

Borough Council of
**King's Lynn &
West Norfolk**



Corporate Performance Panel

Agenda

Monday, 13th November, 2017
at 6.00 pm

in the

**Council Chamber
Town Hall
Saturday Market Place
King's Lynn**



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
Telephone: 01553 616200
Fax: 01553 69166

3 November 2017

Dear Member

Corporate Performance Panel

You are invited to attend a meeting of the above-mentioned Panel which will be held on **Monday, 13th November, 2017 at 6.00 pm** in the **Council Chamber, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ** to discuss the business shown below.

Yours sincerely

Chief Executive

AGENDA

1. Apologies

2. Minutes (Pages 6 - 11)

To approve the minutes from the Corporate Performance Panel held on 9 October 2017.

3. Declarations of Interest

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the Member should withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on any item or simply observing the meeting from the public seating area.

4. Urgent Business Under Standing Order 7

To consider any business which, by reason of special circumstances, the Chairman proposed to accept as urgent under Section 100(b)(4)(b) of the Local Government Act 1972.

5. Members Present Pursuant to Standing Order 34

Members wishing to speak pursuant to Standing Order 34 should inform the Chairman of their intention to do so and on what items they wish to be heard before the meeting commences. Any Member attending the meeting under Standing Order 34 will only be permitted to speak on those items which have been previously notified to the Chairman.

6. Chairman's Correspondence (if any)

7. Council Tax Support: Final Scheme for 2018/2019 (Pages 12 - 21)

8. Updated Equalities Policy (Pages 22 - 47)

9. Annual Communications Update

10. Exclusion of Press and Public

To consider passing the following resolution:

That under Section 100(a)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1, 2 and 3 of the Part 1 of Schedule 12A to the Act.

11. Exempt: King's Court Accommodation

12. Committee Work Programme 2017/2018 (Pages 48 - 52)

To note the Committee's Work Programme for 2017/2018.

13. Date of Next Meeting

The next meeting of the Corporate Performance Panel will be held on Monday 18 December 2017 at **5 pm** in the Council Chamber, Town Hall, Saturday Market Place, King's Lynn.

To:

Corporate Performance Panel: B Anota, B Ayres, P Beal, J Collop, N Daubney, G Hipperson, G Howman, H Humphrey (Vice-Chairman), J Moriarty, A Morrison, D Tyler and G Wareham (Chairman)

Portfolio Holders:

Item 7: Councillor A Lawrence

Items 8 & 9: Councillor B Long, Leader

Item 11: Councillor Mrs K Mellish, Facilities and ICT

Management Team Representatives:

Debbie Gates, Executive Director Head of Central & Community Services

Lorraine Gore, Executive Director

Ray Harding, Chief Executive

Appropriate Officers: The following officers are invited to attend in respect of the Agenda item shown against their name

Item 7: Jo Stanton, Revenues and Benefits Manager

Item 8: Becky Box, Policy, Performance and Personnel Manager

Item 9: Sharon Clifton, Communications Manager

Honor Howell, Assistant Director/CIC Manager

Andrew Howell, ICT Web Team Manager

Item 11: Matthew Henry, Property Services Manager

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK**CORPORATE PERFORMANCE PANEL**

Minutes from the Meeting of the Corporate Performance Panel held on Monday, 9th October, 2017 at 6.00 pm in the Council Chamber, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

PRESENT: Councillor G Wareham (Chairman)
Councillors B Ayres, P Beal, N Daubney, Mrs S Fraser, G Hipperson,
G Howman, J Moriarty, A Morrison and D Tyler

Portfolio Holders

Councillor B Long, Leader
Councillor P Hodson, Performance

Officers:

Debbie Gates, Executive Director Head of Central & Community Services
Becky Box, Policy, Performance and Personnel Manager
Neil Gromett, Chief Operative Officer, Alive Management

CP32 APPOINTMENT OF VICE-CHAIRMAN

RESOLVED: Councillor P Beal be appointed Vice-Chairman for the meeting.

CP33 APOLOGIES

An apology for absence was received from Councillor H Humphrey.

CP34 MINUTES

RESOLVED: The minutes from the Corporate Performance Panel held on 30 August 2017 were agreed as a correct record and signed by the Chairman.

