

Central Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ



please ask for Martha Clampitt
direct line 0300 300 4032
date 16 October 2009

NOTICE OF MEETING

BUSINESS TRANSFORMATION OVERVIEW & SCRUTINY COMMITTEE

Date & Time

Monday, 26 October 2009 at 10.00 a.m.

Venue at

**Committee Room 1, Council Offices, High Street North,
Dunstable**

Edwina Grant
**Acting Chief Executive/
Deputy Chief Executive &
Director of Children,
Families & Learning**

To: The Chairman and Members of the BUSINESS TRANSFORMATION OVERVIEW
& SCRUTINY COMMITTEE:

Cllrs M Gibson (Chairman), R W Johnstone (Vice-Chairman), R A Baker,
Mrs A Barker, J A E Clarke, D J Hopkin, J G Jamieson, J Murray and
Ms J Nunn

[Named Substitutes:

Cllrs: P N Aldis, R D Berry, J Kane, Mrs J G Lawrence and J N Young]

All other Members of the Council - on request

**MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS
MEETING**

AGENDA

1. **APOLOGIES FOR ABSENCE**

Apologies for absence and notification of substitute members

2. **CHAIRMAN'S ANNOUNCEMENTS AND COMMUNICATIONS**

If any

3. **MINUTES**

To approve as a correct record the Minutes of the meeting of the Business Transformation Overview and Scrutiny Committee held on 28 October 2009.
(previously circulated)

4. **MEMBERS' INTERESTS**

To receive from Members declarations and the **nature** thereof in relation to:-

- (a) Personal Interests in any Agenda item
- (b) Personal and Prejudicial Interests in any Agenda item
- (c) Any political whip in relation to any agenda item.

5. **PETITIONS**

To receive petitions in accordance with the scheme of public participation set out in Annex 2 in Part 4 of the Constitution.

6. **QUESTIONS, STATEMENTS OR DEPUTATIONS**

To receive any questions, statements or deputations from members of the public in accordance with the Public Participation Procedure as set out in Annex 1 of Part A4 of the Constitution.

7. **CALL-IN**

To consider any matter referred to the Committee for a decision in relation to the call-in of a decision.

8. REQUESTED ITEMS

To consider any items referred to the Committee at the request of a Member under Procedure Rule 3.1 of Part D2 of the Constitution.

Reports/Presentations

Item	Subject	Page Nos.
9	Addressing Equality and Diversity in Central Bedfordshire - The Draft Single Equality and Diversity Scheme 2010 – 2013	* 11 - 94

The purpose of this report is to:

- set out the Council's statutory equality duties and the action that must be taken to meet these duties; and
- provide the Overview & Scrutiny Committee with the opportunity to:
 - consider and comment on an early draft of the Council's Equality and Diversity Scheme; and
 - Consider the actions which members should take in providing clear and visible leadership on equality, building partnerships to address inequality and providing scrutiny of activities across the Council.

10	Work Programme	* 95 - 100
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To provide Members with details of the currently drafted work programme following initial discussion of the subject at the last meeting.

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CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **BUSINESS TRANSFORMATION OVERVIEW & SCRUTINY COMMITTEE** held at Room 15, Priory House, Monks Walk, Shefford on Monday, 28 September 2009

PRESENT

Cllr M Gibson (Chairman)
Cllr R W Johnstone (Vice-Chairman)

Cllrs R A Baker
Mrs A Barker
J G Jamieson

Cllrs J Murray
Ms J Nunn

Apologies for Absence: Cllrs J A E Clarke
D J Hopkin

Substitutes: Cllr Mrs J G Lawrence (In place of J A E Clarke)

Members in Attendance: Cllr P N Aldis

BT/09/22 **Chairman's Announcements and Communications**

None

BT/09/23 **Minutes**

RESOLVED

that the Minutes of the meeting of the Business Transformation Overview and Scrutiny Committee held on 3 September 2009 be confirmed and signed by the Chairman as a correct record.

BT/09/24 **Members' Interests**

(a) **Personal Interests:-**

None.

(b) **Personal and Prejudicial Interests:-**

None.

(c) **Any Political Whip in relation to items on the agenda:-**

None.

BT/09/25 Petitions

The Chairman announced that no petitions had been referred to this meeting.

BT/09/26 Disclosure of Exempt Information

There were no disclosures of exempt information.

BT/09/27 Customer Services Strategy Task Force Report

The Committee received and considered the report of the Assistant Director, Business Transformation & Customer Services which summarised the findings of the Customer Services Strategy Member Task Force established by this Committee to review the draft Customer Services Strategy 2009 – 2011, and requested the Committee to endorse these findings and the draft Strategy itself for onward submission to the Council's Executive.

At the first meeting of the Business Transformation Overview and Scrutiny Committee held on 6 July 2009, it was agreed that a Member Task Force be established to review the draft Customer Services Strategy and report back to the Committee prior to the Strategy being submitted to the Executive. The Task Force, consisted of Councillors Nigel Aldis, Mike Gibson and Janet Nunn (Chairman). Officer support was provided by the Assistant Director of Business Transformation & Customer Services (Clive Jones), the Head of Customer Services (Hannah Richards) and the Overview & Scrutiny Manager (Bernard Carter). The Task Force met twice on 14 August and 8 September 2009.

Although the Committee were content to endorse the strategy (produced by officers in partnership with the Member Task Force), the Committee debated at some length the customer service vision, which was "to consistently meet and exceed customers expectations through service experience". It was some Members opinion that to attempt to exceed customer expectations would potentially focus resources on activities that the Authority could ill afford, and in practical terms, would be difficult to measure.

With that concern in mind, the Committee agreed to recommend to the Executive a revised vision as follows:-

- Our vision is to deliver an efficient, effective and quality customer service.

The Committee also agreed that the strategy should be amended to reflect the revised vision by replacing the words "exceed" or "exceeding" appearing within the strategy with more appropriate phrases aligned to this revised vision.

Members also requested that in future Officers provide reports in plain English with less acronyms and ensure that the Corporate Implications are clear.

RESOLVED

that the Executive be requested to adopt a revised vision for the Customer Services Strategy as outlined above and ensure that the contents of the strategy are amended to reflect this revised vision.

BT/09/28

Community Engagement Strategy

The Committee received and considered the report of the Director of Business Transformation which proposed that the Executive approve the draft Community Engagement Strategy for formal consultation with key partners via the Local Strategic Partnership (LSP).

The Committee received a presentation which highlighted the five key principles of the Community Engagement Strategy as follows:

- Giving more people more opportunities to influence decisions
- Enabling Councillors to be champions for their communities
- Enhancing the role of Town and Parish Councils
- Building the capacity of local people to engage
- Ensuring a joined-up, strategic and coordinated partnership approach

A detailed discussion took place which covered issues included giving more power to the people, surgeries being more effective, budgets for Councillors and ensuring Councillors are kept informed of all key activities in their ward.

The Committee agreed to establish a Member Task Force to work with officers in formulating a robust and practical action plan to deliver principle 2 of the draft strategy, namely “enabling Councillors to be champions for their communities”.

Members were content to support the above five principles and the draft strategy itself, subject to recommendations 4 to 7 below being considered and adopted by the Executive at the same time:-

RESOLVED

1. *that the five key principles of the draft Community Engagement Strategy for submission to the Executive be endorsed, which are to:*

- ***giving more people more opportunities to influence decisions;***
- ***enable Councillors to be champions for their communities***
- ***enhance the role of Town and Parish Councils;***
- ***build the capacity of local people to engage; and***

- ***ensure a joined-up, strategic and coordinated partnership approach.***
2. ***that a formal consultation exercise with key partners and officers will be undertaken by the Local Strategic Partnership (LSP) Board, during November 2009 – January 2010, to ensure their agreement and support for its implementation.***
 3. ***that the LSP Board will bring a formal recommendation for a comprehensive Community Engagement Strategy for Central Bedfordshire to the Executive meeting on 9 February 2010, in preparation for its implementation from 1 April 2010.***
 4. ***that the Executive endorse the creation of a small centralised team (pooled from existing resources at no additional cost) to support Councillors to fulfil their community leadership role, but additionally, reiterates the need for all officers (particularly those service-based) to support Councillors in that role regardless;***
 5. ***that the Executive reiterates the importance it attaches to ensuring that Councillors are kept informed of all key activities in their wards; and***
 6. ***that the Executive supports the principle of allocating individual Councillor budgets and explores the potential to supplement this with funds currently set aside for discretionary, area-based and grant-based activities (such as Historic Buildings Grant), where appropriate to do so;***
 7. ***that the Executive adopts a principle that community consultation should only be undertaken where there is clear evidence that the Council can respond to, and action, any outcomes flowing from such consultation.***

BT/09/29

Q1 Performance Report

The Committee received and considered the report of the Director of Business Transformation which highlighted Quarter 1 performance for the directorate. The Director of Business Transformation had identified 6 'critical' indicators which were included in Appendix A.

The Committee were informed that Central Bedfordshire was the first of the newly established Unitary Authorities to produce a Quarter 1 Performance Report. Members asked why some indicators did not have information. It was explained that some performance information had not been available but would be in time for the second quarter.

Members requested that Appendix A be made larger as it was difficult to read.

RESOLVED

that the Quarter 1 Performance Report of the Director of Business Transformation be noted.

BT/09/30

Work Programme 2009-2010

The Committee received a report from the Overview and Scrutiny Manager regarding its Work Programme for 2009/2010 and also discussed proposals for considering the following items:

- Equalities Scheme
- Climate Change
- Strategic Plan Refresh
- CAA – Publication
- LAA Review/Refresh
- Completion of Review of Support of Third Sector Organisations
- Sustainable Community Strategy
- Staff Survey

It was noted that the Business Transformation Overview and Scrutiny Committee's 26 October 2009 meeting would cover:-

- Equalities Scheme
- Work Programme 2009/2010

It was agreed that the items listed on the appendix attached to the Chairman's Briefing update would be designated to specific meetings by the Overview and Scrutiny Manager.

RESOLVED

that the contents of the report be noted.

(Note: The meeting commenced at 10.00 a.m. and concluded at 12.30 p.m.)

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Customer Service Strategy

Task Force

Hannah Richards



Scope

- Task force set up to review the Strategy
- 2 meetings
- Detailed discussion
- Recommendations implemented

Benefits of the task force

- Line by line discussion
 - Support of the wide partnership model
 - Requirement for robust governance and accountabilities within partnerships
 - Specific actions with performance milestones
 - Clarification / reduction of jargon
 - Member consideration of speech recognition technology options
 - Specific inclusion of review of opening hours
 - Role of Members clarified and liaison mechanisms included
 - Amendments to Risk Analysis appendix
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Conclusion

- Officers benefited from detailed discussion in a small group
- Real improvements delivered to the document
- Increased understanding of the Customer Service culture within CBC by Members

Meeting: Business Transformation Overview & Scrutiny Committee
Date: 26 October 2009
Subject: Addressing Equality and Diversity in Central Bedfordshire – The Draft Single Equality and Diversity Scheme 2010 – 2013

Report of: Richard Ellis, Director of Business Transformation

Summary: The purpose of this report is to:

- set out the Council's statutory equality duties and the action that must be taken to meet these duties; and
- provide the Overview & Scrutiny Committee with the opportunity to:
 - consider and comment on an early draft of the Council's Equality and Diversity Scheme; and
 - consider the actions which members should take in providing clear and visible leadership on equality, building partnerships to address inequality and providing scrutiny of activities across the Council.

Contact Officers: Clare Harding, Corporate Policy Adviser (Equality and Diversity)/
Elaine Malarky, Head of Policy
Public/Exempt: Public
Wards Affected: All
Function of: Executive

CORPORATE IMPLICATIONS

Council Priorities:

Central Bedfordshire Council has stated in the Strategic Plan its desire to tackle inequalities and deliver services in such a way that people whose circumstances make them vulnerable are not disadvantaged. Tackling inequality cuts across every activity of the Council and relates directly to the achievement of the Council's five priorities:

- a) Supporting and caring for an ageing population
- b) Educating, protecting and providing opportunities for children and young people
- c) Managing growth effectively
- d) Creating safer communities
- e) Promoting healthier lifestyles

Financial:

The proposals contained within this report must be met within existing budgets. At present the corporate approach is led by the Corporate Policy Adviser (Equality and Diversity) and there is a small revenue budget allocated in 2009/10 to develop and support corporate initiatives.

The aim of equality legislation is to ensure that resources invested in public services actually benefit all those they are aimed at or who need them. When developing

proposals and making policy decisions, including those about finance and service provision, public authorities must comply with their statutory equality duties by ensuring that decisions are made in such a way as to minimise unfairness, and that they do not have a disproportionately negative effect on people from different ethnic groups, disabled people, and men and women.

Legal:

The current equality legislation we are required to comply with (see list below) fits within a framework of European directives designed to promote equality of opportunity.

- Equal Pay Act 1970;
- Sex Discrimination Act 1975 (Amended in 2006 by the Equality Act in the form of the Gender Equality Duty);
- Race Relations Act 1976 (Amended 2002);
- Disability Discrimination Act 1995 (Amended 2005);
- Employment Equality (Religion or Belief) Regulations 2003;
- Employment Equality (Sexual Orientation) Regulations 2003;
- Gender Recognition Act 2004;
- Employment Equality (Age) Regulations 2006;
- Equality Act 2006 (Part 2 introduced protection against discrimination on grounds of religion or belief in the provision of goods, facilities or services, etc); and
- Equality Act (Sexual Orientation) Regulations 2007.

This will be streamlined with the introduction of a single Equality Act which is currently before parliament and is expected to come into full force from April 2011.

Risk Management:

Failure to comply with equality legislation can expose the Council to the risk of litigation and scrutiny by the Equalities and Human Rights Commission.

Individual employees or voluntary organisations have also brought legal action against councils which have resulted in court judgements or out of court settlements. The latter can subsequently be investigated by the Audit Commission.

The new Comprehensive Area Assessment will now test how well the Council knows and understands the nature and extent of inequality and disadvantage within our communities and how effectively it is working with partners to reduce or eliminate discrimination.

The development of a comprehensive, legally compliant Equality and Diversity Scheme and Action Plan helps to ensure that the Council is meeting these requirements, addressing any risks and taking the appropriate mitigating actions.

Staffing (including Trades Unions):

The Council has specific employment duties which are set out in equality legislation. The relevant commitments and actions in the Equality and Diversity Scheme must therefore also be reflected in the Council's People Strategy to ensure that these duties are met. A variety of learning opportunities must also be provided so that councillors and employees are knowledgeable about equality from both a service delivery and employment perspective.

Work is ongoing with Human Resources to ensure proper consideration is given to equality and diversity in the development of the Council's employment and training practices and procedures.

Equalities/Human Rights:

The draft Equality and Diversity Scheme and Action Plan must demonstrate the Council's awareness of all strands of equality legislation, the nature of inequality and the action that will be taken across the Council to promote equality, tackle discrimination, eliminate harassment, and promote good relations and positive attitudes amongst different groups of people and encourage participation in public life.

Community Safety:

Appendix 2 of the draft Equality and Diversity Scheme highlights a range of issues and barriers that different groups experience. In relation to community safety this can include violence against women (domestic violence, rape and sexual violence, sexual harassment, female genital mutilation, forced marriage, crimes in the name of honour, trafficking and sexual exploitation) and hate crime (any criminal offence committed against a person or property that is motivated by an offender's hatred of someone because of their race, colour, ethnic origin, nationality or national origins, religion, gender or gender identity, sexual orientation or disability). The statutory agencies that make up the Community Safety Partnership have a legal duty to investigate and address such crimes.

Sustainability:

Compliance with equality legislation has a direct impact on a Council's ability to deliver against the sustainability agenda. Issues such as economic development, sustainable communities, quality of life and community cohesion are all factors which can be influenced by an individual's experience of inequality and discrimination.

These factors were highlighted by the findings of the Equality Review (commissioned by the Cabinet Office in 2006/07) which collected and analysed a wide range of evidence on inequality and concluded that the prosperity and cohesion of all communities are affected by differences in identity (for example gender, ethnicity and disability) and other factors such as changes in social mobility, migration and socio-economic conditions.

RECOMMENDATION(S):

1. that the Committee

- (a) Consider and comment on progress to date against the key activities agreed by Shadow Executive on 17 March 2009 (See - Appendix 1)**
- (b) Consider and comment on our draft Single Equality and Diversity Scheme and Action Plan attached at Appendix 2; and**
- (c) Consider the actions Central Bedfordshire Council members should take to: provide clear and visible leadership on equality; build partnerships to address inequality; and provide scrutiny of activities across the Council as detailed in paragraphs 18 – 23 of this report.**

Background

1. Public authorities have statutory duties to eliminate unlawful discrimination and promote equality of opportunity in respect of race, disability and gender. In recent years anti-discriminatory legislation has been extended to include age, religion or belief and sexual orientation.
2. Various elements of equality legislation require authorities to provide a framework for meeting these duties which must be set out in a published Equality Scheme. These schemes must set out the local inequality issues and action being taken in respect of these as well as the arrangements in place to meet the specific duties. The schemes must also be consulted on prior to adoption and publication. The current equality legislation fits within a framework of European directives which the government intends to streamline by passing a single Equality Act in 2010.
3. The statutory responsibility for complying with the new Equality legislation, meeting the 'Duty to Involve' and tackling inequality is placed on all councillors and employees. This is highlighted in Section 2.1.7.1 of the Council's Code of Conduct for Members:

“Respect for Others - Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers, and its other employees.”

The Council's Employee Code of Conduct contains similar requirements.

4. To assist councils in meeting their wide ranging legal responsibilities, a new Equality Framework for Local Government has been introduced by the IDeA from April 2009. This Framework replaces the original Equality Standard and provides a more streamlined process for local authorities to ensure that they are addressing minimum statutory requirements and developing good practice across all parts of the Council.
5. The new Equality framework is customer focused and is closely aligned to the Comprehensive Area Assessment (CAA) which includes tackling inequality as an underpinning theme of the assessment. CAA will test how well the Council knows and understands the nature and extent of inequality and disadvantage within our communities and how effectively it is working with partners to reduce or eliminate discrimination across Central Bedfordshire. CAA will also consider how well services are matched to need and the response to the 'Duty to Involve' whereby our communities are able to influence decision making and service delivery across the Council. Following the Equality Framework will enable the Council to identify evidence for future CAA inspections.

