

# Strategic Equalities Plan 2016

## FOREWORD

Caerphilly County Borough Council is committed to equality of opportunity for all within the county borough of Caerphilly. We want everyone to be treated equally and fairly and with respect in terms of education, employment and in all aspects of everyday life. This is our third Strategic Equality Plan, following a pilot version in 2011-2012 and 4 years of implementing a full plan from April 2012 to March 2016.

We remain committed to achieving equality within all aspects of our service delivery and in our employment practices, which is even more important during these challenging times and in such a difficult financial climate.

Respect for diversity is a key issue as our communities change and develop in the 21<sup>st</sup> century; respect for the old and the new and respect for every individual who lives or works here, who represents the county borough, or who visits here.

Council services must reflect these diverse needs and Caerphilly County Borough Council already has a strong background in delivering accessible services in a sensible, measured and cost-effective way. The cuts to council budgets being made at the time of publishing this plan have to take into account the impact on the most vulnerable in society through Equality Impact Assessments, that carry the full authority of this plan.

The plan will be monitored each year in order to review the impact of the progress we make and the annual reports will continue to be published. It will also be publicised and promoted widely both internally and externally in order to raise awareness of the work being done.

We hope that you agree that this updated Plan continues to develop the equality and diversity work we have undertaken to date and shows our ongoing commitment to ensuring respect and fairness for everyone in the county borough.

The Council's motto is "**Working together for the good of all**" and nowhere is this more appropriate than in terms of implementing the Strategic Equality Plan.

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Leader  
Caerphilly County Borough Council

**Chris Burns**  
Interim Chief Executive  
Caerphilly County Borough Council

**Mae'r cynllun hwn ar gael yn Gymraeg, ac mewn ieithoedd neu fformatau eraill ar gais.  
This plan is available in Welsh, and in other languages or formats on request.**

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## 1) INTRODUCTION

- 1.1 This Plan has been developed to primarily demonstrate the Council's commitment to meeting the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011, which came into force on 6 April 2011. It also however demonstrates links to other legislation and regulations covering the Welsh Language Standards and Human Rights issues, and therefore also supports 3 of the 7 aims under the Welsh Government's Well-being of Future Generations (Wales) Act 2015.
- 1.2 It explains to members of the public, elected members, staff and partner organisations how Caerphilly County Borough Council intends to deliver its Equalities commitments and continue to be an inclusive organisation that does not tolerate discrimination of any kind.
- 1.3 It builds on our previous Equalities work, covering a wide commitment to many Equalities and Welsh Language issues and the protection and promotion of human rights. This updated plan also covers issues linked to the Armed Forces Covenant for the first time.
- 1.4 Updating this Plan during 2015 involved the participation of local people, service areas within the Council, the wider public sector, Equalities organisations and professionals, and the voluntary sector. The new Objectives and Action Plan can be found in summary in Chapter 8, but sit in a separate document in full for ease of reference.
- 1.5 To help to improve the annual actions, we also welcome any ongoing, general comments on the content, quality and accessibility of this document and on the impact of those actions on the people we serve and the people we employ. You can therefore send your comments to us at any time, in any of the following ways:

By letter to:-  
Equalities and Welsh Language Team,  
Caerphilly County Borough Council,  
Penallta House 1<sup>st</sup> Floor  
Tredomen Park  
Ystrad Mynach  
CF82 7PG

By email to:- [equalities@caerphilly.gov.uk](mailto:equalities@caerphilly.gov.uk)

## **2) THE COUNCIL AND ITS EQUALITIES COMMITMENT**

- 2.1 Caerphilly County Borough Council is the 5<sup>th</sup> largest local authority in Wales and is the largest employer in the area.
- 2.2 The Council delivers a wide range of services to its 178,000 residents including education, environmental services, highways, leisure facilities, planning, registration of births, deaths, marriages and civil partnerships, libraries and social services.
- 2.3 The Council operates a cabinet style of local government, led by a Leader of Council who is supported by eight cabinet members. The Council has 33 electoral wards which are represented by 73 elected councillors. A corporate management team, consisting of the Chief Executive and the Corporate Directors, oversees the strategic management of the Council's business.
- 2.4 The administrative offices of the Council are located at a number of sites, its main headquarters is at Penallta House, Tredomen Park, Ystrad Mynach.
- 2.5 The Council is committed to identifying and eradicating any form of discrimination, whether direct or indirect, institutional or other, in employment, training and in the procurement and delivery of its services.
- 2.6 The Council's equalities statement makes its commitment clear:

**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, residents, elected members, job applicants and workforce.**

**We will also work to create equal access for everyone to our services, irrespective of ethnic origin, sex, age, marital status, sexual orientation, disability, gender reassignment, religious beliefs or non-belief, use of Welsh language, BSL and other languages, nationality, responsibility for any dependents or any other reason which cannot be shown to be justified.**

2.7 This Plan therefore commits the Council to the following:

- To exercise its community leadership role in order to promote equality and good relations within and between all communities in the area so that all residents of, workers in and visitors to the area feel confident they are in an environment that is free of any prejudice and discrimination;
- To promote fair and equal bilingual access to services for all citizens on the basis of their need, in a manner that is sensitive to that individual need and in the language or format of their choice;
- To ensure that the consequences of all new and updated policies and initiatives on specific groups are considered during the Council's consultation and decision-making processes in order to ensure that all policies, processes, assumptions and practices that may lead to discrimination have been eliminated;
- To carry out comprehensive Equality Assessments on all corporate policies that form part of the Council's policy framework. (The policy framework list can be found on the Council's website at [www.caerphilly.gov.uk/equalities](http://www.caerphilly.gov.uk/equalities) or provided as hard copy on request);
- To ensure that for the Council to meet its legal duties, all service areas must develop and implement Equalities and Welsh Language Actions and targets in line with the agreed corporate objectives;
- To work in partnership with stakeholders and communities to ensure that all consultation exercises undertaken support the Council's equality objectives;
- To promote equality of opportunity and fair treatment in employment and training and to ensure equal pay for work of equal value;
- To have a workforce that reflects the diversity of its communities and to support staff members to be who they are in the workplace and provide them with working environment in which they can develop professionally;
- To help and support members of the public and staff who face harassment and to take appropriate action against perpetrators where possible;
- To publish a comprehensive annual report and supplementary information to allow the public, partner organisations and all stakeholders to be fully informed and updated on the Council's progress in terms of its Equalities Objectives and action plans.

### 3) DEFINITIONS OF DISCRIMINATION

3.1 This section contains definitions of the various types and degrees of discrimination that an individual or group might encounter; it is important to note however that not all protected characteristics have exactly the same level of protection and as some issues are covered by different legislation, they are not all protected characteristics under the Equality Act 2010 and so the protection may vary in other ways.

3.2 The grid below is intended as a quick reference guide to clarify what is covered by the Equality Act 2010 in terms of discrimination, harassment and victimisation. These are the indicators shown with a diamond (◊). Those indicated with a square (◻) would be covered in other ways under different legislation or regulations. Those marked with a circle (●) are not covered by existing legislation.

