

REPORT TO: Corporate Services Scrutiny Committee

Date of Meeting: Corporate Services Scrutiny Committee – 24 November 2016
Executive – 6 December 2016
Council – 13 December 2016

Report of: Corporate Manager Policy, Communications and Community Engagement

Title: Equality and Diversity Policy

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

To seek approval for an Equality and Diversity policy.

To

2. Recommendations:

That Scrutiny Corporate Services and Executive support, and Executive recommend to Council the adoption of the Equality and Diversity policy.

That delegated authority be given to the Portfolio Holder with responsibility for Equality and Diversity, and Corporate Manager Legal & Human Resources for making any further amendments to the policy.

3. Reasons for the recommendation:

The Equality and Diversity policy provides a clear framework for the council to meet its legislative duties.

4. What are the resource implications including non financial resources:

The policy will require a heightened awareness from staff in their day to day work to take account of equality considerations which may require additional time. There may also be a requirement for training and awareness raising programmes to ensure all staff understand their responsibilities.

5. Section 151 Officer comments:

There are no additional financial implications contained within this report. It is assumed that any additional training required can be managed within the existing training budget.

6. What are the legal aspects?

6.1 The Equality Act 2010 public sector equality duty comprises a general duty supported by specific duties. The general equality duty requires public authorities, in the exercise of their functions, to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.

- Foster good relations between people who share a relevant protected characteristic and those who do not.

6.2 The Equality Act brought together and harmonised all previous nine main pieces of equality legislation covering service provision and employment, protecting individuals against discrimination.

7. Monitoring officer Comments

This policy is necessary in order to assist the Council to comply with its legal obligations set out in the Equalities Act 2010.

8. Report Details:

8.1 Policy

8.2 An Equality and Diversity Task and Finish group was set up in October 2015 with the following key aims:

- To help shape and form the new Equality and Diversity Policy.
- To review and raise the profile of the Equality Impact Assessment Forms in line with the new Policy.
- To look at what staff training is needed and the best way of delivering that in line with the requirements of the Policy.

8.3 For a number of years the council has had in place a Corporate Equality Policy Statement and a separate Equality in Employment Policy. The first area of work that the Task and Finish Group identified was to bring these two documents together as a Corporate Equality and Diversity Policy, as a framework from which other work can develop.

8.4 The policy has been consulted on with the Unions and internal stakeholders such as HR Business Partners. Suggestions have either resulted in amendments to the draft policy or been incorporated into the supporting action plan (see 8.8).

8.5 External consultation was carried out via Devon and Cornwall Police Equality Reference Group but no responses were received. Although this is a disappointing result there are plenty of other opportunities to receive feedback from communities during the implementation of the policy and the document will be kept under regular review.

8.6 Other areas identified by the Task group for future work include:

- Identifying a Senior Management Equality Champion.
- The council does not have a workforce strategy nor a comprehensive programme of staff engagement
- At present the internal population is not reflecting the external population though it is acknowledged that this is because the council has not been recruiting.
- There is a need to look at Equality and Diversity training and development for staff.
- There is perception that there is a lack of understanding and therefore a lack of confidence within staff as to what the issues are in relation to Equality and Diversity and what is required of them.

8.7 Implementation of the policy

8.8 An action plan has been drawn up to support section 7 of the Equality and Diversity Policy 'Actions to ensure the council meets its duties'. While all of these actions are necessary and many are linked to each other, there are some which may need to be prioritised over others, given the limited resources available. The following priorities have been agreed with the Portfolio Holder for Communities and Neighbourhoods:

- Identify a senior management champion to lead the work – alongside a Portfolio Holder with responsibility for equality, this is considered to be essential to be able to progress work throughout the organisation.
- Undertake one off project to compile statistics from current sources about demographic of city and customers and set up system of periodic monitoring – these actions along with work already happening around community engagement will help us to get a picture of need and the impact of our work.
- Develop a process for ensuring that equality impact assessments are carried out in a timely way and which involves communities in the process. Linked to the above, this is a key activity to help the organisation understand Exeter's communities and the impact of its work. Given this and the inclusion as an item on the risk register this would need to be highlighted as a key priority area of work.

8.9 An annual report against this plan will be made to Strategic Management Team and this committee to ensure improvements are monitored.

8.10 A training needs matrix is being developed to identify the levels of training need for different teams across the council and the types of specialist training they might require.

9 How does the decision contribute to the Council's Corporate Plan?

In promoting equality and diversity the policy contributes directly to two strands of the Corporate Plan:

- Provide services to meet customers' needs
- Support Exeter's communities

10 What risks are there and how can they be reduced?

Failure to meet duties under the Equality Act 2010 risk challenge from the public and community groups. A clear framework of policy and programme of awareness raising with officers and councillors will help to mitigate this. The draft Equality and Diversity policy contains a list of activities which the task and finish group agreed will need to be undertaken as a minimum to meet the duties.

11 What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, Economy safety and the environment?

The policy and associated work has a direct impact on equality and diversity, health and wellbeing and safeguarding. An equality impact assessment on the policy has been developed and is attached to this report.

12 Are there any other options?

No.

Bruce Luxton, Corporate Manager Policy, Communications and Community Engagement

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:

None

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