6. The New Equality Framework has 3 levels:

Level 1 Developing – Understanding the importance of equality

Level 2 Achieving – Developing better outcomes

Level 3 Excellent. – Making a difference

The characteristics of each of these levels can be found at Appendix 3 and in summary an authority that has been assessed as excellent will be able to demonstrate that:

- Members and officers act as **champions for equality**, understand the significance and take direct/personal responsibility for promoting greater equality.
- **Engagement** takes place **with all strategic partners and the third sector** to achieve defined equality outcomes.
- **Equality objectives** form an integral part of the business/service planning processes.
- Equality impact assessments are conducted and **all directorates identify good practice and take action to mitigate adverse impacts.**
- **Employees** are knowledgeable, well-trained and **equipped to cater to the particular needs of clients.**
- **Inclusive consultation processes** engage stakeholders and they have opportunities to **scrutinise and challenge performance on equality issues.**
- **Exemplary employment practices can be seen.**
- **Evidence of real outcomes** - improved equality in services and employment.

7. In order to achieve Level 3 (excellent) of the framework, the above characteristics must be exhibited across all parts of the Council. A local authority may find that it can provide examples of excellent practice in certain service areas but can then be let down by poorer performance elsewhere. Poorer performing service areas also present a potential risk as they are more likely to attain poorer inspection outcomes or may be subject to external challenge and litigation. If they are not implementing the framework they will be unable to provide an adequate defence of their position and so could increase the likelihood of financial settlements being awarded.

8. The key rationale for tackling inequality should not however be about 'chasing the levels'. Our overall focus at Central Bedfordshire Council should be to embrace the diversity of our local communities and seek to make sure that everyone can access our services, and that the Council has fair and inclusive employment practices.

9. The majority of continuing councils have been able to migrate their achievements from the old Equality Standard to the new Framework and have achieved Level 1 or 2. As we are a new unitary it has not been possible for Central Bedfordshire Council to directly migrate the legacy councils' achievements from the Equality Standard to the Equality Framework. The new council is in the process of developing its strategic plans and approach and therefore it would be assessed at present as working towards achievement of Level 1 of the Equality Framework.
10. The supporting Action Plan currently includes a focus on delivering tangible outcomes on the following themes:
 1. Developing and embedding Central Bedfordshire Council's approach and processes
 - 2: Leadership / Partnership Working
 3. Workforce and employment issues, awareness, training and development
 - 4: Feedback, engagement and consultation
 - 5: Intelligence, monitoring and review.
11. Once the Scheme is approved and the Council has successfully implemented the actions set out within the action plan, we would anticipate being assessed as meeting Level 2. Progression to level 3 will require evidence that defined equality outcomes have been achieved and that tangible progress is being made in relation to tackling inequality and narrowing gaps in outcomes for different groups. Members and officers across the Council must also be seen to be taking personal responsibility for equality, by championing issues and ensuring that outcomes are delivered in our own activities and via strategic partnership plans, Local Area Agreements and local delivery plans. The specific role of Councillors in relation to these activities is set out in paragraphs 18 - 23 below.

Progress to date

12. The three legacy councils all had Equality Schemes which have been championed by the leaders, portfolio holders, officers and members. The Districts were both rated against the original Equality Standard as Level 2 and the County Council at Level 3. Services were implementing programmes of impact assessments and the three Councils actively sought input via Equalities Forums and consultative forums and as a result of partnership working won the East of England Regional Assembly Equality Award 2008.
13. The creation of Central Bedfordshire Council provided a unique opportunity to bring together this existing good practice and mainstream equality across all activities from the outset.

With this in mind, in March 2009 the Shadow Executive agreed a twelve month "Framework for Action for Tackling Inequality, Disadvantage and Discrimination in Central Bedfordshire which set out actions which are the first necessary steps in working towards attainment of Level 1 of the new Framework.

14. Supported by colleagues across the Business Transformation Directorate, the Policy Team, as corporate facilitator and enabler, has been working with all service areas across the Council to co-ordinate the Council's actions and providing advice and support to services to embed equality and diversity principles in their service provision.

Progress against this Framework for Action is detailed at Appendix 1 and the draft scheme and action plan at Appendix 2 is one of the key deliverables.

15. The Central Bedfordshire Equalities Forum has already considered and commended the draft scheme. We have also had this draft reviewed by an experienced Equality Standard Peer Assessor and her recommendations can be found at Appendix 4.

Next Steps

16. This early version of the Draft Scheme is being presented to the Committee to inform the development of the Scheme. Subsequently the Scheme will be developed further by:
- the findings of the staff survey which will be available in November 2009;
 - input from each of the Directorate Management Teams;
 - analysis of the place survey and the 2009 residents' survey which will be available at the end of November 2009;
 - analysis of demographic profiles and performance information;
 - wider consultation with stakeholders via the website and meetings with representative groups;
 - development of a supporting Policy Statement; and
 - consideration of the Equality and Human Rights Commission guidance on developing equality schemes to ensure this is met (see Appendix 5.); and
 - any new requirements emerging from the final reading stages of the Equality Bill.
17. Over November / December we will continue to refine the draft Single Equality and Diversity Scheme and Action Plan and present this to the Executive Committee in early 2010. This will continue to be the subject of wider local consultation involving staff, stakeholders and disabled people to inform the update/refresh in 2011.

Role of members in Equality and Diversity

18. The responsibility for complying with the new Equality legislation, meeting the 'Duty to Involve' and tackling inequality lies with all councillors and managers and achieving this depends on managing a broad service improvement agenda and adopting new ways of working.
19. The intention of equality legislation is that councils should lead the way locally by demonstrating good practice and helping other organisations to get things right, for example by showing how well it engages local people, and acts on their suggestions. Councils provide a huge variety of local services and are often the largest employer locally. As a result they are very visible and can be challenged by the general public and voluntary sector organisations.

20. It is also really important that the partnership work to deliver the Sustainable Community Strategy via the Local Strategic Partnership and the development of the Local Area Agreement gives proper consideration to equality issues and that these are proactively addressed in all aspects of partnership working. This requires knowing who has an interest on specific issues, gathering evidence, working together, and recognising that different people might need different ways of working.

All statutory agencies are subject to the same equality legislation and the Compact places similar expectations on the voluntary and community sector.

Central Bedfordshire Council is already taking positive action in this area by introducing robust impact assessment and equality monitoring processes.

21. Partnership working can be significantly strengthened by councillors expressing and demonstrating their commitment to equality for example by.
- challenging whether all partners are meeting the requirements of the equalities duties;
 - seeking to improve the quality, responsiveness and accessibility of local public services; and
 - ensuring the views of disadvantaged groups are heard.

When councillors engage with all sections of the community, it sends out strong messages to everyone living in the area that the Council is committed to tackling inequality, as well as setting an example to partners and other organisations and thereby encouraging them to improve their practice.

22. All council policies, practices and functions are required to promote equality and good relations between people as well as eliminate discrimination and harassment. Councillors are well placed to play a major role in supporting the equality leadership role by providing challenge across the Council to ensure that statutory duties are being addressed and effective equality impact assessments are undertaken.
23. This challenge should include routinely asking for evidence, when scrutinising and making decisions on policies, practice or plans, of how equality and diversity issues have been taken into account and how disadvantaged groups have been involved. For example:
- have disabled people been involved in the development of the Council's transport strategy,
 - are the different health needs of different ethnic minority communities understood and met by health and social care providers,
 - do boys and girls achieve differently in different subjects in the authority's schools and what is being done to support equal outcomes for boys and girls across the curriculum,
 - carrying out regular monitoring against equalities targets by holding themed meetings and questioning responsible officers and members on their achievement.

24. In order to meet these wide ranging equality duties, councillors and employees need to understand the complexities of equality and diversity issues as they relate to service provision, engagement and employment. They also need to feel confident about asking the right questions, or involving the right people.

The Council currently provides a range of equality training and development opportunities for employees and these, along with opportunities for councillors, will need to be reviewed and refreshed as the Scheme is implemented. Feedback from employees across the Council has already indicated that in addition to generic equality training it is also necessary to develop service specific approaches. Service specific equality training is currently being developed in relation to social care.

Conclusion

25. Central Bedfordshire Council is making good progress in setting in place the foundations which will be required to ensure a robust approach to tackling inequality. Upon publication, the Council's Equality and Diversity Scheme will clearly articulate to partners, stakeholders, local communities and employees our commitments and direction of travel on this agenda. All councillors and employees have an important role to play in ensuring that we deliver this agenda. Ultimately, the Council's performance on equality will be measured, not by what we say, but by what we achieve in relation to delivering better outcomes for vulnerable groups.
26. In light of this the Business Transformation Overview and Scrutiny Committee is asked to consider how it can add value to the equality leadership role by:
- helping to shape the further development of the Scheme and action plan;
 - championing this agenda; and
 - overseeing its implementation.

We also welcome

- proposals for any training and support the Committee would wish to see included in the wider members' training and development programme.

Appendices:

Appendix 1	Progress against the actions agreed by Shadow Executive at its meeting on 17 March 2009
Appendix 2A	Draft Single Equality and Diversity Scheme 2010 - 2013
Appendix 2B	Draft Single Equality and Diversity Scheme Action Plan
Appendix 3	Equality Framework Characteristics
Appendix 4	Feedback from Peer Assessor
Appendix 5	Equality and Human Rights Commission Guidance

Location of papers: Priory House, Chicksands

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Actions for 2009/10 agreed by Shadow Executive on 17th March 2009 - Progress to date

Action	Progress as at 31 September 2009
Develop an Equality Scheme to include all equality strands	<ul style="list-style-type: none"> o A draft Single Equality and Diversity Scheme and Action Plan has been developed. o This sets out the minimum range of action that must be taken across the Council to meet our statutory duties.
Embed Equality objectives within service design and planning processes	<ul style="list-style-type: none"> o Equality screenings have been shared with a range of officers to raise awareness of key equality issues and to help develop a consistent approach. o Executive Decisions are being screened for consideration of Equality issues and a number of statutory equality impact assessments have been undertaken.
Continue to raise member and employee awareness.	<ul style="list-style-type: none"> o Awareness raising work started with the Equality and Diversity conference which was held on 8 January 2009. This outlined the implications of the new Equality Framework and provided an initial opportunity for members and managers to set out the type of support they would like put in place. o Guidance and information on the intranet and the Council's website has been refreshed. o As part of the ongoing development programme Equality and Diversity Corporate Courses are available on Equality & Diversity Awareness, Understanding Disability and Hidden Disabilities (Neurodiversity Awareness). Additional provision is available for Social Care staff in Children's Services and Adults Services as follows; Working with Diversity (Children's), Deaf Awareness (joint Children's/Adults), Equality and Cultural Diversity (Adults), Disability Awareness (Adults) and Mental Capacity Act (Adults). o The new staff induction booklet and training includes equality and diversity awareness. This is also a focus of the employment policies training for managers.
Set up and develop an Equality and Diversity Forum	<ul style="list-style-type: none"> o The Central Bedfordshire Equality Forum chaired by the Deputy Leader/Director of Business Transformation has met twice. o The Forum has also commented on a number of high priority impact assessments including Employment Policies, and the Customer Service and Customer Engagement Strategies. o The Forum has considered and commented on the Draft Single Equality Scheme.
Setting up a corporate equalities officer working group	<ul style="list-style-type: none"> o Held two officer workshops and a number of face to face meetings with officers to explore how we can ensure that officers are involved in developing a consistent approach across the Council. Feedback has indicated that we need a core governance group of officers responsible for delivering actions in the scheme as well as individuals championing this agenda in their directorate management teams, but the general view was that the timing was not right to set up another working group.

Action	Progress as at 31 September 2009
Developing an impact assessment protocol and programme	<ul style="list-style-type: none"> ○ Impact assessment protocol has been agreed and is being used across the Council. ○ The approach has been showcased at a recent East of England Equality and Diversity conference. ○ The Corporate Policy Advisor (Equality and Diversity) is currently working with Directorates to agree their forthcoming programme of assessments.
Developing the Council's People Strategy to meet our Employment duties.	<ul style="list-style-type: none"> ○ This is being developed and is programmed to be considered at Executive on 8 December 2009
Refresh the Council's Customer Feedback and Complaints System	<ul style="list-style-type: none"> ○ This is being addressed as part of the implementation of the Customer Service Strategy to provide improved customer insights and monitoring & evaluation information.
Developing an Equality and Diversity Network with key partners and stakeholders.	<ul style="list-style-type: none"> ○ This will be an emerging part of our Local Partnership and Community Engagement arrangements.



Draft 1. Central Bedfordshire Council's Draft Equality and Diversity Scheme

Appendix 2A

We are delighted to be able to demonstrate the commitment of the new Unitary Central Bedfordshire Council to promoting and improving equality outcomes for all the people of Central Bedfordshire.

Our Equality and Diversity Scheme demonstrates our corporate commitment as community leaders and service providers to equality and diversity being at the heart of all that we do, for local people, our employees, our partners, and the community at large. This scheme sets out our overall strategy, identifies key issues and includes our plan of action for the next three years from 2009-2011.

We are committed to the elimination of discrimination in both service delivery and employment and we recognise that promoting equality is essential for individuals to fulfill their potential, for the creation of a cohesive society and for a prosperous and strong economy. This Scheme reinforces our continuing commitment and sets out our arrangements for ensuring compliance with the equalities legislation on Race, Disability, Gender, Gender Reassignment, Sexual Orientation, Age, Religion and Belief. Everyone who works for and with the Council, including elected members, understands the importance of equality and will have direct and personal responsibilities for promoting greater equality in all that they do.

The commitments made in this Scheme are an integral part of the Council's strategic objectives and will be implemented through our accompanying action plan and Strategic and Operational Planning. We want our Scheme to influence and inform the way we deliver services and work with partners, how we develop policies and how we treat our employees.

The success of this Scheme will need active contributions from elected members, all managers and employees. Similarly importantly will be the contribution and support from our many partners and stakeholders.

We welcome your views and comments on this Equality and Diversity Scheme and on any other aspects of our work to promote equality and diversity in Central Bedfordshire.



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1. Introduction

Central Bedfordshire Council recognises that its purpose is to deliver a range of services to its customers in a manner that meets their individual needs and provides consistent value for money. These services must be relevant, inclusive, well delivered and cost effective. In order to deliver such services the Council must transform the shape of its services by “engaging” its customers in service design and in the way that services are delivered.

This involves “putting the customer at the heart of everything the Council does”, meeting real needs and not assuming that customers should ‘fit’ with existing service provision. Improving the level of involvement of local people and other key stakeholders is key to transforming public services.

All sections of the Community including hard to reach, vulnerable and minority groups must be involved. The Council must:

- recognise the diversity of all its customers;
- consider their needs; and
- provide services which are appropriate both in content and in terms of the ways they are delivered.

This Equality and Diversity Scheme sets out the Council's vision and approach to ensuring that all sections of the community receive high quality services which are appropriate to their needs and underpins the Council's Strategic Plan.

The Scheme also sets out how we will meet our legal responsibilities to ensure equality and diversity is integrated into our service planning, delivery and Human Resources systems. It also informs employees, elected members and all those who work for or on behalf of the Council, of Central Bedfordshire's approach to equality and diversity and how the Council will act to:

- eliminate unlawful discrimination
- promote equality of opportunity and improve access to services
- promote good relations between all people, irrespective of their race, and promote community cohesion
- comply at all times with our legal obligations under the equalities legislation.

Our commitment to equality in our service delivery and in our employment practices means that we value diversity and recognise the importance of inclusion and the need to challenge discrimination in any shape or form. This strategy is relevant to all our residents, members, employees, partners and those who are contracted to work for the Council and those who visit or work in Central Bedfordshire.



2. Our Vision

Our vision is to improve the quality of life of all in Central Bedfordshire, and enhance the unique character of our communities and our environment. We recognise that promoting equality is essential for individuals to fulfill their potential, for the creation of a cohesive society and for a prosperous and strong economy.

We believe that tackling inequalities is critical if the Council is to be successful in delivering services in such a way that people whose circumstances make them vulnerable are not disadvantaged. Narrowing the equality gap requires an awareness of the needs and interests of people who are at greater risk of lower quality of life outcomes. This includes assessing how well matched services are to needs and the means available to people to influence decision making and service delivery.

Promoting equality of opportunity is about recognising people's different needs, situations and goals, and working to remove the barriers that limit what people can do and can be.

This requires a focus on four key areas of activity:

- consultation – asking customers what services are required, how they should be designed and delivered
- access – ensuring that customers are able to access services in a manner that suits their individual needs
- culture – creating a professional and supportive environment which empowers employees to put the customer at the heart of everything they do
- communication – ensuring the Council provides information to customers that will support and develop their understanding of the services and opportunities that are available to them.

3. Legislation and Strategic Drivers

Equality is not an end in itself it is a vehicle for delivering improvement. It is important to take equality/diversity issues into account because they are vital ingredients to improving both the effectiveness and the efficiency of public services by helping to ensure that the resources invested in public services actually benefit all those they are aimed at or who need them. In addition, making services appropriate and accessible to specific groups of people can offer benefits to the general population, for instance improving access for disabled people generally benefits everyone.

Achieving customer satisfaction across all sections of the community must be key to delivering excellent services. The Council must act on customer intelligence, best practice reviews and other processes to review the shape and design of services and ensure that barriers to social inclusion are identified and removed.



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Society is increasingly diverse, and everyone experiences life in different ways, for many different reasons. Prosperity and cohesion of all communities are affected by differences in identity. Social mobility, migration and other socio-economic factors affect all councils. Equality is about ensuring that all people are treated equally. This does not mean treating everyone the same, but means recognising the differences in life situation or in experience and ensuring that there is equality of opportunity for all people, taking their needs into account.

This definition recognises that:

- equality is an issue for all;
- we don't all start from the same position and to create a fairer society we must recognise different needs.

Equality also encompasses some of the most vulnerable groups in society (e.g. looked after children and ex-offenders). Other groups, such as people with learning disabilities and Gypsies and Travellers, are already protected by equality legislation, but some authorities still fail to see these groups as part of the equality picture.

The generic definition of equality aims to encourage authorities to consider the full range of equality issues, for example, addressing educational attainment of white working class boys as well as poorly performing boys from African-Caribbean communities.

The prosperity and cohesion of communities are affected by the impact of different needs and identities: age, gender, disability and sexual orientation all affect individuals' experiences in life. In addition, socio-economic status, poverty and migration also impact upon people's experiences of life. Addressing inequality helps to support all people in local communities.

