

EAST HERTS COUNCIL

COMMUNITY SCRUTINY COMMITTEE - 27 OCTOBER 2009

DIRECTOR OF CUSTOMER AND COMMUNITY SERVICES

8. UPDATE AND REVIEW OF THE COMPREHENSIVE CORPORATE EQUALITY ACTION PLAN 2008-2011

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- The purpose of this report is to update Members of the Council's statutory obligations in reference to equalities and the progress made on the three year Comprehensive Corporate Equality Action Plan.

<u>RECOMMENDATION FOR COMMUNITY SCRUTINY COMMITTEE</u>	
(A)	To scrutinise and comment on progress against action plan 2008 – 2011;
(B)	To give consideration to and provide guidance on areas of recommendation still requiring implementation for equalities to be fully mainstreamed; and
(C)	That officers be requested to bring a further report to April's Scrutiny Meeting setting out principles to ensure that the work already undertaken is translated into improved outcomes for council service users.

1.0 Background

1.1 In April 2009, a new Equality Framework for Local Government was introduced. The Council had previously been signed up to the voluntary best value performance indicator: The Equality Standard for Local Government. The new framework is based on three levels of achievement, developing, achieving and excellent, rather than the five levels of the old standard.

It is less process-driven, contains a wider definition of equality, is based on equal life chances and is more about outcomes, the delivery of services to the public and making the workplace better.

- 1.2 The forthcoming Equality Bill sets out to strengthen protection, advance equality and simplify the law. The main provisions of interest to local government are:
- the introduction of a new strategic socio-economic duty to reduce socio-economic inequalities
 - a new public equality duty that will extend the public duties to age, sexual orientation, religion or belief, gender reassignment, also including pregnancy and maternity – consultation will follow shortly on the specific duties
 - clarification that procurement can be used to drive equality – this will be included in the consultation of specific duties
 - banning age discrimination for those over 18 in the provision of services, subject to further consultation on the details.

2.0 Report

- 2.1 The Equalities Officers Group (EOG) has been reconvened, all services are now represented. The Group meets quarterly. Group equalities awareness raising has taken place at the Equalities Officers Group meeting. Individual discussion sessions have been conducted with each EOG officer by the Equalities Officer to ensure understanding of the Equality Framework and the Council's duties; to ensure understanding of the Equalities Impact Assessment (EIA) form and process; and to ensure understanding of the delivery and outcomes i.e. development and delivery of services that meet the needs of all services users.
- 2.2 A new streamlined Equalities Impact Assessment form has been adopted. There is a timetable for conducting equality impact assessments for all existing functions, policies and services. However, in line with the statutory requirement, the Council must conduct impact assessments as soon as a relevant new policy, function or service is considered. It should be an integral part of policy development. The equalities drive now contains more than twenty completed Initial Screening EIA's.
- 2.3 Equalities refresher training including the change in legislation around the forthcoming Equality Bill is planned for officers and members to take place in 2009/2010. £5,000 funding has been obtained through EERA and Improvement East for the "Diversity

Challenge” game show to be held in October 2009 as an East Hertfordshire led cross-county event for leaders and senior officers.

- 2.4 The Comprehensive Equality Policy has been published on the website on the Equality and Diversity page.
<http://www.eastherts.gov.uk/index.jsp?articleid=797>. East Herts is one of the few districts in Hertfordshire to have the Comprehensive (Single) Equality Policy in place.
- 2.5 Equalities has historically been included in service plans and workforce planning but we have raised the profile and now work systematically towards improved equality outcomes and mainstreaming equalities. The Council officers now have a consistent approach and a much greater understanding of how equalities issues impact a rural authority and its communities.
- 2.6 The Equalities Impact Assessments have generated three key areas which will require consideration before equalities can be fully mainstreamed.
- the introduction of a standard Council wide equalities monitoring form/process
 - the creation of an equalities evidential database
 - an improved strategy of consultation with hard to reach groups
- 3.0 Implications/Consultations
- 3.1 Information on any corporate issues and consultation associated with this report can be found within Essential Reference Paper ‘A’ (Pages 8.5 - 8.6).

Background Papers

Essential Reference Paper ‘B’ (Pages 8.7 - 8.12)

Essential Reference Paper ‘C’ (Pages 8.13 - 8.26)

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ESSENTIAL REFERENCE PAPER 'A'

<p>Contribution to the Council's Corporate Priorities/ Objectives (delete as appropriate):</p>	<p>Promoting prosperity and well-being; providing access and opportunities <i>Enhance the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.</i></p> <p>Fit for purpose, services fit for you <i>Deliver customer focused services by maintaining and developing a well managed and publicly accountable organisation.</i></p> <p>Leading the way, working together <i>Deliver responsible community leadership that engages with our partners and the public.</i></p>
<p>Consultation:</p>	<p>Consultation and community involvement are key consistent actions emerging from the completed Equalities Impact Assessments. The Council's capacity to consult with marginalised, vulnerable and hard to reach groups should be improved to ensure we know the composition of our communities. This will also provide an evidential base, another key area from the EIA's, for other work on community cohesion and customer care. The Council is already addressing this through funding the CVS to ensure representation from the BME Groups in its consultation process.</p>
<p>Legal:</p>	<p>The three separate duties for race, disability and gender are legal requirements for local authorities. In the Equality Bill currently going through parliament, these three duties are due to be harmonised into one new duty, which will cover all six equality strands: age, disability, gender, race, religion and sexual orientation. The earliest that these changes will come into full force is 2011. Methods of enforcement of these legal requirements are discussed under "Risk Management Implications".</p>

<p>Financial:</p>	<p>User involvement is a key aspect of the duties, and will incur consultation costs that should take into consideration the need for language and sign language interpretation as well as advocates for people with learning difficulties or mental health issues.</p> <p>It is likely that consultations will highlight areas in which the Council must seek to address equality of opportunity. The costs incurred will vary depending on the shortfall identified and the remedial action required. Proactive networking with existing community groups have identified their willingness to participate.</p>
<p>Human Resource:</p>	<p>The Equality Duties extend to promoting equality of opportunity in employment and training and will involve the consultation of council employees in relation to recruitment, development and retention which can be taken forward through the Equalities Officers Group.</p>
<p>Risk Management:</p>	<p>The three separate duties for race, disability and gender are statutory duties and failure to comply can result in legal enforcement action. Any interested party who feels a public body is failing to comply with their duties can apply to the High Court for a judicial review. The Equality and Human Rights Commission will pursue formal legal action where public authorities do not take sufficient steps to comply with the duties.</p>