Matters Arising

- Presentation on Homes in Multiple Occupation – Councillor Morrison referred to the photographs at pages 21 to 30 illustrating the issues when inspecting HMOs and expressed concern at the state of the properties and asked what action the Council would take. The Chairman, Councillor Wareham suggested that an officer be invited to attend a future meeting of the Panel to give more detailed information. The Leader, Councillor Long reminded the Panel that operational issues relating to HMOs were in the remit of the Environmental and

Community Panel and suggested that the Corporate Performance Panel be asked to place this item on their work programme. The Leader undertook to attend the Environment and Community Panel on 10 October 2017 to request that the Panel consider this as item of urgent business to be placed on the Panel's work programme.

CP35 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

CP36 **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business.

CP37 **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

There were no Members present under Standing Order 34.

CP38 **CHAIRMAN'S CORRESPONDENCE (IF ANY)**

There was no Chairman's correspondence.

CP39 **CABINET REPORT: RE-FIT PROPOSALS FOR COUNCIL BUILDING ASSETS**

In presenting the report, the Chief Operating Officer explained that discussion had taken place to access a Government initiative "Refit" aimed at helping public bodies to deliver energy saving projects cheaply and efficiently.

Members were advised that the Refit programme was an OJEC compliant tender produced by HM Treasury and the Local Government Association (LGA) which was accessible to public bodies.

It was noted that local Partnerships, also a joint venture of HM Treasury and LGA and were commissioned to assist public organisations to deliver Refit projects.

The contract provided a framework of 16 contractors who could deliver projects under the terms of the scheme.

The Chief Operating Officer highlighted that initial discussions had identified that in King's Lynn and West Norfolk a Phase project based on the sites in Appendix A could deliver savings of £112,000 for an investment of £1,000,000.

The Panel was informed that to procure a tailored energy project for the Council delivering the savings above an initial budget of £70,000 was required. The fee to be paid on a phased basis throughout the procurement as detailed in section 3.1.

In conclusion, the Chief Operating Officer explained that once a contractor had been appointed through the contract and had produced an investment Grade Proposal detailing the investment/payback guaranteed for each site, a further Cabinet report would be produced for authorities to proceed with projects.

The Chairman, Councillor Wareham asked how the project would be monitored. In response, the Leader explained why he was the Lead Member and suggested that as there were financial savings to be achieved, the Corporate Performance Panel monitored and evaluated the project. The Chief Operating Officer explained that the onus was on the selected contractor to deliver the savings or payback guaranteed.

In response to questions, the Leader explained that the Refit proposal was an LGA/Treasury initiative and the project provided the Council with an opportunity to consider all the Council's buildings under one contract instead of on an ad hoc basis. He explained that it was necessary to make the capital investment in order to achieve savings year on year.

Following further questions and comments, the Chief Operating Officer advised that the contract provided a framework of 16 contractors who could deliver projects under the terms of the scheme. The Chief Operating Officer provided an overview of the benefits of the scheme and informed Members that a significant number of public bodies including local authorities had signed up to the initiative. It was explained that the selected contractor could make suggestions to bring equipment, etc. up to date in order to achieve savings in future years.

In response to questions as to why the Council maintained and updated buildings operated by Alive Management, the Leader explained that Alive Management operated the buildings owned by the Borough Council and that the buildings had been included in the contract to make them as efficient as possible and therefore generating a saving to the Council.

Councillor Moriarty asked if the decision was within Cabinet's power to make the decision or whether it would need to go to Full Council. In response, the Leader advised that he would take advice from the Legal Services Manager/Democratic Services Manager.

Councillor Daubney asked who the £70,000 would be paid to. In response, the Chief Operating Officer advised that an initial budget of £70,000 was required to procure a tailored energy project for the

Council to deliver savings. The cost would be charged by Local Partnerships on a phased basis.

Councillor Moriarty drew attention to the expected timeframe set out at 1.13 of the report and commented that it was optimistic if Full Council approval was required. The Chairman, Councillor Wareham added that this was a moveable feast and if necessary the timetable would be adjusted at the appropriate time.

