

Report of:	Head of Governance and Corporate Services
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Key Decision:	No
Report Track:	Cabinet: 18/04/19

CABINET
18 APRIL 2019
EQUALITY AND DIVERSITY POLICY AND EQUALITY OBJECTIVES

1 Purpose of Report

- 1.1 To provide Cabinet with an update on the Council's ongoing equality and diversity duties as set out in the Equality Act 2010 and to approve the draft Equality and Diversity Policy and revised Equality Objectives for the period 2019-2023.

2 Recommendation

- 2.1 That Members approve the Equality and Diversity Policy and the Council's Equality Objectives for 2019-2023.

3 Key Issues and Reasons for Recommendations

Key Issues

- 3.1 The Equality Act introduced in 2010 united all previous equality laws into one single Act. The Act aims to protect the rights of individuals, advance opportunity for all and provides protection from discrimination for individuals on the basis of their protected characteristics. The Act includes a Public Sector Duty (PSED), comprised of a general equality duty and supporting specific duties. As part of the general duty public bodies are expected to set and publish Equality Objectives for the organisation at least every four years.

Reasons for Recommendations

- 3.2 Since the introduction of the Equality Act in 2010, the Council's Equality and Diversity Policy has not been updated recently. To be compliant with both the Equality Act and the Public Sector Equality Duty, the new draft Equality and Diversity Policy will incorporate within it, the requirements to publish Equality Objectives. The recommended objectives outlined in Appendix 1 of the draft

Equality and Diversity Policy take into account the Council as a public provider of services and its customer facing role.

- 3.3 Equality and diversity training is to be provided to all staff and Members by the end of 2019.

4 Relationship to Corporate Priorities

- 4.1 The policy will ensure Equality Objectives support the delivery of priorities set out in the authority's new Corporate Plan. Equality and diversity should be a consideration within all of our key priorities and strategic objectives. An up to date Equality and Diversity Policy and continued completion of Equality Impact Assessments will ensure consistent and fair decision making when working towards our Corporate Priorities.

5 Report Detail

- 5.1 In accordance with the General and Specific Equality Duties, the Council is required to prepare and publish Equality Objectives which address the three aims of the Equality Duty as below:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by or under the equality legislation.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not share it.
 - Foster good relations between people who share a protected characteristic and those who do not share it.
- 5.2 There is no prescribed number of objectives a local authority must agree. However, objectives should be specific and measurable and set out how progress towards each objective will be measured. Three key objectives are proposed for inclusion in the updated Equality and Diversity Policy and these are:
- Continue to gather and publish data and information about our community to better inform decision making and improve access to Council services.
 - Consider how we identify and understand our customer groups and needs in order to offer a better customer service.
 - Ensure that all Members and employees undertake relevant equality and diversity training
- 5.3 The draft Policy, attached at Appendix 1 for consideration, provides the context for the Council's proposed equality objectives. It is supported by an action plan to aid implementation and sets out a number of proposed measurable outcomes for assessing progress.

- 5.4 The Council has carried out several tasks in recent years to support and promote our commitment to equality and diversity within the services it offers and as an employer. This has included the creation and distribution of a weekly consultation newsletter, targeting representative groups and bodies; carrying out an internal audit of current equality and diversity practice to understand where improvements can be made; and it has produced a defined analysis of the gender pay gap within the Council, in line with reporting requirements.

6 Implications

6.1 Financial

Training costs - to be met from Corporate Training Budget.

6.2 Legal

Approval and publication of the Equality and Diversity Policy and the Equality Objectives will ensure the Council is compliant with its duties as a public provider of services.

6.3 Human Resources

None.

6.4 Section 17 (Crime Prevention)

None.

6.5 Human Rights Act

None.

6.6 Data Protection

None.

6.7 Risk Management

None.

6.8 Equality & Diversity

Having an up to date Equality and Diversity Policy and Strategy will ensure that the Council can meet its statutory duties, deliver services fairly to the residents of Cannock Chase and maintain its status as a fair and inclusive employer.

6.9 Best Value

None.

7 Appendices to the Report

Appendix 1: Equality and Diversity Policy 2019-2023

Annex 1: Equality Objectives and Action Plan 2019-2023

Previous Consideration

None

Background Papers

None.