Equality is not about accepting extreme or unrealistic expectations, it's about ensuring that everything we do in local government is accessible to everyone, no matter what their life experience or situation is. Understanding the issues means accepting that different people experience the same situation differently. For example, an Area Forum meeting may be attended by thirty people, but because there is no sign language interpreter, the Council may never hear the views of deaf people in the area.

Equality of opportunity is about:

- treating people with dignity and respect.
- accepting people as individuals and addressing the needs of individuals or groups.
- knowing who uses (or should use) different services and designing them round what is needed.
- enabling all people to apply for and get jobs on merit.

Appendix 1 provides information about the types of inequality experienced by different groups.

There is a wide range of regulatory frameworks to promote equality and anti-discrimination in public sector services – from legal compliance with EU directives and national legislation, to the influence of Local Government Standards. This includes for example the Race Relations (Amendment) Act 2000, which imposes a general duty on the Council to promote racial equality. This duty applies to jobs, training, housing, education and the



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provision of goods, facilities and services. The Act makes it unlawful for public bodies to discriminate while carrying out any of their functions.

Similar legislation in the areas of disability, age, sexual orientation, gender, religion and belief, also place a range of statutory duties on local authorities. **Appendix 2** of this Scheme provides a summary of this legislation.

The Council will adopt the Equality Framework for Local Government (EFLG) to ensure equality and fairness becomes an integral part of service provision and employment functions and that effective auditing and monitoring procedures are in place. The new framework is aimed at helping local authorities to:

- improve the services they provide so that are more representative, relevant and efficient, whilst also improving satisfaction and trust
- ensure that policies and strategies deliver for everyone and improve accountability to local people
- combat inequalities and avoid expensive litigation as a consequence of discrimination.

Failure to comply with equality legislation can expose Councils to the risk of litigation and scrutiny by the Equalities and Human Rights Commission and the Audit Commission. Individuals can also take action under these statutory provisions through tribunals, and the European Court for Human Rights. **Appendix 3** provides details of the types of behaviour and activity that can potentially be deemed to be discriminatory.

The Human Rights Act 1998 incorporates the provisions of the European Convention of Human Rights into UK law. The UK was one of the original signatories and public authorities have been required to comply with the convention and have been open to legal sanction for non-compliance for over 50 years. The Human Rights Act makes it unlawful for a public authority to act or fail to act in a way which is incompatible with the Convention rights.

It is important that Central Bedfordshire Council and its partners have arrangements in place for ensuring:

- compliance with established policies, procedures, laws and regulations.;
- activities are conducted in accordance with proper standards of conduct; and
- efficient and effective management of financial and other resources.

Central Bedfordshire Council is working to comply with these statutory obligations and to exemplify best practice.

The Equality Scheme outlines how the Council will implement its commitments to the equality duties for Race, Disability, Gender (including gender reassignment), and the legislation relating to Sexual Orientation, Age, Religion and Belief. It includes an action plan which sets out our timescale over three years for meeting those commitments and how they will be monitored.

The Scheme also anticipates the Government's Equality Bill which is currently being taken through Parliament. This will streamline existing legislation by replacing the race, disability and gender public sector equality duties with a new single equality duty, which would cover the race disability and gender equality strands and also be extended to cover age, religion or belief and sexual orientation legislation.



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All Council directorates will support the achievement of our strategic objectives and commitments by ensuring that actions are progressed through individual directorate and service plans. Action plans will be driven and managed through the Council's performance management framework.

DRAFT



4. Context – The Nature of Diversity in Central Bedfordshire

The following section is incomplete and awaiting further information as the evidence base for the Sustainable Community Strategy is updated.

Central Bedfordshire, as one of the largest unitary councils, in the country is home to approximately 250,000 people¹ living in 105,000 households. It is estimated that housing growth will increase the population to around 375,000 by 2031. Central Bedfordshire lies in the heart of the county, covering some 712 square kilometres from Leighton Linlade and Cranfield in the west to Biggleswade and Arlesey in the east, and from Sandy in the North to Whipsnade in the South.

The area is diverse, with picturesque rural villages, hamlets and historic urban market towns. It is also one of the most rapidly growing unitary councils in England, with both the Luton and Milton Keynes growth areas having an effect. The largest conurbations within Central Bedfordshire include Ampthill, Biggleswade, Dunstable, Flitwick, Houghton Regis, Leighton Buzzard, Sandy and Shefford.

Central Bedfordshire is ethnically diverse with around 6% of people living in the area from black or ethnic minority communities. According to the 2001 Census, 94.01% of the Central Bedfordshire population is white. 1.31% of the population is Irish. The largest Black and Minority Ethnic groups are Indian (0.63%), Caribbean (0.29%) and Chinese (0.27%). People of mixed ethnicity make up around 0.91% of residents.

There are around..... Gypsies and Travellers living in the area

The increasing amount of data on migrant workers, unaccompanied asylum seekers and other young people from non-UK backgrounds predicts that immigration in the region will increase.

Most of the population state their religion as Christian (...%), with (...%) having no religion and other religions constituting (....%) of the population

A long term limiting illness is reported by (...%) of residents although estimates of disability can be as high as (...%).

Age Profile.....

It is estimated that 'out' gay people living in the United Kingdom form between 6% -10% of the population. This means that in Central Bedfordshire at least 15 000 people are likely to openly be lesbian, gay or bisexual, with others feeling unable to disclose such information because they fear the reactions of people around them.

Skill Levels:

¹ Mid 2006 population estimate 249,200



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The proportion of working age people with at least NVQ1 qualifications (1 GCSE or similar) is higher in Central Bedfordshire (at 83.1%) than in the east of England (78.2%) or England (78.1%). However the proportion with NVQ4 or above (degree or similar) is at a lower level in Central Bedfordshire (24.2%) than for the East (26.0%) and England (28.3%). At the 2001 census a fifth (20%) of Central Bedfordshire's working age population had no formal qualifications. This was more pronounced among certain Black and Minority Ethnic (BME) communities, particularly Chinese, White Irish, Pakistani and Bangladeshi.

Both of the former Central Bedfordshire districts appear to exceed both the national and regional averages for school leavers entering further education, however the numbers entering further education from deprived wards in Houghton Regis, Biggleswade and Sandy is much lower.

Employment:

In the year ending September 2008, 86.6% of working age people in Central Bedfordshire were economically active. This figure includes both employed and unemployed people and was the highest in the East of England. The employment rate (the percentage of the working age population in employment) in Central Bedfordshire was 83.9% in the year ending September 2008 compared to a regional average of 77.6%. This was also the highest in the region.

The median average gross weekly income for full-time male workers was £681 in north Central Bedfordshire and £566 in south Central Bedfordshire, above the England median average of £529. For full time female workers the median average gross weekly income was lower at £471 in the north of Central Bedfordshire and £432 in the south. This compared with £417 in England.

Unemployment in Central Bedfordshire is relatively low at 3.3% for the period October 2007 – September 2008. More recent, Job Seekers Allowance Data show that unemployment rose from 1.1% in June 2008 to 3.1% in April 2009. The highest levels of unemployment were all in urban wards, with the worst affected areas in Houghton Regis and Dunstable. The unemployment rate for Black and Minority Ethnic (BME) communities was 2.7% at the 2001 census, higher than that for White British (2.1%). Unemployment among young people is generally higher than among adults as a whole. In February 2009 6% of 16-18 year olds in the former Bedfordshire County were not in education, training or employment. This data is not yet available for Central Bedfordshire.

Health:

Overall health is better than the UK norm whilst in terms of deprivation no part of Central Bedfordshire is within the worst 10% nationally. However, this overall picture of affluence masks some aspects of deprivation and communities within Downside, Flitwick, Parkside, Sandy and Tithe Farm face particular challenges relative to the rest of the area. For example, there are parts of these communities which suffer from deprivation and appear in the top 10% nationally when specific indices of deprivation are considered such as Crime, Education, Skills and training and barriers to Housing and Services.



5. Central Bedfordshire Council's Approach to Equality and Diversity

Central Bedfordshire Council has a unique opportunity to bring together existing good practice and mainstream equality across all its activities from the outset. This is a real opportunity to make equality and diversity principles an integral part of service design and to ensure that improved outcomes are delivered for all sections of the community by embedding a systematic way of doing things across Central Bedfordshire.

Although the responsibility for complying with the new Equality legislation, meeting the 'Duty to Involve' and tackling inequality lies with all members and managers, achieving this depends on managing a broad service improvement agenda and adopting new ways of working. Success will depend on the leadership embracing a strategic and coherent approach

In order to meet these objectives and achieve the ambition of being a high performing council Central Bedfordshire will need to exhibit the following characteristics:

- Promotion and maintenance of a culture where everyone who comes into contact with the council in any way is treated with dignity and respect. This includes people who use different goods and services as well as those who are employed by the Council.
- Members and officers acting as champions for equality, understanding the significance of equality in the place shaping agenda and take direct and personal responsibility for promoting greater equality.
- Bullying and harassment addressed in an appropriate and timely manner, including harassment of transgender people, disabled people, gay men, lesbians. older people, younger people and people with different faiths and beliefs.
- Services must meet the needs of all citizens appropriately.
- In employment there is no gender pay gap, disabled people are represented at all levels of the organisation and the workforce represents the diversity of the local area at all levels of the organisation. Barriers to equality have been identified and actions are being taken to overcome them.
- Resources are targeted effectively to ensure that they are allocated to address all people's needs.
- The local authority engages effectively with others in the private, voluntary and public sectors, making the most effective use of others' expertise of equality issues and service delivery.
- Organisations that are contracted to do work on behalf of the council have equality obligations built into contracts. Their policies and procedures promote equality and eliminate discrimination.

The achievement of these objectives will require a focus on the following processes:

- Partnership Working
- Leadership and Accountability
- Development of a Corporate Approach



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- Delivery of commitments across every service
- Compliance with legal requirements and evidence of improved outcomes

5.1. Partnership Working:

Central Bedfordshire Council is responsible for providing a wide range of services to its population. This includes education, social care for children and adults, libraries, leisure, housing services and transport. The delivery of our priorities and ensuring excellence in our services will be achieved by working in partnership with other agencies, both statutory and voluntary.

We have established a Central Bedfordshire Local Strategic Partnership (LSP), which will provide an overarching strategic framework for partnership arrangements and delivery of our Local Area Agreement.

As part of our commitment to ensuring involvement, we will engage with our community and ensure that representatives of our diverse community are empowered to influence our service delivery and equality and diversity objectives. This is an integral part of our arrangements for partnership working through the LSP and through our emerging community engagement strategy. We will strive to ensure that understanding and tackling inequality is embedded within all our collaborative working.

5.2. Leadership and Accountability

We will foster demonstrable leadership and corporate commitment to equality and diversity. Members and officers will act as champions for equality, understanding the significance of equality in the place shaping agenda and will take direct and personal responsibility for promoting greater equality. The responsibility for complying with the new Equality legislation, meeting the ‘Duty to Involve’ and tackling inequality lies with all members and managers. All key Council decisions will reflect equality and diversity considerations.

The Chief Executive has overall responsibility for ensuring that the Council has robust plans for meeting the equality duties. All Directors and their Management Teams have accountability for leading and directing actions in respect of service delivery and employment (section 5.4.1). Heads of Service will be responsible for ensuring that relevant actions and targets set out in the Action Plan are incorporated into their local business plans and that these are achieved (section 5.4.2). All staff have a responsibility to be aware of their obligations under various equality legislation.

5.3. Corporate Approach to Equality

Although the responsibility for complying with the new Equality legislation and tackling inequality lies with all members, managers and staff, achieving this depends upon managing a broad service improvement agenda and adopting new ways of working. Success will depend on the leadership embracing a strategic and coherent approaches follows:

5.3.1. Corporate Officer Network



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We will have a network of Officers across the Council, which will include a designated officer lead for each service, who will act as equality champions within their respective service areas. The Officer Network will support all aspects of equalities in relation to policy development, service provision and employment to ensure that the Council meets its obligations under the equalities legislative framework.

The Officer Network will provide a corporate overview to mainstreaming equality and diversity across all services and will review the Council's progress towards maintaining its commitment to equality in employment and service provision.

5.3.2. Performance Monitoring

Monitoring is an essential part of service delivery and policy development and will enable the Council to measure the impact of services on various community groups. We will develop a corporate approach for equality monitoring to provide a consistent framework for the collection of equality monitoring information. The Equalities Working Group will provide a corporate overview to mainstreaming equality and diversity across all services and will review the Council's progress towards maintaining its commitment to equality in employment and service provision.

We will develop information and monitoring systems, for example for grants allocation and complaints, and an inclusive customer feedback process that allows us to systematically disaggregate data on performance indicators and assess progress for vulnerable groups.

Our equality scheme will be reviewed every three years and we will produce an annual report as a means to monitor and report back on progress to elected members, employees and residents as part of the Equalities Scheme.

5.3.3. Equality Forum

We will establish a Central Bedfordshire Equality and Diversity Forum to act as a consultation group and an advisory body to the Council on issues relating to race, disability, gender, gender re-assignment, sexual orientation, age, religion or belief and will help us work with key partnership groups as part of the overall framework for the Local Strategic Partnership. Members of the Forum will be drawn from local community and voluntary sector organisations with equality and diversity expertise.

We will further encourage community participation and involvement by engaging with a broad range of local equality and diversity representative groups through an Equality & Diversity Network.

5.3.4. Equality Impact Assessment (EIA)



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The Race Relations (Amendment) Act 2000, the Disability Discrimination Act 2005 and the Gender Equality Act 2006 require Public Authorities to assess the impact of their policies and practices, or the likely impact of proposed policies and practices. We will ensure that our services are equitable and accessible to everyone. We will develop an Equality Impact Assessment framework (Toolkit) and an EIA programme. We will identify and prioritise areas for equality impact assessment and develop a programme for their completion. Equality Impact Assessments will be carried out on:

- new functions, services, policies and procedures;
- reviewed or altered policies and procedures;
- existing functions and policies and procedures that have not had an impact assessment carried out.

The Equality Impact Assessment process will take all six equality strands into account to ensure that our service delivery and employment practices are not discriminatory.

The Corporate Policy Team will guide and support services through the provision of screening documents which will highlight relevant service specific equality evidence.

All EIAs will be quality assured by the Corporate Working Group and Equalities Forum and will be published on the Council's website. Impact Assessment action plans will be reported as part of the annual report on the Council's progress on equality and diversity.

5.3.5. Customer Feedback

We welcome suggestions, complaints and compliments and general comments as an invaluable aid to monitoring and developing the quality of our services

The Council wishes to use a transparent process in dealing with complaints in order to increase satisfaction and confidence in the Council's ability to deliver on this important agenda. The Council will continue therefore to work in partnership with local community groups and their representatives to enhance transparency.

The Corporate Management Team has overall responsibility for complaints made on all grounds, including that the Council has failed to comply with its equality duties. The Customer Relations Manager will be the point of contact for coordinating all such contact with the Council. We will ensure that our policies and procedures are robust for dealing with complaints or dissatisfaction with regard to meeting the obligations under equality legislation.

We will continually review our customer feedback and complaints procedures to ensure accessibility and where possible will collate information across the six equality strands.

5.4. Delivering our Commitments across every Service



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Directors and Senior Managers will ensure that equality and diversity is integral to planning and delivery of services to ensure the Council’s compliance with its obligations under equalities legislation. Objectives and targets relating to equality will be incorporated into the Council’s strategic and operational plans, and risk management process.

5.4.1. Role of Management Teams

Each Directorate’s Management Team will have responsibility for ensuring that equality is a key part of their planning, monitoring and review processes and that the commitments set out in the Equality Scheme are progressed. Management Teams will embed consideration of equality and diversity issues in planning for services by ensuring that;

- functions and policies are assessed for any adverse impact on any particular group;
- plans are developed to address any problem areas or identified gaps;
- all new policies, procedures and service development are assessed for any adverse impact on different groups and take action to avoid this;
- managers are aware of their responsibilities and act proactively to avoid discrimination.

5.4.2. Role of Heads of Services

Every Head of Service will be responsible for ensuring that robust equality impact assessments are undertaken. The Corporate Policy Team will provide guidance, support and quality assurance. Effective equality impact assessment requires a focus on the following key areas:

• **Understand and Include – Diversity Mapping / Need Analysis**

Officers will consider a variety of relevant data and research evidence of needs when developing strategies, policies and services. Take up rates of services and outcomes for service users will also be carefully analysed and action taken to increase service take up by under represented groups.

• **Consultation and Engagement**

Officers will build strong relationships between communities and encourage the participation of under represented groups by using a variety of techniques to consult with a cross section of residents, employees & stakeholders in order to identify differing levels & types of need. The development of the Council’s Community Engagement Framework, will promote the need to take into account diversity of interest, needs and geography. The Council will foster communication and consult with communities at risk of discrimination and establish new and innovative approaches to engagement and involvement to encourage active participation.

• **Deliver Excellent Services**

Officers will ensure that our services meet the diverse needs of our community and local residents and that they are accessible to all with due regard to the principles of equality and fairness. The Council will ensure that equality issues are an integral part



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of commissioning and procurement processes. Contractors and outside agencies who carry out work on behalf of the Council will be required to give a commitment to adhere to the Council's equality policies, procurement procedures and the Local Government Act 1988.

- **Inform and Communicate**

Officers will publicise services effectively and check levels of awareness across different communities. The Council will provide feedback on the results of consultation exercises. Information about services will be accessible in alternative formats and languages, through an interpreting service and on the website. The Council will ensure that information is published in a customer friendly format, is accessible and cost effective.

- **Employees Engaged and Empowered**

The Council will aim to have a modern and diverse workforce that is representative of the community we serve and the workforce strategy will set out the framework for taking this forward. We will train and develop our workforce effectively, raising awareness of diverse community needs and ensuring that the work environment is free from discrimination, harassment and bullying.

6. Corporate Equality Action Plan

See Action Plan (Appendix 2B of the 26th October Business Transformation OSC report)

The Action Plan currently includes a focus on delivering tangible outcomes on the following themes:

1. Developing and embedding Central Bedfordshire Council's approach and processes
- 2: Leadership / Partnership Working
- 3: Workforce and employment issues, awareness, training and development
- 4: Feedback, engagement and consultation
- 5: Intelligence, monitoring and review.
6. Service specific activities – this will be developed following wider consultation with staff. managers and stakeholders

A further theme will be developed setting out the Council's equality responsibilities in relation to schools.