Following questions on the Council's buildings and in particular the Oasis, the Chief Operating Officer explained that each building would be looked at on an individual basis including the Oasis to identify potential savings and timescales

RESOLVED: That the Panel support the recommendations to Cabinet as follows, with an additional recommendation 4:

- 1) That the Refit scheme is adopted by the Council.
- 2) The revenue budget to be amended to meet the £70,000 project costs as detailed in the report.
- 3) That delegated authority be given to the Executive Director – Finance Services (S151 Officer) in consultation with the Monitoring Officer to sign the necessary agreements to enter into the Refit Scheme.
- 4) The project to be monitored on an ongoing basis by the Corporate Performance Panel.

CP40 **Q1 2017/2018 PERFORMANCE MONITORING REPORT AND ACTION REPORT**

The Policy, Performance and Personnel Manager reminded the Panel that the corporate performance monitoring report was in place to monitor progress against agreed performance indicators for the year. It was explained that the report contained information on the corporate performance monitoring undertaken during Q1 2017/18.

Members were informed that 2 performance indicators for 2017/18 had been agreed by Portfolio Holders and Executive Directors as the key performance measures for the year; they cover all Directorates. It was noted that the monitoring report highlighted specific performance issues; where indicators had not met agreed targets they were drawn out into an Action Report, which provided additional detail on what actions were being taken to correct performance that had a variance to target.

The Policy, Performance and Personnel Manager advised that the Q1 2017/18 monitoring report showed that 52% of targets had been met, and performance had improved against target for 14 indicators.

Councillor Moriarty drew the Panel's attention to EP3d - % of decisions on applications for non-major development that have been overturned at appeal, measured against total number of non-major applications determined and commented that the target of 10% be amended. In response, the Policy, Performance and Personnel Manager advised that this was a standard indicator target across local authorities and was specific to the Borough Council. However, the suggestion of additional information be available could be discussed with the Portfolio Holder to record those applications which were refused, what percentage then went to appeal and the outcome of the appeal.

RESOLVED: The Panel:

- 1) Reviewed the Performance Monitoring Report.
- 2) Agreed the actions outlined in the Action Report.
- 3) A discussion be held with the Portfolio Holder to record and provide information on planning applications refused, what percentage then went to appeal and the outcome of the appeal.

CP41 **UPDATED EQUALITIES POLICY**

The Panel received a PowerPoint presentation which provided an update from the previous meeting from the Policy, Performance and Personnel Manager (a copy of which is attached to the minutes).

Councillor Moriarty asked if there would be any changes to the Equality Impact Assessment form as a result of the update of the Equalities Policy. In response, the Policy, Performance and Personnel Manager advised that once the Policy had been adopted by Council, a development implementation plan would be produced which would look at the EIA process and that the form may require amendment.

CP42 **FORMAL COMPLAINTS AGAINST THE BOROUGH COUNCIL 1 APRIL 2016 TO 31 MARCH 2017**

The Panel received the report which was produced on an annual basis for the period 1 April 2016 to 31 March 2017 and set out the breakdown of MP Enquiries, Corporate and Ombudsman complaints.

It was noted that the Ombudsman Annual Report 2016/17 was attached at Appendix A for information. The Executive Director, Central and Community Services explained that 8 complaints had been received, 1 was upheld (relating to a planning issue), the complaint went to the Ombudsman and was awarded compensation of £100

which was the total awarded in compensation by the Ombudsman in 2016/2017.

RESOLVED: The Panel noted the Complaints Annual Report.

CP43 **COMPLIMENTS RECEIVED BY THE BOROUGH COUNCIL**

The Executive Director, Central and Community Services explained that at a sifting meeting, the Vice-Chairman had asked if there was a formal process for recording compliments received by the Council and that it would be useful for the Panel to be provided with an overview of the compliments received.

The Executive Director, Central and Community Services advised that there was no formal process, but that compliments received were published in Internal Affairs and the majority related to external facing services and gave an example of weddings at the Town Hall. It was highlighted that not all compliments were reported. For the period January 2017 to August 2017, 49 compliments had been received.

CP44 **PANEL WORK PROGRAMME 2017/2018**

Councillor Moriarty commented that at the last meeting of the Panel he had suggested that King's Lynn Innovation Centre (KLIC) and the Pontoons be considered at a future meeting. Following the last Panel meeting, the Chief Executive had confirmed that it was within the remit of the Panel to undertake post implementation monitoring.

