
REPORT TO:	FINANCE & MANAGEMENT COMMITTEE	AGENDA ITEM: 11
DATE OF MEETING:	23 RD JUNE 2011	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	HEAD OF CORPORATE SERVICES Kevin.Stackhouse@south-derbys.gov.uk	DOC:
SUBJECT:	CORPORATE EQUALITY AND FAIRNESS SCHEME 2010-2011 – ANNUAL REPORT	REF:
WARD (S) AFFECTED:	All	TERMS OF REFERENCE: FM05

1.0 Recommendations

- 1.1 To review the key achievements and outcomes of embedding equalities into the day-to-day workings of the Council and the Council's Corporate Equality and Fairness Scheme for the year ending March 2011 and then approve the actions listed in **Appendix B** for 2011/12.

2.0 Purpose of Report

- 2.1 To report the progress made on the Corporate Equality and Fairness Scheme during 2010/11 and to receive a refreshed Action Plan for 2011/12. A copy of the Action Plan for 2010/11 is attached at Appendix A with the refreshed Action Plan for 2011/12 at Appendix B.

3.0 Background

- 3.1 The Council has continued to review and update its Corporate Equality and Fairness Scheme first launched in April 2008 to take account of changes in legislation, best practice and progress that has been achieved. Consideration has included proposed changes arising from the Equality Act 2010, the completion and outcomes from Equality Impact Risk Assessments (EIRA) and recommendations made by the peer assessors following the Council's successful accreditation to 'Achieving' status under the National Equality Framework in March 2010.
- 3.2 Our Scheme was developed following extensive consultation with our employees, service users, partners and other stakeholders. A key change was renaming our Scheme to include the word 'fairness'. This reflected feedback from the people we consulted who considered that this presented a clearer intention on our part to treating people fairly in everything we do as a service provider, employer and leader of the community.

4.0 Progress made during 2010/11

4.1 Outlined below are some of the key outcomes achieved during 2010/11.

Priority Actions

4.2 Several priority actions were identified when progress was reported last year and a brief overview is given on progress made against these:

Priority Actions 2010/2011			
No	Action	Responsible Head of Service	Achievement
1.	Revise equality awareness training to include details about new Equality Act 2010.	Head of Organisational Development - Northgate	2 Equality impact risk assessment (EIRA) training sessions delivered to equality champions. The Equalities training programme has been reviewed with sessions delivered during 2010 and more scheduled for later in 2011.
2.	Equality Impact Risk Assessments (EIRA) are used as part of the process of setting equality objectives.	All Heads of Service	Equalities targets are integrated into service plans with clear targets and performance measures. In addition a review of the framework for completing EIRA's was completed and the process was updated.
3.	Agree with services a reporting timetable for equalities data collected for services.	Head of Organisational Development - Northgate	Corporate guidance has been issued regarding the collection and monitoring of equalities data.
4.	Analyse workforce profile data of the Council and population data for the District.	Head of Organisational Development - Northgate	Completed with a report published on the Council's internet site. An equality analysis was conducted to consider any emerging trends.
5.	All contractors are made aware of the Council's Equality and Fairness policies and procedures.	Head of IT and Business Improvement - Northgate	Procurement Strategy has been revised to ensure that equalities issues are taken into account when procuring goods and services.

Achieving Status

- 4.3 The above priorities stemmed from an external assessment conducted by the Local Government Improvement and Development (LGID) against the Equality Framework for Local Government. The Council obtained the 'Achieving' status under the framework.

Maintaining progress against the Equality Framework

- 4.4 Progress against the action plan during 2010/11 is shown in Appendix A and a brief summary is given below:
- We have ensured that there is a consistent approach towards the gathering of equalities monitoring data.
 - Ongoing training for employees and Elected Members on Equality issues continues to be provided.
 - The EIRA programme has been rolled out across the Council and actions have been implemented to address any areas of risk.
 - We have continued to review and refresh the Corporate Equality & Fairness Scheme as and when circumstances change.
 - Numerous community events have been delivered through work with the local partners, South Derbyshire CVS (SDCVS) and Derbyshire County Council, these have included events during Interfaith Week, Fair Trade Week and the South Derbyshire Community Day held in Swadlincote.
 - We have also developed a local plan to address community cohesion across the district.
 - Refreshed the Values and Attitudes Group (VAG). This is chaired by Councillor Julie Patten (Elected Member - Equality Champion) to raise its profile and encourage wider attendance from community and other groups.

Action Plan 2011/12

- 4.5 It is important to maintain progress with the approach to Equalities and the action plan (in Appendix B) for 2011/12 will help the Council continue to do this. This will enable a clear focus on the issues that need to be addressed and for appropriate resources to be allocated. The main drivers for the new action plan are the issues emerging from the Equalities Act 2010.

