

CABINET

17 January 2007

EQUALITY AND DIVERSITY REVIEW

REPORT OF THE DIRECTOR OF HUMAN RESOURCES

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RECENT REFERENCES:

None

EXECUTIVE SUMMARY:

This report sets out the actions needed to review the Council's approach to current equalities legislation and statutory duties and to prepare for new legislative requirements and duties in 2007. Eight priority areas have been identified that require action to improve the work of the Council. This action is imperative to ensure that the Council complies with all specific and general statutory duties relating to community inclusion and equality of access to services and employment.

RECOMMENDATIONS:

That the eight priority areas identified in paragraph 1.4 of the report be approved and the recommended approach and the proposed work programme as set out in the report be adopted.

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DETAIL:

1 Introduction

1.1 The Council in its Equality Policy states that it is committed, both as an employer and as a deliverer of services, to ensuring that no recipient of services provided by the Council receives less favourable treatment on any of the grounds specified in the Equality Policy.

1.2 It is essential that this stated commitment is translated into actions. Whilst a number of actions as set out in the Equalities Action Plan have been delivered it is imperative that a Corporate approach is adopted to ensure that we accelerate progress in, and gain recognition for, our work on equalities and diversity across all of the Council's services.

1.3 The Council needs to improve its performance in relation to equality and inclusion and take action to ensure it is meeting its legal duties. This report sets out a proposed work programme for the period January 2007 to July 2007 to be undertaken with assistance from an independent consultant, Dr. Ian Barrett of Cloud 9 Consulting.

1.4 The following eight priorities have been identified:

- 1) Develop a Disability Equality Scheme (DES).
- 2) Develop a Gender Equality Scheme (GES).
- 3) Review of current status in relation to performance and compliance with legislation.
- 4) Develop a comprehensive, long-term and strategic approach to "map out" how the council can progress in these areas of work.
- 5) Revise the Equality Policy & Plan.
- 6) Revise the Race Equality Scheme.
- 7) Develop further the Equality Impact Assessment (EIA) Process.
- 8) Provide support to managers carrying out EIAs.

2. Developing Equality Schemes (Priorities 1 and 2)

2.1 The Disability Discrimination Act 2006 - required local authorities (and other public bodies) to develop Disability Equality Schemes by 4th December 2006. The 1995 Disability Discrimination Act already imposes duties to:

- Amend policies, procedures and practices which prevent disabled people using a service
- Remove or alter physical barriers
- Remove or alter communication barriers
- Provide auxiliary aids (such as audio tapes, sign language, interpreters and induction loops) where reasonable and readily achievable.

2.2 The new Act requires public bodies to:

- Promote equality of opportunity between disabled persons
- Eliminate discrimination that is unlawful under the Act
- Promote positive attitudes towards disabled persons
- Encourage participation in public life
- Take steps to take account of disabled person's disabilities even where that involves treating disabled persons more favourably than other persons.

It also requires that disabled people are "involved" – and not just "consulted" in the development, monitoring and review of Disability Equality Schemes.

2.3 The Equality Act 2006 comes into force in April 2007, it requires public authorities to promote equality between women and men and eliminate unlawful sex discrimination and harassment. This means the council will have to develop policies, design services and have employment practices with the different needs of women and men in mind.

2.4 A key requirement is to prepare and publish a Gender Equality Scheme (GES) by 30th April 2007 showing how it intends to fulfil the general and specific duties and setting out its gender equality objectives.

2.5 In preparing a scheme the council must:

- consult employees, service users and others (including trade unions)
- take into account any information it has gathered or considers relevant as to how its policies and practices affect gender equality *in the workplace* and *in the delivery of its services*
- in formulating its overall gender equality objectives, consider the need to have objectives to address the causes of any *gender pay gap*.
- ensure that the scheme sets out the actions the authority has taken or intends to take to:
 - 1) gather information on the effect of its policies and practices on men and women, in employment, services and performance of its functions
 - 2) use the information to review the implementation of the scheme objectives
 - 3) assess the impact of its current and future policies and practices on gender equality
 - 4) consult relevant employees, service users and others (including trade unions)
 - 5) ensure implementation of the scheme objectives
 - 6) implement the scheme and their actions for gathering and using information within three years of publication of the scheme, unless it is unreasonable or impracticable to do so
 - 7) review and revise the scheme at least every three years
 - 8) report on progress annually

2.6 Along with several other authorities in Hampshire, the council has not met the deadline for the production of a DES, but has now started the process of developing one, together with a GES. This work will be lead by Dr. Barrett, with support from Human Resources and the Corporate Equality Group. It will be completed as quickly as possible. (See Table 1 below.)

3. Review and development of a strategic approach (Priorities 3 and 4)

3.1 It is proposed that a brief review (which has already been started) of the council's current status is undertaken to inform the development of a comprehensive, long-term and strategic approach to the whole area of equality and inclusion. The key outcome of this work will be an Action Plan that identifies the key tasks for the next 3 years and how they will be undertaken. These will include:

- The development of the Equality Impact Assessment (EIA) process to extend it to cover service provision.
- Identifying training and learning needs to enable managers to undertake EIAs.
- Identifying training and learning needs to ensure employees and councillors have the necessary knowledge and skills to meet the various equality duties.
- Undertaking consultation on the Revised Race Equality Scheme.
- The development of an Age Equality Scheme.

3.2 It is also likely to include taking on board the need to address "social cohesion", ensuring the council takes advantage of opportunities for partnership working (especially in relation to the LSP) and issues raised in the recent White Paper -including the possibility of a single equality duty.

4. Revising the Equality Policy & Race Equality Scheme (Priorities 5 and 6)

4.1 These are currently combined in a single document. This needs to be revised in order to ensure that the RES is "distinct and clearly identifiable" as required by the legislation. In the time available it is not possible to consult on the revised RES. It is also advisable to await the results of the current work on reaching out to local Black and Ethnic Minority (BME) communities being undertaken by Winchester Area Community (W ACA) and also the opportunity to find out more about both established minority ethnic communities and new arrivals offered by projects being developed by both WACA and Hampshire County Council.

5. Equality Impact Assessments (Priorities 7 and 8)

5.1 Further development of the EIA process is needed to encompass services and ensure that the council is meeting the requirements of all the main equality duties. This will differ somewhat according to which group is being targeted. Support will be provided to managers and additional training which will be funded within existing resources.

6. Summary work programme

Table one sets out the key tasks and timescale for completion.

Table 1. Key tasks and completion dates

<i>Task</i>	<i>Dec</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>	<i>May</i>	<i>June</i>	<i>July</i>
DES approved and published						28		
GES approved and published								30
Review completed		30						
Strategy & Action Plan				17				
Equality Policy & Plan						17		
RES approved and published								30

OTHER CONSIDERATIONS:

7 CORPORATE STRATEGY (RELEVANCE TO):

- 7.1 The Council must comply with all the specific and general duties relating to community inclusion and equality of access to services and employment and this helps carry forward, those Corporate Strategies for the Council which encourage participation with our residents, to be a learning organisation, sharing best practice and to ensure that everyone can play a full part in the life of their community.

8 RESOURCE IMPLICATIONS:

- 8.1 There are no immediate funding implications. The use of a consultant to support the process is covered within existing funding. However, following consultation and the development of action plans with the equality schemes and service reviews there may be specific funding requirements. These will be brought to future Cabinet meetings for consideration if necessary. The possibility of shared funding to support activities through the Local Strategic Partnership is also being explored.

9 BACKGROUND DOCUMENTS:

- 9.1 Files and correspondence held in the Human Resources Directorate.

10 APPENDIX:

None