RESOLVED: KLIC and Pontoons be scheduled for a future meeting of the Panel.

CP45 **DATE OF NEXT MEETING**

The next meeting of the Corporate Performance Panel will take place on Monday 13 November 2017 at 6 pm in the Council Chamber, Town Hall, Saturday Market Place, King's Lynn.

The meeting closed at 7.13 pm

POLICY REVIEW AND DEVELOPMENT PANEL REPORT

REPORT TO:	Corporate Performance Panel		
DATE:	13 November 2017		
TITLE:	Council Tax Support Scheme 2018/2019 – Final Scheme		
TYPE OF REPORT:	Policy Development		
PORTFOLIO(S):	Housing and Community		
REPORT AUTHOR:	Joanne Stanton		
OPEN/EXEMPT	Open	WILL BE SUBJECT TO A FUTURE CABINET REPORT:	Yes

REPORT SUMMARY/COVER PAGE

COUNCIL TAX SUPPORT SCHEME 2018/2019: FINAL SCHEME

PURPOSE OF REPORT/SUMMARY:
<p>The Council must review and agree its 2018/2019 Council Tax Support (CTS) scheme for working age people by 31 January 2018. Options for the draft CTS scheme for 2018/2019 were presented to the Panel on 17 July 2017 and the preferred draft CTS scheme was chosen. This was agreed by Cabinet on 6 September 2017. The draft CTS scheme was then opened to public consultation from 7 September 2017 to 18 October 2017.</p> <p>This report details the results of the consultation and the recommended final CTS scheme for 2018/2019.</p>
KEY ISSUES:
<p>The Council is free to design its own CTS scheme for working age people. CTS for pension age people is paid based on a national set of rules but the Council must cover the cost. Central Government provide some funding towards the CTS scheme as part of the Revenue Support Grant (RSG) but this is not identified separately and has reduced in line with reductions to RSG.</p> <p>The draft CTS scheme for 2018/2019 has been agreed and consulted on and this paper details the outcome of the consultation. 15 responses were received and no changes are proposed to the draft CTS scheme as a result of the consultation.</p>
OPTIONS CONSIDERED:
<p>The options were presented to CPP on 17 July 2017. This report should be read in conjunction with the CTS report of 17 July 2017 and the CTS Cabinet Report of 6 September 2017.</p>

RECOMMENDATIONS:

The Panel agree that the draft CTS scheme for 2018/2019 which went to public consultation is recommended as the final CTS scheme for 2018/2019.

REASONS FOR RECOMMENDATIONS:

To ensure a CTS scheme for working age people for 2018/2019 is agreed by Council by 31 January 2018.

REPORT DETAIL

1. Introduction

The Council must review and agree a Council Tax Support (CTS) scheme each year. The CTS Scheme for 2018/2019 must be agreed by full Council by 31 January 2018.

The draft CTS scheme was agreed earlier in the year and has been open to public consultation. This report details the results of the consultation and the comments made, and the recommended final CTS Scheme for 2018/2019.

2. Proposal

Two options for the 2018/2019 CTS scheme were presented to CPP on 17 July 2017 along with a number of questions and issues for the panel to consider. The majority of the panel supported the preferred option (option 2). This then went forward to the Cabinet meeting of 6 September 2017 where it was agreed the CTS scheme detailed at option 2 would form the draft CTS scheme to go to public consultation.

The six week consultation period has now closed and 15 responses were received, the results of which are shown at Appendix B. No amendments are proposed to the draft CTS scheme for 2018/2019 as a result of the consultation, and the draft scheme is now recommended as the final CTS Scheme for 2018/2019.

3. Issues for the Panel to Consider: Consultation

The CTS Consultation was primarily available via the Council's website and as a paper form if requested. Online responses were encouraged as data can be electronically logged and collated. A CTS entitlement calculator was included so people could calculate the impact of the proposals on their own CTS award if appropriate.