	DD	ID	MD	AD	H	V
Age	◊	◊	◊	◊	◊	◊
Disability	◊	◊	◊	◊	◊	◊
Gender Reassignment / Transgender	◊	◊	◊	◊	◊	◊
Gypsies and Travellers	◊	◊	◊	◊	◊	◊
Human Rights	◻	◻	◻	◻	◻	◻
Linguistic Skills	◻	◻	◻	◻	◻	◻
Marital Status	◊	◊	◊	●	●	◊
Nationality	◻	◻	◻	◻	◻	◻
Pregnancy and Maternity	◊	●	◊	●	●	◊
Race	◊	◊	◊	◊	◊	◊
Religion or Belief	◊	◊	◊	◊	◊	◊
Sex	◊	◊	◊	◊	◊	◊
Sexual Orientation	◊	◊	◊	◊	◊	◊
Welsh Language	◻	◻	◻	◻	◻	◻

Key -

DD - Direct Discrimination

ID - Indirect Discrimination

MD - Multiple Discrimination

AD - Associative Discrimination

H - Harassment

V - Victimisation

3.3 In 2001, the European Union explicitly banned many forms of social discrimination in the Charter of Fundamental Rights of the European Union, with Article 21 of the charter prohibiting discrimination on any ground such as race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, disability, age or sexual orientation and also discrimination on the grounds of nationality.



- 3.4 The Equality Act 2010 brought together over 116 separate pieces of UK legislation in order to streamline UK law and this policy is intended to mirror that approach in the way that the Council tackles discrimination. In order to understand the scope of the policy however, in terms of the protected characteristics and wider Equalities and Human Rights issues, elected members, managers and all staff members need to be aware of what exactly constitutes discrimination, victimisation and harassment.

#### *i) Direct Discrimination*

- 3.5 Direct discrimination, whether deliberate or accidental, covers instances where for example a staff member is dismissed or disciplined, or a job applicant is not employed, or a member of the public requesting a particular Council service has been refused that service, because they are, or are perceived to be, from a particular specific group. **Direct discrimination is unlawful whether it is intentional or not.**

#### *ii) Indirect Discrimination*

- 3.6 Indirect discrimination means that an organisation must not have selection criteria, policies, employment rules or any other practices which have the effect of disadvantaging individuals of a specific group, which cannot be sufficiently justified. **Indirect discrimination is unlawful whether it is intentional or not.** In contrast to direct discrimination, indirect discrimination will not be unlawful if it can be sufficiently justified by the need to meet a proper business requirement which cannot be achieved by some other means.

#### *iii) Multiple Discrimination*

- 3.7 Multiple discrimination occurs when a person is subjected to discrimination on more than one characteristic and can be experienced in different ways. For example, it could occur in the workplace when someone experiences discrimination due to their ethnic origin and then on their sexual orientation, but each type of discrimination occurs on separate occasions. Or it can occur when the discrimination involves more than one characteristic and the grounds that they interact with each other in such a way that they are completely inseparable. This is often called 'intersectional discrimination'.
- 3.8 Women from certain ethnic minority backgrounds may be disadvantaged due their sex and their cultural background, for example being denied a vote in the UK by a husband or father.
- 3.9 Cultural norms and taboos within some communities might make it seemingly impossible to be out and accepted as an LGBT person (Lesbian, Gay, Bisexual or Transgendered person) so an LGBT person of ethnic background may see themselves as a 'minority within a minority' and the thought of rejection by family and social group with the difficulties this would bring may lead a person to choose to live with secrecy and loneliness.



- 3.10 A disabled person who is LGBT, or from an ethnic minority background may find that social isolation and accessibility to services are even more difficult due their being in more than one protected characteristic.

#### ***iv) Associative Discrimination***

- 3.11 Associative Discrimination is where someone has been subjected to less favourable treatment by reason of their association with a person against whom it would be unlawful to discriminate - a "one step removed" situation whereby a person who is not protected under Equality legislation is discriminated against if they are closely associated to a person who is protected under the legislation, for example an employee who is a carer for a disabled person.

#### ***v) Harassment***

- 3.12 Harassment includes behaviour that is offensive, frightening or in any way distressing. It may be intentional bullying which is obvious or violent, but it can also be unintentional or be subtle and insidious. It may involve nicknames, teasing, name calling, office banter such as emails and text jokes or other behaviour which is not meant with malicious intent but which is nevertheless upsetting to the individual. Further, employees are now able to complain of harassment even if it is not directed at them, if they can demonstrate that it creates an offensive environment for them.
- 3.13 Organisations are responsible for the actions of their staff in addition to staff members being individually responsible for their own actions. If harassment takes place in the workplace the organisation may be liable and may be ordered to pay compensation unless it can be shown that it took reasonable steps to prevent harassment. Individuals responsible for harassment may also be ordered to pay compensation.
- 3.14 Employers investigating claims of harassment should consider all the circumstances before reaching a conclusion, including the perception of the complainant. Having gathered all the evidence employers should ask themselves "could what has taken place be reasonably considered to have caused offence?"

#### ***vi) Victimisation***

- 3.15 Victimisation is when an individual is treated detrimentally because they have made a complaint about discrimination or harassment or have given evidence relating to a complaint about discrimination or harassment. They may be labelled as a troublemaker by managers and colleagues or be isolated by their colleagues at work. If this happens or if the organisation fails to take reasonable steps to prevent it from happening, they will be liable and may be ordered to pay compensation. The individuals who have been the cause of the victimisation may also be ordered to pay compensation.

### *vii) Vicarious Liability*

- 3.16 This occurs when one person is liable for the actions of another person, even though the first person was not directly responsible or even present at the time of the incident. For example, an employer would be liable for the discriminatory acts of employees, where those employees were acting in the course of their employment outside their own workplace (at a training session or conference for example).
- 3.17 Employers can defend a complaint in such cases if they can prove that they took all reasonably practical steps to prevent such discrimination (although it is rare for this defence to succeed). Furthermore, even if the employer should succeed in this defence, claimants can still pursue their discrimination claim against the individual employee.

### *viii) Positive Action / Positive Discrimination*

- 3.18 Though these sound as if they may be the same thing, there is an important difference between the two. Positive action means that for example, an employer targets certain publications with job advertisements *in addition* to the usual methods, in order to encourage people from under-represented groups to apply for posts. Positive discrimination would be where the employer did not use the usual methods and *only* targeted certain under-represented groups, thus excluding many others from applying.
- 3.19 Section 159 of the Equality Act 2010 came into force on 6<sup>th</sup> April 2011. This allows employers the opportunity to achieve a more diverse workforce by giving them the option, **when faced with candidates of equal merit**, to choose a candidate from an under-represented group.

### *ix) Hate Crime / Hate Incidents*

- 3.20 There is a subtle but significant difference between a hate crime and a hate incident and the definition used by the Council in partnership with Gwent Police comes from the Association of Chief Police Officers.
- 3.21 A hate crime is 'a criminal offence which is perceived, by the victim or any other person to be motivated by a hostility or prejudice based on a person's actual or perceived disability, race, religion and belief, sexual orientation and transgender' whereas a hate incident are those that are equally based on prejudice but are non-crime related.
- 3.22 Gwent Police record both hate crimes and hate incidents on their crime recording systems but there are also other methods of reporting hate crime and incidents within Caerphilly county borough. There are 3<sup>rd</sup> party reporting centres which are specifically aimed at providing easy access to groups that have historically not reported hate crime due to disability, language difficulties etc. as well as other reporting mechanisms such as through Safer Wales.

## **4) EQUALITIES IN PRACTICE WITHIN THE COUNCIL**

### ***i) Strategic Responsibility***

- 4.1 The management and co-ordination of Equalities across the authority is the responsibility of the Equalities staff, currently within the Performance and Property Division. Annual reports and ad hoc information reports are presented to the Policy and Resources Scrutiny Committee.
- 4.2 These staff members act as a central point for Equalities issues on a day-to-day basis in terms of policy advice, complaints advice, consultation (internal and external), training provision and translation.

