



POLICY AND RESOURCES SCRUTINY COMMITTEE – 20TH APRIL 2010

SUBJECT: DELIVERING THE COUNCIL'S EQUALITIES AGENDA

REPORT BY: DIRECTOR OF CORPORATE SERVICES

1. PURPOSE OF REPORT

- 1.1 To set out updated proposals for improving the delivery of the Equalities agenda across the authority, in light of changes in legislation and new duties and responsibilities being placed on public bodies.

2. SUMMARY

- 2.1 The report recommends changes to the way in which the council's Equalities schemes are currently delivered.
- 2.2 The proposal makes recommendations at the strategic level in order to ensure greater accountability and ownership of Equalities issues by all service areas, and on a day-to-day basis to ensure that the council is fulfilling its duty to promote good relations and mutual respect within and between its communities and its workforce.

3. LINKS TO STRATEGY

- 3.1 The Council currently has four statutory Equalities Schemes in place covering Race, Gender, Disability and Welsh Language.
- 3.2 Equalities is also a Community Strategy crosscutting theme.
- 3.3 There are requirements from the UK Government and the Welsh Assembly Government regarding Equalities commitments in strategies, for example, covering matters as diverse as Housing, Customer Care, Youth Services, Education, Adult Services, Planning, Communications and Procurement.

4. THE REPORT

- 4.1 There are currently 7 separate equality strands which impact on all services, all of which are backed by legislation. These are:-
- Race
 - Disability
 - Age
 - Religion and Belief
 - Gender
 - Welsh Language
 - Sexual Orientation
- 4.2 The council recognises these in its Equalities Statement, and also recognises that discrimination occurs in other ways and so commits to ensuring that all forms of discrimination will not be tolerated -

This council recognises that people have different needs, requirements and goals and we will work actively against all forms of discrimination by promoting good relations and mutual respect within and between our communities and our workforce.

We will also work to create equal access for all to our services, irrespective of colour, ethnic origin, gender, age, marital status, sexual orientation, disability, religion, language or nationality

- 4.3 The Equalities agenda is currently being implemented successfully in respect of the council's duties:
- All statutory schemes are in place, are legally compliant and are updated regularly to reflect changes in legislation and new actions resulting from those changes.
 - Annual reports, other updates and information are provided internally to the Policy and Resources Scrutiny Committee and externally to relevant bodies such as the Equality and Human Rights Committee, the Welsh Language Board, the WLGA and the Wales Audit Office.
 - Progress has been made on completing Equality Impact Assessments and the results are published on the council website Equalities section - this council was the first in Wales to publish EIAs in this way.
 - An innovative training programme is offered to elected members, staff and partners on a wide range of Equalities issues covering, by 2010, every strand of Equalities.
 - The Policy Unit provides a range of Equalities support and expertise (race, age, disability, gender, Welsh, other linguistic skills) across the authority.
 - Since 2007 when the last review was undertaken, the Executive Equalities Group (EEG) has worked on delivering the Equalities agenda at a strategic level, and its 4 sub-groups and other related groups have helped develop and implement the various action plans.
- 4.4 During 2009 however, it became apparent that a combination of new legislation being proposed, staff changes and issues regarding some of the internal working groups meant that a review was necessary in order to best tackle any new duties and requirements being placed on the council.
- 4.5 With new strands of Equalities becoming statutory, together with a requirement for a statutory single Equality Scheme, increasing the number of sub-groups to have one per strand is not a practical option.
- 4.6 The Race and Disability Groups have existed for many years, prior to the 2007 review and so their work has continued successfully over the last two years. The Gender Group's success was frustrated by the fact that the vast majority of the actions in the Gender Scheme were tied in with Equal Status and Job Evaluation issues and the group could have no influence over these matters. The Welsh Language group became in effect a task-and-finish group to review and update the Welsh Language Scheme as again, many of the actions were outside the group's influence.
- 4.7 To address the challenges, the following changes are proposed to improve the management and co-ordination of Equalities across the authority (see also structure charts in Appendix A and B).
- The EEG strengthens its strategic role and as its primary task is internally focused, membership will be also be internal to the council only - other existing groups such as the Multi-Agency Forum allow for partnership working in terms of Equalities.
 - Due to their historic links and successes, the Race and Disability sub-groups continue but as forums for dealing with these issues, with both internal and external membership as is the current position.
 - The Gender and Welsh Language groups end in their current form.
 - The chairs of the 4 sub-groups continue as Directorate Equality Champions on the EEG.

