

## **EQUALITY AND DIVERSITY**

**PORTFOLIO HOLDER:** Geoff Blackwell  
**LEAD OFFICER:** Martin Jepson  
**REPORT AUTHOR:** Martin Jepson

**Summary: Recommends a Comprehensive Equality Policy and asks the Council to commit itself to certain actions to help promote Equality and Diversity.**

### **RECOMMENDATION:**

**Council be recommended to:**

- (i). Approve the attached Comprehensive Equality Policy;**
- (ii). Commit itself to developing a Corporate Equality Plan indicating how the Comprehensive Equality Policy will be implemented;**
- (iii). Commit itself to carrying out a process of equality impact and needs/requirements assessments including those assessments of organisational and individual requirements required for compliance with Disability Discrimination Act;**
- (iv). Commit itself to a fair employment and equal pay policy and that the commitment appears in the Corporate Plan;**
- (v). Commit itself to earmarking specific resources for improving equality practice;**
- (vi). Commit itself to consulting with designated community, staff and stakeholder groups on all aspects of equality policy;**
- (vii). Commit itself to equality self-assessment, scrutiny and audit;**
- (viii). Commit itself to consulting departments and service areas on equality objectives.**
- (ix). Commit itself to establishing mechanisms for responding to discrimination and harassment on the grounds of race, disability and gender;**
- (x). Commit itself to an employment equality assessment of the local labour market area, workforce profiling and equal pay review;**
- (xi). Commit itself to adopting procedures to ensure that publicity for vacancies does not unfairly restrict the range of applicants;**
- (xii). Commit itself to reviewing the personal information system for monitoring suitability including underpinning the Council's statutory ethnic monitoring duties;**
- (xiii). Commit itself to making procedures consistent with Employment Codes of Practice.**

### **Impact on Delivering the Corporate Plan**

#### **COPELAND PLAN**

As part of its commitment to being a Quality Council the Council has committed itself to promoting Equality and Diversity in the Borough.

### **Impact on other Statutory Requirements (LA21, S.17):-**

There are many statutory requirements which are relevant including the Equal Pay Act, Sex Discrimination Act, Disability Discrimination Act and the Race Relations (Amendment) Act together with the Codes of Practice issued by the by the Equal Opportunities Commission,

Disability Rights Commission and the Commission for Racial Equality.

## **Financial and Human Resources Implications**

A dedicated Officer Project Group has been set up to co-ordinate our efforts to promote Equality and Diversity including social inclusion. The time involved in promoting this project has already been agreed by the members of the group. No further money is needed. To evidence the commitments listed in the Recommendations in time for the end of March 2006 no further human resources are required other than those already committed. For the future, there will be a commitment to contribute further resources towards Equality and Diversity – see for example Commitment 6 – for which bids would be need to be submitted as part of future budget process. For 2006/07, a approved Budget Bid of £5,000 is currently to be accommodated by way of an allocation in the New Initiatives Fund.

## **Project & Risk**

At present a Project Plan is being followed for 2005/6 and a further plan is being developed for 2006/7.

## **Management**

### **Key Decision Status:**

Financial No

Ward No

### **Other Ward Implications:**

Given time the Project Group believes that our efforts will have a major positive effect on the working of this Council, for the benefit of the Borough.

## **1 INTRODUCTION**

1.1 Through its Corporate Plan the Council is committed to promoting Equality and Diversity within the Borough. As evidence of this the Council is looking to obtain Level 1 of the Equality Standard in Local Government by the end of March 2006. The Level of the Equality Standard which a Council obtains is also a Best Value Performance Indicator (2A).

2.2 As part of the process towards obtaining Level 1, it is necessary for the Council to commit itself to various actions by the end of March 2006 and to approve a Comprehensive Equality Policy. It should be noted that Recommendations (ii) to (xiii) are commitments to take actions at some time in the future, but do not require those actions to be taken by the end of March 2006.

## **2 RECOMMENDATION 1 – COMPREHENSIVE EQUALITY POLICY**

2.1 Appendix A shows the draft Comprehensive Equality Policy which Members are invited to approve. This incorporates an updated version of the Race Equality Scheme which was approved by Council in April 2003, all Race Equality Schemes being required to be reviewed at least every three years.