Equalities Act 2010

- 4.6 The Equality Act 2010 replaces the previous anti-discrimination laws with a single Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in important ways, to help tackle discrimination and inequality.
- 4.7 The new Equality Duty replaces the three previous public sector equality duties – for race, disability and gender. The new Equality Duty covers the following protected characteristics:
- Age

- Disability
- Gender reassignment
- Pregnancy and maternity
- Race – this includes ethnic or national origins, colour or nationality
- Religion or belief – this includes lack of belief
- Sex
- Sexual orientation

It also applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate discrimination.

The new Equality Duty is designed to reduce bureaucracy while ensuring public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all.

4.8 The Equality Duty has three aims. It requires public bodies to have ***due regard*** to the need to:

- **Eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited by the Act;
- **Advance equality of opportunity** between people who share a protected characteristic and people who do not share it; and
- **Foster good relations** between people who share a protected characteristic and people who do not share it.

5.0 Financial Implications

5.1 There are likely to be financial implications associated with a number of the actions set out in the Corporate Equality and Fairness Scheme, for example training, however these will be contained within existing budgets.

6.0 Corporate Implications

6.1 The Corporate Equality and Fairness Scheme sets down the Council's approach and will underpin all the key priorities within the Corporate Plan.

6.2 Ensuring fair and equal treatment both in employment and services is a fundamental right for people and the Council accepts its responsibility both as an employer and community leader.

6.3 Information, training and advice to support the implementation of the Corporate Equality and Fairness Scheme will be provided by Organisational Development.

7.0 Community Implications

7.1 Having fair and equal access to services based on an assessment of need and proportionality has to be provided to members of the community. The Council has to understand and recognise the diversity within the community and appreciate why and how differences or needs can be best served.

7.2 Having actively engaged key stakeholders with the development of the Corporate Equality and Fairness Scheme, publicising our progress and achievements is important. This will be done through established networks already in place such as the VAG, chaired by Councillor Patten, as well as working with partner organisations such as the SDCVS and Derbyshire County Council.

8.0 **Conclusion**

- 8.1 The Council continues to make positive progress in line with the Corporate Equality and Fairness Scheme and will put in place our plans to ensure we treat everyone fairly regardless of gender, race, disability, age, religion or belief, sexual orientation, pregnancy and maternity, marriage and civil partnership and gender re-assignment. The Scheme will set out how we intend to tackle unfair discrimination, harassment and promote equality of opportunity for everyone. The Scheme will form the basis of our programme of promoting equity, fairness and diversity across the organisation and the wider community.

9.0 **Background papers**

National Equality Framework for Local Government:

<http://www.idea.gov.uk/idk/core/page.do?pagelId=9491107>

Corporate Equality & Fairness Scheme

<http://harvey/corporate/organisationaldevelopment/policy/equalities/folder.2010-01-27.4311156997/Equalities%20and%20Fairness%20Scheme/>

Appendix A - Corporate Equality & Fairness Scheme Action Plan 2010/11

No.	Action	Target	Timescale	Responsibility	Outputs
1.0	Review of the monitoring guidance to be completed with refreshed guidance based on best practice. Ongoing review and audit throughout year to ensure this is being adhered to.	<p>To ensure that there is robust evidence gathering across all the equality strands.</p> <p>To ensure the language used in the guidance is clear, meets best practice guidance and states why the organisation collects the data and what it does with it.</p>	March 2011	Head of Organisational Development - Northgate	<p>Draft translation and interpretation policy for the Council developed in October 2010.</p> <p>We have also refreshed our service monitoring policy to reflect best practice in these areas.</p>
2.0	To extend and develop the use of equality monitoring across the range of Council services.	Working with the internal and external Equality groups, to review Equality information on services and identify any areas for actions to improve access and service delivery as appropriate	March 2011	All Heads of Service	Equality Monitoring developed with the refreshed service monitoring policy that has been rolled out across the Council.
3.0	To refresh the Corporate Equality and Fairness Scheme.	To complete a review of the Scheme and ensure that it is clear on how it contributes to the high level outcomes in the Council's Corporate Plan and the South Derbyshire Sustainable Community Strategy.	May 2010	Head of Organisational Development - Northgate	A review of the corporate equality and fairness strategy was completed which include the Equality Act 2010.
4.0	To promote and celebrate the work of the Council and its partners for the deliver of services across the district.	To communicate the range of activities being undertaken in the District as part of a sustained campaign with the South Derbyshire Partnership and South Derbyshire CVS (SDCVS).	March 2011	Head of Organisational Development - Northgate	Interfaith week and fair-trade fortnight were promoted through events jointly run by the Council with the SDCVS in 2010/11.

