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**Meeting:** Executive

**Date:** 5 November 2013

**Subject:** Central Bedfordshire Draft Equality and Diversity Strategy 2013 – 16

**Report of:** Cllr Maurice Jones, Deputy Leader and Executive Member for Corporate Resources

**Summary:** The report proposes that the Executive consider and approve the draft Equality and Diversity Strategy and recommends its adoption to full Council.

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**Advising Officer:** Deb Clarke, Director of Improvement and Corporate Services

**Contact Officer:** Clare Harding, Corporate Policy Adviser (Equality and Diversity)

**Public/Exempt:** Public

**Wards Affected:** All

**Function of:** Council

**Key Decision** Yes

**Reason for urgency/ exemption from call-in (if appropriate)** Not applicable

## **CORPORATE IMPLICATIONS**

### **Council Priorities:**

Tackling inequality cuts across every activity of the Council and relates directly to the achievement of the Council's six priorities:

- Enhancing Central Bedfordshire – creating jobs, managing growth, protecting our countryside and enabling businesses to grow.
- Improved educational attainment.
- Promote health and wellbeing and protecting the vulnerable.
- Better infrastructure – improved roads, broadband reach and transport.
- Great universal services – bins, leisure and libraries.
- Value for money – freezing council tax.

### **Financial:**

1. The proposals contained within this report will be met within existing budgets.

2. 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 different groups of people.

**Legal:**

3. The Equality Act 2010 and Public Sector Equality Duty 2011 fit within a framework of European directives designed to promote equality of opportunity.

**Risk Management:**

4. 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 very costly court judgements or out of court settlements
5. The development of a comprehensive, legally compliant Equality and Diversity Strategy 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):**

6. The Council has specific employment duties which are set out in equality legislation. 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.
7. 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:**

8. Central Bedfordshire Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
9. The draft Equality and Diversity Strategy 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 address these issues.

**Public Health:**

10. Good health is not only an asset in itself; it also enables people to further their careers, look after families, and pursue their other interests to the full. Evidence suggests, however, that there are some groups of people who are more likely than average to experience 'poor' health, and some who find it difficult to access care and support that meets their particular needs. The Council is therefore keen to ensure that the health needs of disadvantaged areas and vulnerable groups are addressed.

**Community Safety:**

11. There are a range of issues and barriers that different groups experience in relation to community safety and equality. This can include violence against women and hate crime. The statutory agencies that make up the Community Safety Partnership which includes the Council have a legal duty to investigate and address such crimes.

**Sustainability:**

12. 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.

**Procurement:**

13. When conducting procurement activities, public bodies must ensure they continue to meet their legal obligations under equality legislation. The degree of relevance to equality varies depending on the individual procurement activity. The Council's procurement processes have therefore been designed to ensure that appropriate consideration is given to these requirements.

### Overview and Scrutiny:

14. The Draft Strategy was well received and supported by all the Overview and Scrutiny Committees. In summary the following issues were highlighted:

- Ensure continued appointment of best candidate for the job.
- Raise awareness of staff, Councillors, and Town & Parish Councils.
- Include references to Gypsies and Travellers as an ethnic minority group.
- Reflect the need to promote equality via community engagement activities.

Section one (context) has been updated to provide more information about the ethnic minority communities living in Central Bedfordshire, including Gypsies and Travellers.

Section six (employment practices) has been updated to emphasise the importance of the Council conducting its employment process in line with equality and diversity requirements whilst always ensuring it recruits the best candidate for a post.

Section eight (appendix one, action plan, theme 4) has been updated to reflect the community engagement themes which focus on enabling citizens and local groups to make more decisions and deliver locally based services.

### RECOMMENDATION:

**The Executive is asked to:**

- 1. recommend to full Council the adoption of the Draft Equality and Diversity Strategy for Central Bedfordshire.**

<i>Reason for Recommendation:</i>	<i>To ensure that the Council complies with its statutory obligations.</i>
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### Executive Summary

Public bodies have a statutory duty under the Equality Act 2010 to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

In order to continue to adopt a good practice and a robust approach to equality issues across all Council activities, the Equality and Diversity Strategy has been refreshed and is proposed in line with the Council's Policy Framework.