- In place of the existing sub-group model, the EEG will use the various action plans to commission as necessary task-and-finish groups to deal with those actions, allowing more staff across the council the chance to be involved in Equalities issues (those who have attained the Institute of Leadership and Management Level 2 accreditation for example) and each group will have an automatic in-built end date.
- The EEG will meet 6 times annually, ideally with any sub-group meeting in the intervening months to allow an exchange of actions and progress reports.
- Reporting by the EEG to Policy and Resources Scrutiny Committee will continue in order to keep Members informed on progress.

4.8 During 2009, some changes have already taken place:-

- The previous Equal Opportunities budget and Welsh Language budget (both within the Policy Unit's overall budget) were merged to create a single source of money to cover all translation, training and project work.
- Following the retirement of the previous Policy Officer (Equalities), the duties were merged with those of the Policy Officer (Welsh Language).
- Responsibility for all Equalities training was given to the Language Training Co-ordinator and a new Equalities Training section created in the Learning and Development Intranet.
- New performance indicators have been developed covering Equality issues and these are reported to P&R Scrutiny as part of the Policy Unit's overall performance.

4.9 The proposed changes and those that have already been made ensures that:-

- the strategic role of the EEG is more clearly defined and the commissioning of task-and-finish groups allows for a much more proactive approach to meeting the many targets in the Equalities Action Plans and Service Improvement Plans;
- the staffing structure (Appendix A) and single Equalities budget within the Policy Unit are better able to both co-ordinate and support corporate Equalities work such as the training provision and also help members, Directors, Heads of Service and all service areas with specific Equalities issues and advice as necessary and
- delivery of council services will have a more visible Equalities element, both in terms of new work being done and in terms of better recording of existing good practice that is currently often overlooked in SIP's and other reporting methods.

4.10 The new Equality Bill that is due to become law during 2010 places greater emphasis on public bodies to evidence progress and development, and to demonstrate that Equalities issues are properly embedded in all aspects of those bodies' policies and procedures. These proposed changes will allow the council to meet its new obligations promptly and effectively.

5. FINANCIAL IMPLICATIONS

5.1 The proposed structure (Appendix A) has resulted in a budget saving following the early retirement of a Policy Officer (Equalities). It is anticipated that by rationalizing this former officer's duties in the way proposed by this report a significant net budget saving will accrue.

6. PERSONNEL IMPLICATIONS

6.1 Appendix A details the proposed Equalities staffing structure resulting from this report. The proposed posts of Senior Equalities Officer and Training & Awareness Officer will be subject to job evaluation following changes of responsibility.

7. CONSULTATION

7.1 All comments from consultation have been incorporated into this report. This report is supported by the Corporate Management Team.

8. RECOMMENDATIONS

- 8.1 It is recommended that the Scrutiny Committee supports the above proposals and recent changes and recommends them to Cabinet for approval.

9. REASONS FOR RECOMMENDATIONS

- 9.1 The council is required by legislation to have Equalities policies in place and then implement, manage and monitor effective actions and progress to meet the duties placed on the organisation.
- 9.2 The proposals are necessary to ensure that council services are organised and delivered in ways that properly meet those duties, and the needs of all sections of the community the council serves.

10. STATUTORY POWER

- 10.1 These requirements arise from the following specific legislation:-

- Equal Pay Act 1970
- Sex Discrimination Act 1975 (Amended 1986)
- Race Relations Act 1976
- Race Relations Amendment Act (2000)
- The Welsh Language Act 1993
- Disability Discrimination Act 1995
- Disability Discrimination Act (Amended 2005)
- The Human Rights Act 1998
- Asylum & Immigration Act 1999
- Nationality, Immigration & Asylum Act 2002
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Age) Regulations 2006
- Equality Act 2006
- Immigration, Asylum & Nationality Act 2006
- Forced Marriage (Civil Protection) Act 2007
- Equality Bill 2010 (expected to come into force in autumn 2010)
- Assembly Welsh Language Measure (drafted 2010, currently expected to be in force from 2011)

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Appendices:

Appendix A - Proposed Equalities Staffing Structure

Appendix B - Equalities Group Structure (existing and proposed)