2.2 The Policy lists a number of general principles at Section 3 including the commitment to equal access to all services and to support and encourage initiatives which promote equality of opportunity. The policy then goes on to deal in more detail with the specific areas within Equality and Diversity, namely:-

Employment Issues;  
Race;  
Disabilities;  
Gender  
Lesbian, Gay, Bisexual and Transgender People;  
Religion and Belief;  
Age

Within all these areas there are specific commitments.

- 2.3 All local authorities will either have produced a Comprehensive Equality Policy or will be working towards such a Policy. The wording of this draft Policy is unique to Copeland. However, the general tenor of the commitments will be similar to those of all local authorities.
- 2.4 In addition to the Policy, the Project Group is looking to develop an Action Plan to make genuine, practical, improvements in the way in which the Council provides its services. Sessions have already been held with Managers to help develop an Action Plan. It is not necessary at this point to be able to produce a detailed Action Plan. The Plan attached to the Policy is intended to be a skeleton plan on which further work will be carried out in 2006/07 as part of the Project Group's work in developing Equality Impact Assessments – see Recommendations (ii) and (iii).

### **3 RECOMMENDATION 2 – COMMITMENT TO DEVELOPING A CORPORATE EQUALITY PLAN**

- 3.1 To show a commitment to developing a Corporate Equality Plan guidance tells us that it will be necessary for:
- (i). Members to express commitment to the development of a Corporate Equality Plan with details of scope, desired outcomes, targets, monitoring arrangements and resource allocation and of how the Plan should be consistent with, but separately identifiable from the Council's Race Equality Scheme;
- (ii). There to be evidence that the Council has started the Corporate Equality Planning Process.
- 3.2 Subsection (i) above can be evidenced by Council approval of Recommendation 2. Subsection (ii) above can be shown by referring to the skeleton Action Plan attached to the draft Comprehensive Equality Policy.

### **4 RECOMMENDATION 3 – COMMITMENT TO AN EQUALITY IMPACT AND NEEDS/REQUIREMENTS ASSESSMENTS**

- 4.1 The purpose of these Assessments (usually known as INRA) is to provide a baseline assessment of a policy/procedure/service area with regard to gender, race and disability. The questions to be asked are whether current policies and procedures may have discriminatory outcomes or whether there are any unmet needs of requirements with regard to race, gender and disability.
- 4.2 In doing this Councils are not expected to carry out a major research exercise. Instead they are expected to produce a reasonable assessment, which can form the basis of equality objectives and target setting.

- 4.3 The development of INRA will be the major task of the officer project group in 2006/07. In carrying out this task, however, it will be mindful of the fact that all areas of the Council have major tasks to contend with and that therefore its capacity levels are limited.

**5 RECOMMENDATION 4 – COMMITMENT TO A FAIR EMPLOYMENT AND EQUAL PAY POLICY**

- 5.1 We believe that the Council's current recruitment and selection procedures are acceptable for the purposes of the Equality Standard, having recently been reviewed. The Council does not currently have an equal pay policy although we are looking at issues surrounding this. There is a national commitment to carry out a pay review by March 2007. We recommend that, as well as the specific Council commitment to do so arising from this recommendation, a specific commitment should also be included in the Corporate Plan.

**6 RECOMMENDATION 5 – COMMITMENT TO EARMARK SPECIFIC RESOURCES TO IMPROVE EQUALITY PRACTICE**

- 6.1 As members of the Executive will know, it agreed to the use of £10,000 from contingencies to provide training for Members and Officers in Equality and Diversity during 2005/06. Approval was also given to spend £1,500 in 2005 towards a County wide survey on Race.
- 6.2 For 2006/07, a general bid of £5,000 was submitted to the Budget Working Party and this bid has been approved for inclusion in the new Initiatives Fund at the time of writing this report. It is likely that any monies which are approved will be applied to developing work on Equality Impact Assessments.
- 6.3 In addition to financial resources, a Project Plan is currently being developed for 2006/07 setting out how the Council will achieve Level 2 of the Equality Standard by the end of that year. This plan will set out the agreed amounts of time which officers will spend on next year's project.

**7. RECOMMENDATION 6 – COMMITMENT TO CONSULTING WITH DESIGNATED COMMUNITY, STAFF AND STAKEHOLDER GROUPS**

- 7.1 The draft Comprehensive Equality Policy has been the subject of consultation with Trades Union staff representatives, the Copeland Disability Forum, AWAZ (a group representing the local BME (Black and Minority Ethnic population), and through placing a consultation draft on the Council's web-site. A press release will also be released at the appropriate time. All comments received at the time of writing the report have been taken into account in the drafting of the policy. Any late comments will be reported verbally to Members.
- 7.2 The Project Group also intends to involve designated consultation and scrutiny groups from the Community in the development of the Corporate Equality Plan in the next phase of its work.
- 7.3 The Project Group intends all equality documents or summaries of those documents to be made available in appropriate languages and formats – for example in different languages and in either large print or other forms suitable for the visually impaired.