Appendix 1. Understanding the characteristics and impact of inequality on different groups

All kinds of disadvantage are bad for those who experience them. Most kinds of inequality are damaging for the society which has to cope with their consequences. But some kinds of disadvantage and inequality are more serious than others because of the effect they have on people's life chances. Some are especially pernicious because they amplify or multiply the effects of other kinds of disadvantage. For example, overcrowded dwellings lead to poorer health; children with nowhere to study show lower educational achievement. Families with greater access to transport are more likely to enjoy a wider and more rewarding choice of jobs and schools.

Some aspects of disadvantage can trigger gaps in other dimensions, which in turn set off new inequalities in yet further dimensions. This is described as a cascade of disadvantage: For example, children who grow up in poverty are less likely to get qualifications or go on to higher education, and are more likely to become young parents. People with low levels of educational achievement can expect to be less employable, therefore poorer, therefore less healthy and probably less likely to participate in civic activity. The kinds of people who are less likely to be employed are also more likely to be involved in crime, to have shorter life-spans and to have less fulfilling family lives. Whole families can be locked into cycles of deprivation.

There are four key areas in which equality gaps are most likely to produce further waves of inequality for particular groups of people. They are early years and education, employment, health and criminal justice.

The Equalities Review 2007 identified three types of extreme, chronic and persistent inequalities

1. Different groups of people experience different outcomes in common aspects of life, such as education or employment.
2. Different needs may mean that we have to enjoy different treatment from others in order to gain a more equal outcome – most clearly in the area of healthcare.
3. Circumstances which could apply to anyone, but which disproportionately tend to afflict some groups; and which can trigger substantially divergent outcomes in life chances.

Research shows that these unequal outcomes do not have to be inevitable. They do not arise out of intrinsic differences, but often occur because of the way in which society is shaped. Under Equality legislation public authorities are required to consider what action can be taken to reduce such inequalities.

In developing and implementing the Equality Scheme, Central Bedfordshire will need to consider national evidence relating to the experience of inequality and identify which issues are most pertinent to prioritise and the different ways in which these can be addressed, working in conjunction with other agencies. Some examples of the types of inequality experienced by different groups are detailed below. This evidence has been drawn from a variety of sources including the Equalities Review, the Commission for



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Equality and Human Rights, the Department for Children Schools and Families, the Department of Health, the Commission for Social Care Inspection and Stonewall.

1.1. Age:

Age discrimination is founded on a set of stereotypes about different age groups, which in the case of older people leads to a form of benevolent prejudice. Older people are often characterised as non-threatening friendly, moral and admirable but less intelligent and less capable. Conversely, views about younger people can sometimes be the opposite, with unfair assumptions and stereotypes that they are all aggressive, out of control, uncaring and threatening.

Issues include:

Employment:

- Younger people often meet assumptions that they don’t have relevant skills or experience.
- Older workers can experience restricted access to the workplace by enforced or incentivised retirement.

Carers:

- By 2026 more than 10% of the population will be over 75 and significant numbers of the workforce age 45+ will have caring responsibilities. 18% of carers have left a job or been unable to take one due to caring responsibilities.

Health and Social Care:

- Older people can experience limiting health and social care options.
- Assumptions are sometimes made that it’s natural for older people to have lower expectations, reduced choice and control and less account taken of their views.

1.2. Disability:

Disability covers a variety of impairments such as:

- learning disabilities
- mental health conditions
- mobility impairments
- blindness and partial sight
- deafness and hearing impairment
- progressive long-term health conditions such as multiple sclerosis and HIV

It also covers people who may not recognise themselves as having a disability, such as those with long-term conditions (e.g. diabetes or cancer) or older people. Disabled people are not a homogenous group and may be discriminated against because of other aspects of their identity, such as ethnicity, age etc.

Using the widest definition there are more than 11 million disabled people in the UK, that’s more than one in five of the adult population and one in 20 children. 80% of people experience a year of being disabled at some point in their lives and 66% of disabled people develop impairments during working age. The majority of disabled people have impairments that are not easily visible.



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Disabled people do not always have the same opportunities or choices as non-disabled people. They can experience discrimination, lack of respect and unreasonable barriers to participation in society on an equal basis.

The social model of disability takes the approach that what primarily stops or hinders a disabled person doing something are barriers that society has put in place or chosen to ignore, i.e. it is society that often disables a person not their impairment. It also recognises that active steps are needed to promote equality for disabled people. These barriers can be grouped into three main headings:

- **Physical or Environmental** - examples include steps, stairs, inadequate signs, lack of visual fire alarms and lack of colour contrasts.
- **Organisational** - the way policies and practices of an organisation exclude disabled people - examples include an accessible toilet cluttered with mops and buckets; obstructions near to lifts; or leaflets not available in an accessible format (e.g., tape or large print)
- **Attitudinal** - the way disabled people are perceived, for example, as passive, dependent, to be felt sorry for.

Although these barriers may sometimes be unintentional this does not lessen the negative impact on disabled people. Removing these barriers enables disabled people to participate by improving access to services.

Issues include:

Children and Young People:

- 8.5% of pupils with a statement of special educational needs gain five or more GCSE grades A*-C, compared with 65.9% of other pupils.
- At age 16, 68% of disabled young people are in full time education, compared with 72% of non disabled pupils.
- Disabled pupils are often excluded from certain subjects, faced with low expectations and assumptions and often not given genuine choices.
- There can be low awareness of making reasonable adjustments amongst staff and governors.
- Disabled people are more likely to have no educational qualifications 15% of disabled 16 year olds are out of work or training compared to 7% of non-disabled peers.

Employment:

- Only one in two disabled people are likely to be in employment compared with four in five non disabled people.
- Disabled people make 2.5 times more job applications than non disabled people, yet receive fewer job offers.

Poverty:

- The income of disabled people is on average less than half that of non disabled people.

Crime:

- Disabled people face harassment. One in four has experienced hate crime.

Social Care:



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- Social care services are vital in order to progress equality for disabled people. If these service are not part of the solution in actively removing barriers to living independently that face disabled people, they can become part of the problem in creating barriers to equality.

Housing:

- Much of the social housing stock is unsuitable for disabled people. Sub standard housing can make some conditions worse.

Travel:

- Disabled people travel one-third less than non disabled people and physical access to public transport can be difficult.

Attitudes:

- For many disabled people the main barrier they encounter is people's attitudes:
 - 1 in 3 people believe wheelchair users to be less intelligent
 - 1 in 2 people express a fear of disabled people
 - 1 in 4 people feel resentment and anger towards disabled people

1.3. Gender:

Gender inequality can be experienced by both women, men, girls, boys and also transgender people. The level of disadvantage faced will differ depending on factors additional to people's gender such as age, ethnicity, religion or belief etc. Gender inequality is experienced across the full range of public services, employment, access to and take up of services, protection from crime, violent assault and use of transport.

Issues include:

Childcare / Family Structures

- Lack of childcare often prevents women, and some men, from accessing both employment and services.
- There are 24 million households in Britain of these 1.6 million are run by a lone mother and 180,000 headed by a lone father.
- Fathers are much less likely to be involved in their children's education. When they do want to be involved as fathers, services that have been designed for women can make men feel unwelcome such as toddler and baby classes.
- Finding affordable childcare and a job with flexible working arrangements is critical particularly, for Black Caribbean women (who are more likely to be lone parents) and Bangladeshi and Pakistani.

Children and Young People:

- Boys are four times as likely as girls to be identified as having a behavioral, emotional and social difficulty (BESD).
- Boys account for 80% of permanent exclusions and 75% of fixed term exclusions.
- Only 18% of poor White British Boys achieve 5 or more GCSE passes.
- More young men than young women are NEET. 12% of male 16-18 year olds compared with 10% of girls (2005).
- Probably the single group most likely to be shut out of higher education in future decades is white boys from poor backgrounds. In some urban universities they are in a small minority.



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- Girls are achieving better results than boys but they are still being steered towards choices that lead to low paid, low status jobs.

Employment:

- The vast majority of people employed in local government are women (70%) but most are concentrated in lower paid and part-time jobs.
- Women who work full-time earn 13% less than men who work full-time, based on *median* hourly earnings, and 17% less based on *mean* hourly earnings.
- Many women bear the majority of the responsibility for childcare with the result that 44% of women work part time compared to 10% of men. Part-time work can limit career progression; lead to lower pay and reduced pensions.
- 38% of mothers and 11% of fathers have left a job or been unable to take one due to caring responsibilities.

Health:

There are big differences in women's and men's health needs and behaviour. Biological and social factors influence the health risks they are exposed to, their health behaviour and their experience of health care. For example,

- Women are more susceptible to lung cancer, but more men die of the disease, because they seek medical help late.
- Men are still less likely to go to their GP, and are therefore less likely to identify health problems early on.
- Policies to shorten hospital stays can affect women differently from men, as women will often not have the appropriate support in place at home to enable full recovery, and will quickly resume household and work responsibilities.
- Teenage mothers are three times more likely to suffer post-natal depression than older mothers and experience poor mental health for up to three years after the birth.
- It is possible that depression and anxiety are under-diagnosed in men. Suicide is more common in men.

Crime:

Males and females experience similar levels of violent crime but the nature of the violence they experience can be very different.

- The majority of violent crime experienced by males is likely to be as a result of stranger violence linked to excessive drinking in pubs & clubs.
- Young men between the ages of 16 and 24 are the most at risk from violent crime.
- Violence against women includes rape, sexual assault, domestic violence, sexual harassment, stalking, trafficking, sexual exploitation, female genital mutilation, forced marriage and crimes in the name of honour. It is both a cause and consequence of women's inequality and can have a devastating impact on individual victims, affecting their mental and physical health, as well as employment and educational opportunities.
- For females, the majority of the violence experienced is in the home and the offender is known to them.
- One-quarter of all violent crime reports is violent attacks on women by their partners or ex-partners. Two women a week die as a result of these attacks.
- Over 75% of 11-12 year old boys think it is acceptable that women get hit if they make men angry.
- Almost half of women in England & Wales experience domestic violence, sexual assault or stalking during their lifetime.



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- It is estimated that between 75% and 95% of rape crimes are never reported to the police.
- Although the incidence of rape is not decreasing, Rape Crisis Centres are closing for lack of funding.
- Although no official figures exist for how many women and girls are trafficked into the UK each year, research by the Home Office suggests around 1,400 women are thought to be smuggled into Britain annually for prostitution.

Transport:

- In general women have less access to private cars than men, and are the main users of public transport.
- Women use transport at different times, in different ways and for different reasons from men, both to get to work, and to access services, childcare and food shopping.
- Transport services and town planning rarely recognise this, or allow for women's greater fear of travelling at night, or provide easy access to transport for those carrying children and pushchairs.

Isolation in Old Age:

- Age Concern estimates that at least 1.7 million single older men could be living in isolation in the UK. Nearly 400,000 of these are single older men aged 75 and over. Furthermore, it is estimated that 289,000 single older men are living in poverty.

1.4. Gender Reassignment:

Gender Dysphoria:

1 in 10,000 people suffer from the recognised medical condition known as gender dysphoria, generally referred to as being transgender or transsexual. Whilst most of us are perfectly comfortable with our self-image as male or female, those with gender dysphoria feel they were born in the wrong body - men feel they should have been born women and vice versa. Public bodies interact with transgender people and are required to understand and address their needs.

Transgender:

This is an umbrella term for people whose gender identity and / or gender expression differs from their birth sex. The term may include but is not limited to Transsexual people and others who define as gender-variant. Many Transgender people can identify as female-to-male (FtM) or male-to-female (MtF). Transgender people may or may not choose to alter their bodies hormonally and / or surgically. Some people have not, and do not intend to, undergo gender reassignment, and are not covered by the gender reassignment provisions in the Sex Discrimination Act. However, they are still protected from discrimination on the basis of their birth sex by the Sex Discrimination Act.

Transsexual:

This term is used to describe a person who intends to undergo, is undergoing or has in the past undergone gender reassignment (which may or may not involve hormone therapy or surgery). Transsexual people feel the deep conviction to present themselves in the appearance of the opposite sex. They may change their name and identity to live in the acquired gender. Some take hormones and cosmetic treatments to alter their appearance and physical characteristics. Some undergo surgery to change their bodies to approximate more closely to their acquired gender.

Issues include:



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Research undertaken in the areas of employment, health provision, social exclusion and hate crime indicates that Transgender people experience disproportionate levels of discrimination, harassment and violence. In any school of 1,000 pupils there are likely to be 6 who will have transgender experience at some point in their lives. There will be others who have a transgender parent or close relative.

Employment:

- Trans people are more likely than others to experience difficulty in finding work or retaining it if their background becomes known to others. High numbers report feeling obliged to change jobs because of workplace harassment and abuse.

Family Life:

- Upon revealing their gender issues people are at high risk of being shunned by family and friends.

Crime:

- Many experience violent intimidation on the streets or outside their homes.

Health:

- Trans people are susceptible to depression and at risk of suicide.
- 33% of Trans Adults in the UK attempt suicide at least once.

1.5. Race:

People from black and minority ethnic communities can often experience multiple inequalities. 70% live in the 88 most deprived neighbourhoods in the United Kingdom and they are more likely to be poor, with lower incomes spread across larger household sizes. They can also experience discrimination, stereotyping and racism. These overall patterns also vary between and within different ethnic groups. Gypsies and Irish Travellers can face acute discrimination and awareness of the needs of these communities can be low.

Issues include:

Children and Young People:

Pupils from Black, Pakistani, Bangladeshi and Gypsy and Traveller communities experience lower levels of educational attainment.

- In 2006 at GCSE 5+A*-C, pupils from of African, African-Caribbean, Bangladeshi and Pakistani backgrounds achieved below national averages.
- In 2006 less than a third of Traveller of Irish Heritage pupils reached the expected levels in Reading and Writing at age 7.
- Gypsy and Traveller learners are over-represented in permanent and fixed period exclusions pre-16.
- Travellers of Irish heritage and Gypsy or Roma pupils are over-represented among many categories of SEN.
- African Caribbean pupils and pupils from mixed white and Caribbean backgrounds are more likely to be identified as having special educational needs (SEN) and are over-represented among the behavioral, emotional and social difficulties categories.
- Black pupils are more likely to be excluded from school.
- Mixed White and Black Caribbean pupils, Black Caribbean pupils and Black Other pupils have a much higher rate of exclusion than average. Families have an “overwhelming perception” that unfair and inconsistent behavior management in school is a significant problem.



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- White British and Mixed Heritage pupils appear to have the least positive attitudes towards school, school work and lessons.
- Black and Minority Ethnic pupils are generally under-represented on the national register for Gifted and Talented pupils.
- People of minority backgrounds are disproportionately clustered at each end of the skills spectrum. A high proportion enter post-16 study but many leave school with no qualifications or lacking fluency in English.
- 13% of African-Caribbean people were NEET compared with 8% ‘White British’ and 4% of those of Indian heritage

Employment:–

Overall black and minority ethnic people are more likely to be unemployed, irrespective of their qualifications, place of residence, sex or age. They are less likely to hold senior management positions.

- Gypsies and Irish Travellers can face barriers to employment due to low literacy levels.
- Black African and Bangladeshi men, can also experience significant employment penalties.
- Based on current rates of progress it is predicted that it will take nearly 100 years for people from ethnic minority communities to attain the same job prospects as white people.

Health –

- Pakistani and Bangladeshi people report amongst the highest levels of poor health, people born in South Asia have the highest mortality rates from circulatory disease.
- African Caribbean people are more likely to be diagnosed with schizophrenia.
- Gypsies and Irish Travellers have the poorest life chances of any ethnic group today. Life expectancy for men and women is ten years lower than the national average. Gypsy and Irish Traveller mothers are 20 times more likely than mothers in the rest of the population to have experienced the death of a child.

Social Care:

- Adults and older people from black and minority ethnic communities are less likely to be provided with social services following an assessment.
- Only 33% of all social services users in England thought that matters of race culture and religion were noted by local authority social services staff.

Housing:

- Black, Pakistani and Bangladeshi households are more likely to live in homes that fall below the Decent Homes Standard than white households.

Crime:

- Nationally, in 2005 the police recorded 50,000 racially or religiously motivated hate crimes.
- It is nearly seven times more likely that a young Black male’s custodial sentence at a Crown Court will be 12 months or longer compared to a White male.

1.6. Religion or Belief:

A lack of awareness about a person’s religious or other beliefs can lead to discrimination. This is because religion can play a very important part in the daily lives of people. In



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addition there is often a perceived overlap between race and religion which needs to be taken into account:

Discrimination can occur if specific requirements are not taken into account for example:

- Diet / fasting, e.g. Some groups are vegetarian, others require animals for consumption to have been slaughtered in a particular way, e.g. Muslims and Jews.
- Dress / Jewellery
- Religious observance / prayer and festivals
- Customs and practices to be followed in the case of birth and bereavement
- Cultural stereotypes for maleness and femaleness

Local authorities also need to bear in mind that a significant proportion of the population (16% in Bedfordshire) may have humanist or non religious beliefs and their views should also be taken into account when addressing community cohesion, service delivery and employment.

1.7. Sexual Orientation:

The last five years have seen a range of legal changes benefiting lesbian, gay and bisexual people (LGB). However, many LGB people still experience discrimination in their everyday lives. They still feel prevented from making a positive contribution to their communities and their workplaces. From police stations to family courts and from housing to health services, gay people remain uncertain of fair treatment, an uncertainty which is often derived from personal experience.

Contact with any LGB people needs to be carried out with sensitivity, they must feel assured that their privacy will not be breached and that their confidentiality will be guaranteed. This involves time to build up relationships so people feel able to share their experiences and express their needs without fear of stigma.

Young People:

- 65 per cent of lesbian and gay pupils have experienced homophobic bullying.
- Of those, 92 per cent have experienced verbal homophobic bullying, 41 per cent physical bullying and 17 per cent death threats.
- Increased levels of truancy have been recorded as students seek to escape from persecution.
- Lesbian and gay young people are more likely to leave school at 16 than straight peers, despite achieving 6 GCSEs at Grade C.

Employment:

Even though employers and public bodies have a responsibility to protect lesbian and gay people from discrimination, lesbian and gay people still encounter prejudice in their day-to-day lives.

- Nearly one in five lesbian and gay people (almost 350,000 employees in Britain) have experienced homophobic bullying in the workplace during the last five years.