### ***ii) Performance***

- 4.3 The Local Government (Wales) Measure 2010 places a duty on local authorities to secure continuous improvement in the exercise of their functions. The Measure notes seven areas under its definition of improvement and two of these are Service Availability and Fairness, linking clearly to the Equalities agenda.
- 4.4 The Council already plans and monitors Equalities work on a service area level using a dedicated section in the annual Service Delivery Plan template.

### ***iii) Employment Data***

- 4.5 The Council's iTRENT payroll system was brought online from June 2011 and reports on the full range of Equalities employment data and quarterly monitoring data is produced, so that trends or exceptions can be noted and actions recommended to resolve any issues.
- 4.6 Individual staff members learning and development data to individual records also. Future quarterly reports produced will then reflect this additional information.

### ***iv) Consultation***

- 4.7 All new and updated policies must proceed through the Council's internal approval process before being adopted and in the report template, Equalities issues must be considered in section 5 of all reports. The Equalities and Welsh Language team are also used as consultees during the policy's drafting stages to ensure that Equalities issues are properly considered.
- 4.8 In terms of consultations with the public or specific groups on Council actions and decisions, both the duty to actively involve people (from the Disability equality duty) and the requirement simply to consult (from the Race equality duty) are both already part of the Council's approach.

- 4.9 The Council's **Equalities Consultation and Monitoring Guidance** booklet contains a number of sections explaining to staff members and elected members how various specific groups can be consulted with, in order to make the consultation exercise more robust, but it also provides a few practical examples of how it can be done. The guidance booklet also contains model Equalities monitoring forms for inclusion with consultations and surveys in order that the results can be analysed fully in case there are any underlying trends in the results based on any protected characteristics. This document is firmly linked to the Council's **Public Engagement Strategy**.

#### ***v) Complaints***

- 4.10 A complaint can be defined as a situation where a member of the public, or a group, is not satisfied with the standard of a service, or the action or lack of action by the Council or a member of staff.
- 4.11 All complaints will be dealt with in accordance with the corporate Complaints policy, but with the added need for translation of all incoming and outgoing correspondence on the matter, in line with the **Welsh Language Standards Translation Guide** and any other relevant translation or format issue.
- 4.12 Complaints will be fully monitored by Equalities category and in which language or format they were initially made.
- 4.13 Complaints can be made in writing, by telephone or via email to the Council's dedicated email address **complaints@caerphilly.gov.uk**.
- 4.14 Further guidance can be found in the **Equalities and Welsh Language Complaints Guidance** document.

#### ***vi) Reporting and Publishing Information***

- 4.15 All Equalities policies, annual reports and action plans are reported to the Executive Equalities Group in the first instance at the beginning of any consultation, but are then subject to a thorough scrutiny and approval process before being submitted to any relevant regulatory body and published.
- 4.16 This involves progressing through the Corporate Management Team, Policy and Resources Scrutiny Committee, Cabinet and in the case of new or updated policies, approval by full Council.
- 4.17 The Council currently maintains a comprehensive Equalities section on its internet site which is accessed at **[www.caerphilly.gov.uk/equalities](http://www.caerphilly.gov.uk/equalities)**.
- 4.18 For staff, there is an intranet site – the Equalities Portal - that offers help and guidance on specific issues ranging from details on training courses available to staff to translation services that are available, which contains information on how to arrange written, face-to-face or over-the-phone translations in Welsh and other spoken languages, how to arrange for Braille printing and how to book British Sign Language/English Interpreters.

### ***vi) Personnel Policies***

- 4.19 All personnel policies and recruitment practices are subject to Equalities Impact Assessments. In addition, many personnel policies are directly linked to Equalities issues and are updated regularly to reflect changes in both Equalities legislation and Employment regulations.
- 4.20 Pre-employment issues in terms of application forms and post employment issues in terms of references are covered along with recruitment and selection issues ranging from the suitability of interview venues to the full interview process itself in order to ensure fairness at every stage.
- 4.21 Job applicants are asked to complete the recruitment monitoring section of the application form but all information received via this section is used solely for monitoring purposes and for the compilation of performance indicators, survey returns, and monitoring of this Plan. Managers do not see this part of the form when short-listing or interviewing.
- 4.22 As part of the implementation of this policy, all members, managers and employees involved in recruitment and selection process will undertake appropriate recruitment and selection training to ensure procedures are followed properly and all Equalities issues are covered.

### ***viii) Procurement***

- 4.23 Where services to the public are not provided directly by the Council, but are provided by agencies or bodies contracted to the Council, those services are required to be delivered in accordance with the Council's commitment to the principles of Equalities and fully monitored by the Council as part of the overall contract monitoring process.
- 4.24 Full details of how this is done can be found in the Council's **Equality in Procurement Policy** and the **Equalities Pre-Tender Questionnaire**, which are available from [procurement@caerphilly.gov.uk](mailto:procurement@caerphilly.gov.uk).
- 4.25 Further guidance can be found in the **Procurement and Commissioning Guidance 2016 - Equalities and Welsh Language** document.

### ***ix) Licensing***

- 4.26 The Council's **Licensing Policy** was updated during 2010 and now contains a section covering Equalities, which replaced the previous specific sections on Disability, Race and Human Rights. The Equalities section can be found at clauses 129-133 and a copy of the full policy can be obtained from the Council's Licensing section - [licensing@caerphilly.gov.uk](mailto:licensing@caerphilly.gov.uk).

### ***x) Partnerships, Grants and Sponsorship***

- 4.27 The Council works in partnership on many levels with a wide range of public bodies, organisations from the voluntary sector and other agencies and its contribution to each will embody and proactively evidence the commitments, actions and principles of the CCBC Strategic Equality Plan :-
- (i) When the Council is the strategic and financial leader of a partnership, it will ensure that the public service provision is compliant with the principles of its Strategic Equality Plan.
  - (ii) When the Council joins a partnership in which another body is leading, the Council input to the partnership will comply with the principles of its Strategic Equality Plan and the Council will encourage all other parties to comply.
  - (iii) When the Council is a partner in a consortium, it will encourage the consortium to adopt a Strategic Equality Plan equal to its own. When acting publicly in the name of the consortium, the Council will act in accordance with the principles of the Strategic Equality Plan.
  - (iv) When the Council joins or forms a partnership, it will ask prospective partners about their Strategic Equality Plan or similar. Within any partnership, the Council will offer advice and support to the other partner organisations on such matters.
  - (v) The Council will inform organisations, voluntary bodies and individuals that receive financial sponsorship, grants or subscription fees from the Council of the need to provide equally accessible services to the public.

### ***xi) Links to Other Strategies***

- 4.28 In addition to its own policies, Caerphilly County Borough Council operates in partnership with other bodies to deliver actions under a number of joint policies and strategies, both locally and regionally, and undertakes to ensure that its contribution to each will be done in accordance with the principles of the Strategic Equality Plan.

