

EAST HERTS COUNCIL

COMMUNITY SCRUTINY COMMITTEE - 26 OCTOBER 2010

REPORT BY DIRECTOR OF CUSTOMER AND COMMUNITY SERVICES

EQUALITIES - DELIVERING BETTER SERVICES FOR OUR CUSTOMERS

WARD(S) AFFECTED: ALL

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**Purpose/Summary of Report**

The purpose of this report is to update members on the progress made since the original action plan was presented to Community Scrutiny on 27 October 2009. The report also alerts Members of the changes in obligation following the new Equality Act which came into force on 1 October 2010.

<b><u>RECOMMENDATION FOR : COMMUNITY SCRUTINY COMMITTEE</u></b>	
(A)	To note progress made with the Equalities Impact Assessments by way of the Equalities Action Plan
(B)	To note how services have been modified to better meet the needs of the district's diverse communities and to comment on where further modifications might be considered
(c)	To note and consider the changes in obligation to the council arising from the new Equality Act 2010 which came into force on 1 October 2010

1.0 Background

1.1 In 2008 the council adopted a generic approach to equalities. This involved agreeing a Comprehensive Corporate Equality Policy, Comprehensive Corporate Equality Scheme and a Comprehensive Corporate Equality Action Plan.

- 1.2 A key ingredient of the Action Plan has been the undertaking of Equality Impact Assessments (EIA) for all areas of the council's business to try to identify the ways in which the council delivers any of its services might disadvantage particular groups or individuals. The desired outcome from this process being the implementation of appropriate modifications to services to ensure access is fair and reasonable for all.
- 1.3 The action plan has focused on EIAs but has also provided a framework whereby the council might attain the "Achieving" level of the Equality Framework for Local Government. With the demise of the Audit commission, this framework is no longer being supported and therefore there is no longer a requirement or need to undertake formal assessment. It is suggested however that the council continues with its action plan and its focus on modifying services to address the specific needs of its diverse residents.
- 1.4 A new Equality Act came into force on 1 October 2010. The intention of the Act is to bring together all the fragmented discrimination legislation which has been passed over the last 30 years. It also introduces some new provisions which employers need to be aware of. For the council the most salient changes are expected to be
- Making it more difficult for disabled people to be unfairly screened out when applying for jobs, by restricting the circumstances in which employers can ask job applicants questions about disability or health.
  - Allowing claims for direct gender pay discrimination where there is no actual comparator.
  - Making pay secrecy clauses unenforceable.
  - Introducing new powers for employment tribunals to make recommendations which benefit the wider workforce.
- 1.5 The Act and the language it is couched in however is not particularly accessible. Officers will keep Members informed as understanding of any new requirements unfold. A briefing provided by the LGIU can be found on:  
<https://member.lgiu.org.uk/briefings/2010/Pages/201000726.aspx>

## 2.0 Report

- 2.1 The Equalities Officers Group is an internal working group. The group ensures that the council is fulfilling its duty to measure the

impact of its policies and services on the wide range of residents it serves. Its work helps the council to make appropriate developments to its services to make them accessible to its diverse range of residents.

- 2.2 The council can demonstrate how it has introduced modifications to many of its services which have a significant impact in improving access in ways that meets people's needs. Particular progress has been made improving access for those who are less physically able and for those who are less able to be their own advocate.
- 2.3 Two specific examples this council can cite are the service that refuse collectors provide by way of having special collection arrangements for those less physically able and the assistance that the benefits service offer to those who have difficulty reading and writing. A more comprehensive list of modifications is provided in Essential Reference Paper B attached to the report now submitted.
- 2.4 The Equalities Officers Group has also developed a set of ethnicity questions to be included in all council surveys and consultations. This will further assist the council to build up a better understanding of its customer profile and so better identify any gaps in service provision and inform how we might continue to develop the delivery of appropriate services.
- 2.5 Regular raising of awareness is an important ingredient of any equalities plan. The working group will therefore be undertaking briefings for staff and Members on equalities. These are planned to take place between January – March 2011. Members and officers will of course have the opportunity to discuss and ask questions. It is hoped this programme will provide an update, refresh knowledge, raise awareness and drive forward equalities activities across the council. Information will be made available by way of the Members Information Bulletin as soon as the programme is finalised.

### 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' attached to the report now submitted.

## Background Papers

Corporate Equality Action Plan 2008-2011 (presented to Members at the last Community Scrutiny Committee on 27 October 2009).

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## ESSENTIAL REFERENCE PAPER 'A'

<p>Contribution to the Council's Corporate Priorities/ Objectives (delete as appropriate):</p>	<p><b>Promoting prosperity and well-being; providing access and opportunities</b>  <i>Enhance the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.</i></p> <p><b>Fit for purpose, services fit for you</b>  <i>Deliver customer focused services by maintaining and developing a well managed and publicly accountable organisation.</i></p> <p><b>Shaping now, shaping the future</b>  <i>Safeguard and enhance our unique mix of rural and urban communities, ensuring sustainable, economic and social opportunities including the continuation of effective development control and other measures.</i></p> <p><b>Leading the way, working together</b>  <i>Deliver responsible community leadership that engages with our partners and the public.</i></p>
<p>Consultation:</p>	<p>The council consults with marginalised and hard to reach/hear groups through its work on community engagement and customer care. With the establishment of the newly formed East Herts Black and Minority Ethnic Association, there is even greater opportunity to consult with the marginalised group.</p>
<p>Legal:</p>	<p>The Single Equality Duty places a legal requirement on public bodies to have regard, in the exercise of their functions to eliminate discrimination, harassment, victimisation and any other conduct that is unlawful under the Equality Act 2010.</p>
<p>Financial:</p>	<p>None arising from this report</p>
<p>Human Resource:</p>	<p>Staff will need to be briefed on the implications of the Equality Act 2010.</p>
<p>Risk Management:</p>	<p>The Equality and Human Rights Commission will pursue formal legal action where public authorities do not take sufficient and reasonable steps to comply with the duties.</p>

