

SHADOW EXECUTIVE

17 March 2009

SUBJECT	Equality and Diversity in Central Bedfordshire (1. The report set out the proposed approach for tackling inequality, disadvantage and discrimination in Central Bedfordshire. 2. The report highlights key actions to be implemented in 2009/10 to enable Central Bedfordshire Council to meet its statutory duties and obligations under the Equalities legislation and the ambition to be a high performing Council when assessed against the new Equality Framework for Local Government.)
REPORT OF	Director of Business Transformation
<i>Contact Officer: Elaine Malarky, Head of Policy (0845 8496230)</i>	

IMPLICATIONS

SUSTAINABILITY	N/A
FINANCIAL	The proposals contained within this report will be met within existing budgets. Mindful of capacity the approach proposed also takes account of the competing priorities faced by both members and officers in year one.
LEGAL	<p>The current equality legislation (see below) fits within a framework of European directives designed to promote equality of opportunity.</p> <ul style="list-style-type: none"> ▪ 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. <p>The government intends to streamline this with the introduction of a single Equality Bill later this year.</p>

PERSONNEL/ EQUAL OPPORTUNITIES	Central Bedfordshire has specific employment duties which must be met for age, gender recognition, sexual orientation, and religion or belief. A key action for 2009/10 will be to develop the Council's People Strategy to meet these duties and offer a variety of learning opportunities so members and officers are confident with equality issues.
COMMUNITY DEV/SAFETY	N/A
TRADES UNION	The report proposes the establishment of a corporate equalities officer working group to which union equality champions would be invited.
HUMAN RIGHTS	Failure to comply with equality legislation can expose the Council to risk of litigation and scrutiny by the Equalities and Human Rights Commission.
KEY ISSUE	Yes
BUDGET/POLICY FRAMEWORK	No

OTHER DOCUMENTS RELEVANT TO REPORT

RECOMMENDATION(S):

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| <ol style="list-style-type: none"> 1. That Shadow Executive endorses the approach proposed in paragraphs 5 – 13 and the specific key actions to be implemented during 2009/10 as set out in Appendix 1. 2. That Shadow Executive request the Policy Team, within Business Transformation, to lead on embedding strong principles of equality and diversity in working practices across Central Bedfordshire. |
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<i>Reason for Recommendation: All public authorities have statutory duties to eliminate unlawful discrimination, promote equality of opportunity in respect of race, disability and gender. The legislation places a positive duty on authorities, to remove unlawful discrimination and eliminate harassment. These responsibilities cover both service delivery and employment practices.</i>

Central Bedfordshire Council has a unique opportunity to bring together existing good practice and mainstream equality across all its activities from the outset and the outcomes set out in paragraph 10 will be core to our success.

Central Bedfordshire's approach to equality and diversity will be externally assessed in the context of Comprehensive Area Assessment and the new Equality framework.

Background

Equality and Diversity in Central Bedfordshire Our proposed approach for tackling Inequality, Disadvantage and Discrimination

1. Current legislation prohibits discrimination on the grounds of race, gender (including gender reassignment), disability, religion or belief, sexual orientation and age.
 - 1.1 Equality legislation requires public authorities to provide a framework for meeting both the general and specific duties of of race, gender and disability legislation. Public authorities are required to have Equality Schemes which demonstrate how these duties will be met and the arrangements in place to assess the impact of strategies, policies and functions and to eliminate any adverse impacts. These Schemes must be consulted on and published.
 - 1.2 There are also specific employment duties which must be met for age, gender recognition, sexual orientation, and religion or belief. The Equality Act 2006 extended this protection (apart from age) to also cover access to goods, facilities and services.
 - 1.3 The current equality legislation fits within a framework of European directives designed to promote equality of opportunity. The government intends to streamline this complex web of legislation with the introduction of a single Equality Bill later in 2009.
2. A new Equality Framework for Local Government will also be introduced from April 2009. The new framework will be a performance and improvement tool to enable local authorities to comply with their equality duties. The framework, which is customer focussed, is closely aligned to the Comprehensive Area Assessment. The key areas for performance assessment in the new framework focus on five change management areas:
 - Knowing your community – equality mapping;

- Place shaping, leadership, partnership and organisational commitment;
 - Community engagement and satisfaction;
 - Responsive services and customer care; and
 - A modern and diverse workforce.
3. Comprehensive Area Assessment (CAA) includes tackling inequality as an underpinning theme of the assessment. This will test how well we know and understand the nature and extent of inequality and disadvantage within our communities and how effectively we are working together to reduce or eliminate discrimination. 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.
4. 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. Failure to tackle inequality and discrimination can also have an adverse impact on the reputation of the Council and will influence the authority's performance assessment, and in some cases may expose the Council to risk of litigation and scrutiny by the Equalities and Human Rights Commission.