## 5) EQUALITIES TRAINING AND DEVELOPMENT

- 5.1 Fairness at work and good job performance go hand in hand. Tackling discrimination helps to attract, motivate and retain staff and enhances an organisation's reputation as an employer. Eliminating discrimination helps everyone to have an equal opportunity to work and to develop their skills.
- 5.2 Equalities training also helps staff with situations where they may have to engage with customers who have specific needs. In some cases, staff members may have no experience of dealing with such specific needs and it is in such instances that misunderstandings can happen.
- 5.3 The Equalities and Welsh Language team are responsible corporately for co-ordinating Equalities training provision and liaising with staff, tutors, training providers and examination bodies in order to provide a quality and cost-effective programme.
- 5.4 The courses offered to staff include, but are not limited to the following:
  - Conversational Welsh classes (ranging from taster courses and 2 day courses to full 30 week qualifications, up to 'A' level);
  - Conversational British Sign Language courses (from taster courses and 10 week Introduction level up to the different NVQ level year courses);
  - Deaf Awareness;
  - General Equalities Awareness sessions;
  - Equality in Policy Development;
  - Gender Awareness;
  - Typetalk Awareness;
  - Age Awareness - The Future;
  - Involving Older People;
  - Maximising Income for the 50+;
  - Intergenerational Working;
  - Age Proofing Services;
  - Dyslexia Awareness;
  - LGBT Awareness;
  - Religious Awareness;
  - Understanding Sight Loss;
  - Disability Awareness;
  - Deafblind Awareness
  - Race Equality;
  - Basic Skills Awareness;
  - Bespoke courses, tailored to the needs of the service area or team.



- 5.5 The training courses are advertised to staff and elected members on the **Equalities and Welsh Language Portal** intranet site which is accessible to over half of the Council staff. A range of other distribution methods are used in order to reach the remainder of the staff to ensure that everyone is able to access training opportunities.
- 5.6 Training is provided in a flexible way, with a mix of provision that includes morning, afternoon and evening classes, together with 1 or 2 day courses, weekend, and intensive week-long courses where requested and agreed.
- 5.7 The Council works with many partner organisations and so the training programme is also open to these partners at a minimal cost and can be arranged either by an annual Service Level Agreement or on an ad hoc basis.
- 5.8 Each course participant completes a training agreement form outlining the terms and conditions that are required from them in return for the Council providing and paying for the courses. They and their manager/supervisor will have to sign the letter as an agreement and commitment to the training.
- 5.9 By signing the agreement, the individual and/or manager/supervisor will also be committing to repay the Council the training fee, in whole or in part, if he or she should withdraw from the class without a valid reason; the repayment details are included with the training agreement form.
- 5.10 People attending from partner organisations would also be required to complete a modified training agreement form.
- 5.11 The terms and conditions will be amended and updated as necessary in accordance with the Council's approved Organisational Development Policies and Procedures, which cover training areas such as time-in-lieu, paying back of course fees and study and examination leave.
- 5.12 A monitoring report on **Equalities Training** is prepared and published annually on the Council's website and is distributed to all relevant partners.
- 5.13 The report covers academic years as opposed to financial years and is published on the Council's website during September / October each year, once the report has been sent for information to the Policy and Resources Scrutiny Committee.
- 5.14 Both the report and the programme itself are clear demonstrations of the Council's commitment to raising awareness amongst its staff and partners of the range of Equalities issues in existence and the many forms of discrimination that can be encountered.

## 6) SPECIFIC EQUALITIES INFORMATION

This section contains information on each of the Equality issues covered by this Plan, however it is important to note that different issues are covered by different legislation and not all of the 14 sub-sections that follow are protected characteristics under the Equality Act 2010.

The table shown below is intended as a quick reference guide to this section.

<u>Subject</u>	<u>Legislation</u>
• Age	Equality Act 2010
• Disability	Equality Act 2010
• Gender Reassignment / Transgender	Equality Act 2010
• Gypsies and Travellers	Equality Act 2010
• Human Rights	Human Rights Act 1998
• Linguistic Skills	Equality Act 2010 / Welsh Language (Wales) Measure 2011 / European Charter for Regional and Minority Languages 1992
• Marital Status	Equality Act 2010
• Nationality	Immigration, Asylum & Nationality Act 2006
• Pregnancy and Maternity	Equality Act 2010
• Race	Equality Act 2010
• Religion or Belief	Equality Act 2010
• Sex	Equality Act 2010
• Sexual Orientation	Equality Act 2010
• Welsh Language	Welsh Language (Wales) Measure 2011

## **i) AGE**

The Equality Act 2010 brought Age issues broadly into line with the other protected characteristics initially, with additional provisions coming into force from April 2012. The Act places a legal duty on public bodies to consider the needs of people of all ages when designing and delivering services and in the provision of goods and facilities. This will ensure that public bodies consider the needs of children, teenagers and younger and older adults.

Age issues impact directly on service planning not only in terms of those receiving the service, but in terms of those delivering it also. For example, the official retirement age is set to increase to 67 (and possibly 70) years of age yet in Caerphilly county borough 44% of the 50-64 age group (those who might traditionally be considering retirement) have limiting long term illness - this could potentially have an effect on the Council's workforce if more people work longer yet are more likely to be ill.

## **ii) DISABILITY**

The Equality Act 2010 protects the rights of people with a disability to ensure that they have the same rights as a person without a disability. The Act applies in many situations, from employment to transport, from property to education. The Act also means that education providers (including schools, colleges and universities) must not discriminate against someone with a disability, and must support people with disabilities within education. It also means that education providers must give appropriate help and support to students and potential students with disabilities.

Being disabled can often be seen as very negative as it focuses on what someone 'can't do' rather than on what they 'can do'. Some people feel it is a label that defines who they are: a 'disabled person' rather than a person who happens to have a disability and so they may feel reluctant to consider themselves as having a disability.

In addition, some people may not feel that their particular circumstances constitute a disability or that they are disabled by it. Many Deaf people who use BSL do not regard themselves as disabled for example, but rather as users of a minority language.

Rather than including a list of conditions and disabilities that are covered, the Equality Act 2010 looks at the impact of a condition to determine whether it is a disability for any particular individual. A person is considered to have a disability if they have a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. Substantial means not trivial or minor, and long-term normally means for at least 12 months. Day-to-day activities include things like getting around your home or workplace without any great difficulty, being able to remember and concentrate on your work, and to get on with being a member of the family, a friend, a colleague or a commuter just like anyone else.

Discriminating against a person who has, or is perceived to have, a physical or mental impairment of some kind is illegal, but could happen at any stage of a person's contact with the Council even inadvertently. This could be as a service user, job interviewee, current employee, elected member or visitor from a partner organisation and so the Council must ensure that access to its buildings and services, both physical and communications-wise is as broad as possible.

The Council has a **DDA Access Strategy** that covers these issues in greater detail but it is important to remember that where reasonable adjustments have to be made to a service, this does not necessarily mean a huge or costly change and can sometimes be much easier than expected. Contact the Equalities staff or the DDA Access Officer for advice.

### iii) **GENDER REASSIGNMENT / TRANSGENDER**

Gender reassignment is a personal, social, and sometimes medical, process by which a person's gender presentation (the way they appear to others by changing physiological or other attributes of sex) is changed. Anyone who proposes to, starts or has completed a process to change his or her gender is protected from discrimination under the Equality Act 2010.

An individual does not need to be undergoing medical supervision to be protected. So, for example, a female employee who decides to live as a man without undergoing any medical procedures would be covered. The Council will have to ensure that there are policies in place which are designed to prevent gender reassignment discrimination in all aspects of recruitment and selection, determining pay, training and development, selection for promotion, discipline and grievances, countering bullying and harassment, taking time off work and customer care.