No.	Action	Target	Timescale	Responsibility	Outputs
5.0	Work with SDCVS and Derbyshire County Council through the South Derbyshire Partnership to develop a local plan to address community cohesion	To use the Derbyshire Community Cohesion Strategy as the baseline to develop a local plan for South Derbyshire	March 2011	Corporate Policy & Communications Manager - Northgate Head of Organisational Development - Northgate	Community cohesion action plan created and agreed with SDCVS and now monitored through Value and Attitudes Group (VAG) on a quarterly basis. South Derbyshire community day held at Green Bank Leisure Centre and delivered in partnership with SDCVS on 22 January 2011.
6.0	To continue with the programme of Equality Impact Risk Assessments (EIRA)	To provide refresher training and build capacity across the Council to undertake EIRA. To complete EIRA's on all Policies and Procedures over the next 2 years and then implement any actions.	Sept 2010 March 2012	Head of Organisational Development - Northgate	EIRA training delivered to equality champions. EIRA completed on 90% of council's policies and procedures in EIRA action plan and on track to complete remainder by March 2012.

No.	Action	Target	Timescale	Responsibility	Outputs
7.0	To provide a range of training activities that raise awareness of the Council's responsibilities to provide fair and accessible services	<p>All new employees receive training as part of induction programme.</p> <p>Rolling programme of Equality training provided for employees and Elected members.</p>	<p>March 2011</p> <p>March 2011</p>	Head of Organisational Development - Northgate	<p>Training briefings delivered on the Equality Act 2010 to officers.</p> <p>Equality impact assessment training delivered to equality champions</p> <p>Equality refresher training scheduled for Summer 2011.</p>
8.0	To work with and monitor the performance of Contractors working for the Council in relation to Equalities issues.	Establish monitoring of contracts to ensure that Equality targets and standards are being achieved or action is taken to address areas of concern.	March 2011	Head of IT & Business Improvement - Northgate	<p>Equalities clauses are part of contracts with contractors.</p> <p>Equality is also highlighted in the procurement strategy.</p>
9.0	To produce an Annual Workforce Profile	The Profile is produced and used to set employment equality targets and the identification of areas of under-representation with action then considered as part of Workforce Development Strategy.	Sept 2010	Head of Organisational Development - Northgate	Annual Workforce Profile produced for the last financial year.

Appendix B - Corporate Equality & Fairness Scheme Action Plan 2011/12

No.	Action	Target	Timescale	Responsibility	Outcomes
1.0	Equality monitoring of our service delivery against our Corporate Equalities and Fairness Scheme.	Ongoing service monitoring reported to the Equalities and Fairness Group (EFG).	May 2012	Corporate Policy and Communications Manager - Northgate	To provide better access to services across the district for all our communities.
2.0	Undertake EIRA assessments of the Council's main policies with policy authors. Update progress on these to the EFG on a quarterly basis.	Complete all remaining assessments by the end of April 2012.	May 2012	Head of Organisational Development - Northgate	To ensure that our policies provide fair and equitable access to services for all employees and residents affected.
3.0	Update the Council on the implications of the Equality Act 2010 and recommend solutions to ensure compliance and best practice	Provide regular updates including at least once a quarter through a briefing note.	May 2012	Corporate Policy and Communications Manager - Northgate	Our employees and Members are aware of the main issues emerging from the Equalities Act 2010.
4.0	To promote and celebrate the work of the Council and its partners for the delivery of services across the district.	<p>To hold at least 2 community events with partners to promote community cohesion across the district.</p> <p>To actively promote the key principles and commitments with the Corporate Equality and Fairness Scheme.</p>	May 2012	Corporate Policy and Communications Manager & CVS	To raise awareness of the work to promote community cohesion that is happening in the district driven by the Council and partners.

No.	Action	Target	Timescale	Responsibility	Outcomes
5.0	To provide a range of training activities that raise awareness of the Council's responsibilities to provide fair and accessible services.	Provide appropriate training to all new employees and refresher training to all staff on Equalities over a rolling three-year timescale.	May 2012	Head of Organisational Development - Northgate	All employees are aware of the Council's responsibilities to provide fair and accessible services across the district.
6.0	To produce an Annual Workforce Profile.	The Profile is produced and used to set employment equality targets and the identification of areas of under-representation with action then considered as part of Workforce Development Strategy.	Sept 2011	Head of Organisational Development - Northgate	To develop a diverse workforce that is reflective of the community.