Cannock Chase District Council
Equality and Diversity Policy 2019-2023

1 Introduction

- 1.1 This Policy explains the Council's commitment to equality of opportunity and respect for diversity in its role as a service provider to the people who live, work and visit Cannock Chase, and in its role as an employer.
- 1.2 This policy applies to **all** employees, managers and elected Members in all the activities carried out on behalf of Cannock Chase District Council.

2. Aims

- 2.1 This policy responds to and reinforces national legislative requirements, specifically the requirements and statutory duties of the Equality Act 2010. The Act is a single legal framework which protects people from discrimination on the basis of nine protected characteristics:

- Age
- Disability
- Sex
- Gender Reassignment
- Marriage and Civil Partnerships
- Pregnancy and Maternity
- Race
- Religion or belief
- Sexual orientation

- 2.2 The Equality Act 2010 introduced a single Public Sector Equality Duty (PSED) on Cannock Chase District Council, which came into effect in April 2011. To fulfil this duty, when carrying out its functions, the Council must have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and those who do not; and
- foster good relations between people who share a protected characteristic and those who do not.

3 Responsibilities

- 3.1 The successful implementation of this policy is dependent upon **all employees and elected Members** having an individual and collective duty within their roles and responsibilities. If anyone witnesses a discriminatory incident at work, they have a duty of care to others to challenge such behaviour and practice.
- 3.2 The Council's **Leadership Team** is responsible for overseeing the implementation of this policy and managing the Council's performance in pursuit of its objectives.
- 3.3 **Managers** are responsible for ensuring that their services comply with the policy and informing all employees of their responsibility towards the promotion of equalities. They should complete Equality Impact Assessments when:
- reviewing how Council functions are delivered;
 - developing and reviewing Council policies or strategies; and
 - making decisions that may have an impact on people with protected characteristics. They should seek to ensure that appropriate adjustments arising from the Equality Impact Assessments are implemented.
- 3.4 **All employees (including agency staff) and elected Members** must ensure fairness towards colleagues, service users and other members of the community in carrying out their duties. The Council expects that each employee and elected Member, in upholding our commitment to advancing equality, should:
- be aware of the organisation's Equality and Diversity Policy and our statutory duty as a public body in relation to this issue;
 - be sensitive to the potential impact of their behaviour on colleagues and service users, including language used in documents, discussions and other settings; and
 - value openness and fairness at work.
- 3.5 **Third party providers** contracted by the Council to provide services on their behalf, or who are funded by the Council, should ensure their service provision and employment practices are consistent with this policy.

4 Implementation

- 4.1 The Council will prepare and publish its Equality Objectives, as required by the specific duties within the Equality Act 2010. The Council will prepare and publish one or more Equality Objectives and these will be reviewed every four years.
- 4.2 The Council will develop its objectives through a gap analysis of current work within equality and diversity and by using data and information collected from

local and national sources. The Council's current objectives are set out in Annex 1.

- 4.3 When a new policy is planned or a current policy is subject to renewal or review, an Equality Impact Assessment (EqIA) will be carried out at the earliest opportunity to ensure that equality and diversity is full considered. The Council has an EqIA form and guidance to support completion of the assessment available on the Intranet.
- 4.3 The EqIA requires decision makers to consider new and changing policy in relation to its potential impact on those with protected characteristics. Responsive measures are expected to be put into place to eliminate, minimise or balance any adverse impacts identified during the assessment process.

5 Communication

- 5.1 Accessible information and communications are essential in enabling equal access to services. The Council will:
- provide information in other languages and in alternative formats where appropriate;
 - ensure that all employees are aware of their duties under the Equality Act 2010; and
 - promote and support training and development relating to Equality and Diversity.

6 Consultation and Engagement

- 6.1 The Council recognises the need to consult with residents, stakeholders, businesses and employees in a number of different ways. In order to fully involve all parties in shaping and improving our services, the Council will:
- give people a voice by promoting involvement in decision making and review such structures so that any proposed changes are considered and adopted where appropriate;
 - ensure it informs, consults and engages with all significant persons, including elected Members, employees and stakeholders, about decisions which affect them so that they have the opportunity to influence policies and practices;
 - inform and consult in a timely manner, giving appropriate time for all groups to respond fully.
 - engage with representative groups to ensure that people from different backgrounds and with protected characteristics are able to participate in consultation and engagement activities; and

- tailor its approach to suit relevant audiences which does not discriminate towards any protected group.