It is discrimination to treat transsexual people less favourably for being absent from work because they propose to undergo, are undergoing or have undergone gender reassignment than they would be treated if they were absent because of illness or personal injury, or if they were absent for some other reason.

### iv) **GYPSIES AND TRAVELLERS**

There are four main Gypsy and Traveller groups in existence, namely Romany Gypsies, traditional Irish Travellers, Eastern European Roma and New Travellers (collectively referred to as Gypsies and Travellers). The first three groupings are accepted as ethnic minorities for the purposes of race relations legislation. These groups have different economic, social, cultural and lifestyle characteristics.

Caerphilly county borough currently has no permanent traveller site located within its boundaries and therefore only experiences unauthorised

encampments, which can cause disruption and conflict locally, can be expensive and time-consuming to clear, and requires a range of solutions, including swift and effective enforcement.

The Council has a policy in place for working with such encampments; the policy is the responsibility of the Directorate of the Environment, but there are other issues affecting the Gypsy and Traveller groups who pass through the county borough.

The Council actively supports the process of inclusion that enables all children and young people to have their needs and aspirations met within their local communities. This means the Council will aim to ensure that Gypsy and Traveller children and young people are given access to equal educational opportunities.

The Directorate of Social Services has a duty under section 17 of the Children Act 1989 to safeguard and promote the welfare of all children in their area who are in need - this also covers children from Gypsy and Traveller groups.

Under the Housing Act 2004 local authorities have a duty to provide appropriate accommodation for Gypsy and Travellers. This duty means that authorities must assess the accommodation needs of Gypsy and Travellers and include a strategy to meet those needs within their wider housing strategies. A Gypsy and Traveller Housing Needs Assessment was undertaken by the Council in 2015-2016.

Under Section 175(2) of the Housing Act 1996, a Gypsy or Traveller is homeless if "their accommodation consists of a moveable structure and there is nowhere that they can legally place it to reside in it". If needed, assistance will be given to complete housing application forms, for both the Council and Registered Social Landlords, to access permanent accommodation.

The Clean Neighbourhoods and Environment Act 2005 also influences this policy. The Act has placed an increasing emphasis on liveability, giving more powers to, and placing a strategic responsibility on, local authorities to keep areas clean, green and safe.

## **v) HUMAN RIGHTS**

The Human Rights Act 1998 details how the UK complies with and implements the rights and freedoms guaranteed under the European Convention on Human Rights. All public authorities have a positive obligation to ensure that respect for human rights is at the core of their work as the Act makes it unlawful for a public authority to act in a way that is incompatible with a Convention Right.

Human Rights are a complex and broad issue, however the most important aspects of the legislation are summarised in the table overleaf.

<b><i>Main Articles</i></b>	
Article 2	Right to life
Article 3	Prohibition of torture
Article 4	Prohibition of slavery and forced labour
Article 5	Right to liberty and security (subject to a UK derogation relating to the situation in Northern Ireland)
Article 6	Right to a fair trial
Article 7	No punishment without law
Article 8	Right to respect for private and family life
Article 9	Freedom of thought, conscience and religion
Article 10	Freedom of expression
Article 11	Freedom of assembly and association
Article 12	Right to marry
Article 14	Prohibition of discrimination
Article 16	Restrictions on political activity of aliens
Article 17	Prohibition of abuse of rights
Article 18	Limitation on use of restrictions on rights
<b><i>The First Protocol</i></b>	
Article 1	Protection of property
Article 2	Right to education
Article 3	Right to free elections
<b><i>The Thirteenth Protocol</i></b>	
Article 1	Abolition of the death penalty

The most direct, obvious link between Human Rights legislation and the commitments of the Council in its Strategic Equality Plan comes in Article 14:-

- ***Article 14: Prohibition of discrimination***

The enjoyment of the rights and freedoms set forth in the European Convention on Human Rights and the Human Rights Act shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

In the application of the Convention rights, you have the right not to be treated differently because of your race, religion, sex, political views or any other status, unless this can be justified objectively. Everyone must have equal access to Convention rights, whatever their status.

The Articles within the Human Rights legislation can be divided into categories depending on whether they have been accepted totally and without reservation, or if they are restricted or qualified in some specific way. These are referred to as absolute, limited or qualified rights.

### ***Absolute rights***

These are rights of the European Convention on Human Rights that have been adopted fully. These rights are not limited and they cannot be infringed no matter how necessary it might seem to do so. The absolute rights are Articles 2, 3, 4 and 7.

### ***Limited rights***

Certain rights of the European Convention on Human Rights are limited in the UK for specific reasons. There is a right to liberty for instance, however this is not absolute as it must be limited by the powers of the police to arrest someone. The limited rights are Articles 5, 6 and 12.

### ***Qualified rights***

These are rights that could be infringed upon if there is a specific legitimate aim - in interests of national security, public safety etc. The infringement must be properly regulated by the law and must be necessary in a democratic society. This latter concept means the interference with the right must be a proportionate response to the legitimate aim. If the aim can be achieved by a less intrusive method then that method must be used instead. The qualified rights are Articles 8, 9, 10, 11, 14 and Protocol 1 Article 1

## **vi) LINGUISTIC SKILLS**

The UK Government ratified the European Charter for Regional and Minority Languages on the 27th March 2001, covering mainland Britain and Northern Ireland and as part of this, adopted a number of the paragraphs and sub-paragraphs in Part III of the Charter, in terms of Welsh, Scottish Gaelic, Irish, Scots and Ulster Scots. In March 2003 the Cornish language was added to the list and in April 2003, the remit of the Charter was extended to the Isle of Man to include Manx Gaelic.

Article 15 of the Charter requires detailed reports to be submitted from each country on a three-year cycle, to an appointed Committee of Experts, on progress against the adopted paragraphs and sub-paragraphs. The Committee's recommendations include matters in terms of the legal framework, policy and procedural matters.

The Council monitors the linguistic skills of its staff as this is not only a possible indication of the languages used in the community but could also be of great benefit in terms of customer care. The figures collated by Personnel are published in the Annual report and as a fact sheet of its own on the Council's Equalities website at [www.caerphilly.gov.uk/equalities](http://www.caerphilly.gov.uk/equalities).



Since 2004, the Council has adopted a bilingual Equalities statement for use on publications that demonstrated its commitment to legislation covering Welsh Language, Race and Disability issues. It can be adapted to suit the type of publication but in general it follows one format for bilingual documents and a slightly different one for separate English and Welsh documents:-

***Bilingual -***

Mae'r cyhoeddiad hwn ar gael mewn ieithoedd a fformatau eraill ar gais.  
This publication is available in other languages and formats on request.

***Separate English and Welsh documents - English version***

This publication is available in Welsh, and in other languages and formats on request.

Mae'r cyhoeddiad hwn ar gael yn Gymraeg, ac mewn ieithoedd a fformatau eraill ar gais.

***Separate English and Welsh documents - Welsh version***

Mae'r cyhoeddiad hwn ar gael yn Saesneg, ac mewn ieithoedd a fformatau eraill ar gais.

This publication is available in English, and in other languages and formats on request.

Welsh Language matters are outlined separately, later in this section, but what follows is information regarding British Sign Language and Other Languages.

The [Translation Services](#) intranet site contains information for staff on how to arrange written, face-to-face or over-the-phone translations in Welsh and other spoken languages, how to arrange for Braille printing and how to book British Sign Language/English Interpreters.