The consultation opened on 7 September 2017 and the link to the CTS Consultation webpage was sent to all of the Borough's Councillors and Parish Clerks so they could encourage their residents to respond. It went to 51 third party organisations including Shelter, CAN and the CAB, as well as 34 Housing Benefit landlords. The link was tweeted and included in the Council's Stayconnected email. A press release was issued and an article appeared in the Lynn News on 12 September 2017. Internally all the Revenues and Benefits staff received the link and a piece was included in Internal Affairs. The consultation closed on 18 October 2017. 15 responses were received, down from 31 responses last year.

Just over half of the respondents disagreed with keeping the current CTS scheme, supporting the proposed changes. 87% agreed that we should disregard the new Bereavement Support Payments from the DWP. 73% agreed we should disregard payments made by the We Love Manchester Emergency Fund¹ and the London Emergencies Trust². The comments in Appendix B should also be noted.

¹ Following the Manchester Arena bombing in May 2017

² Helping those affected by terror attacks at Westminster, London Bridge, Finsbury Park and Parsons Green, and the Grenfell Tower fire

4. Corporate Priorities

The council must agree a CTS scheme for the forthcoming year by 31 January 2018. CTS is a discount so it affects the taxbase in the same way as any other council tax discount. The taxbase forms part of the Financial Plan so the CTS scheme must meet the required budgetary constraints, or any shortfall found from elsewhere.

5. Financial Implications

The financial implications remain in line with the figures in the CPP report of 17 July 2017 and the Cabinet report of 6 September 2017. The proposed changes to disregard payments could see a slight increase in the cost of the CTS scheme, as these payments are no longer counted when working out a person's weekly income. However these cases are likely to be minimal and the CTS caseload continues to fall, reducing the overall cost of the scheme and absorbing any increases.

The Council could choose a CTS scheme that matches the national, more generous CTS scheme used for pension age people. However this would reduce the taxbase further and create a shortfall of around £100,000 a year for the Borough and Parish Councils. The shortfall for Norfolk County Council would be around £765,000 and £141,000 for the Norfolk Police and Crime Commissioner.

No changes to the draft CTS scheme are proposed and the final CTS scheme proposed for 2018/2019 remains within the projections in the Financial Plan.

6. Any other Implications/Risks

The CTS scheme for 2018/2019 is designed to meet the taxbase projections as detailed in the Financial Plan 2016/2021 and to include the Government's wider programme of welfare reform. However any increases in demand, changes in the composition of the caseload, for example an increase in the number of pension age claimants, or unforeseen changes to other welfare benefits during the year could represent a financial risk by increasing the cost of the CTS scheme and reducing the taxbase further.

The impact of the CTS scheme is, and will continue to be, reviewed monthly.

7. Equal Opportunity Considerations

A full Equality Impact Assessment was completed as part of the Cabinet Report of 7 September 2016. As the changes to the scheme for 2018/2019 are minor no further assessment has been completed. A Pre Screening Equality Impact Assessment is included at Appendix A.

8. Consultation

The draft CTS scheme for 2018/2019 was opened to a six week public consultation from 7 September 2017 to 18 October 2017. The results of the consultation are detailed at Appendix B and discussed above at section 3.

9. Conclusion

The draft CTS Scheme for 2018/2019 that went to public consultation is recommended as the final CTS Scheme for 2018/2019. This recommendation must be agreed by Cabinet and Council before 31 January 2018.

10. Background Papers

None

Appendix A Pre-Screening Equality Impact Assessment



Name of policy/service/function	Local Council Tax Support Scheme 2018/2019				
Is this a new or existing policy/ service/function?	Continuation of an Existing Policy				
Brief summary/description of the main aims of Policy being screened. Please state if this policy/service is rigidly constrained by statutory obligations	Council Tax Support is a discount given to residents on a low income. The Council is free to agree its own local scheme for the discount for working age people.				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age	√			
	Disability	√			
	Gender			√	
	Gender Re-assignment			√	
	Marriage/civil partnership			√	
	Pregnancy & maternity			√	
	Race			√	
	Religion or belief			√	
	Sexual orientation			√	
	Other (eg low income)	√	√		
Question	Answer	Comments			
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No				
3. Could this policy/service be perceived as impacting on communities differently?	No				
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	Yes	There are protections for those who have a disability, caring responsibilities, children under 5 or are pension age.			
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions?</p> <p>If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	N/A	Actions:			
		Actions agreed by EWG member:			
Assessment completed by:	Joanne Stanton				
Job title	Revenues and Benefits Manager				
Date	19 October 2017				