7 Equality and Diversity in the Workplace

- 7.1 The Council is committed to ensuring diversity and opportunity within the workplace. As the Council has achieved Disability Confident accreditation, it is the Council's policy to interview disabled candidates who meet all the essential criteria as described in the Employee Specification of each post. Reasonable adjustments will be made to facilitate disabilities.
- 7.2 In accordance with the requirements of the specific duties, the Council will publish annually information about its employees who share protected characteristics, to demonstrate its compliance with the duty. The workforce diversity data will be reviewed annually to address any potential gaps that may have arisen as a result of the Council's recruitment practices. This information will be made publicly available on our website.
- 7.3 The Council is committed to ensuring existing employees work in an environment free from bullying, harassment, victimisation and discrimination, and has policies in place to support this.
- 7.4 Employees may also be required to participate in training and development activities from time to time, to encourage the promotion of the principles of this policy.

8 Monitoring and Review

- 8.1 We will monitor our performance against our Equality Objectives and publish our progress annually.
- 8.2 Equality Impact Assessment documents will require sign-off from a member of the Council's Leadership Team and the text of the concluding statement will be included in the Equality and Diversity implications section for the relevant Committee report.
- 8.3 This policy will be updated to reflect any changes to policies and / or procedure within the Council as well as being updated to reflect any changes in legislation.
- 8.4 All employees and Members will be notified of any changes.

9 Providing Feedback and Raising Concerns

- 9.1 Where a Member or employee feels they have been discriminated against, victimised or harassed, they should initially speak with their line manager, or if not appropriate, then their Head of Service or Human Resources. Employees make also seek to raise the matter through the Council's Grievance Policy.

- 9.2 Allegations regarding potential breaches of this policy will be treated in the strictest confidence and investigated in accordance with appropriate procedure.
- 9.3 Complaints from service users who feel they have been discriminated against on the grounds of a protected characteristic will be dealt with via the Council's Corporate Complaints process. Details about how to make a complaint to the Council can be found at www.cannockchasedc.gov.uk/content/-z-tags/complaints

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Equality Objectives and Action Plan 2019-2023

The specific duties within the Act require public bodies to prepare and publish one or more Equality Objectives. Objectives should be specific, measurable and above all help to further the three aims of the Equality Duty outlined above.

The Council's Equality Objectives and associated Action Plan for 2019-2023 are set out below. These objectives have been developed through a gap analysis of the Council's current work within equality and diversity and using data and information collected from local and national sources.

Objective 1: Continue to gather and publish data and information about our community to better inform decision making and improve access to Council services.

Collecting robust data in our interactions with our workforce and our service users in the community, we will generate detailed equality information ensuring our services are well balanced and advance equality. We will use this data when making decisions to inform how our proposals may impact those with a particular protected characteristic.

Objective 2: Consider how we identify and understand our customer groups and needs in order to offer a better customer service.

The Council will look at its customer service function and how it can better identify customers who may need to be communicated with differently, in order to meet their needs.

Objective 3: Ensure that all Members and employees undertake relevant equality and diversity training

Providing training to all Members and Council employees will mean that all those representing the Council will have a clear understanding of the behaviours expected of them with respect to equality and diversity. This will include training on behaviours, language and terminology that should and should not be used and awareness of potential discriminatory matters which may arise in the workplace.

Action Plan 2019-2023

<i>Action</i>	<i>Responsibility</i>	<i>Timescale</i>	<i>Measurable outcome</i>
Equality Objective 1: Continue to gather and publish data and information about our community to better inform decision-making and improve access to Council services.			
Report on Gender Pay Gap	HR	Annually	Defined analysis of the gender pay gap within the Council, in line with reporting requirements
Undertake an audit of all services to identify what equality monitoring data is collected of our customers protected characteristics and assess how this is used to inform decision making in the development of policies and the delivery of services.	Policy Team All service areas	March 2020	Indication of services where a particular characteristic may be (dis)advantaged over another. Remedy policy or services to reflect required changes.
Equality Objective 2: Consider how we identify and understand our customer groups and needs in order to offer a better customer service			
Analyse systems within the Council to understand how we may identify / flag customers whose protected characteristics mean we adapt our style of communication to suit their needs.	Customer and Support Services Manager	December 2019	That all staff dealing with customers are able to identify customers with a particular need to enable them to effectively communicate with the Council
Equality Objective 3: Ensure that all Members and employees undertake relevant equality and diversity training			
All Council employees and Members to complete equality and diversity training	Policy Team HR	December 2019	All employees and Members to have completed training