### ***British Sign Language***

On the 18th March 2003, British Sign Language was recognised as an official minority language in the UK by the UK Government.

The Disability Discrimination (Amendment) Act 2005 placed an obligation on the Council to provide services in the medium of BSL and so the Council began working towards providing, for example, public information in the format of DVDs in BSL or DVDs with in-vision signers and subtitles.

It cannot be assumed that Deaf customers can communicate in English, so that unlike for Welsh speakers, **BSL may be a Deaf person's only language.** Through the education system, Deaf BSL users may not have learnt to speak or lip-read English as a useful medium of communication.

Research has shown that many adult Deaf BSL users can read and write at the equivalent age of an 8½ year old and therefore may be in a similar position to those ethnic minority customers who cannot speak English.

Research has also shown that lip reading is only 33% accurate, which means if lip reading arrangements are the only adjustment made in service provision, then potentially nearly 70% of the information can be lost. Lip reading can be useful, however for very basic situations and there are tactics and strategies that can be implemented to make lip reading more effective, but **lip reading should not be relied upon as the sole means of communication.**

The British Deaf Association developed a BSL Charter for local authorities, which contains 5 pledges -

- **Charter Pledge 1**  
Improve access for Deaf people to local services and information
- **Charter Pledge 2**  
Promote learning and high quality teaching of British Sign Language
- **Charter Pledge 3**  
Give all Deaf children and young people the option of a bilingual education (BSL/English)
- **Charter Pledge 4**  
Ensure key staff working with Deaf people meet minimum standards of BSL skills
- **Charter Pledge 5**  
Consult with the local Deaf community on a regular basis

### ***Other Spoken Languages***

The Council is part of the Caerphilly Community Cohesion Forum, in order to help determine the needs of people living and working locally who speak other languages. The 2011 Census included a question relating to language ability and therefore data will become available on community languages that may be spoken within the county borough.

The duty regarding other languages arose originally from the Race Relations (Amendment) Act 2000 and means that anyone can request information or a service in any other spoken language.

The needs of anyone who speaks other languages are similar to the needs of Welsh speakers, but with the additional issue that in such cases, many people from ethnic minorities cannot speak English at all, or certainly not to a level where they can speak, read and write English well enough to complete, for example, an Electoral Registration form.

With more people moving to the area to live and work from for example, the enlarged European Union, the ability of the Council to provide greater language choice, both in terms of service delivery and in terms of economic development, will continue to grow in importance.

A survey of the county borough in 2008, done via Newline and in conjunction with Communications and Customer First, provided some information about the different languages used in the county borough and the 2011 Census will provide a greater level of information.

## **vii) MARITAL STATUS**

Marriage is defined as a "union between a man and a woman". Same-sex couples can have their relationships legally recognised as "civil partnerships". Civil partners must be treated the same as married couples on a wide range of legal matters. "Marital status" may also be referred to as "marital condition" or simply "condition". In the Marriage Act 1949 part of the definition of "marriage" is that for it to be legal it must be for "one man" and "one woman". A "civil partnership" is a legal union between two people of the same sex which is registered under the Civil Partnership Act 2004.

Marriage and civil partnership are one of the protected characteristics under the Equality Act 2010 and it is unlawful for employers and others to discriminate against employees who fall into one or other of the categories.

Employers must treat civil partners in the same way as married people in a wide range of matters, including employment and vocational training. Any benefits given to married employees must also be offered to civil partners, including flexible working, statutory paternity pay, paternity and adoption leave, health insurance and survivor pensions.

## **viii) NATIONALITY**

Nationality issues and ethnicity issues are often regarded as the same thing but in terms of legislation and practice there are distinct differences. It is important when undertaking consultation and monitoring for example, that the two are kept as separate matters.

In simple terms, ethnicity cannot be changed but nationality can be, if for instance a person becomes a citizen of another country.

## **ix) PREGNANCY AND MATERNITY**

A woman is protected against discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and any statutory maternity leave to which she is entitled, except under certain aspects of Health & Safety Legislation. During this period, pregnancy and maternity discrimination is not treated as sex discrimination. Please refer to the Council's Personnel Policies for specific information on pregnancy and maternity entitlements.

## x) RACE

Racism is the belief that the genetic factors which constitute race are a primary determinant of human traits and capacities and that racial differences produce an inherent superiority of a particular race. Racism's effects are called race discrimination. Racism usually covers all forms of race-based prejudice, violence, dislike, discrimination, oppression and is a belief or ideology that all members of each racial group possess characteristics or abilities specific to that race, especially to distinguish it as being either superior or inferior to another racial group.

The United Nations uses the definition of racial discrimination laid out in the International Convention on the Elimination of All Forms of Racial Discrimination adopted in 1966, which is: "...any distinction, exclusion, restriction or preference based on race, color, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.(Part 1 of Article 1 of the U.N. International Convention on the Elimination of All Forms of Racial Discrimination)".

This definition does not make any distinction between discrimination based on ethnicity and race and similarly, in British law the phrase racial group means "any group of people who are defined by reference to their race, colour, nationality (including citizenship) or ethnic or national origin".

Institutional racism (sometimes called structural or systemic racism) is the existence of institutional policies and practices occurring specifically within for example, government bodies, the public sector, the voluntary sector, private business corporations, and universities (public and private). The term institutional racism was coined by Stokely Carmichael of the Black Panther Party, who, in the late 1960s, defined institutional racism as "the collective failure of an organization to provide an appropriate and professional service to people because of their color, culture, or ethnic origin".

Institutional racism is the differential access to the goods, services, and opportunities of society. When that differential access becomes integral to institutions, it becomes common practice, making it difficult to rectify. Eventually, this racism dominates the underlying ethos of the organisation and is reinforced by the actions of conformists and newcomers.

Another difficulty in reducing institutional racism is that there is no single perpetrator that can be identified - when racism is built into the institution, it appears as the collective action of the entire workforce or executive board, or Cabinet for example.

Forms of institutional racism can be varied and can be for example race-based barriers to gainful employment and professional advancement, toleration by managers of differential practices when working with customers from different ethnic groups, racial profiling by the police in terms of community safety, by housing officers when allocating housing, the use of stereotyped racial caricatures in marketing and the under- and mis-representation of certain racial groups in the media.

Caerphilly County Borough has a population 178,806 according to the 2011 Census figures. The ethnicity mix of the county borough shows there to be 98.4 white population (from 99.1% in 2001) compared to the national figure for Wales, which is 95.6%.

The proportion of people who are Asian or Asian British in Caerphilly county borough is 0.5% compared to 1.8% in Wales as a whole. The proportion of black or black British people in Caerphilly county borough is 0.1% compared to 0.6% in Wales as a whole. The proportion of people with a mixed ethnicity is 0.6% compared to 1.0% in Wales and the proportion of Chinese people is 0.3%, compared to 0.5% in Wales.

Caerphilly county borough therefore has an overall minority ethnic population of 1.6% compared to 4.4% in Wales and 12.9% in the U.K. This equates to approximately 2,861 people from the BME (Black & Minority Ethnic) community, and this figure does not include BME people who travel into the county borough to work. This is compared with 1,713 people recorded in the Census in 2001.

The low figure does not mean however that the Council should relax its attitude towards racist incidents and graffiti for example and the Council has been and remains fully committed to promoting good relations and understanding between people of different ethnic and cultural backgrounds.