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- Lesbian and gay people in occupational groups C2DE are 50 per cent more likely to experience bullying than those in occupational groups ABC1.
- A third think that lesbian and gay people who are open about their sexual orientation are more productive in the workplace, because they do not have to cover up their home situation. However, they fear the risk of being bullied if they do come out.
- Among those who have experienced bullying, a quarter have been bullied by their manager, half by people in their own team and nearly a third have been bullied by people junior to them.

Health:

- One in five of lesbian and gay teenagers have attempted suicide.
- Young gay men (under 25 years) are seven times more likely to commit suicide than the general population.
- Higher levels of alcohol and drug misuse have been recorded; (blocking out the pain).
- Evidence of emotional, mental and/or physical health conditions, such as eating disorders, as a result of the anxiety and eroded self esteem.

Housing:

- When parents are very hostile to young lesbian and gay people, some feel forced to leave home even though they may become homeless as a result.
- One in five lesbian and gay people expect to be treated worse than heterosexuals when applying for social housing.

Crime:

- Police estimate that 90% of homophobic crime goes unreported because victims are too frightened or embarrassed to report the crime.
- One in five lesbian and gay people have experienced a homophobic hate crime or incident in the last three years. One in eight has been a victim in the last year.
- Three in four of those experiencing hate crimes or incidents did not report them to the police. Only six per cent reported them to third parties.
- Seven in ten did not report hate crimes or incidents to anyone.
- One in six experiencing homophobic hate incidents in the last three years experienced a physical assault.
- Eight per cent of all black and minority ethnic lesbian and gay people have experienced a physical assault as a homophobic hate incident, compared to four per cent of all lesbian and gay people.
- One in six lesbian and gay people have been insulted and harassed in the last three years because they are gay.
- One in eight lesbian and gay people experiencing homophobic hate incidents have experienced unwanted sexual contact as part of the incident.
- Overall, three in five lesbian and gay people have been a victim of any crime or incident in the last three year.

Social Care

Lesbian, gay, bisexual and transgender people want:

- **To feel safe and be free from discrimination**, where services take seriously any discrimination, whether from people providing services, other people using services or from the wider community; and LGB people have choice in the way that this is handled.



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- **To be valued for who they are**, where services provide an environment where LGB people know that they will be valued, have opportunities to 'come out' when they choose and receive a positive response from staff.
- **Support to live the lives that they choose**, where services enable people to have choice about their social life, leisure activities and relationships. For many people, this means support to have contact with other LGB people.
- **To live a variety of lifestyles**, where services recognise that not all LGB people are the same and understand the aspirations and needs of each individual, ensuring they have choice and control over the support they use.

One particularly difficult area is where individual staff have objections to addressing issues of equality for lesbian, gay and bisexual people because of religious reasons.

Older people:

There are lots of assumptions and stereotypes made about older people, but probably one of the most enduring ideas is that all older people are heterosexual. They are clearly not, as gay, lesbian and bisexual people get older too.

Older LGB people grew up at a time when homosexual acts were 'against the law' until 1967. As older gay men grew up when it was a criminal offence to engage in sex, they were forced to act secretly with fear of prosecution or 'outing'. Discrimination against being lesbian or gay was accepted, and many older LGB people behaved publicly as if they were 'straight', keeping their domestic and leisure activities strictly private and separated from their public lives. This can impact upon older LGB people's sense of well-being and upon their feelings about their sexual orientation making them reluctant to discuss their private lives with strangers. Some older people choose to self-exclude and are likely to continue to do so even after civil partnerships legislation: they may have lived their whole lives discreetly, even secretly, and therefore feel unable to make what would be a very public declaration of their sexual orientation. Similarly, they are unlikely to be in a position to 'come out' for the first time and begin demanding rights at a time of deep emotional trauma, such as the illness or death of a partner

- Older LGB people are 2 ½ times more likely to live alone and 4 ½ times less likely to have no children to call upon in times of need be without informal care and support networks, making their need for appropriate social care services even more acute.
- Older LGB people want the opportunity to socialise and be with those who understand their concerns and have shared their life experiences.

Appendix 2. Summary of Equality and Diversity Legislation

The following section provides a summary of the equality and diversity legislation that all organisations must comply with and also includes details of the additional equality duties which public bodies must implement.



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Adoption of the new Equality Framework for Local Government will facilitate the Council in meeting statutory requirements. The Framework is constructed around five key areas which are also directly related to the new performance framework and Comprehensive Area Assessment. These are:

- Knowing your community – equality mapping
- Place shaping, leadership, partnership and organisational commitment
- Community engagement and satisfaction
- Responsive services and customer care
- A modern and diverse workforce

2.1. Age

- **Employment Equality (Age) Regulation 2006**
Protects against discrimination on grounds of age in employment and vocational training. Prohibits direct and indirect discrimination, victimisation, harassment and instructions to discriminate.
[Access the Employment \(Age\) Regulation 2006](#) at the OPSI website
Further information at the [Acas website](#) and the [Local Government Employers website](#)

2.2. Disability:

- **Disability Discrimination Act 1995**
Outlaws the discrimination of disabled people in employment, the provision of goods, facilities and services or the administration or management of premises.
[Access the Disability Discrimination Act 1995](#) at the Office of Public Sector Information (OPSI) website

Requirements of the Disability Discrimination Act 1995:

The duties placed on service providers and those involved in the disposal or management of premises were introduced in three stages:

- i) Since 2 December 1996 it has been unlawful for service providers to treat disabled people less favourably for a reason related to their disability (e.g. refuse to serve someone/charge more/provide a lower standard of service, for example by being rude or off hand).
- ii) Since 1 October 1999 service providers have had to make "reasonable adjustments" for disabled people (e.g. providing extra help or making changes to the way they provide services).
- ii) Since 1 October 2004 service providers should have identified whether other "reasonable adjustments" in relation to the physical features of their premises



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were required and have considered how to overcome physical barriers to access (e.g. removing, altering or avoiding physical barriers or providing a reasonable alternative method of making the service available).

- **Special Educational Needs and Disability Rights in Education Act 2001**
Extended the right of non-discrimination to disabled pupils and students. Has had a significant impact on education establishments and local education authorities. Requires a pro-active approach to removing physical, information, attitudinal and organisational barriers faced by pupils and students with disabilities
- **Disability Discrimination Amendment Act 2005**
Introduces a positive duty on public bodies to promote equality for disabled people. [Access the Disability Discrimination Act 2005](#) at the OPSI website

Requirements of the Disability Equality Duty:

The Duty reflects the social model of disability. This takes the approach that what stops or hinders a disabled person doing something are barriers that society has put in place or chosen to ignore, i.e. it is society that disables a person not their impairment. It also recognises that active steps are needed to promote equality for disabled people. Public Authorities were required to publish a Disability Equality Scheme by 4 December 2006 setting out how when carrying out their functions due regard will be given to the need to:

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

The legislation recognises that achieving equality for disabled people may mean treating them more favourably for example by providing reasonable adjustments such as dedicated car parking spaces. Non disabled people customers/staff might also want a parking space but will not experience the same degree of disadvantage if they do not get one.

2.3. Gender:

- **Equal Pay Act 1970 (Amended)**
This gives an individual a right to the same contractual pay and benefits as a person of the opposite sex in the same employment, where the man and the woman are doing: like work; work rated as equivalent under an analytical job evaluation study; or work that is proved to be of equal value.



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[Access the Equal Pay Act \(Amendment\) 1970](#) at the OPSI website

- **Sex Discrimination Act 1975**

The Act makes it unlawful to discriminate on the grounds of sex. Sex discrimination is unlawful in employment, education, advertising or when providing housing, goods, services or facilities. It is unlawful to discriminate because someone is married, in employment or advertisements for jobs.

[Access the Sex Discrimination Act 1975](#) at the Press for Change website

- **Gender Recognition Act 2004**

The purpose of the Act is to provide transsexual people with legal recognition in their acquired gender. Legal recognition follows from the issue of a full gender recognition certificate by a gender recognition panel.

[Access the Gender Recognition Act 2004](#) at the OPSI website

- **The Employment Equality (Sex Discrimination) Regulations 2005**

Introduced new definitions of indirect discrimination and harassment, explicitly prohibits discrimination on the grounds of pregnancy or maternity leave, sets out the extent to which it is discriminatory to pay a woman less than she would otherwise have been paid due to pregnancy or maternity issues.

[Access the Employment Equality \(Sex Discrimination\) Regulations 2005](#) at the OPSI website

- **Equality Act 2006**

Established a single Commission for Equality and Human Rights by 2007 that replaced the three existing commissions. Introduced a **positive duty on public sector bodies to promote equality of opportunity between women and men and eliminate sex discrimination**. Protects access discrimination on the grounds of religion or belief in terms of access to good facilities and services.

[Access the Equality Act 2006](#) at the OPSI website

Further information at the [Women and Equality Unit website](#)

Requirements of the Gender Equality Duty:

The Equality Act 2006 amended the Sex Discrimination Act, and placed a statutory duty on all public authorities, when carrying out their functions, to have due regard to the need:

- to eliminate discrimination and harassment that is unlawful under the Sex Discrimination Act 1975
- to eliminate discrimination that is unlawful under the Equal Pay Act 1970
- to promote equality of opportunity between women and men

The duty was introduced in recognition of the need for a radical new approach to equality – one which places more responsibility with service providers to think strategically about gender equality, rather than leaving it to individuals to challenge poor practice. This is a positive requirement, which means that the council has to be proactive rather than reactive. There is a requirement to



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promote equality and not just avoid discrimination; and due regard must be paid to eliminate unlawful discrimination and harassment against transsexual people.

The legislation places responsibility on public authorities to take positive action about gender equality. The duty aims to make gender equality intrinsic to service provision and is a key tool to make the public sector more efficient, effective and responsive to the realities of how we live our lives. The duty should be catalyst for ensuring that services address the different needs of men and women, leading to more user-friendly services and making better use of the talents of both women and men in the workforce.

In order to comply with these duties local authorities must:

- Consult employees and stakeholders as appropriate in setting gender equality goals and action plans;
- Identify gender equality goals, and draw up an action plan showing the action it will take to implement them;
- Publish gender equality goals and action plans;
- Monitor progress and publish annual reports on progress;
- Review the gender equality goals and actions every three years;
- Conduct and publish gender impact assessments for all major employment/policy/service; developments, consulting appropriate stakeholders, and proposed legislation must be subject to a gender impact assessment, which must be published;
- Develop and publish arrangements for identifying developments, that justify conducting a formal gender impact assessment. (Initial screening of all developments to identify those that will require a formal assessment);
- Take action to address the causes of the gender pay gap;
- Train staff in connection with the duties imposed by the Act.

2.4. Race:

- **Race Relations Act 1976**
The Act prohibits discrimination on racial grounds in the areas of employment, education, and the provision of goods, facilities, services and premises.
- **Race Relations (Amendment Act) 2000**
Places a statutory duty on all public bodies to promote equal opportunity, eliminate racial discrimination and promote good relations between different racial groups.
[Access the Race Relations Amendment Act 2000](#) at the OPSI website

The Race Relations (Amendment) Act 2000 was informed by the McPherson Inquiry into the death of Stephen Lawrence, established in 1997 by the Home Secretary. The inquiry highlighted the way that institutional racism can affect the way



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organisations operate and the way services are provided. The report provided the following definition of institutional racism:-

“The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture and ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people. It persists because of the failure of an organisation openly and adequately to recognise and address its existence and causes by policy, example and leadership.”

Requirements of the Race Equality Duty

Section 71(1) of the Act gives public authorities such as the Council a *general duty* to promote race equality. The aim of this duty is to place race equality at the centre of service delivery, employment practice and the development and review of policy. This means that the Council must have ‘due regard’ to the need to:

- Eliminate unlawful racial discrimination
- Promote equality of opportunity, and
- Promote good relations between people of different racial groups.

This means that the Council in carrying out its functions and Services has obligations with respect to racial equality. Consequently, race equality must be considered integral to the way in which services are delivered and in any future policy development.

The general duty is supported by a number of specific duties. These are intended to assist the Council in meeting its general duty.

Specific Duty A - Monitor existing functions and policies for adverse impact and act on the results

Specific Duty B - Conduct assessments of the potential impact of proposed policies related to any of the prioritised functions and policies and consult

Specific Duty C - Publish results of the monitoring, of impact assessments and consultations

Specific Duty D - Ensure that all sections of the community have access to information about council services and access to the services that they require

Specific Duty E - Train staff responsible for managing and delivering the RES

Specific Duty F – Employment monitoring of: Numbers of employees in post, Numbers of applicants for employment, Promotion of employees / employees promoted from within the Council, Training of employees / employees trained. Monitor the ethnicity of and analyse the subsequent results from: Grievances, Disciplinary action, Performance appraisals (when this results in benefits and sanctions), Training, Dismissals and other reasons for leaving



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The Council is also required to publish annually the results of this ethnicity monitoring.

- **Race Relations Act 1976 (Amendment) Regulation 2003**
Introduced new definitions of indirect discrimination and harassment, new burden of proof requirements, continuing protection after employment ceases, new exemption for a determinate job requirement and the removal of certain other exemptions.
[Access the Race Relations Act 1976 \(Amendment\) 2003](#) at the OPSI website
- **Racial and Religious Hatred Act 2006**
The Act seeks to stop people from intentionally using threatening words or behaviour to stir up hatred against somebody because of what they believe.
[Access the Racial and Religious Hatred Act 2006](#) at the OPSI website.

2.5. Religion or Belief:

- **Employment Equality (Religion or Belief) Regulation 2003**
The directive protects against discrimination on the grounds of religion and belief in employment, vocational training, promotion and working conditions.
[Access the Employment Equality \(Religion or Belief\) Regulation 2003](#) at the OPSI website
Further information can be found at the [Acas website](#)
- **Equality Act 2006**
Established a single Commission for Equality and Human Rights by 2007 that replaced the three existing commissions. Introduced a positive duty on public sector bodies to promote equality of opportunity between women and men and eliminate sex discrimination. **Protects access discrimination on the grounds of religion or belief in terms of access to good facilities and services**

2.6. Sexual Orientation:

- **Employment Equality (Sexual Orientation) Regulation 2003**
The directive protects against discrimination on the grounds of sexual orientation in employment, vocational training, promotion, and working conditions.
[Access the Employment Equality \(sexual orientations\) Regulation 2003](#) at the OPSI website
Further information at the [Acas website](#)
- **Civil Partnerships Act 2004:**
Provides legal recognition and parity of treatment for same-sex couples and married couples, including employment benefits and pension rights.
[Access the Civil Partnerships Act 2004](#) at the website of the Office of Public Sector Information
Further information can be found at the [Stonewall website](#)



Draft 1. Central Bedfordshire Council's Draft Equality and Diversity Scheme

- **Equality Act 2006**
Established a single Commission for Equality and Human Rights by 2007 that replaced the three existing commissions. Introduced a positive duty on public sector bodies to promote equality of opportunity between women and men and eliminate sex discrimination. **Protects access discrimination on the grounds of sexual orientation in terms of access to good facilities and services**

2.7. Human Rights Act 1998

The Act makes the human rights contained in the European Convention on Human Rights enforceable in UK law. This means that it is unlawful for a public authority to act in a way that is incompatible with a Convention right. Anyone who feels that one or more of their rights has been breached by a public authority can raise the matter in an appropriate court or tribunal. If they are unhappy with the court's decision and have pursued the issue as far as it can go in the UK, they may take their complaint to the European Court of Human Rights.

There are 16 basic rights in the Human Rights Act – all taken from the European Convention on Human Rights. They concern matters of life and death, like freedom from torture and being killed, but they also cover rights in everyday life, such as what a person can say and do, their beliefs, their right to a fair trial and many other similar basic entitlements.

Not all Convention rights carry the same weight. They can be grouped into three broad types:

- **Absolute rights** – such as the right to protection from torture and inhuman and degrading treatment (Article 3). The state can never withhold or take away these rights.
- **Limited rights** – such as the right to liberty (Article 5). These rights may be limited under explicit and finite circumstances.
- **Qualified rights** – rights which require a balance between the rights of the individual and the needs of the wider community or state interest. These include: the right to respect for private and family life (Article 8); the right to manifest one's religion or beliefs (Article 9); freedom of expression (Article 10); freedom of assembly and association (Article 11); the right to peaceful enjoyment of property (Protocol 1, Article 1); and, to some extent, the right to education (Protocol 1, Article 2).

The rights of an individual should never be allowed to obscure public safety.

Further information on Human Rights can be found on the Ministry of Justice's website at:

<http://www.justice.gov.uk/guidance/humanrights.htm>



Appendix 3. Types of Discrimination to be addressed:

Discriminatory behaviour or activity can be manifested in the following different ways:

- i) **Direct Discrimination** - occurs when a person or group of people is treated less favourably than another person or group is, or would be treated in similar circumstances. It may occur in different ways, from crude comments or abuse, to more subtle approaches, such as assessing pupils or staff differently.
- ii) **Indirect Discrimination** - occurs when a requirement or condition, for which there is no objective justification, is applied equally to all groups, but which has the effect in practice of disadvantaging a considerably higher proportion of a particular group, making it difficult for them to comply. It is the impact, rather than the intention, which matters
- iii) **Institutional Discrimination** - *'The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin, religion, sexual orientation, marital status, age, class, background etc. It can be seen or detected in processes, attitudes and behaviour, which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and stereotyping which disadvantage individuals/groups.'*

Institutional Discrimination can be seen in policies, practices, procedures and processes. Examples of Institutional Discrimination include, ineffective consultation, lack of information or communication, lack of monitoring and reviewing of policies and practices, and their impact on specific groups, lack of training and awareness, recruitment, retention and progression of specific individuals / groups, marginalising staff, lack of support for staff, informal 'in groups' or cliques within organisations, stereotyping and assumptions, lack of openness to the personal values and beliefs of others and use of inappropriate language.

- iv) **Harassment** - unwanted conduct that violates a person's dignity, or creates an intimidating, hostile, degrading, humiliating or offensive environment for them, having regard to all the circumstances, including the perception of the victim.
- v) **Victimisation** - Unfair treatment of someone because they have made or intend to make a complaint or allegation, or have given or intend to give evidence in relation to a complaint of discrimination.

Under Equality legislation, people are required to make judgements about what is the right thing to do, and must avoid being a party to discriminatory behaviour. Failure to challenge discriminatory behaviour or to appear to condone it is termed collusion. Such behaviour can be manifested in 3 ways:

- 1.) **Silence** – Saying nothing when others tell inappropriate jokes, behave badly to others or exclude them. People should feel empowered to challenge appropriately.
- 2) **Denial** – People may choose to turn a blind eye to obvious discrimination simply because it's too painful to accept, or because they personally gain something by taking such a stance.
- 3.) **Active co-operation** - This could be laughing at racist or sexist humour, or agreeing with discriminatory comments made by others.

