

## POLICY, FINANCE AND ADMINISTRATION COMMITTEE

29 SEPTEMBER 2010

### REPORT OF CHIEF EXECUTIVE

#### UPDATE ON THE COUNCILS APPROACH TO EQUALITIES

##### 1.0 PURPOSE OF REPORT

- 1.1 To update Members on the revised approach by the Council to make resources available to meet the relevant requirements of the Equality Framework and the new Equality Act 2010.

##### 2.0 RECOMMENDATIONS

**It is recommended that :-**

- 2.1 **The Council's approach to equalities be approved and that a report be made to this Committee updating progress on an annual basis.**

##### 3.0 KEY ISSUES

- 3.1 In common with all Public Sector bodies, particularly Local authorities, the Council needs to move forward with the Equality Framework and meet the requirements of the Equality Act 2010 (the Act). This standard is applicable to many elements of our work and many of the organisations that oversee and examine the Councils work particularly, the Equality and Human Rights Commission are looking to see that progress is being made.
- 3.2 The Equality Act 2010 replaced the existing anti-discrimination laws with a single Act. It included a new public sector Equality Duty, replacing the separate public sector equality duties relating to race, disability and sex, and also covering age, sexual orientation, religion or belief, pregnancy and maternity, and gender reassignment more fully. The Equality Duty consists of a general duty, set out in the Act itself, and specific duties imposed through regulations. A range of actions will need to be implemented by the Council to ensure it is compliant with the requirements of the Equality Act.
- 3.3 The Councils in Leicestershire have tried to develop a shared approach to equalities. This will help the Council particularly as to date it has not had an equalities resource and has worked across the Council with these duties being shared. It is not considered that this approach is suitable in future particularly with the increasing role equalities legislation is playing in the public sector and the emphasis placed at national level upon community cohesion.
- 3.4 The proposal has developed over successive months whereby the District Councils will work together with the Lead of North West Leicestershire District Council to offer one and a half days of resource to the Council to move forward the equalities requirements within policy, services, assessments and employment practices and procedures. This is the first full District to District Countywide service and has a target of reaching the "Achieving" level within the Equalities Framework as soon as practicable, reaching the "excellent" level of the Framework for Local Government within a four year time frame.
- 3.5 The output/objectives of the service will cover:
- Community and Equality Mapping
  - Partnership and Organisational Commitment
  - Community Engagement and Satisfaction

- Responsive Services and Customer Care
- Modern and Adverse Workforce

3.6 These issues will be managed in a coordinated and comprehensive way to enable the Council to make progress. The additional resource will be able to oversee and plan the Councils input and development across its services as it moves towards reaching the requisite standard. By working across the Districts with similar services and aims there will be an opportunity to reduce duplication and utilise effective and efficient good practice in the steps that are taken and the actions required.

#### 4.0 **POLICY AND CORPORATE IMPLICATIONS**

4.1 Whilst the Council has steadily made progress against the Equalities requirements it is more exposed as the standards improve and as other authorities move forward. A recent example of this was when the Commission for Human Rights and Equalities followed up the submission of information relating to the Councils approach to domestic abuse. Part of the information required related to the Councils equalities schemes, action plans and activities and the Commission requested further information and assurances with respect to the Councils activities. These were given and the Council has moved upon the actions required. However, resource within the Council remains stretched and resilience in this area of activity is required.

4.2 There is an expectation that local authorities will make progress against the equalities framework levels and this Council needs to carry out specific work to reach the standard of "achieving." This additional resource and support will enable the Council to deal with these matters effectively and efficiently.

#### 5.0 **FINANCIAL AND OTHER RESOURCE IMPLICATIONS**

5.1 The cost to the Council of participating within the Countywide District to District service is between £8,000 and £9,000 per annum. Initially, a service joined with the County Council was quoted to cost £21,000, this reduced when all Districts became willing to take part in the service to £15,000. Members will see that the District to District service is a more economic option offering all the requirements needed by this Council.

5.2 Costs for 2010/11 will be met from existing budgets and the sum required for the service will be included in budgets for 2011/12. The service will be reviewed at regular intervals and should there be difficulties in meeting the requirements of the Council discussions will take place with other District Partners to ascertain whether changes could be made to the service prior to the Council considering options further.

5.3 The agreement is initially for one year, with a possibility of this being extended for a further two years.

#### 6.0 **LEGAL IMPLICATIONS/POWERS**

6.1 The general duty is set out in section 149 of the Equality Act, in summary, the Council must have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and
- foster good relations between different groups.

6.2 Section 153 of the Act gives Ministers the power to impose specific duties through regulations. The specific duties are legal requirements designed to help public bodies meet the general duty.

6.3 A consultation document published in June 2009 set out proposals for specific duties, and a policy statement published in January 2010 set out the previous Government's proposed approach. The Coalition Government has considered the results of that consultation and the earlier proposals and developed a new approach in line with the guiding principles of freedom, fairness and responsibility. The new approach also takes into account the Government's aim of replacing top-down interventions from the centre with local democratic accountability driven by transparency and decentralisation.

**7.0 COMMUNITY SAFETY**

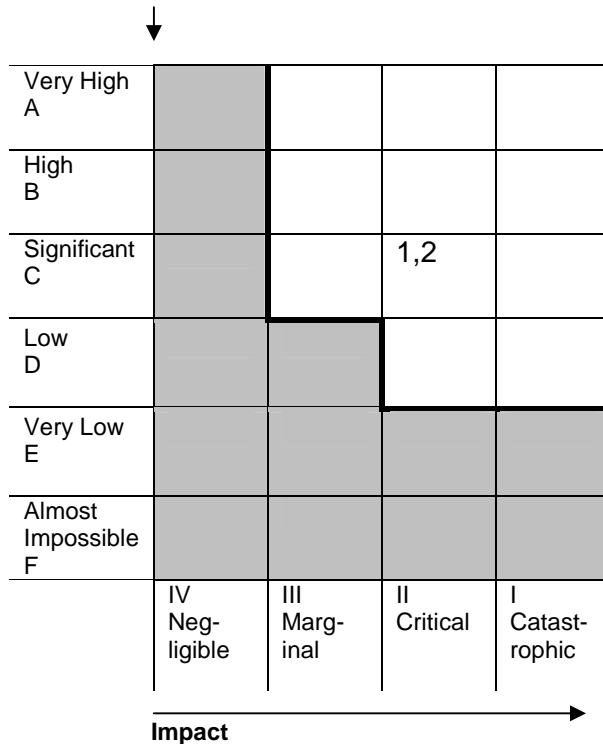
7.1 There are no particular implications arising from this report.

**8.0 EQUALITIES**

8.1 As set out within the report.

**9.0 RISKS**

**9.1 Probability**



Risk No.	Description
1	Failure to comply with statutory duties
2	Failure to adequately deal with the needs of those affected in the Community.

**10.0 CLIMATE CHANGE**

10.1 There are no particular implications arising from the report.

**11.0 CONSULTATION**

11.1 Detailed consultation has taken place across the District Councils to respond to the offers by the County Council as well as work up the agreed proposal between the Districts for the delivery of this Countywide District to District joint service.

**12.0 WARDS AFFECTED**

## 12.1 All

Contact Officer Lynn Aisbett, Chief Executive  
Date: 20 September 2010  
Appendices : None  
Background Papers: None  
Reference : X:\PFA\2010-11\290910\LA - Update on the Councils Approach to Equalities.doc