Appendix B – Council Tax Support 2018/2019 Consultation Responses

Question	Responses				Comments/Alternatives												
Should we keep the current Council Tax Support scheme?	<table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> <th>Don't Know / Blank</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>8</td> <td>3</td> <td>15</td> </tr> <tr> <td>27%</td> <td>53%</td> <td>20%</td> <td></td> </tr> </tbody> </table>	Yes	No	Don't Know / Blank	Total	4	8	3	15	27%	53%	20%					<p>'Should be in line with HB claims'</p> <p>'All the changes to Benefits need to be brought into "line ".'</p> <p>'There isn't enough help with this current scheme with low income families as it is anyway. Changes need to be made to help people who are struggling and are working as much as possible - the help shouldn't always go to people who are lazy and have no desire to work. Some priority should also go to British citizens, not just foreigners'.</p> <p>'Recent benefit changes have caused some undue financial hardship. What steps if any are the Council taking to minimise and/or avoid causing any further hardship by implementing new rules?'</p>
Yes	No	Don't Know / Blank	Total														
4	8	3	15														
27%	53%	20%															
Do you agree with disregarding the new Bereavement Support Payments?	<table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> <th>Don't Know / Blank</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>13</td> <td>2</td> <td>0</td> <td>15</td> </tr> <tr> <td>87%</td> <td>13%</td> <td></td> <td></td> </tr> </tbody> </table>	Yes	No	Don't Know / Blank	Total	13	2	0	15	87%	13%						<p>'All income should be taken into account when assessing any and all benefits. It is incorrect to say there are no drawbacks - it could increase the overall cost of benefits paid'.</p>
Yes	No	Don't Know / Blank	Total														
13	2	0	15														
87%	13%																

<p>Do you agree with disregarding any payments made by the We Love Manchester Emergency Fund and the London Emergencies Trust?</p>	<table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> <th>Don't Know / Blank</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>11</td> <td>2</td> <td>2</td> <td>15</td> </tr> <tr> <td>74%</td> <td>13%</td> <td>13%</td> <td></td> </tr> </tbody> </table>	Yes	No	Don't Know / Blank	Total	11	2	2	15	74%	13%	13%		<p>'All income should be taken into account when assessing any and all benefits. It is incorrect to say there are no drawbacks - it could increase the overall cost of benefits paid'.</p>															
Yes	No	Don't Know / Blank	Total																										
11	2	2	15																										
74%	13%	13%																											
<p>Do you think we should choose any of the following options rather than the proposed changes to the Council Tax Support scheme?</p>	<table border="1"> <thead> <tr> <th></th> <th>Yes</th> <th>No</th> <th>Don't Know/ Blank</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Not make the changes and use any savings for other Council services?</td> <td>6</td> <td>8</td> <td>1</td> <td>15</td> </tr> <tr> <td></td> <td>40%</td> <td>53%</td> <td>7%</td> <td></td> </tr> <tr> <td>Not make the changes and retain any savings for future use?</td> <td>3</td> <td>9</td> <td>3</td> <td>15</td> </tr> <tr> <td></td> <td>20%</td> <td>60%</td> <td>20%</td> <td></td> </tr> </tbody> </table>					Yes	No	Don't Know/ Blank	Total	Not make the changes and use any savings for other Council services?	6	8	1	15		40%	53%	7%		Not make the changes and retain any savings for future use?	3	9	3	15		20%	60%	20%	
	Yes	No	Don't Know/ Blank	Total																									
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	40%	53%	7%																										
Not make the changes and retain any savings for future use?	3	9	3	15																									
	20%	60%	20%																										
<p>If we were to choose these other options, what would be your order of preference?</p>	<table border="1"> <thead> <tr> <th></th> <th>1st</th> <th>2nd</th> <th>Don't Know/ Blank</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Not make the changes and use any savings for other Council services?</td> <td>10</td> <td>2</td> <td>3</td> <td>15</td> </tr> <tr> <td></td> <td>67%</td> <td>13%</td> <td>20%</td> <td></td> </tr> <tr> <td>Not make the changes and retain any savings for future use?</td> <td>2</td> <td>10</td> <td>3</td> <td></td> </tr> <tr> <td></td> <td>13%</td> <td>67%</td> <td>20%</td> <td></td> </tr> </tbody> </table>					1 st	2 nd	Don't Know/ Blank	Total	Not make the changes and use any savings for other Council services?	10	2	3	15		67%	13%	20%		Not make the changes and retain any savings for future use?	2	10	3			13%	67%	20%	
	1 st	2 nd	Don't Know/ Blank	Total																									
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<p>Any other comments on the scheme</p>	<p>‘Those who do not have savings/capital of £6,000 or more should be supported. If the systems changes to Housing Benefit means that these people will be worse off then the system needs to change to look after people more helpfully. All Benefits should be "lined up". This questionnaire does not have clear questions so some people will not follow the language or the meaning’.</p> <p>‘All benefits should be means tested, and all income taken into account. There should be no protected groups, i.e., the payment of a disability premium or child disability premium should not automatically disregard other income’.</p> <p>‘I think the proposed changes are fair and support them’.</p> <p>‘On the previous page there is a statement: ... "In the main, the changes will be cost neutral due to the continued reduction in scheme costs...". What is not clear from the information provided is why there is a continued reduction in scheme costs. Is it as simple as less people claiming under the scheme or are scheme costs reducing for some other unexplained reason?’</p>
<p>Other Options for the Council to consider</p>	<p>‘Any ideas of how to manage these changes that do not limit our communities from flourishing should be considered. Efficiencies should be implemented but not at the cost of withholding help for those who are living on lower incomes’.</p> <p>‘Help more low income families. If a household is on the wrong tax band - do not take the owed money by yourselves off the current bill, give the household the option to have a reduction in the bill or give them the cash back’.</p> <p>‘All recipients of Housing or Council Tax benefits should be financially reviewed every 12 months’.</p>