Appendix 2B

Central Bedfordshire Council Equality and Diversity Scheme - Action Plan

Objective	Action	Outcome and Evidence	Lead	Timescale
Theme 1: Developing and embedding Central Bedfordshire Council's approach and processes.				
Prepare the Council for compliance with the new Equality Framework	Develop an Equality and Diversity Scheme which takes account of all six equality strands (1.6)	Up to date single equality and diversity scheme with action plans published. Scheme meets statutory requirements. Council ready for peer challenge and assessment to Achieving status.	Corporate Policy Adviser (Equality and Diversity)	Draft Scheme Autumn 2009 / Adoption December 2009
Corporate and service level structures are in place to ensure delivery and review of the equalities agenda (1.8)	Confirm strategic equality and diversity champion from the Central Bedfordshire Council Management Team.	Promotion of equality and diversity at a leadership level of the Council	Director of Business Transformation	Ongoing from April 2009
	Members' equality and diversity champion (portfolio holder for Business Transformation) to chair the Equality and Diversity Forum.	Active involvement and mainstreaming of equality and diversity within service processes.	Council	Ongoing from June 2009
	Service/directorate management teams to: <ul style="list-style-type: none"> include equality and diversity matters in the terms of reference for their meetings as a standing item put in place network of equalities champions 	Members are comfortable with equality issues and able to deal with complexity Equality champions are confident, skilled and fully understand the complexities and issues the role entails.	Directors	Ongoing from November 2009

Objective	Action	Outcome and Evidence	Lead	Timescale
	Set up corporate equalities working group comprising directorate champions		Corporate Policy Adviser (Equality and Diversity)	workshops to inform approach – July/August 2009 On hold till 2010,
	Provide training and briefings for equality champions		Corporate Policy Adviser (Equality and Diversity)	July 2009 and ongoing
Political overview and scrutiny processes review equality impacts and objectives (2.8)	Approach to overview and scrutiny to provide for review of equality impacts and objectives.	Active challenge on the approach to equalities and diversity through overview and scrutiny	Overview and Scrutiny Manager	October 2009 onwards
Embed equality and diversity objectives within business plans and service design processes (1.19)	Guidance on service and business planning processes to require setting of equality objectives and outcomes and monitoring within performance management arrangements.	Equality and diversity becomes an integral part of business processes and the performance management framework, with measurable outcomes.	AD Policy, Partnerships and Performance	May 2009 and ongoing
Corporate strategies and policies are being impact assessed on an ongoing basis and published A corporately prioritised programme of equality impact assessments (EqIAs) is in place, (1.7)	Develop and quality assure an equality impact assessment protocol for the Council Develop an action plan and timetable for equality impact assessments/ initiate EQIA process for new policies and	Equality impact assessment integral to service planning, design and delivery. All equality and diversity issues identified and challenged All impact assessments reviewed and commented on by the Corporate Policy Adviser (Equality and Diversity) and high priority assessments considered and signed off by the Equality Forum	Corporate Policy Adviser (Equality and Diversity)	Draft scheme April 2009 Forum to quality assure draft scheme July 2009
			Authors of new policies/ strategies Management Teams of	As and when needed then ongoing based on the three-

Objective	Action	Outcome and Evidence	Lead	Timescale
	<p>strategies/ review EqIAs on due dates.</p> <p>Programme of quality assurance for completed assessments.</p>		<p>all service groups</p> <p>Equality Champions & Equality Forum</p>	<p>year timetable published on our website</p> <p>July/August 2009 onwards</p>
<p>Appropriate mechanisms are in place to ensure that human rights considerations are identified when planning services (1.21)</p>	<p>Ensure human rights matters are included in equalities training.</p> <p>Review, and amend as necessary, corporate and service customer care policies and procedures to ensure they highlight human rights considerations</p>	<p>Knowledge and understanding of human rights issues throughout the Council.</p> <p>Human rights issues integral to corporate and service customer care policies</p>	<p>Head of Organisational Capability</p> <p>Equality Champions</p>	<p>TBD</p> <p>TBD</p>
<p>Appropriate measures are put in place to ensure the service needs of vulnerable and marginalized groups are identified and that customers and citizens are treated with dignity and respect (1.20)</p>	<p>Review, and amend as necessary, corporate and service customer care and complaints policies and procedures to ensure they highlight the needs of vulnerable and marginalised groups</p> <p>Ensure the corporate complaints policy includes a specific reference to complaints of discrimination on the grounds of race, gender, disability, sexuality, gender and religion</p>	<p>Equality and diversity issues integral to customer care and complaints procedures.</p>	<p>Equality Champions</p> <p>Performance Team</p>	<p>Ongoing April 2009</p> <p>TBD</p>

Objective	Action	Outcome and Evidence	Lead	Timescale
	<p>Implement and embed the Community Engagement Strategy across the organisation.</p>	<p>All service areas are consistent in their approach to engagement and participation.</p>	<p>Business Transformation - Partnership</p>	<p>TBD</p>
<p>Procurement and commissioning frameworks take account of the differing needs of users and citizens (1.10)</p> <p>All commissioning and procurement processes take account of equality issues. Contracts include a requirement to deliver an effective and appropriate service fairly and equitably (1.18)</p>	<p>Ensure that the corporate and service procurement and commissioning strategies, guidance and procedures take account of equality and diversity requirements, including:</p> <ul style="list-style-type: none"> • specifications for the procurement and commissioning of services assessed in accordance with the equalities impact assessment protocol • standard equalities clauses included in all contracts • guidance note on developing equalities policies and practices produced for contractors and service providers <p>Monitoring of the service delivery of contracts and service level agreements covers equalities matters and the collection of relevant performance information e.g.</p>	<p>Demonstration of the Council's commitment to promote equality through contracts, commissioning and partnership working arrangements.</p>	<p>Head of Procurement & Corporate Policy Adviser (Equality and Diversity)</p> <p>Commissioning Managers</p>	<p>August 2009</p> <p>TBD</p>

Objective	Action	Outcome and Evidence	Lead	Timescale
	customer feedback, service take-up levels.			
Theme 2: Leadership / Partnership Working				
Leader, chief executive and partners commit publically to improving equality outcomes and can tell the equality story for their community (1.4)	Central Bedfordshire Council to publish an annual report on its equality and diversity progress.	Continuing progress in meeting equality agenda and working towards excellent status	Corporate Policy Adviser (Equality and Diversity)	Annually – at anniversary of the Single Equalities Scheme
	Refresh of the Council's strategic plan and other relevant key strategies and plans to highlight equalities and diversity issues and include equality and diversity objectives and outcomes		Directors Heads of Service	Ongoing
Sustainable community and other partnership strategies and working arrangements (LSP, LAA, and MAA) have been reviewed with the voluntary and community sector and the community to deliver locally identified equality outcomes. (1.5)	Ensure that the refresh of the sustainable community strategy and other partnership plans include equality objectives and outcomes. Ensure that all LAA delivery plans take account of equalities issues and impacts.	The Sustainable Community Strategy. LAA and other partnership plans highlight how inequality will be tackled and evidences progress in improving outcomes for vulnerable people.	Head of Partnerships and Community Engagement LAA Manager	Ongoing October – November 2009
	Build equality impact assessments into LAA processes.		LAA Manager	Ongoing

Objective	Action	Outcome and Evidence	Lead	Timescale
Internal, external and partnership communication strategies are designed to promote good relations across all local communities.(1.9)	Ensure the Council's communications strategy takes account of equalities issues.	Improved access to services by providing information in clear language and in different formats and languages. Improved customer satisfaction.	AD Communications	TBD
	Ensure the Council's branding guidelines and advice includes the need to reflect diversity in terms of images and content.		AD Communications	TBD
	Ensure the Council's website is accessible and informative and takes account of the needs of various groups.		AD Communications	TBD
	Agree Central Bedfordshire Council policy on translation and interpretation service and procure provider		AD Communications	TBD
Structures are in place within the authority and across partnerships to promote positive relations, enable different groups of people to get on well together and deal with harassment and hate crimes effectively (1.12)	Put in place corporate and partnership structures and guidance on recording cases of harassment and hate crime.	Increase in the reporting of cases of harassment and hate crime. Increase in conviction rate. Consistent approach to the promotion of equality initiatives, activities and events.	Head of Community Safety and Public Protection	TBD
	Ensure the community safety strategy has objectives and outcomes in respect of harassment and hate crimes		Crime and Disorder Reduction Partnership	TBD
	Develop a coordinated approach to promoting international, national and local celebrations.		Equality Champions	TBD
Theme 3: Workforce and employment issues, awareness, training and development				
The authority's workforce strategy identifies key equality issues.(1.23)	Develop a human resource strategy to meet equality employment duties and which	Managers appraised against equality objectives	AD Human Resources	April 2010

Objective	Action	Outcome and Evidence	Lead	Timescale
<p>Authority understands its local labour market, the barriers equality groups face and the impact this has on achieving a diverse workforce (1.24)</p>	<p>secures a diverse and appropriately managed workforce</p>	<p>Workforce confident with equality issues. Positive experience in the workplace. Fair and equal access to learning and development opportunities. Work/life balance promoted. A workforce that is representative of the community it serves at all levels.</p>		
<p>Ensure that all employment procedures comply with equality legislation and employment codes of practice (1.25)</p>	<p>Review human resource policies to ensure they are compliant with latest legislation.</p>	<p>Dignity at work and fair employment practices in place.</p>	<p>Head of Human Resources Strategy and Policy</p>	<p>July 2009 and ongoing</p>
<p>Authority has a prioritised programme for carrying out EqlAs on major and new employment policies. These are made public. (1.26)</p>	<p>Ensure human resource policies and strategies are subject to equality impact assessments.</p>	<p>Dignity at work and fair employment practices in place.</p>		<p>Ongoing from November 2009</p>
<p>The authority has made a commitment to equal pay and started work on its equal pay review. (1.27)</p>	<p>Develop an equal pay policy. Identify any gender pay gaps and take action.</p>	<p>Results of analysis published. Action taken on equal pay for work of equal value.</p>	<p>Head of Human Resources Strategy and Policy Head of Human Resources Strategy and Policy</p>	<p>TBD TBD</p>

Objective	Action	Outcome and Evidence	Lead	Timescale
Structures are in place to identify, prevent and deal effectively with harassment and bullying in the workplace.(1.29)	Develop an unfair treatment policy.	Effective measures in place to address harassment, bullying, discrimination and victimisation. All staff have positive experience in the workplace.	Head of Human Resources Strategy and Policy	Ongoing from November 2009
	Put in place and publicise support structures for staff.		Head of Human Resources Strategy and Policy	Ongoing from November 2009
	Train managers on the implementation of the policy		Head of Human Resources Strategy and Policy	Ongoing from November 2009
Equality issues are integrated into appraisal systems.(1.30)	Ensure performance development review process takes account of equalities issues.	All staff have positive experience in the workplace	Head of Organisational Capability	Ongoing from November 2009
The Council carries out a training needs assessment of the development required to deliver equality outcomes (1.28)	Carry out training needs assessment in respect of equalities matters both for staff and members and identify required competencies.	Training needs and competencies identified to inform development of training programme.	Head of Organisational Capability	TBD
Raise awareness of equality issues in training courses and ensure officers have relevant and appropriate levels of skills required . Ensure that equality and diversity policies are communicated, understood and mainstreamed into CBC.	Prepare and deliver awareness raising and training programme for staff and members.	All staff have positive experience in the workplace. Increase in knowledge and competency of equality and diversity at all levels of the organisation.	Head of Organisational Capability	TBD
	Include an introduction to equalities issues in induction process.		Head of Organisational Capability	December 2009
	Ensure all training courses (however delivered) take account of equalities issues		Head of Organisational Capability	TBD
A range of inclusive structures are in place to engage and involve staff before priorities are	Put in place and/or facilitate staff engagement structures and processes through a variety of	Staff effectively engaged and supported to contribute to the Council's priorities.	Head of Organisational Development	TBD

Objective	Action	Outcome and Evidence	Lead	Timescale
set (1.31)	means such as annual survey, focus groups, team briefings, support groups.	Structure and processes in place to capture and address staff concerns over equality and diversity matters		
Theme 4: Feedback, engagement and consultation.				
<p>Inclusive community engagement structures are being developed throughout the authority and its partnerships which include communities of interest. (1.13)</p> <p>The authority involves and consults with all its communities including disabled people, on an ongoing basis before priorities are agreed. (1.14)</p> <p>The authority involves and consults with vulnerable and marginalized groups to ensure their views are taken account of (1.15)</p> <p>Services ensure that local communities are consulted and/or engaged with appropriately about service planning and delivery (1.16)</p>	<p>Ensure community engagement and consultation strategies and structures take account of the needs of vulnerable and marginalised people and include mechanisms to engage different groups.</p> <p>Ensure that service user engagement structures and consultations take account of equalities issues</p> <p>Carry out regular consultation with service users and that the findings inform future service design and delivery.</p>	<p>People from the different equality groups are more effectively involved in policy development and the development of future priorities.</p>	<p>Head of Partnerships and Community Engagement</p> <p>Head of Performance</p> <p>Heads of Service</p> <p>Heads of Service</p>	<p>September 2010</p> <p>TBD</p> <p>Ongoing</p>
Customer feedback and complaints system	Carry out an annual review of complaints, categorised by the equality strands, and develop	Target timescales met. Learning points shared annually	Customer Relations Manager	April 2010

Objective	Action	Outcome and Evidence	Lead	Timescale
	actions for improvement.	across the Council. Equalities monitoring and evaluation carried out.		
Develop an equality and diversity forum	Set up and hold meetings of the Equality and Diversity Forum	Council activities scrutinised by local experts.	Corporate Policy Adviser (Equality and Diversity)	First meeting June 2009 – quarterly thereafter
EqIAs involve appropriate community and / or stakeholder groups and are made public (1.17)	Equality impact assessment protocol to provide for stakeholder involvement. Develop broader network of equalities and diversity stakeholders	All relevant issues identified. Equality and diversity network working in conjunction with local partnership and community engagement arrangements	Corporate Policy Adviser (Equality and Diversity) Head of Partnerships and Community Engagement	June 2009 – ongoing From July 2009 onwards
	Continue to consult with Access Group to ensure equal access for all.		Corporate Policy Adviser (Equality and Diversity)	Ongoing
	Continue to develop relationships with educational establishments such as the colleges to highlight issues and improve their knowledge of accessing council services.		Corporate Policy Adviser (Equality and Diversity)	Ongoing

Objective	Action	Outcome and Evidence	Lead	Timescale
Plans are in place to improve the participation of under represented groups in civic and public life in particular with regard to disabled people (1.11)	Ensure LAA delivery plan for national indicator 3 (civic participation in the local area) covers this matter.	Demonstrable increase of under-represented groups in civic life	LAA Manager	October 2009
Theme 5: Intelligence, monitoring and review.				
Understanding and mapping our diverse populations The authority has in place plans to gather evidence on the profile of their communities, the extent of inequality and disadvantage within their communities and to identify priorities across the authority. (1.1)	Develop and publish ward profiles and the sustainable community strategy evidence base, both of which will highlight inequalities in Central Bedfordshire.	Equality mapping evidence based profile of the community based on national and local data, which is regularly reviewed, understands the needs of diverse communities of interest within their locality and uses the information to inform corporate priorities and improve service delivery.	Customer and Community Insight Team	October 2009
Systems are being developed corporately and across services to collect and analyse soft and hard data / intelligence about the community their needs and aspirations (1.2)	Consider and develop an approach designed to coordinate existing activity	Equality mapping evidence based profile of the community data, which is regularly reviewed, understands the needs of diverse communities of interest within their locality and uses the information to inform corporate priorities and improve service delivery.	Equality Champions	TBD
Plans are in place to collect, share and use equality information with partners (1.3)	Determine what is shared and what should be shared and ensure appropriate mechanisms are in place e.g. information sharing agreements and	Consistent and effective use of information and data throughout the Council and between partners	Equality Champions Bedfordshire and Luton Information Sharing Steering	TBD

Objective	Action	Outcome and Evidence	Lead	Timescale
<p>Robust equalities monitoring</p> <ul style="list-style-type: none"> • Service Delivery • Employment • Corporate 	<p>protocols.</p> <p>Set up monitoring systems and analyse information by equality categories.</p>	<p>Evidence bases for service improvement and innovation, policy reviews, impact assessments and identification of training needs that take account of the needs of vulnerable and marginalised groups and address discriminatory practices</p>	<p>Group</p> <p>Head of Performance</p> <p>Heads of Service</p> <p>Head of Organisational Capability</p> <p>Corporate Policy Adviser (Equality and Diversity)</p>	<p>TBD</p>
<p>The authority is developing systems to collect, analyse and measure data on how all sections of the community are able to access services (1.22)</p>	<p>Carry out regular user surveys to assess service satisfaction rates.</p> <p>Ensure services review current participation in and take up of services and identify gaps.</p> <p>Customer Insight programme introduced:</p> <ul style="list-style-type: none"> • Customer Segmentation data used to identify our customer groups. This information will start to inform the types of Council and partner services accessed by each group and their preferred methods of 	<p>Gaps identified and actions taken to improve customer satisfaction and meet needs.</p> <p>Increased take-up rates amongst vulnerable and marginalised groups.</p>	<p>Heads of Service</p> <p>Heads of Service</p> <p>Head of Customer Service</p>	<p>TBD</p> <p>TBD</p> <p>TBD</p> <p>March 2011</p>

Objective	Action	Outcome and Evidence	Lead	Timescale
<p>Monitoring and reporting of the Single Equality Scheme and actions through agreed consultation method/s.</p>	<p>accessing these services.</p> <ul style="list-style-type: none"> Current access channels reviewed with service areas and partners Customer journey mapping undertaken to proactively deliver additional appropriate services at the first point of contact <p>Annual assessment and monitoring through BT Overview and Scrutiny Committee and Equality Forum</p> <p>The Scheme is revised if necessary</p>	<p>Ensure staff and customers are kept up-to-date with the progress of the action plan</p> <p>Satisfaction across the authority of the progress made under the Scheme.</p>	<p>Corporate Policy Adviser (Equality and Diversity)</p>	<p>Annual</p>

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Characteristics of Developing, Achieving and Excellent Authorities

1. A Developing Authority - Understanding the importance of equality

- members and officers understand the significance of equality in the place shaping agenda and provide clear and visible leadership in building partnerships to address inequality
- it has demonstrated clear plans to undertake equality mapping and understands the profile and needs of communities of interest within their locality
- it has publicly committed to improving equality outcomes and the elimination of discrimination in both service delivery and employment based on race, gender, disability, age, religion or belief and sexual orientation and other areas of disadvantage
- it is compliant with all legal requirements, including having all the public duty Equality Schemes in place
- it has systems in place at corporate and service/unit levels to ensure the delivery, review and scrutiny of its equality and cohesion priorities
- key internal and external stakeholders and community members are consulted on equalities issues
- it has earmarked specific resources for improving equality practice
- it is carrying out both retrospective as well as prospective generic equality impact assessments
- it is clear about its workforce profile and has plans in place to ensure equal pay outcomes and improve representation where appropriate.

