

Central Bedfordshire Council

Executive

4 December 2018

Equality Strategy and Action Plan 2018 - 2021

Report of: Cllr Richard Wenham, Deputy Leader and Executive Member for Corporate Resources
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This report relates to a decision that is Key

Purpose of this report

1. The report summarises progress in reviewing the Council's Equality Strategy and developing a refreshed Equality Action Plan 2018 – 2021.

RECOMMENDATIONS

The Executive is asked to:

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| 1. | support the adoption of the Equality Action Plan 2018 – 21; and |
| 2. | recommend to Council adoption of the Equality Action Plan 2018 – 21. |

Overview and Scrutiny Comments/Recommendations

2. This report was considered by the Corporate Resources Overview and Scrutiny Committee on 29 November 2018, whose views will be reported at the meeting.

Background

3. The General Equality Duty requires public bodies to have due regard to the need to:
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.

- Foster good relations between people who share a protected characteristic and those who do not.
4. The duty must be well integrated in the exercise of all public functions and decision - making processes. Decision-makers must understand the potential impact of their decisions and to identify potential mitigating steps to reduce or remove adverse impacts prior to a decision being made.
 5. Public bodies are also required to regularly prepare and publish objectives to further the aims of the equality duty. The objectives must be specific and measurable.
 6. The objectives focus attention on priority equality issues, to deliver improvements in policy-making, service delivery and employment, including resource allocation. The development of equality objectives should be carried out as part of the normal business planning processes.
 7. Public bodies are required to regularly publish information to demonstrate compliance with the equality duty. This information must include, details relating to people who are its employees, and people affected by its policies and practices. This enables service users, staff, the Equality and Human Rights Commission (EHRC), regulators etc., to assess the equality performance of the council.
 8. Guidance also emphasises the importance of:
 - **embedding the equality duty into organisations** - taking steps to integrate equality into business planning processes, budget allocation, and planning development and approval.
 - **clear leadership** - senior staff and elected officials taking responsibility by building compliance into planning and partnership working and informing staff about their obligations. It can include designating clear staff roles, allocating resources, including equality targets in staff appraisals, and promoting equality in public communication. It is recognised as good practice to give operational responsibility for coordinating this work to staff at a senior level.

Update – Equality Strategy and Objectives

9. Progress in implementing the Council's previous equality strategy and accompanying action plan has been published on the website.
<http://www.centralbedfordshire.gov.uk/council/equality/diversity.aspx>
10. Equality objectives are now routinely identified as part of the Council's ongoing strategy and policy development and are also published on the website. The corporate equality objectives support the six Council priorities as identified in its Five Year Plan. The objectives include key, service specific goals identified through equality impact assessment processes. In this way equality objectives are mainstreamed across the organisation and refreshed on a regular basis.
11. A summary of the equality objectives is provided at Appendix A.

Update - Equality Action Plan 2018 - 21

12. In order to meet requirements relating to ongoing monitoring, workshops have been held across the Council to refresh the Equality Action Plan 2018 - 21. This helps the Council to review its commitment to and compliance with its statutory responsibilities. The action plan is divided into four sections based on the Local Government Association's Equality Standard for Local Government and is summarised below:

1) Strong Leadership (Championing Diversity, Identifying Objectives and Monitoring Outcomes)

- Identify equality objectives and embed these within strategy & organisational plans (including partnerships)
- Deploy democratic scrutiny process to actively challenge our approach to equality and diversity
- Support members in ensuring equality and diversity is embedded in policy development and decision making

2) Improved Outcomes for Vulnerable Groups

- Promote the development of inclusive and accessible design in planning, building control and asset development processes.
- Further integrate E&D considerations within business processes including programme & project management, service planning, audit, system development and procurement.
- Ensure consideration of equality is integral to core services including customer care, care management and housing application processes.
- Enhance quality and transparency in equality impact assessments
- Enhance quality and accessibility of insight to inform service development and performance monitoring

3) Good Recruitment and Management of a High Performing Workforce

- Shape learning and development opportunities to further enhance practice and outcomes on E&D issues
- Enhance our workforce intelligence
- Develop employment policies and procedures in the context of Equality Commission and ACAS guidance
- Effectively monitor and review HR policies to ensure compliance with equality duties

4) Improved Engagement, Civic Participation and Cohesion

- Develop and deploy channels for inclusive participation across council services and partnerships
- Promote positive relations and deal effectively with harassment and hate crimes
- Strengthen community and personal resilience for all residents
- Create environments which improve the participation of under-represented groups in civic and public life.

13. A full version of the action plan is provided as Appendix B to this report.

Reason/s for decision

14. To ensure that the Council complies with its statutory obligations.

Council Priorities

15. Section 2 of the report sets out the ways in which the achievement of equality objectives supports the delivery of Council priorities.

Corporate Implications

Legal Implications

16. The public sector equality duty is contained at Section 149 of the Equality Act 2010 ('the Act'). It provides that a public authority must, in the exercise of its functions, have due regard to the need to —
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Financial and Risk Implications

17. The proposals contained within this report will be met within existing budgets.
18. 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
19. 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 costly court judgements or out of court settlements
20. The development of a comprehensive, legally compliant Equality Strategy and Action Plan helps to ensure that the Council is meeting these requirements, addressing any risks and taking the appropriate mitigating actions.

Equalities Implications

21. 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.
22. The Equality Objectives and Action Plan 2018 -21 demonstrate the Council's awareness of all strands of equality legislation, the nature of inequality and the continued action that will be taken across the Council to address these issues.

Staffing (including Trades Unions)

23. 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.
24. 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.

Public Health

12. 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

13. 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:

14. 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:

15. 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.

Conclusion and next Steps

16. Central Bedfordshire Council is making good progress in ensuring that a robust approach is adopted to tackling inequality. The Council's Equality Strategy and action plan clearly articulate to partners, stakeholders, local communities and employees our commitments and direction of travel on this agenda.
17. The actions identified in Appendix B will help ensure the Council can continue to make progress in advancing equality of opportunity.

Appendices

- Appendix A: Equality Objectives
Appendix B: Equality Action Plan 2018 – 21
Appendix C: Overview and Scrutiny comments

Background Papers

None

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