In very limited circumstances, there are some jobs which can require that the job-holder is of a particular racial group. This is known as an 'occupational requirement'. One example is where the job-holder provides personal welfare services to a limited number of people and those services can most effectively be provided by a person of a particular racial group because of cultural needs and sensitivities.

## **xi) RELIGION OR BELIEF**

Caerphilly County Borough Council as an organisation does not require or promote religious belief in general or any religious belief in particular. It is however committed to protecting and promoting the rights of everyone in its communities, people with or without formal religious affiliation, of all faiths and none, and provide for the principle of respecting other people's freedom to express their beliefs and convictions.

This must be a balanced approach however; any expression of belief has to take into account the rights and reasonable sensitivities of others and what is appropriate will depend on the circumstances.

Healthy debate is perfectly acceptable, however any attempt to bully or coerce others to comply with a particular philosophical belief system or religion is not, nor conversely is any attempt to bully or coerce others to reject any philosophical belief system or religion.

## **xii) SEX (GENDER)**

Sex discrimination can be direct - treating somebody less favourably on the grounds of their sex - or indirect - applying an apparently general rule which in practice disadvantages one sex and which cannot be justified. It includes the way you recruit, train, promote and dismiss people. Women and men are also entitled to equal pay and conditions for work of equal value.

Preventing discrimination on the basis of sex (often referred to as gender) improves the chances of an organisation recruiting the best person for the job and getting the best performance from all those who are employed there. All terms and conditions of employment are covered including any practice that involves applying a 'provision, criterion or practice' which, although it applies to men and women equally, puts one gender at a disadvantage and which the employer cannot show is a proportionate means of achieving a legitimate aim.

Such an example could be a requirement to work full time, or changing fixed working hours, which may appear to benefit the organisation but could have a consequence of significantly disadvantaging working mothers, thus having a disproportionate effect on women more than men.

Equal pay and equal access to recruitment and promotion opportunities are other obvious areas where such discrimination could occur and the Council has undertaken many years of work in order to ensure that any ongoing equal pay issues are resolved and that all recruitment and selection practices, personal development and training issues etc. are developed and implemented in a manner that does not disadvantage anyone, whatever their sex.

### xiii) SEXUAL ORIENTATION

Under the Equality Act 2010 it is illegal for public bodies to discriminate against a person due to them being LGB, that is lesbian (female attracted to other females), gay (male attracted to other males) or bisexual (male or female attracted to both sexes). This covers all areas of recruitment and selection, promotion and training and the provision of goods and services.

Negative attitudes towards LGB people or groups have for many years led to a large number of people hiding their sexuality from family, friends and colleagues. In the workplace, homophobia can lead to underperforming staff, in the community it can lead to social isolation and to homophobic bullying in schools.

Homophobia is also compounded by the fact that it can occur due to the perpetrator's perception of the victim's sexuality or the victim's association with a person who is LGB, and so can therefore be a serious problem for the wider community.

### xiv) WELSH LANGUAGE

Welsh language issues are not covered by the Equality Act but rather have a set of Standards under the Welsh Language (Wales) Measure 2011, detailed in the regulations approved by Welsh Government in March 2015 as the Welsh Language Standards. (No.1) Regulations 2015.

Many of the Standards however are very similar to actions required by implementing a **Strategic Equality Plan**, so for example when undertaking Equality Impact Assessments or when policy consultation is being done, Welsh language issues are considered part of the Equalities agenda and are dealt with alongside the protected characteristics and other equality strands.

Internal working practices continue to evolve to ensure that the principle of language equality is respected in every aspect of service provision. In many areas of work, the Council is seen as developing good or best practice.

Since 2012, the **Strategic Equality Plan** and the **Welsh Language Scheme** have had a unified set of Objectives and Action Plan in order to take forward both agendas and further reduce duplication of effort. The **Welsh Language Scheme** will no longer exist after March 2016, however the requirement to implement actions remains, and sits perfectly within this integrated approach.

The Council continues to work closely with partner organisations such as the Welsh Language Board, the WLGA, Menter Iaith Caerffili (the local Language Initiative), Coleg Gwent and Grŵp Deddf (a South East Wales regional network) to ensure that targets are met, and more importantly, the needs of its Welsh speaking population are met.



Welsh Medium Education is covered by a separate **Welsh in Education Strategic Plan** that is published, outlining developments in that area.

Welsh Language developments will be made corporately in line with the aims of the Measure, which :-

- confirmed the official status of the Welsh language;
- created a new system of placing duties on bodies to provide services through the medium of Welsh;
- created a Welsh Language Commissioner with strong enforcement powers to protect the rights of Welsh speakers to access services through the medium of Welsh;
- established a Welsh Language Tribunal;
- gives individuals and bodies the right to appeal decisions made in relation to the provision of services through the medium of Welsh;
- created a Welsh Language Partnership Council to advise Government on its strategy in relation to the Welsh language;
- allowed for an official investigation by the Welsh Language Commissioner of instances where there is an attempt to interfere with the freedom of Welsh speakers to use the language with one another.

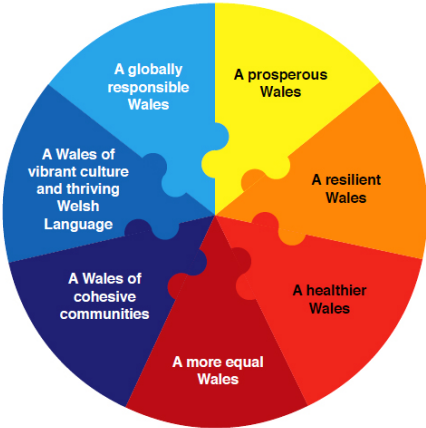
It is for these reasons that Welsh Language has been integrated into the **Equality and Welsh Language Objectives and Action Plan**, and has been given a corporate equality objective of its own.

## 7) THE ARMED FORCES COVENANT

- 7.1 The Caerphilly Armed Forces Community Covenant is a voluntary statement of mutual support between a civilian community and its Armed Forces community at the local level. It is intended to complement the national Armed Forces Covenant, which outlines the moral obligation between the Nation, the Government and the Armed Forces.
- 7.2 The purpose of the Community Covenant is to encourage support for the Armed Forces community working and residing in the County Borough of Caerphilly and to recognise and remember the sacrifices made by members of this Armed Forces community, particularly those who have given the most. This includes in-Service and ex-Service personnel, their families and widow(er)s throughout the County Borough of Caerphilly.
- 7.3 For Caerphilly Local Service Board and partner organisations, the Community Covenant presents an opportunity to bring their knowledge, experience and expertise to bear on the provision of help and advice to members of the Armed Forces community. It also presents an opportunity to build upon existing good work on other initiatives such as the Welfare Pathway.
- 7.4 For the Armed Forces community, the Community Covenant encourages the integration of Service life into civilian life and encourages members of the Armed Forces community to help their local community.
- 7.5 Though not a protected characteristic group in their own right, Armed Forces personnel (both current and former) and their families, can fall under the duties of the Equality Act in a number of ways. Physical disability due to injury, or emotional or mental health issues due to post-traumatic stress can affect armed forces personnel; there could also be links to domestic abuse within families for example.
- 7.6 When providing services and treating our residents fairly and equally according to their needs, these Armed Forces issues clearly do intersect with the more mainstream Equalities issues and this is why the Covenant has been included in this policy to ensure that the Armed Forces context is taken into account at the proper stages.