2. An Achieving Authority - Developing better outcomes

- members and officers take direct and personal responsibility for promoting greater equality and test themselves on progress by the outcomes they achieve
- it has undertaken equality mapping and used the information to inform corporate and service priorities
- it has set stretching equality priorities in consultation with partners in the public and voluntary sector and these are reflected in its sustainable community and other relevant strategies, Local and Multi Area Agreements, and local targets
- it works with partners in the public and voluntary sector to develop joint equality strategies
- it uses Equality Impact Assessments to review all major changes in policy and regularly conducts service Equality Impact Assessments
- it has set appropriate corporate and service/unit objectives to address persistent inequalities and to narrow the gap related to race, gender, disability, sexual orientation, age, religion or belief, or other areas of inequality for service delivery based on impact assessments and consultation with internal and external stakeholders and partners
- it has set appropriate corporate and service/unit employment and pay based objectives for race, gender, disability and age, religion and belief and sexual orientation

- equality objectives are integrated into the local authority's business and service planning processes
- all relevant data on service access is monitored against the equality strands
- there are good practices of delivery in all the sections of council with few adverse impacts found in impact assessments – where adverse impacts have been found these have been mitigated
- key stakeholders and community members, including those who are vulnerable and marginalised are able to scrutinise and challenge performance on equalities issues
- it has developed information and monitoring systems that allow it to disaggregate data where appropriate, assess progress in achieving objectives and targets and review them in the light of changing needs, when necessary.

3. An Excellent Authority - Making a difference

- members and officers have a reputation for championing equality issues and ensure that the equality issues relevant to their communities are embedded in strategic plans, LAAs and local delivery plans
- the local authority works with all strategic partners and the third sector acting as advocates to achieve defined equality outcomes
- it has good evidence of the equalities profile of the community based on national and local data that is regularly reviewed
- it is measuring progress on equality outcomes, is able to disaggregate data on relevant performance indicators and can demonstrate real outcomes that have improved equality in services and employment
- it identifies the changing nature of its communities and their expectations and then prioritises its activities and explains its decisions
- it provides good customer care by ensuring that services are provided by knowledgeable and well-trained staff, who understand the needs of their communities
- it has improving satisfaction and perceptions indicators from all sections of the community and staff
- equality groups are integrally involved in community engagement programmes
- there are forums for all equality stakeholders to share experiences and evaluate the authority's progress
- all parts of the authority can show tangible progress towards achieving outcomes which address persistent inequalities and narrow the gap
- the authority has implemented action for equal pay outcomes and demonstrates progress on under representation, flexible working, access to training and development and promotes an inclusive working culture based on respect
- it reviews its equality strategy and public duty equality schemes every three years and seeks innovative, improvement challenges
- through its achievements it is an exemplar of good practice for other local authorities and agencies and works with others to share best practice.

Equality Framework Assessor Feedback on Draft Equality and Diversity Scheme

Comment	Proposed Action
<p>Overall comment "There is masses of good information and the scheme reads very well. As with all documents the evidence of understanding, commitment and awareness will be crucial."</p>	<p>Approval and implementation process will be critical</p>
<p>Evidence of prevention and intervention activities across whole Council. The Commission for Equality and Human Rights will look for evidence that schemes are living documents which demonstrate understanding of local issues and the actions being taken across every department of the Council. The plan should demonstrate the buy-in and support of each directorate.</p>	<p>This will be discussed with all Management Teams during November.</p>
<p>Diversity, Equality and Inclusion- It's better to use this phrase rather than just equality. The thinking is you have to understand diversity in order to put equality into practice and the reference to inclusion highlights that no one is excluded, this applies to all groups of people.</p>	<p>The Scheme will be amended to reflect this suggestion.</p>
<p>Personal Responsibility and Accountability - the introduction to the scheme should include some statements relating to personal responsibility and not colluding. At the moment it is only mentioned on the very last page.</p>	<p>The Scheme will be amended to reflect this suggestion.</p>
<p>Understanding the characteristics and impacts of equality – the scheme should highlight that discrimination can occur within and across groups and shouldn't be accepted as being part of a person's culture / religion e.g. homophobia and sexism. The death of Victoria Climbié highlighted the need to challenge cultural practices which put people in danger. Forced marriages and female genital mutilation are other examples of cultural practices which have to be challenged. The scheme should also highlight community cohesion issues and hate crime.</p>	<p>The Scheme will be amended to demonstrate that whilst it is important to understand and respect a person's culture and beliefs this must be balanced against the need to uphold legislation and protect personal safety.</p>
<p>Hard to Reach Groups - change all references from hard to reach to 'those previously overlooked' (i.e. people aren't hard to reach it's just that organisational structures have put up barriers in the past or not used inclusive approaches.) The scheme should also emphasise that whilst people have diverse needs they also have similar needs as well.</p>	<p>The Scheme will be amended to reflect this suggestion.</p>
<p>Vision - Needs to include a focus on the needs of staff and not just an external community focus.</p>	<p>This section will be amended to ensure there is an equal focus on employment issues and to reflect findings from the recent staff survey.</p>

Comment	Proposed Action
<p>Legislation and Strategic Drivers - Explanation of institutional discrimination should be in an earlier section rather than the last page of the scheme and it should strongly highlight the need for a clear focus on manager / staff training and development, consultation, involvement, victimisation and collusion</p>	<p>Section 5 of the Scheme will be strengthened to reflect these issues.</p>
<p>Central Bedfordshire Approach:</p>	<p>The Scheme will be amended to reflect this suggestion.</p>
<p>➤ Leadership and Personal Accountability should come first before partnership working. Leadership is the top area that any Equality Assessor will focus on and test.</p>	
<p>➤ Performance Monitoring - Needs to include much more detail on how data will be collected, reviewed, monitored and evaluated across the Council to identify trends, issues and actions required. How will this happen? Who will do it? This is another key area that an Equality Assessor will scrutinise very closely.</p>	<p>The Corporate Policy Team will work closely with the Performance Team to support Managers across the Council in developing these processes. This will be informed by reference to the National Equality Measurement Framework which focuses on:</p> <ul style="list-style-type: none"> ➤ outcomes; process (unequal treatment, discrimination, lack of dignity and respect); autonomy (empowerment, choice and control). ➤ 10 Domains; Life; health; physical security; legal security; education and learning; standard of living; productive and valued activities; individual, family and social life; identity, expression and self respect; participation, influence and voice. ➤ 8 Characteristics; Age, disability, ethnicity, gender, religion or belief, sexual orientation, transgender, social class.
<p>➤ Annual Review - The scheme should be reviewed annually and have a major review every 3 years.</p>	<p>An annual report and updated action plans will be presented to the Business Transformation Overview and Scrutiny Committee and the Equalities Forum and the Scheme refreshed if appropriate.</p>
<p>➤ Delivering Commitments across every Service - How will this be done? What is the evidence of accountability in Directorate Management Teams? How is equality mainstreamed into all aspects of their work and plans / policies? This is another key area that an Equality Assessor will scrutinise very closely.</p>	<p>The development of the Equality Impact Assessment Programme will clearly identify accountability across directorates and will help demonstrate the ways in which equality is being mainstreamed across the Council.</p>
<p>➤ Action Plan - content is ok, timescales and accountability must be very clear.</p>	<p>Timescales will be amended following discussion with Management Teams</p>

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Developing equality schemes to meet the three existing duties

Purpose and Scope of this guidance

This document provides guidance for public authorities in England, Scotland and Wales who are subject to the race, disability and gender specific duties¹, on how you can effectively meet the three public sector general duties together through the development of one overarching scheme – commonly referred to as a single equality scheme. Any future reference to schemes within this guidance refers to schemes of this nature.

In producing this guidance, the Equality and Human Rights Commission (EHRC) is not recommending that public authorities must develop single schemes – it is up to each public authority to decide which route is the best for them to take. What the Commission is interested in, whether through single or separate schemes, is that each of the duties is being met.

The law² in relation to the public sector duties is due to be simplified and revised to include four more strands. This will not come into force until 2011 at the earliest, so until that time public authorities will need to continue to work with the existing legislation.

This guidance intends to make clear what you will need to put in your scheme to meet the legal requirements of each of the general duties³. It also highlights what the Commission will be looking for when it comes to assessing your scheme for compliance. The guidance ends with a checklist of the ten key things you need to consider to ensure that your scheme will meet the requirements of each of the duties.

As a general principle, wherever one of the duties has a more detailed requirement you should aim, as a matter of good practice, to match this requirement across each of the three duties. For example the disability duty requires involvement not consultation, but involvement for race and gender will be beneficial in terms of identifying priorities and meaningful engagement with communities.

1 This guidance is aimed at people who are actively engaged in developing equality schemes and are, therefore, already familiar with the format and requirements of the race, disability and gender duties. You can find further information on the duties, including their detailed requirements and both the statutory and supplementary guidance issued in relation to the duties at: www.equalityhumanrights.com/workingbetter

2 The current law is contained in the Sex Discrimination Act 1975, the Race Discrimination Act 1976 and the Disability Discrimination Act 1995. The new provisions will be contained within the Equality Bill, expected to pass through Parliament in 2009.

3 The main source of information regarding the requirements of the duties are the statutory Codes of Practice, which also contain the relevant statutory instruments.

This guidance does not replace the existing guidance on meeting the duties published previously by the CRE, the DRC and the EOC⁴. It does however seek to highlight the different requirements of the three duties and provide further clarification of the standards that Commission is looking for when it assesses schemes.

You can conduct a 'self-assessment' of your scheme using the assessment template developed by the Commission and available at: www.equalityhumanrights.com/en/forbusinessesandorganisation/psd/enforcement/pages/assessmenttemplates.aspx This will help you to determine if your scheme addresses the key areas and whether or not it is compliant.

Separate guidance is being developed to assist schools and other educational institutions to meet their own particular requirements under the duties. Whereas the general Gender Equality Duty (GED) applies to all public authorities in England, Scotland and Wales, the specific gender equality duties do not apply to authorities whose public functions are solely in relation to Wales. However, the Commission strongly recommends that all public authorities in Wales operate as if the specific gender equality duties apply to them in order to ensure that they are meeting the general Gender Equality Duty. This is the approach that the Welsh Assembly Government and many other public authorities in Wales have taken. In this guidance, any reference to the specific gender duties should, therefore, be read as applying to England and Scotland.

What about the proposed new equality duty?⁵

Until such time as the new equality duty is implemented, public bodies are still obliged to meet the requirements of the race, disability and gender duties. While the Commission would support public bodies to begin to take action to prepare for this single duty it is not the intention of this guidance to provide any advice in relation to extending schemes to cover the other equality strands or human rights. The Commission will be developing detailed guidance on these issues at a later date to assist public bodies to prepare for the new equality duty.

You can find out more about the development of the equality duty at: www.equalityhumanrights.com/en/forbusinessesandorganisation/psd/psdnews/Pages/SingleEqualityBody.aspx

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- 4 This includes both the statutory guidance provided within the Codes of Practices and the supplementary guidance – all of these documents are available via the Commission's website at: www.equalityhumanrights.com/en/forbusinessesandorganisation/psd/infopubauth/pages/guidance.aspx
 - 5 At the time of writing this guidance, the Government has said that it is committed to introducing a new public sector duty and that its intention is to incorporate within it all the equality strands (i.e. race, disability, gender, gender identity, age, sexual orientation and religion or belief). While the precise format, scope and name of the new equality is still to be determined, all future references to this forthcoming duty will be referred to as the 'single equality duty'.

Getting Started

What is the purpose of the equality scheme?

You are required under the race, disability and gender specific duties to develop and publish an equality scheme for each of the three strands. The purpose of doing so is to enable you to meet each of the general duties. You should view your scheme as your timetabled, evidence-based, plan of action for meeting each and all of the general duties.

Meeting the general duties

To meet the general duties, you are required to pay 'due regard' to them, that is the weight given to race, disability and gender equality must be proportionate to its relevance. This common requirement, across all the duties, means that you have to prioritise action on those areas of your work and issues that are most relevant to equality. For example, for a local authority, education is likely to be a greater priority for gender equality than highways.

You can demonstrate this within your scheme by the extent to which you have prioritised areas of work and actions to enable you to tackle the most significant issues in race, disability and gender equality within your remit. The race duty formalises this process with its requirement to list all your functions and policies within your scheme, marking them for relevance to race equality.

While developing a scheme, although you need to prioritise activities within each of the duties, it is not acceptable to prioritise one of the duties over another (for example, to focus on race rather than disability or gender), as all three duties need to be fully met.

Your scheme needs to consider the impact of the duties in respect of all your functions and policies – this includes the work you do in partnership with others – for example crime and disorder partnerships – and also in respect of goods and services that are delivered for you by private and voluntary sector contractors.

What will the Commission be looking for?

In summary, the Commission is looking for your scheme to demonstrate:

- **how** you arrived at your priorities (i.e. what evidence you collected, how you used your evidence, including information from consultation, and the involvement of disabled people);

- **what** outcomes you are aiming to achieve that will address the most significant areas of race/disability/gender inequality in your remit;
- **when** you are going to take action to achieve your outcomes; and
- **who** is responsible for delivering them.

The Commission wants to see far more of a focus on action planning and the delivery of your priorities, as opposed to the development of a document as an end in itself.

We will assess schemes on the extent to which they are **evidence-based** and effective plans for delivering change: change that will lead to greater race, disability and gender equality.

Hints and Tips

Don't develop your scheme in complete isolation to your business plan – use the development of your scheme and action plan as a way of helping you to meet your strategic business priorities.

Make sure you have covered all the general duties – some elements can often be 'missed', for example, the elimination of discrimination and harassment towards transsexual people, the promotion of good relations between people of different racial groups and the promotion of positive attitudes towards and participation in public life of disabled people.

Gathering and Using Evidence

What are the legal requirements?

To meet the race duty: you are required to monitor (including for adverse impact) all policies and practices that are relevant to race equality, for example, the number of people from different racial groups who are stopped and searched or the number of people who are accessing library or leisure facilities. Under the race duty you are also required to ensure that the public has access to information and services that you provide.

To meet the disability duty: you are required to gather information on the extent to which the services you provide (and any other of your functions) take account of the needs of disabled persons (for example, ensuring that all new housing meets basic access standards for disabled people). You are also required to use the information obtained to review the effectiveness of the steps set out in your action plan and in preparing subsequent schemes.

To meet the gender duty: you need to gather information on the effect of your policies and practices on men and women and the extent to which the services you provide and the functions you perform promote equality of opportunity and take account of the needs of men and women. You are also required to take into account other information that may be relevant which could include the national gender pay gap and its causes or differential health outcomes for men and women. In your scheme you are expected to set out the steps you have taken, or will take, to do this. You are also required to make use of the information obtained to review the effectiveness of your gender objectives and in preparing subsequent gender equality schemes.

What needs to be in your scheme?

You need to put sufficient information in your scheme to be able to demonstrate that you understand what the most important issues are for your organisation in relation to race, disability and gender equality. You need to do this to enable you to demonstrate that the actions you are taking are justified, in terms of evidence presented.

You need to show that you have considered a range of relevant information primarily, but not exclusively, from your own organisation, (including disaggregated data) and include summaries of your analysis to show how this evidence has informed your actions.

Following these steps will help you to do this:

- Look at the information you already have to hand and whether it is disaggregated. If not, what steps can you put in place to disaggregate it?
- What national/other information is available that you can use, for example, from an umbrella body within your sector? Also, if you lack statistical data – is there other data (for example, from qualitative sources or your consultation/ involvement) that you could use instead?
- Once you have established what information is available, where it is and what the gaps in your information are - what steps can you take to fill those gaps? This could include using your consultation and or involvement processes, or working together with other public authorities in your area.
- Analyse and assess your information – what is it telling you? What significant issues is it pointing you towards?
- Use your information to determine what issues you need to prioritise for action within your scheme.

If you have evidence gaps (which we accept most public bodies will have), you need to show within your action plan what steps you are taking to fill those gaps and improve your evidence base.

What will the Commission be looking for?

The Commission will look at both the quality of your evidence and the extent to which you have used your information to determine what action you are taking. We are looking for a reasonable level of data and analysis to enable you to be able to justify what actions you are prioritising, and how your actions will enable you to pay due regard to race, disability and gender equality – and that is, that you are meeting the general duties.

This means that there needs to be a clear and identifiable link between your evidence and the actions you are taking. If we cannot see this in your scheme, it will not be deemed sufficient to meet the duties.

It also means that we need to see how you have used your evidence to determine what you are prioritising for action. Where your evidence, or evidence from your sector as a whole, suggests that there is a significant issue that needs addressing within your remit and you are taking no action, you will not be meeting the duties.

Hints and Tips

Lack of evidence is not an excuse for inaction. Where you have data gaps you need to demonstrate how you have tried to fill these by considering other sources of information and take action to improve your evidence base.

Consultation and Involvement

What are the requirements?

While the gender duty requires public bodies to consult stakeholders in the preparation of a scheme (and for GED this includes trade unions), to meet the requirements of the Disability Equality Duty (DED) you need to involve disabled people. While there is no explicit requirement to consult in preparation of a scheme in relation to the race duty, it is recommended that you do this, as it will improve your evidence base and community involvement.