Respondents

	Yes	No	Prefer Not To Say	Total
In receipt of Council Tax Support	2	12	1	15

	Male	Female	Prefer Not To Say	Total
Gender	5	9	1	15

	25-34	35-44	45-54	55-64	65-74	75-84	Prefer Not To Say	Total
Age	1	3	3	5	2	0	1	15

	Yes	No	Not Sure	Prefer Not To Say	Total
Disability Limiting Day to Day Activities	3	11	0	1	15

POLICY REVIEW AND DEVELOPMENT PANEL REPORT

REPORT TO:	Corporate Performance Panel		
DATE:	13 th November 2017		
TITLE:	Equality Policy		
TYPE OF REPORT:	Policy development		
PORTFOLIO(S):	Leader of the Council		
REPORT AUTHOR:	Becky Box, Policy, Performance and Personnel Manager		
OPEN/EXEMPT	Open	WILL BE SUBJECT TO A FUTURE CABINET REPORT:	Yes

REPORT SUMMARY/COVER PAGE

PURPOSE OF REPORT/SUMMARY:
<p>The Council's Equality Policy has been revised and updated to reflect changes in legislation and to bring the policy up-to-date with regards to the roles and responsibilities of a local authority.</p> <p>Members of the Corporate Performance Panel have received two presentations outlining the work that has been undertaken during the review of the policy. This has given them an insight into the changes that have come into effect since the previous policy was adopted and an appreciation of the proposed content of the new policy. It has also ensured that Members have had the opportunity to ensure all relevant factors have been taken into consideration in the drafting of the new policy.</p> <p>The purpose of this report is to provide the Panel with the opportunity to review the final draft of the policy, prior to it going forward to Cabinet in November 2017.</p>
KEY ISSUES:
<p>The key factors taken into consideration during the review were:</p> <ul style="list-style-type: none"> • relevant legislation, in particular, the Equality Act 2010 and the Equality Act 2010 (Specific Duties) Regulations 2011 • how the Council ensures compliance with the requirements of these Acts • any changes to process/best practice within the Council
OPTIONS CONSIDERED:
<p>N/A – the Policy was scheduled for review as the contents of the existing policy had become outdated and inaccurate.</p>
RECOMMENDATIONS:
<p>That Members support the adoption of a the new Equality Policy as provided in Appendix 1.</p>
REASONS FOR RECOMMENDATIONS:
<p>Previous Panel meetings have informed Members knowledge and understanding of current equalities requirements and feedback from these meetings has informed the final content of the new Equality Policy.</p>



Equality Policy

Month & year policy was adopted

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Executive Summary

West Norfolk has a strong sense of place. This council has a track record of standing up for the needs of west Norfolk's residents and businesses. We work to drive economic growth and a prosperous future for the people that live and work here, whilst ensuring that the quality of life and natural assets of the area are preserved.

