

CABINET

Wednesday, 11 July 2018

REVISED EAST SUFFOLK EQUALITY AND DIVERISTY POLICY (REP1894)

EXECUTIVE SUMMARY	
1.	The Equality Act (2010) introduced the requirement for public authorities to have ‘due regard’ to the following things in carrying out their functions: <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation • Advance equality of opportunity between those who share a protected characteristic and those who don’t (equality of opportunity) • Foster good relations between those who share a protected characteristic and those who don’t (community cohesion)
2.	To reflect various changes since our original Equality and Diversity policy was produced, the East Suffolk Equality and Diversity Policy has been revised. The revised Policy is attached as Appendix A to this report.
3.	Equality and Diversity is about promoting diversity in our workforce and providing equal opportunities for both our employees and our service users. The Policy outlines our aim of encouraging a supportive and inclusive culture amongst our workforce, striving to promote diversity and eliminating all forms of unlawful and unfair discrimination.

Is the report Open or Exempt?	Open
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Wards Affected:	All Wards in the District
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Cabinet Member:	Councillor Craig Rivett Cabinet Member for Customers Services
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1 INTRODUCTION

1.1 The Equality Act was passed in 2010 and introduced some specific duties for public bodies, including local authorities. When public bodies carry out their functions, the Equality Act says they must have 'due regard' to the need to do three things:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between those who share a protected characteristic and those who don't (equality of opportunity)
- Foster good relations between those who share a protected characteristic and those who don't (community cohesion)

1.2 Having due regard means that public authorities must consciously consider the need to do the three things set out in the public sector equality duty. The courts may ultimately decide, through a judicial review, if a public authority has done enough to comply with the duty particularly in relation to contested and contentious decisions about changes to Council policy and services.

1.3 The Act identifies nine 'protected characteristics':

- Age
- Ethnicity
- Race
- Gender
- Religion and Belief
- Sexual Orientation
- Marriage or Civil Partnership
- Disability
- Pregnancy or maternity

1.4 In addition to the nine protected characteristics identified above, in East Suffolk we have also decided to include social and economic status as a characteristic that we will consider – this includes dimensions such as low income and rural isolation.

1.5 To reflect various changes that have taken place since our original Equality and Diversity policy was produced, the East Suffolk Equality and Diversity Policy has recently been updated.

2 EAST SUFFOLK EQUALITY AND DIVERSITY POLICY

2.1 The Strategy reiterates our commitment to 'providing equality and fairness to all in our employment, to treat all employees with respect and not to provide less favourable services, facilities or treatment on the grounds of protected characteristics'.

2.2 The content of each of the different sections of the Policy is outlined briefly in the following paragraphs of this report.

2.3 Our equality and diversity aims and objectives (Section 1). These are:

- Services that are accessible for all;
- Equal and appropriate opportunities in employment and recruitment;
- Effective partnership working with all sectors of the community; and
- Positive action to promote equality wherever possible.

- 2.4 Section 2 is a list of specific commitments to promoting equality, for example ‘Ensuring that service users are treated with dignity, respect and fairness’, ‘Ensuring that our services are accessible and relevant to the needs of our community and that services adapt and change to the needs of service users’; ‘Providing training opportunities for staff and councillors’; and ‘Providing clear and understandable information about the services we provide and policies and aim to make these in accessible formats, e.g. in different languages’.
- 2.5 Section 3 sets out the environment we want to create for employees and service users, for example:
- Access to council buildings – we will work to ensure that buildings from which a public service is delivered are as accessible as is reasonably practicable to people with disabilities.
 - Charges for services – when charges are made for services we will recognise this may have an impact on people with low incomes and work to minimise impacts where possible.
 - Transparency – we will be open about the information on which we base our decisions, about what we are seeking to achieve and about our results.
 - We will ensure, through training, that our frontline staff that they understand customer needs and know how to interact accordingly e.g. a customer with impaired hearing.
- 2.6 Our commitment as an employer (Section 4). The specific commitments in the Policy are:
- Create a positive and supportive working environment for all employees.
 - Protect employees from being discriminated against because of one or more protected characteristics that apply to them.
 - Provide equal opportunities to all employees in the workplace.
 - Promote diversity in the workplace.
 - Respond to changing demographics and working patterns.
- 2.7 Selection for employment and promotion (Section 5), including selection processes, opportunities to maximise skills of staff, the working environment and staff engagement.
- 2.8 Partnership working and procurement (Section 6), including key partners, equality considerations as part of procurement processes (specifically tender evaluation processes) and links to our Social Value Policy.
- 2.9 Managing Equality and Diversity (Section 7), including the role of senior management, the Services for All Group, Councillors, the role of the Human Resources Team, Training and Development around Equality and Diversity and the role of responsibilities of employees.
- 2.10 Monitoring the Policy (Section 8), includes the role of the two Disability Forums.
- 2.11 Section 9 highlights the key role of Equality Impact Assessments (EqIAs). EqIAs should be conducted on all service and policy changes being considered by the Councils. It has been agreed that EqIAs will be referenced in a new, separate section of all formal Council reports. This new section will include a short summary of the findings of the EqIA, identify any impacts on one or more of the protected characteristic groups and outline how these impacts will be mitigated. We also need to state why we have not done an

EqlA if one is deemed not relevant. A new electronic EqlA template has been developed to support this process.

- 2.12 Any Equalities impacts should be highlighted when reports are presented at meetings so that they can be picked up in the minutes and the EqlA itself should be included as a background paper.
- 2.13 To ensure that our processes are robust enough to withstand challenge, particularly in relation to changes to policy and services that may be contentious, we need to ensure that EqlAs are conducted effectively, that we can evidence that the findings have been considered, changes are identified to mitigate impacts (if any are identified), and that these changes are implemented fully.

3 HOW DOES THIS RELATE TO EAST SUFFOLK BUSINESS PLAN?

- 3.1 This policy will positively contribute to the delivery of the East Suffolk Business Plan by promoting and valuing diversity within our community in order to “maintain and sustainably improve the quality of life for everyone growing up in, living in, working in and visiting East Suffolk”. It underpins delivery of all sections of the Business Plan and should be an integral part of the Council’s decision making processes.

4 FINANCIAL AND GOVERNANCE IMPLICATIONS

- 4.1 There are no implications in terms of managing resources. If the Policy is embedded in all our work, this should help to ensure value for money by reducing the risk of challenge to key decisions by showing that the Council takes Equality and Diversity seriously, underpinned by the evidence drawn from EqlAs. The Policy includes a section on partnership working.

5 OTHER KEY ISSUES

- 5.1 This report highlights changes to the process of undertaking and evidencing consideration of Equality Impact Assessments to inform the decision making processes of the two Councils.

6 CONSULTATION

- 6.1 None.

7 OTHER OPTIONS CONSIDERED

- 7.1 This is an updated version of the current Equality and Diversity Policy.

8 REASON FOR RECOMMENDATION

- 8.1 To ensure that the work of the Councils is underpinned by a current Equality and Diversity Policy and that the needs of all sections of both our workforce and our community are taken into consideration in all decisions about policy and service delivery changes.

RECOMMENDATION

That Cabinet approve the revised East Suffolk Equality and Diversity Policy.

APPENDICES

Appendix A

East Suffolk Equality and Diversity Policy