

# **Equality and Diversity Policy 2019**

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## **Purpose of the Report**

1. To seek member approval of a new Equality and Diversity Policy and to note the introduction operationally of a new Equalities Impact Assessment template and suite of Equality Objectives.

## **Forward Plan**

2. This report appeared on the District Executive Forward Plan with an anticipated Committee date of March 2019.

## **Public Interest**

The Equality Policy sets out the Council's approach to promoting equality and meeting its equality duties to the public, customers, contractors/suppliers and staff in accordance with the Equality Act 2010.

## **Recommendations**

3. That the District Executive:
  - a. Recommend to Full Council the adoption of a new SSDC Equality and Diversity Policy
  - b. Note the introduction of a new suite of Equality Objectives and accompanying action plan.
  - c. Note the implementation of a single Equality Impact Assessment template

## **Background**

### **4. Legislative Background**

- 3.1. The Equality Act 2010 sets out the Public Sector Equality Duty (PSED) that includes the General and Specific Equality Duties.

The Public Sector Equality Duty means that public bodies have to consider all individuals when carrying out their day-to-day work – in shaping policy, in delivering services and in relation to their own employees. It also requires public bodies to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

These duties are supported by Specific Equality Duties. The specific duties require public bodies to publish relevant information showing compliance with the Equality Duty, and to set equality objectives at least every four years.

3.2. The Equality Act identifies who is protected under the legislation and refers to them as Protected Characteristics. These are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and Belief
- Sex
- Sexual orientation

Locally we also recognise the following characteristics:

- Carers
- Armed Forces Community
- Rurality
- Low income

This report does not change the status for any of the protected characteristics.

#### **4. Policy adoption process**

Under Section 1 of the council's Constitution, 'Decisions Reserved for the Full Council', Full Council are required to approve (or adopt) the 'Single Equality Scheme'.

Single Equality Schemes (SES) pre-date the Equality Act 2010 and were essentially where all the council's commitments to all the equality strands (what we now call the Protected Characteristics) covered by all the individual pieces of equality legislation at that time were brought together in one document.

The 'Single Equality Scheme' has now been superseded by the requirements set out in the Equality Act 2010.

In view of SES now being obsolete, legal advice was sought about the process for adopting a new Equality and Diversity Policy which confirmed that this will need to be carried out by Full Council.

#### **5. Current Equal Opportunities Policy**

SSDC's current Equality Policy was created in January 2007 and is now 12 years old. This has long since been superseded by Equality Legislation (particularly the 2010 Equality Act) and is, therefore, no longer fit for purpose.

#### **6. New Equality and Diversity Policy**

The Equality Policy replaces the Council's previous equal opportunities policy and Single Equality Scheme. It takes account of the requirements of the Equality Act 2010, including the specific equality duties for the public sector. The legislation requires all public bodies, which includes the Council, to promote equality and tackle discrimination by treating people fairly, valuing differences, removing barriers that prevent people from participating fully in public life and helping everyone to realise their full potential. The policy sets out the approach the Council will take towards meeting these requirements.

#### **7. Policy Development Process**

As a consequence of the ongoing funding pressures on the public sector, public bodies in Somerset have been experiencing an incremental reduction in their specialist Equalities capacity; for example here

at SSDC following the departure of the full-time Equalities Officer in February 2017 the function has been incorporated alongside the existing responsibilities of another post.

To address this diminution of individual organisational capacity, the Equality Officers from across the Public Sector in Somerset (District and County Councils, Health and Fire & Rescue) meet and work together under the auspices of the Somerset Equality Officers' Group (SEOG). This approach makes the most effective use of Public Sector resources for equality and diversity. The hope is that in addition to the added value and capacity benefits this would bring, it will also increase the overall impact of any changes on the community as a whole.

To this end SEOG have been working over the past 9 months to produce a single equality policy for the public sector in Somerset. The aim is to create consistency in what a member of the public, staff or potential employee can expect from Public Sector Bodies in Somerset.

Having produced a draft Policy this was subject to extensive consultation with a wide range of equalities stakeholders.

In order that the Policy commitments are both deliverable and achievable for SSDC, it has been circulated to all members of the Leadership Management Team for sense checking.

Following feedback from LMT the policy has been subject to a number of revisions to ensure it meets SSDC's local circumstances.

Subject to approval by District Executive committee the Policy will go to Full Council for adoption.

The policy can be found in Appendix 1.

## **8. Monitoring Performance**

Agreeing an appropriate performance management regime is currently the subject of discussion with the People, Performance and Change team in Strategy and Commissioning.

