The principles and elements of EIAs are also being embedded in the new commissioning processes.
- 4.3 New EIA guidance has been developed in line with the Equality Act 2010 and training is being delivered based on this.
- 4.4 The EIA timetable for all Units across the council has been updated by equality reps in all areas. This timetable is a record of all the EIAs planned, whether on new services/policies or reviews of existing ones. It is discussed by SLT regularly for monitoring of progress.
- 4.5 During the budget-setting process for this financial year EIAs of all proposed changes and cumulative impact (across changes) were assessed. This enabled us to demonstrate our compliance with the law in giving 'due regard' to the needs of groups protected in law during our decision-making processes. Other authorities have been subject to legal challenge where they have not been able to evidence this.
- 4.6 The EIAs were made available with the overall budget information to Community and Voluntary Sector (CVS) groups in the city, as part of the consultation process. A number of groups provided views which were also considered by members.

## **5. COUNCILLOR CHAMPIONS**

- 5.1 The Disability Scrutiny Review recommended the development of a councillor Disability Champion role which was created under the previous administration. The Green Administration applied the principle to all the Workers' Forums, creating champions for BME staff and LGBT staff. They also identified a need for a women's champion and two councillors have been appointed to fulfil that role.
- 5.2 The 'champion' roles are still being defined: they may include support to forums in completing their business plans (which have gone to SLB – see below, section 8) and developing links with CVS groups in the city. We are working with Human Resources colleagues on developing these roles.

## **6. COMMUNITIES AND EQUALITY PROJECTS**

- 6.1 Neighbourhood Governance: we have been supporting the consideration of how equalities groups are represented in the development of these new structures and how they work. Consultation has already identified that this is an important issue for people in terms of how the governance structures will work.
- 6.2 Community Development Commissioning: further embedding equalities into the process so that bidding organisations make explicit how they will work with equalities groups and evaluate their progress against agreed equalities outcomes.
- 6.3 People's Day: our team has been supporting the planning of this day which has a focus on the diversity of communities in the city, and helps promote understanding between groups and community cohesion. Thus far around 60 activities/performances are planned involving more than a thousand people.
- 6.4 Armed Forces work: our team are supporting the plans for Armed Forces Day and the plans for an Armed Forces Covenant, recognising the significant levels of disadvantage and often exclusion that ex-service personnel may experience in the city and nationally.
- 6.5 Gypsy Roma Traveller History Month: we have co-ordinated the organisation of a series of events to mark this annual event (June) and helped to publicise them.

## **7. HUMAN RESOURCES**

- 7.1 As part of the new requirements of the Equality Act 2010 public bodies are required to publish data on their workforce. This has been produced by our HR department and published (see Appendix D).
- 7.2 The HR Equality group (reps from HR, Workers' Forums and Communities and Equality Team) meets quarterly and has discussed a number of topics, including the extension of LGBT Mentoring, Workers' Forums' Business Plans (see below), and ways to improve data collection and use the data more effectively

## **8. WORKERS FORUMS**

- 8.1 The Forums have developed Business Plans which they presented to the Strategic Leadership Board. They are now starting work to implement these plans. SLB have also agreed actions within them.
- 8.2 The Councillor Champions (see above) are also meeting with the forums to find out key issues and identify next steps.
- 8.3 The Champions for Women have held some meetings with women staff and are planning to set another date to meet.

## **9. CITY INCLUSION PARTNERSHIP**

- 9.1 The focus for the partnership has been to agree a new Work Plan and to agree and sign-off the new protocol with the Brighton and Hove Strategic Partnership.

## **10. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 10.1 None directly in relation to this report as all costs to be met by existing budgets.

### Legal Implications:

- 10.2 Our statutory responsibilities in relation to equalities are directly addressed by the Equalities & Inclusion Policy and the implementation of the Action Plan.

### Equalities Implications:

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

### Sustainability Implications:

- 10.4 None directly in relation to this report

### Crime & Disorder Implications:

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

### Risk and Opportunity Management Implications:

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

Corporate / Citywide Implications:

10.7 The actions contained within the report have been developed with input from all council Units.

**SUPPORTING DOCUMENTATION**

**Appendices:**

**A - EQUALITIES ACT 2010**

**B - EQUALITY AND INCLUSION POLICY**

**C - WORKFORCE DATA**

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.

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.

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:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race (ethnic or national origin, colour, nationality)
- Religion or belief (including lack of belief)
- Sex
- Sexual orientation
  - 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.

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:

- **Eliminate unlawful discrimination**, harassment and victimisation and other conduct prohibited under the Equality Act 2010
- **Advance equality of opportunity** between people from different groups
- **Foster good relations** between people from different groups

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.

The Act 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.