The Draft Equality and Diversity Strategy sets out the requirements of the legislation, the progress that has been made to date across the Council and the ongoing actions that need to be maintained.

In developing the strategy the Council has consulted with a variety of stakeholders who have indicated support for the proposed approach.

The Council has identified four corporate, overarching objectives and activities which are essential to ensuring that consideration of equality remains embedded across all Council activities.

- I. Strong Leadership (championing equality, identifying and, monitoring equality objectives).
- II. Improved outcomes for vulnerable groups.
- III. The fair recruitment and management of a high performing workforce.
- IV. Improved engagement, civic participation and cohesion.

## **Introduction**

- 15. The Equality Act applies to public and private sector bodies and replaced previous anti-discrimination laws with a single Act. It simplified the legislation base and removed numerous inconsistencies. It also strengthened protection in important ways, to help tackle discrimination and inequality.
- 16. The aim of the legislation is to ensure service and employment opportunities are available to all sections of society, in relation to the following protected characteristics, age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 18. The Public Sector Equality Duty (section 149 of the Act) came into force on 5 April 2011. The duty applies to public bodies and others carrying out public functions. It supports good decision-making by ensuring public bodies proactively consider how different people will be affected by their activities, helping them to deliver policies and services which are efficient and effective; accessible to all; and which meet different people's needs. It also includes requirements to identify equality objectives and publish information.
- 19. In order to continue to adopt a good practice and a robust approach to equality issues across all its activities, a refreshed Equality and Diversity Strategy is proposed as part of the Council's Policy Framework.
- 20. The Draft Equality and Diversity Strategy sets out the requirements of the legislation, the progress that has been made to date across the Council and the ongoing actions that need to be maintained.

## **Central Bedfordshire Council's Approach**

- 21 The draft Equality and Diversity Strategy has been developed in line with the requirements of the Equality Act 2010. The strategy sets out a practical approach to delivering achievable solutions which:
- have due regard to national best practice and guidance;
  - take account of local socio-economic factors; and
  - recognise the good work and actions undertaken to date and the work remaining from a robust audit of the current strategy.
- 22 The Council has undertaken an audit of its approach to equality during 2009 – 2013 (Appendix 3 of the strategy). This demonstrates that good progress has been made.
23. The Council has identified four corporate, overarching objectives and activities which are essential to ensuring that consideration of equality remains embedded across all Council activities.
- I. Strong Leadership (championing equality in our area and Identifying and monitoring equality objectives).
  - II. Improved outcomes for vulnerable groups.
  - III. The fair recruitment and management of a high performing workforce.
  - IV. Improved engagement, civic participation and cohesion.
24. In developing the draft strategy the Council has consulted with Members of the Council through each of the Overview and Scrutiny Committees and Portfolio Holders, Management Teams, the Equality Forum, Central Bedfordshire Together, Town & Parish Councils, Trade Unions and Professional Associations. A public consultation has also been conducted.
- 25 Responses have been generally positive and supportive. There has been a broad agreement that a focus on vulnerable groups is key to narrowing equality gaps. The importance of raising awareness and understanding has also been highlighted.

## **Conclusion and Next Steps**

26. Central Bedfordshire Council is making good progress in ensuring that a robust approach is adopted to tackling inequality. Upon publication, the Council's Equality and Diversity Strategy will clearly articulate to partners, stakeholders, local communities and employees our commitments and direction of travel on this agenda.
27. 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.

28. The actions identified in Appendix 1 of the strategy will help ensure the Council can continue to make progress in advancing equality of opportunity.

**Appendices:**

Appendix A – Overview and Scrutiny comments

Appendix B - Draft Single Equality and Diversity Strategy 2013 -16

**Background Papers:** (open to public inspection)

None