**8) OBJECTIVES AND ACTION PLAN**

- 8.1 These can be found in a separate document, the **Equalities and Welsh Language Objectives and Action Plan**. It covers what overall Objectives the Council will prioritise as part of implementing its **Strategic Equality Plan** and complying with the **Welsh Language Standards**. The objectives and actions are integrated across both duties so that their common aims are implemented together, thus removing duplication.
- 8.2 In developing the Equalities Objectives and the Action Plan, the Council has demonstrated compliance with the requirements of the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 and the requirements of complying with the agreed Welsh Language Standards under the Welsh Language (Wales) Measure 2011.
- 8.3 The plan covers Corporate actions dealing with processes common to the range of Equalities issues listed in Section 6, but also includes specific actions and outcome-based targets in order to demonstrate that the Council gives equal consideration and importance to each of the Equalities issues individually.
- 8.4 The plan therefore also supports 3 of the 7 aims under the Welsh Government’s Well-being of Future Generations (Wales) Act 2015 – namely a Wales of vibrant culture and thriving Welsh language, a Wales of Cohesive Communities and a more equal Wales.



- 8.5 Individual Directorates, service areas and divisions are responsible for ensuring that their own service delivery plans include relevant Equalities and Welsh Language actions, however advice and guidance can be sought from the Equalities and Welsh Language team.

# EQUALITY IMPACT ASSESSMENT FORM

April 2016

## THE COUNCIL'S EQUALITIES STATEMENT

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, residents, elected members, job applicants and workforce.

We will also work to create equal access for everyone to our services, irrespective of ethnic origin, sex, age, marital status, sexual orientation, disability, gender reassignment, religious beliefs or non-belief, use of Welsh language, BSL or other languages, nationality, responsibility for any dependents or any other reason which cannot be shown to be justified.

<b>NAME OF NEW OR REVISED PROPOSAL*</b>	
<b>DIRECTORATE</b>	
<b>SERVICE AREA</b>	
<b>CONTACT OFFICER</b>	
<b>DATE FOR NEXT REVIEW OR REVISION</b>	

**\*Throughout this Equalities Impact Assessment Form, 'proposal' is used to refer to what is being assessed, and therefore includes policies, strategies, functions, procedures, practices, initiatives, projects and savings proposals.**

## INTRODUCTION

The aim of an Equality Impact Assessment (EIA) is to ensure that Equalities issues have been consciously considered throughout the decision making processes of the work undertaken by every service area in the Council and work done at a corporate level.

The form should be used if you have identified a need for a full EIA following the screening process covered in the Equalities Implications in Committee Reports Guidance document (available on the Equalities and Welsh Language Portal on the intranet).

The EIA should highlight any areas of risk and maximise the benefits of proposals in terms of Equalities. It therefore helps to ensure that the Council has considered everyone who might be affected by the proposal.

It also helps the Council to meet its legal responsibilities under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011, the Welsh Language (Wales) Measure 2011 and supports the wider aims of the Well-being of Future Generations (Wales) Act 2015. There is also a requirement under Human Rights legislation for Local Authorities to consider Human Rights in developing proposals.

The Council's work across Equalities, Welsh Language and Human Rights is covered in more detail through the Strategic Equalities Objectives and Action Plan 2012.

This approach strengthens work to promote Equalities by helping to identify and address any potential discriminatory effects before introducing something new or changing working practices, and reduces the risk of potential legal challenges.

When carrying out an EIA you should consider both the positive and negative consequences of your proposals. If a project is designed for a specific group e.g. disabled people, you also need to think about what potential effects it could have on other areas e.g. young people with a disability, BME people with a disability.

There are a number of supporting guidance documents available on the Equalities and Welsh Language Portal (the Committee report guidance mentioned above, the Consultation and Monitoring guidance) and the Council's Equalities and Welsh Language team can offer support as the EIA is being developed - the contact email is [equalities@caerphilly.gov.uk](mailto:equalities@caerphilly.gov.uk).

# PURPOSE OF THE PROPOSAL

<b>1</b>	<b>What is the proposal intended to achieve?</b> <i>(Please give a brief description of the purpose of the new or updated proposal by way of introduction.)</i>
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<b>2</b>	<b>Who are the service users affected by the proposal?</b> <i>(Who will be affected by the delivery of this proposal? e.g. staff members, the public generally, or specific sections of the public i.e. youth groups, carers, road users, people using country parks, people on benefits etc.)</i>
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# IMPACT ON THE PUBLIC AND STAFF

<p><b>3</b></p>	<p><b>Does the proposal ensure that everyone has an equal access to all the services available or proposed, or benefits equally from the proposed changes, or does not lose out in greater or more severe ways due to the proposals?</b>  <i>(What has been done to examine whether or not these groups have equal access to the service, or whether they need to receive the service in a different way from other people?)</i></p>
	<p><b><u>Actions required</u></b></p>

<p><b>4</b></p>	<p><b>What are the consequences of the above for specific groups?</b>  <i>(Has the service delivery been examined to assess if there is any indirect affect on any groups? Could the consequences of the policy or savings proposal differ dependent upon people’s disability, race, gender, sexuality, age, language, religion/belief?)</i></p>
	<p><b><u>Actions required</u></b></p>



# INFORMATION COLLECTION

<b>5</b>	<p><b>Is full information and analysis of users of the service available?</b>  <i>(Is this service effectively engaging with all its potential users or is there higher or lower participation of uptake by one or more groups? If so, what has been done to address any difference in take up of the service? Does any savings proposals include an analysis of those affected?)</i></p>
	<p><b><u>Actions required</u></b></p>

# CONSULTATION

<b>6</b>	<p><b>What consultation has taken place?</b>  <i>(What steps have been taken to ensure that people from various groups have been consulted during the development of this proposal? Have the Council's Equalities staff been consulted? Have you referred to the Equalities Consultation and Monitoring Guidance?)</i></p>
	<p><b><u>Actions required</u></b></p>

# MONITORING AND REVIEW

<b>7</b>	<p><b>How will the proposal be monitored?</b>  <i>(What monitoring process has been set up to assess the extent that the service is being used by all sections of the community, or that the savings proposals are achieving the intended outcomes with no adverse impact? Are comments or complaints systems set up to record issues by Equalities category to be able analyse responses from particular groups?)</i></p>
	<p><b><u>Actions required</u></b></p>

<b>8</b>	<p><b>How will the above be evaluated?</b>  <i>(What methods will be used to ensure that the needs of all sections of the community are being met?)</i></p>
	<p><b><u>Actions required</u></b></p>

9	<p><b>Have any support / guidance / training requirements been identified?</b>  <i>(Has the EIA or consultation process shown a need for awareness raising amongst staff, or identified the need for Equality training of some sort?)</i></p>
	<p><b><u>Actions required</u></b></p>

10	<p><b>Where you have identified mitigating factors in previous answers that lessen the impact on any particular group in the community, or have identified any elsewhere, please summarise them here.</b></p>
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11	<p><b>What wider use will you make of this Equality Impact Assessment?</b>  <i>(What use will you make of this document i.e. as a consultation response, appendix to approval reports, publicity etc. in addition to the mandatory action shown below?)</i></p>
	<p><b><u>Actions required</u></b></p> <ul style="list-style-type: none"> <li>• EIA, when completed, to be returned to <a href="mailto:equalities@caerphilly.gov.uk">equalities@caerphilly.gov.uk</a> for publishing on the Council's website.</li> </ul>

<b>Completed By:</b>	
<b>Date:</b>	
<b>Position:</b>	
<b>Name of Head of Service:</b>	