

**OVERVIEW & SCRUTINY PANEL
(SOCIAL WELL-BEING)**

1st November 2011

ELAG

9th November 2011

EMPLOYMENT PANEL

30th November 2011

CABINET

17th November 2011

**Annual Equality Progress Report
Report by Louise Sboui, Senior Policy Officer**

1. INTRODUCTION

- 1.1 The purpose of this report is to provide an annual update on progress with the achievement of the Council's Single Equality Scheme (SES) Action Plan.

2. BACKGROUND

- 2.1 The SES and action plan shows how the Council will meet its statutory responsibilities, in particular how we take account of:

- the Public Sector Equality Duties as set out in the Equality Act 2010; and
- achievement against the Equality Framework for Local Government (EFLG).

- 2.2 The SES was originally approved in September 2010 and it was agreed that a full review would take place every three years and an annual review of the action plan. However, some amendments to particular sections of the SES have been made in light of changes to the management structure and corporate plan.

3. The Equality Act 2010

- 3.1 The Equality Act was passed by Parliament in April 2010 and the majority of the new legislation came in to force during 2011. The Act replaced earlier anti-discrimination law and replaced the three separate public sector equality duties (gender, disability & race) into one Public Sector Equality Duty (PSED). The PSED entails having due regard to the need to:

- Eliminate discrimination, harassment and victimisation
- Advance Equality of Opportunity
- Foster good relations

- 3.2 The new duty covers Age, Disability, Gender Reassignment, Marriage & Civil Partnership, Pregnancy and Maternity, Race, Religion & Belief, Sex and Sexual Orientation.

- 3.3 Specific Duties were introduced in June 2011, to assist public authorities in the better performance of the Equality Duty. Specific Duties mean that the Council will need to publish:

- Equality objectives, at least every four years
 - Information to demonstrate their compliance with the equality duty, at least annually
- 3.4 The latter will need to include, in particular, information relating to our employees (see HR Employee Equality Monitoring Report to follow) and others affected by Council policies and practices such as service users.
- 3.5 The publication of this information is meant to ensure that the Council is transparent about performance on equality without any unnecessary bureaucratic processes (previous equality duties all had different features, timescales and reporting requirements). The Council therefore has the flexibility in deciding what information to publish. This information will still need to include details of analysis the Council undertook and information on which the objectives were based, including any details of any engagement or consultation undertaken.
- 3.6 To enable the Council to demonstrate compliance with the Specific Duties it is proposed that the existing SES will be retained as it is only 12 months old, fairly extensive consultation took place prior to approval and existing monitoring and updates are not overly bureaucratic.
- 3.7 Information demonstrating compliance with the duty must be published by 31st January 2012 (except for schools, who have until April 2012) and the first equality objectives have to be published by 6th April 2012, including schools. This report and attached appendices will ensure that we comply with our PSED within these timescales.

4. Equality Impact Assessments (EIA's)

- 4.1 The Council will continue to use EIA's to help comply with the Equality Duties, that is to consciously think about the three aims of the Equality Duty as part of the process of Council decision making, therefore the Council will need to understand the potential effects of Council decisions on different people and keep a record of how decisions were reached. EIA's will enable the Council to do this.
- 4.2 The Council no longer has a three year rolling timetable however it is intended that an EIA will need to be completed whenever a new policy, strategy, service or function is being developed or if any fundamental changes are proposed to an existing policy, strategy, service or function. The Cabinet/COMT report checklist now includes a box to remind authors of the need for EIAs, where appropriate, to be completed before a report is considered. Heads of Service will also receive a reminder email twice a year. Progress will continue to be monitored through the Council's performance management framework.

5. Equality Framework for Local Government (EFLG)

- 5.1 The Equality Framework for Local Government was introduced in April 2009 to replace the Equality Standard for Local Government. The new Framework has fewer indicators and an emphasis on self

assessment and peer challenge. The Framework consists of 3 levels; 'Developing', 'Achieving' and 'Excellent'. The Council underwent a successful external assessment for validation of achievement against Level 3 of the (old) Equality Standard in July 2009; therefore the Council automatically transferred to become 'Achieving' within the new Framework. However an external assessment (Diversity Peer Challenge) is required to validate this. This has been arranged for 28th & 29th February 2012. Evidence for this peer review is currently being collected.

- 5.2 Some Members will be more closely involved in this assessment than others, the Leader, Deputy Leader and members of Overview & Scrutiny Panel (Social Well-being) will be asked to be part of focus groups/interviews where they will be asked about HDC's equality priorities etc. A briefing session with these Members will be organised closer to the time of the assessment.

5. PROGRESS

- 5.1 The SES action plan is from 2010/13 and currently contains 51 actions. 47 are complete and/or on-going and four have not been achieved. Actions not complete or on-going will be carried forward. Actions arising out of the Diversity Peer Challenge will be added to the action plan.
- 5.2 Nineteen EIA's have been carried out during 2010/11, five of which were as a result of proposed cuts to budgets. A list of outcomes/actions arising out of completed EIA's is in Appendix B; no significant actions were identified.
- 5.3 The Council's corporate plan 'Growing Success', which was a comprehensive plan encompassing all of the Council's aims and objectives, has been replaced with a short term plan focusing on the Council's key external facing objectives. As such, equality and diversity are not explicitly mentioned, although the Council continues to have aims and objectives in this area as evidenced by this report and the SES.

6. RESOURCE IMPLICATIONS AND CONCLUSIONS

- 6.1 The Council has a revenue budget of £10,000 to meet the direct cost of achieving objectives, the majority of which is used for employee and Member training. Other costs include the time taken to review and make changes to services/policies in response to assessment of residents needs and completing activities set out in the Action Plan. The Equality Impact Assessments undertaken have not resulted in any significant expenditure and the Council is making a proportionate but effective response to statutory and business requirements. Costs associated with the external Diversity Peer Challenge have already been set aside.

7. RECOMMENDATIONS

7.1 Cabinet is asked to:

- Note progress with the Single Equality Scheme action plan and the findings from Equality Impact Assessments conducted during 20010/11 (Appendix A & B) and;
- Note that an external review (Diversity Peer Challenge) will take place on 28th and 29th February and be aware of the role of Members during this review.

Background Papers

Single Equality Scheme

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