## **9. Equality Objectives (2019 – 2023) and Equality Impact Assessment**

### **a) Equality Objectives (2019 – 2023)**

Developed in partnership by the Somerset Equality Officers' Group (SEOG) a suite of 5 Equality Objectives has been drawn up for the period April 1<sup>st</sup> 2019 to 31<sup>st</sup> March 2023. These are as follow:-

- i. Work with Communities to improve the opportunities for integration and cohesion.
- ii. Improve public understanding of mental health
- iii. Work with the Gypsy and Traveller community to improve relationships
- iv. Create an Equality Working group for staff in the Public Sector in Somerset
- v. Implement and review the Accessibility Information Standard to create consistency around its implementation

The objectives and their associated actions constitutes the SEOG work plan which will be delivered jointly by its members.

Specific SSDC year one actions have also been identified which are as follows:-

- Deliver an accessible new SSDC website as part of the Transformation Programme
- Assess future role and composition of the moribund South Somerset Equality Forum and bring forward action plan as appropriate.

- Introduce and deliver new Equalities training for staff and elected members.
- Facilitate improvement of mental health services in South Somerset, specifically for young people, through participation in the South Somerset strategic Health and Wellbeing structures.
- Actions to address the effects of low income and rurality on Social Mobility

Given the collective and county-wide nature of the Objectives, monitoring will be crucial. Each of the proposed actions that supports the objectives will have a lead officer from SEOG associated with it. This officer will be responsible for ensuring that their actions are completed. Feedback on the objectives will be carried out according to the following schedule:

- Year one – A report to each organisation outlining the progress against each objective/action. This can also be shared with partner organisations and other interested parties.
- Year two – A consultation event with communities to establish if the objectives are making a difference.
- Year three – A further report to each organisation outlining the progress against each objective/action. This can also be shared with partner organisations and other interested parties.
- Year four – Consultation and engagement on new objectives

#### b) Equality Impact Assessments (EIA's)

EIA's are the means by which the council is able to consider the effect of its policies, actions or services on the different groups protected from discrimination by the Equality Act 2010 and thereby comply with the Equality duties placed upon us.

A new Equality Impact assessment process is being introduced, again developed jointly by SEOG.

This will be rolled out fully as of 1<sup>st</sup> April 2019. It will be supported with information on the staff portal and measures to improve compliance including clearer guidance on committee report templates.

## Financial Implications

**10.** There are no direct financial implications from this report. However it is important that the Council has a clear policy in this regard and can demonstrate compliance, to mitigate the risk of challenge and non-compliance which could lead to financial losses such as legal costs and recourse. The costs of adapting services to customers in line with the Equality Policy would ordinarily need to be met from existing budgets, with any increase in funding requirement to be addressed through the budget process.

Reasonable adjustments as an employer may incur costs, which would ordinarily need to be met from existing budgets. The Council may also access external financial assistance such as through Access to Work funding for eligible costs.

## Risk Matrix

**Risk Profile before officer recommendations**

				R	
↑ Impact					
	CpP				
F CY	CP				

**Risk Profile after officer recommendations**

↑ Impact					
	F				
R CP CpP CY					

Likelihood



Likelihood



## Key

Categories			Colours <i>(for further detail please refer to Risk management strategy)</i>		
R	=	Reputation	Red	=	High impact and high probability
CpP	=	Corporate Plan Priorities	Orange	=	Major impact and major probability
CP	=	Community Priorities	Yellow	=	Moderate impact and moderate probability
CY	=	Capacity	Green	=	Minor impact and minor probability
F	=	Financial	Blue	=	Insignificant impact and insignificant probability

## Council Plan Implications

11. The Equality and Diversity Policy is aligned to all six Values that underpin the 2016-21 Council Plan i.e.

- Putting the customer first when developing plans and services
- Supporting people and communities, enabling them to help themselves
- Being open, transparent and with greater accessibility to those that need to use council services
- Working with partners to improve services, efficiencies, resilience and influence
- Embracing innovation and improved technology to improve customer service and access
- Empowering a confident, flexible workforce

## Carbon Emissions and Climate Change Implications

12. Consideration has been given to climate change implications, and there is limited impact.

## Equality and Diversity Implications

13. If members support the report's recommendations this will have a positive impact on the Protected Characteristics as the adoption of an Equality Policy contributes to the council's compliance with the Equality Act 2010 and helps ensure that the needs of all protected groups are taken into account in both service delivery and employment.

## Privacy Impact Assessment

14. No implications

## Background Papers

None

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