**8 RECOMMENDATION 7 – COMMITMENT TO EQUALITY SELF-ASSESSMENT, SCRUTINY AND AUDIT**

- 8.1 This ties in with Recommendation 3 above. There needs to be an effective system of Scrutiny and Audit, which can be developed through either the OSC's or other formats to be agreed.

**9. RECOMMENDATION 8 – COMMITMENT TO CONSULTING DEPARTMENTS AND SERVICE AREAS ON EQUALITY OBJECTIVES**

9.1 Currently departments and service areas will be consulted on equality objectives. However, there is no express commitment to do so. In the same way in which other groups are consulted there should be a corporate commitment to consult departments and service areas.

**10. RECOMMENDATION 9 – COMMITMENT TO ESTABLISHING MECHANISMS TO RESPOND TO DISCRIMINATION AND HARRASSMENT**

10.1 The Council has had a Racial Incident Reporting Form for some time. Forms are available in new format from our web-site.

10.2 In January, members of the West Cumbria Diversity Group (a sub-group of the LSP) met and agreed a West Cumbria-Wide Incident Reporting Form. It is the intention of the Project Group that this shall be used as a substitute for the current form and that an information sharing protocol be developed to monitor numbers of complaints and the way they are dealt with.

10.3 The Council also has a Dignity at Work Policy dealing with complaints of bullying and harassment. A working group under the auspices of the Overview and Scrutiny Committee, Performance and Resources is currently working to review the Dignity at Work Policy.

**11 RECOMMENDATION 10 – COMMITMENT TO EMPLOYMENT EQUALITY ASSESSMENTS, WORKFORCE PROFILING AND EQUAL PAY REVIEW**

11.1 There is some overlap here with Recommendation 4. It will be necessary for the project group to plan how the LLMA (Local Labour Market Assessment), workforce profiling and equal pay review will be planned and how the LLMA Survey outputs will be used to identify targets.

11.2 In addition to this commitment there will also need to be a reference to it in the Corporate Plan.

**12 RECOMMENDATION 11 – COMMITMENT TO ADVERTISING VACANCIES WHICH DOES NOT UNFAIRLY RESTRICT THE RANGE OF APPLICANTS**

12.1 The Council does currently make every effort to do this. However, we recognise that there is a need to review our processes. Therefore this aspect of recruitment procedures will be reviewed and a report back to Members will be made.

**13. RECOMMENDATION 12 – COMMITMENTS TO REVIEWING THE PERSONEL INFORMATION SYSTEM**

13.1 This commitment requires the development of the personnel information system to:-

⇒ Produce ethnic, gender and disability monitoring reports on recruitment, promotion and retention, and

⇒ Support compliance with the Council's ethnic monitoring duty.

£25,000 is currently available in the 2005/06 budget for the purchase of a Personnel Information system.

**14. RECOMMENDATION 13 – COMMITMENT TO MAKING PROCEDURES CONSISTENT WITH EMPLOYMENT CODES OF PRACTICE**

14.1 This is not currently done. The Project Group is currently working through all relevant Employment Codes of Practice to check for compliance.

14.2 These include:

⇒ The Disability Rights Commission's Code of Practice on Disability Discrimination Act 1995 (published May 2002)

⇒ The Equal Opportunities Commission's Code of Practice on Equal Pay (published December 2003)

⇒ The EDC's Code of Practice on Sex Discrimination (published 2005)

⇒ The Commission for Race Equality's Code of Practice on the Duty, to promote Race Equality (published 2005)

⇒ The CRE's Code of Practice on Employment (published 1984 – Revised code comes into operation – April 2006)

14.3 The Codes of Practice all provide Statutory guidance on best practice.

#### **List of Appendices**

**A. Comprehensive Equality Policy;**

**B. Race Equality Scheme**

#### **List of Background Documents:**

**Project Group minutes and papers.**

#### **List of Consultees:**

**Corporate Team, Project Group,**

**Personnel Manager, Trades Unions.**