Proposed Central Bedfordshire Approach

5. 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 make sure that compliance is achieved by embedding a systematic way of doing things across Central Bedfordshire.
6. 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.
7. Supported by colleagues across the Business Transformation Directorate, the Policy Team, as corporate facilitator and enabler, will in partnership with all service areas across the Council drive and co-ordinate the Council's actions, providing advice and support to services to embed equality and diversity principles in their service provision.

8. The Policy Team will develop and propose the adoption of a single overarching Equality Scheme for Central Bedfordshire which reflects the differing needs of groups within our communities and also considers the impact of multiple discrimination. This will be drafted over the next few months, drawing on the views and experiences of members and officers. We will then consult widely over the summer before the Scheme is considered by Executive in autumn 2009, prior to adoption by full Council.

9. The Policy Team have started the awareness raising work through the Equality and Diversity conference 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. This included:
 - ensuring there is a Council wide approach;
 - giving guidance, support and training;
 - promoting good practice examples; and
 - providing high quality intelligence of community need.

10. The responsibility for complying with the new Equality legislation, meeting the 'Duty to Involve' and tackling inequality lies with all members and managers. If we are to comply and achieve the ambition of being a high performing council - in the context of the Equality Framework for Local Government and of Comprehensive Area Assessment – Central Bedfordshire will need to exhibit the following characteristics:
 - Members and officers act as **champions for equality**, understanding the significance of equality in the place shaping agenda and take direct and 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 business and service planning processes.
 - Equality impact assessments are conducted and all **services identify good practice and take action to mitigate adverse impacts**.
 - **Staff 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**. For example equal pay outcomes, flexible working policies, access to training and development and promotion of an inclusive working culture which attracts a representative workforce.

- **Evidence** can be provided of **real outcomes** that have improved equality in services and employment.
11. These outcomes provide a useful and manageable blueprint for moving forward the equality and diversity agenda in Central Bedfordshire, recognising the need to be pragmatic and set a realistic timescale. Consequently, our proposed approach takes into the consideration the competing priorities faced by officers and members in year one, and aims to support both members and officers in a collaborative approach, focusing on policy development and service improvement in a way that adds value both to our communities and the Council.
12. Therefore, in working towards these outcomes we propose a manageable set of actions that can be taken forward over the next twelve months collectively including:
- Continue to **raise member and employee awareness** of equality and diversity.
 - Set up and **develop an Equality and Diversity Forum** chaired by a member.
 - **Set up a corporate equalities officer working group.**
 - Develop an **impact assessment protocol and programme.**
 - **Develop the Council's People Strategy** to meet our Employment duties.
 - Develop an **Equality and Diversity Network** with key partners and stakeholders.

These are set out in the attached 'Framework for Action 2009/10' with proposed timescales see Appendix 1.

Background Papers:

Location of Papers:

File Reference:

Appendix 1 - Central Bedfordshire Framework for Action 2009/10

1) Developing and Embedding a Central Bedfordshire Approach			
Objective	Lead	Outcome and Evidence	Timescale
Develop an Equality Scheme to include all equality strands	PPP – Policy Team	Publish Scheme & Action Plan	Draft 30/06/09 Final 30/09/09
Embed Equality Objectives within Service design and planning processes	Heads of Service	Equality becomes an integral part of business processes with measurable outcomes	31/05/09 & ongoing
Set up a corporate equalities officer working group comprising 'Directorate Champions'	PPP – Policy Team	Active involvement and mainstreaming of equality within service processes	30/06/09
Develop an impact assessment protocol and programme	PPP – Policy Team	Equality Impact Assessment integral to service planning, design and delivery	30/04/09
Prepare the Council for compliance with the Equality Framework	PPP – Policy Team	Council ready for peer challenge and assessment to Achieving status	31/03/10
2) Workforce – Employment Practices, Awareness, Training and Development			
Objective	Lead	Outcome and Evidence	Timescale
Develop Central Bedfordshire's People Strategy to meet Employment duties	HR/OD	Managers appraised. Positive work experiences; Equal pay for work of equal value	By 31/03/10 and ongoing
Raise awareness of equality and ensure officers have relevant and appropriate skills	PPP – Policy Team HR/ OD	Workforce confident with equality issues; Variety of learning opportunities at all levels	From 01/04/09 and ongoing

3) Feedback, Engagement and Consultation			
Objective	Lead	Outcome and Evidence	Timescale
Customer Feedback and Complaints System	PPP – Performance Service	Target timescales met. Learning points shared across the Council. Equalities monitoring and evaluation carried out	Monitoring in place from 01/04/09.
Develop an Equality and Diversity Forum	PPP – Policy Team	Set up and hold first meeting of the Equalities Forum	30/06/09
Develop an Equality and Diversity Network in conjunction with key partners and stakeholders	PPP – Policy and Partnership leads	Diversity Network working in conjunction with Local Partnership and Community Engagement arrangements	30/06/09 & Ongoing