In meeting the duties effectively, it is important not to confuse the requirements to consult and involve. Best expressed as ‘nothing about us without us’, the involvement obligation requires the ongoing participation of disabled people

throughout the process of developing the scheme and in its implementation. It is therefore an on-going working relationship rather than a one-off consultation. You may find it useful to involve all those covered by your scheme to help with evidence-based prioritisation and meaningful engagement with your communities. You can find out more about how to involve disabled stakeholders effectively at: www.equalityhumanrights.com/en/publicationsandresources/Pages/DEDandinvolvement.aspx

What needs to be in your scheme?

The legislation requires you to include within your scheme a statement of how you have involved disabled stakeholders (to comply with DED), and information about what action you have taken or will take to consult relevant employees, service users and others, including trade unions (to comply with GED).

In practice, this should include a short summary of who you consulted and involved; how you did it; and what people told you in your consultation and involvement exercise. If you want to put in more detail, consider doing this in an appendix to keep the main body of the scheme as concise as possible. Some of the more effective schemes have included this information in their schemes in the form of a table with information about what people said; what action is being taken as a result; and if no action is being taken, providing reasons for this.

What will the Commission be looking for?

What we want to see from your scheme is some evidence that you have consulted and/or involved the most relevant stakeholders, and what action you are taking as a result of the issues raised.

We will be looking for a clear and identifiable link between what people told you and the action you are taking as a result. If you are unable to prioritise some of the issues raised for action, you need to make this clear within the scheme.

This is of particular importance in relation to your involvement of disabled persons as, without providing evidence that their input has been influential, it is difficult to prove that you have actually truly involved people.

Hints and Tips

Think of your consultation and involvement obligations as a helpful tool to ensure you are prioritising the right issues, rather than as a stand-alone requirement or burden.

Impact assessment

What are the requirements?

Under the race duty, the requirement is to impact assess proposed policies and to monitor existing policies. For both the disability and gender duties, the requirement is to impact assess all existing policies and practices, in addition to proposed policies and practices.

Given the requirements of the disability and gender duties, when carrying out assessments on existing policies it makes sense to do this for race, in addition to disability and gender, if you have not already done so (particularly in light of the duty to assess functions and policies for relevance to race). The Commission is producing separate guidance on how to conduct effective impact assessments. What needs to be in your scheme?

Under the race duty you are required to set out within your scheme 'your arrangements for assessing and consulting on the likely impact of your proposed policies on race equality'. You are also required to include information on how you will publish the results of these assessments. Under the disability duty you are required to include a statement on how you will assess the impact of your existing and proposed policies and practices on equality for disabled people, and for the gender duty you have to set out the actions you have taken or intend to take to assess the impact of existing and proposed policies and practices on equality between men and women.

What will Commission be looking for?

Essentially we are looking for evidence that impact assessments are being carried out in a systematic and robust way within your organisation that enables you to meet your general equality duties. You can provide us with this evidence by including in your scheme:

- a timetable (in your action plan) for how you are going to assess existing policies (making sure you prioritise those policies most likely to be relevant);
- your impact assessment tool as an appendix (or a link to where it can be found); and
- a link in your scheme to where you publish your impact assessments.

The best schemes might also include a couple of examples where impact assessments have been effective in changing policies because of the information they have uncovered.

Hints and Tips

Make sure that the steps you are taking to ensure that impact assessments are being robustly and consistently conducted throughout your organisation, are set out clearly within your action plan.

Employment

What are the requirements?

To meet the race duty: you are required to undertake ethnic monitoring according to racial group of: staff in post; applications for employment; applications for training; applications for promotion.

For those organisations with 150 or more full-time staff you are also required to monitor by racial group those who: receive training; benefit or suffer detriment as a result of performance assessment procedures; are involved in grievance procedures; are the subject of disciplinary procedures and cease employment.

You are also required to train your staff on the general and specific duties.

To meet the disability duty: you are required to gather information on the recruitment, development and retention of disabled employees.

To meet the gender duty: you are required to gather information on the effect of your policies and practices on men and women and the extent to which they promote equality between your male and female staff.

If you are a public authority in Scotland and employ over 150 staff you are also required to develop and publish an equal pay statement⁶.

In addition to the above requirements, under the gender duty you have to consider whether you should include an objective that addresses the causes of the gender pay gap. You can find out more about this element of the gender duty by reading ‘Developing gender equality objectives and a gender equality scheme’ at: www.equalityhumanrights.com/publicsectorduties/genderpublications

⁶ You can find more information on this aspect of the duty by reading ‘Scottish equal pay guidance’ at: www.equalityhumanrights.com/publicsectorduties/genderpublications

What needs to be in your scheme?

You need to put in your scheme information about how you have consulted and involved staff as well as a summary of your employment monitoring data. We are expecting the majority of public bodies to disaggregate and analyse their data across each of the equality strands covered by the existing duties – refer to the sections above on evidence gathering and consultation/involvement for more information.

What will the Commission be looking for?

The Commission will look not only at the quality of your employment data, but also at how you are using your data to inform your actions. As with the other evidence-gathering requirements of the duties, where there are gaps in your data we will be looking for what steps you are taking to improve the quality of the data (including increasing your overall response rates if they are poor).

The action you are taking as an employer needs to make sense in relation to the evidence – that is, we will be looking for that clear and identifiable link between your evidence and the actions you are taking. In particular, in relation to the need to consider whether you need to include an objective in relation to the gender pay gap we are expecting public bodies to include such an objective – or to provide some form of justification as to why one is not required.

We also expect your action plan to detail the steps you are taking to train your staff. Although you are only required to train staff in relation to the race equality duty it is recommended that you train staff in relation to each of the duties.

Hints and Tips

Monitoring means more than simply collecting data – you also need to analyse and use your data to prioritise and take the action that will lead to greater race, disability and gender equality for your staff.

Action planning and Delivery

What are the requirements?

You can only meet the duties by taking action to achieve greater race, disability and gender equality in what you do. **This is the most important part of developing your scheme.**

The race duty code of practice states that schemes should be a timetabled and realistic plan for meeting both the specific and general duties. Both the disability and gender duties require you to include a statement of the steps that you are going to take to enable you to meet your general duties. These are expressed as explicit requirements, under the disability duty, to develop an action plan and, under the gender duty, to set out overall objectives that you have identified will enable you to meet your general duties (for example, an objective to reduce repeat offending rates for domestic violence).

Put simply, these requirements mean you have to make explicit in your scheme and action plan what steps you have decided to take to enable you to meet the general duties. This means that you have to be clear about what outcomes you are looking to achieve, and how and when you will take the necessary actions.

What needs to be in your scheme?

Your scheme needs to include a clear and prioritised action plan that clearly sets out what you are going to do over the period of the scheme to meet the duties – that is to deliver specific improvements in race, disability and gender equality. You can successfully meet the requirements of the duties by making sure that your action plan:

- Includes specific actions that will lead to **demonstrable** improvements in race, disability or gender equality. You need to avoid headline actions with potentially meaningless outcomes such as ‘to reduce discrimination for everyone’. Ask yourself, “What difference will this make to race, disability or gender equality?” – if you struggle to find an answer, the action is not specific or clear enough to enable you to meet the duties.
- Includes actions that have clear timescales.
- Includes actions that enable you to meet each element of the race, disability and gender general duties – the best schemes clearly set out against each action which of the general duties the action will meet.

- Includes actions that are measurable – you will have to report on your progress, which will be difficult to do if actions are not capable of measurement. Ask yourself, “How will I be able to measure whether I have been successful?” – if you struggle to find an answer, your action is not specific enough and will not be sufficient to meet the duties. The best action plans include information about what indicators will be used to measure success. These do not necessarily have to be numerical.
- Covers the entire remit of your organisation – for example, covers actions in relation to policy development, service delivery, employment, procurement and partnerships.
- Strikes the appropriate balance between improving your processes for delivering equality (for example, collecting data, establishing stakeholder involvement systems) and those that will deliver real outcomes for people (for example, improving health service usage by, or outcomes for, under-represented groups, improving prosecution rates for offences against people with learning disabilities). Only action plans that include action which will deliver clear outcomes in race, disability and gender equality will be sufficient to meet the duties.
- Conveys a clear sense of what your priorities are and demonstrates that you are tackling the most significant issues for race, disability and gender equality within your remit.

What will the Commission be looking for?

When assessing schemes the Commission views the action plan as the most important part of the scheme since it reflects what you are actually doing to meet the duties. We expect the commitments you make in your scheme to be adequately reflected in your action plan.

We will be looking for how you have paid ‘due regard’ to equality in your action plan, for example, what you have prioritised for action and whether this has meant that you are focusing on the significant issues for race, disability and gender equality within your remit, and that your approach is proportionate. In deciding whether you have paid ‘due regard’ we will consider your evidence, what your stakeholders told you and will also use our own knowledge of key issues of race, disability and gender inequalities within your sector.

We are expecting action plans to clearly address all the aspects of the general duties.

Hints and Tips

Don't let your scheme be let down by a poor action plan – put your main efforts into getting your actions clearly identified and prioritised and ensure that they are the right ones to enable you to meet each and all of the general duties.

Publishing, Reporting and Reviewing

What are the requirements?

All the public sector duties require you to publish your equality scheme. Under the race duty, you are also required to publish the results of your impact assessments (including consultation), monitoring information and, on an annual basis, your employment monitoring results.

There is no specific requirement under the race duty to revise your scheme but it is expected that you will, in part due to the requirement to review your initial assessment of the relevance of your functions every three years.

Under the disability and gender duties you are required to publish an annual report on your progress in achieving the outcomes within your scheme and fully revise your scheme after a period of three years. The next deadlines for revised schemes are:

- Disability Duty: 4/12/2009.
- Gender Duty: 30/4/2010 (30/6/2010 in Scotland).
- Race Duty: 31/5/2011 (30/11/2011 in Scotland).

The gender duty requires revision 'at least' every three years, so there is scope to align those revisions with those under the other duties.

What needs to be in your scheme and annual reports?

In your scheme you need to include in the action plan the steps you will take to ensure that the reporting and reviewing requirements of the duties are met. Your annual report should identify what progress you have made in achieving the outcomes you set yourself within your scheme to meet the general duties. If you have not been successful in some areas you will also need to include information regarding why this is and what action you are taking to revise your plans as a result.

Your annual report will also need to include details of any information-gathering that has been carried out in relation to disability equality and your race employment monitoring data, unless you intend to publish this separately. It makes sense to include this information across all the three duties.

How can you reconcile the different reporting and review dates for each of the duties?

By developing a single equality scheme it is likely that your reporting and review dates will no longer correspond precisely to those laid down in the regulations. Wherever possible you should aim to bring forward your annual reporting and scheme review dates. The Commission accepts that this may not always be possible and as long as none of these dates are 'missed' for a period longer than three months it is likely that we will take a pragmatic view. This will only be the case, however, where we can see that the public body is clearly demonstrating a commitment to take action on race, disability and gender equality and not using the development of a single scheme as an excuse to delay action. However, you should bear in mind that the Commission cannot and will not offer official 'extensions' to individual public bodies in relation to annual reporting and scheme review dates

What will the Commission be looking for?

The most important thing you need to do is to assure us that you are on track in terms of achieving your outcomes, which will enable us to determine if you are meeting the general duties. It is important to note that the duties place you under a continuing duty to improve and as such we are expecting you to be making overall progress in race, disability and gender equality. It is critical that the duties are not seen as a minimum standard but rather as enabling you to improve in relation both to equality and public service delivery.

Hints and Tips

Make sure your scheme is well signposted on your website and think about using the reporting requirements of the duties as a way of demonstrating the impact of your work and a way of celebrating your achievements.

Checklist

What makes a single equality scheme effective in meeting all three general duties?

	Yes/No
1 Are your priorities for action clearly identified?	<input type="checkbox"/>
2 Is it clear which of the general duties each of your actions is addressing?	<input type="checkbox"/>
3 Is there a clear link between the evidence you have gathered and the action you are taking?	<input type="checkbox"/>
4 Does your action plan set out the action you are taking in relation to assessing the impact of your policies and practices?	<input type="checkbox"/>
5 Is there a clear link between your consultation/involvement feedback and the action being taken?	<input type="checkbox"/>
6 Is there an appropriate balance between improving your processes and delivering real outcomes?	<input type="checkbox"/>
7 Have you clearly set out the action you will take in relation to employment (including the gender pay gap)?	<input type="checkbox"/>
8 Is it clear within your scheme what action you have taken to consult and involve and who was involved?	<input type="checkbox"/>
9 Does your scheme clearly build on what you have achieved in previous schemes?	<input type="checkbox"/>
10 Is your scheme easy to find on your website?	<input type="checkbox"/>

Contact us

The Commission's website contains all the information you need about the duties including more details on the specific requirements of each. You can find a range of guidance documents, including the statutory guidance contained within the Codes of Practice, and a number of other resources at:

[www.equalityhumanrights.com/
publicsectorduties](http://www.equalityhumanrights.com/publicsectorduties)

You can find out more about the Commission or get in touch with us for further information and assistance via our website at:

www.equalityhumanrights.com

or by contacting our helplines 9am–5pm, Monday to Friday, except Wednesday 9am–8pm:

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Meeting: Business Transformation Overview & Scrutiny Committee
Date: 26 October 2009
Subject: Work Programme 2009-2010
Report of: Bernard Carter, Overview & Scrutiny Manager
Summary: The report provides Members with details of the currently drafted work programme.

Contact Officer: Bernard Carter

Public/Exempt: Public

Wards Affected: All

Function of: n/a

Key Decision n/a

Reason for urgency/
Exemption from call-in
(if appropriate) n/a

CORPORATE IMPLICATIONS

Council Priorities:

The work programme of the Business Transformation Overview & Scrutiny Committee will contribute indirectly to all 5 Council priorities.

Financial:

n/a

Legal:

n/a

Risk Management:

n/a

Staffing (including Trades Unions):

n/a

Equalities/Human Rights:

n/a

Community Development/Safety:

n/a

Sustainability:

n/a

RECOMMENDATIONS:

1. That the Business Transformation Overview & Scrutiny Committee considers and approves the work programme attached, subject to any further amendments it may wish to make; and
2. That the Business Transformation Overview & Scrutiny Committee considers whether it wishes to add any further items to the work programme and/or establish any Task Forces to assist it in reviewing specific items.

Reason for Recommendation: So that Members of the Business Transformation Overview & Scrutiny Committee can agree upon its continuing work programme for the municipal year 2009 - 2010.

Work Programme

1. As Members will be aware, the Committee received a presentation at its first meeting, which provided an overview of the work of the Business Transformation directorate and the key issues and challenging facing it.
2. At this meeting, and with the support of the officers in attendance, Members highlighted a number of priority items for inclusion in an initial Committee work programme and since then the work programme has continued to be refined at each subsequent meeting. A summary of the current programme is attached at Appendix A.
6. The Committee is now requested to consider the work programme attached and amend or add to it if necessary. This will allow officers to plan accordingly but will not preclude further items being added during the course of the year if Members so wish and capacity exists.

Task Forces

7. In addition to consideration of the work programme, Members will also need to consider how each item will be reviewed i.e. by the Committee itself (over one or a number of Committee meetings) or by establishing a Member Task Force to review an item in greater depth and report back its findings.

Conclusion

8. Members are requested to consider and agree the attached work programme, subject to any further amendments/additions they may wish to make and highlight those items within it where they wish to establish a Task Force to assist the Committee in its work.

Business Transformation Overview and Scrutiny Committee

Current Work Programme by Committee Date

Ref	Committee Date	Report Title	Issue Description	Comments
1	26 October 2009	Equalities Scheme	To discuss and consider the Council's vision/approach to ensuring all sections of the community get high quality services appropriate to their need and how the Council will meet its legal responsibilities to ensure equality & diversity is integrated into its service planning, delivery & HR systems.	
2	23 November 2009	Performance & Budget Report Q2	To receive & consider a report outlining the performance of key indicators/budget within the directorate for the period Apr to Sept 09.	
3		Review of Support of Third Sector Organisations	To consider an officer report regarding proposals to review support to Third Sector Organisations.	
4		Shared Services	To review the governance arrangements and Service Level Agreements (SLAs) surrounding the Council's Shared Services.	Tentative – discussion re timing required with relevant Director.
5	21 December 2009	Business Transformation Strategy	Task Force established by BT OSC at its first meeting to review this strategy and report back findings prior to Executive consideration on 12 th January.	

Ref	Committee Date	Report Title	Issue Description	Comments
6		Climate Change Strategy	To consider a report regarding proposals to address the Council's carbon footprint.	
7		Staff Survey	To consider the key outcomes flowing from the recent Staff Survey.	Tentative – discussion re timing required with relevant Director.
8	25 January 2010	Strategic Plan Refresh	To consider a report regarding proposals to refresh the Council's Strategic Plan.	
9		Local Area Agreement (LAA) Refresh	To consider a report regarding proposals to refresh the Council's Local Area Agreement (LAA).	
10		Comprehensive Area Assessment (CAA) Outcomes	To consider the outcomes flowing from the CAA process, due to be published on 10 December.	
11	22 February 2010	Performance & Budget Report Q3	To receive & consider a report outlining the performance of key indicators/budget within the directorate for the period Apr to Dec 09.	
12		Total Place	To receive a presentation regarding the outcomes flowing from the Total Place pilot.	
13		Sustainable Community Strategy	To consider a report regarding proposals to review and consult upon the Sustainable Community Strategy.	

Ref	Committee Date	Report Title	Issue Description	Comments
14	22 March 2010	Web Development	To receive the findings, conclusions and recommendations of the Web Development Task Force established by the Committee at its meeting on 3 September 09.	This report may be earlier - depends on work of Task Force.
15		Councillor Support	To receive the findings, conclusions and recommendations of the Councillor Support Task Force established by the Committee at its meeting on 29 September 09.	This report may be earlier - depends on work of Task Force.
	19 April 2010			
16	17 May 2010	Performance & Budget Report Q4	To receive & consider a report outlining the performance of key indicators/budget within the directorate for the period Apr 09 to Mar 10	

Other Topics of Interest/Potential Review Mentioned at the First Meeting

1.	Freedom of Information/Data Protection Requests & Customer Complaints – Regular submission of data to identify issues/trends that may require further investigation.
2.	Customer Relationship Management (CRM)/Customer Services – the whole issue of capturing customer information & using it effectively to ensure efficient customer interface & service ie the customer need only tell us something once.
4.	LAA Indicators – who decides & why, and how this links into government incentives.
5.	Business Transformation Member Champions – their role and relationship with the BT OSC

Executive Dates (for information) - 10 Nov, 8 Dec, 12 Jan, 9 Feb, 9 Mar, 6 Apr, 4 May

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