As part of this vision, the council is committed to ensuring equality for all residents of and visitors to west Norfolk, and to its employees. We will achieve this through:

- The delivery of accessible, fair services
- Treating our employees and service users with fairness and respect
- Ensuring all contractors and other third party organisations we work with share our commitment to equalities

Our legal responsibilities are set out in the Equality Act 2010 which seeks to protect the rights of individuals and advance equality of opportunity for all. The Equality Act also places a requirement on all Local Authorities to comply with the Public Sector Equality Duty (PSED).

This policy outlines the arrangements the council has put in place to ensure we comply with the requirements of the Equality Act and fulfil our roles with regards equalities as a community leader, service provider and employer in west Norfolk.

1. Introduction

- 1.1 The council has a long standing commitment to equalities, having first adopted an Equality Policy in the early 1990's. Since then our policies and procedures have evolved in line with legislative changes to ensure we continue to comply with the equalities legislation and recommended practice.
- 1.2 The sections contained within this policy provide an overview of the current legal framework for equalities issues, how the council ensures compliance with the requirements of the Equality Act 2010 and the roles/responsibilities of our staff and elected members, covering all aspects of the council's operations.

2. Definition of Equality

- 2.1 Equality is about ensuring that every individual has an equal opportunity to make the most of their lives and talents, and believing that no one should have poorer life chances because of where, what or whom they were born, what they believe, or whether they have a disability. Equality recognises that historically, certain groups of people with particular characteristics e.g. race, disability, sex and sexuality, have experienced discrimination¹.
- 2.2 In summary, equality is not about treating everyone the same. It is about fairness and respect; giving people an equal and fair chance of opportunities, access to services and to fulfil their potential.

3. Policy Statement

- 3.1 The council is committed to equality of opportunity for residents, visitors and employees and will take all necessary and appropriate steps to ensure it complies with equalities legislation.
- 3.2 The council also recognises that it has a role in promoting equality of opportunity and challenging discrimination. Our role as a community leader, service provider and employer places us in a unique position to work actively towards eliminating unlawful discrimination and ensuring residents and employees maximise their contribution within west Norfolk.

¹Equality and Human Rights Commission

4. Scope

- 4.1 This policy is for all staff, elected members, contractors and volunteers of the Borough Council of King's Lynn & West Norfolk and applies to all council activity, including that of Alive Management Limited and functions/services delivered by the joint employees of Alive Management Limited and Alive Leisure, whether functions are directly provided or commissioned from a third party.
- 4.2 It sets out the corporate arrangements made by the council to meet its responsibilities. It remains the responsibility of Executive Directors and Service Managers to ensure they meet the requirements of this policy.
- 4.3 Authority to amend/update this policy to ensure it remains compliant with legislation has been delegated to the Executive Director of Central and Community Services in consultation with the relevant portfolio holder. The policy will be reviewed on a rolling two year basis.

5. Aims

- 5.1 Through this policy the council seeks to ensure equality for all of our residents, visitors and our employees. The council aims to do this through the delivery of accessible and fair services, by treating our employees and service users with fairness and respect, and ensuring all contractors and other third party organisations we work with share our commitment to equalities.

6. Objectives

- 6.1 The objectives of this policy are to:
- Ensure appropriate consideration is given to equality issues in the design and delivery of services/functions
 - Ensure all staff, elected members and volunteers and are aware of their responsibilities in relation to equalities
 - Ensure that the council and the services we contract out do not discriminate against someone because of a perceived difference
 - Remove identified barriers to participation and ensure access for all members of the community
 - Ensure that the council remains committed to meeting the requirements of the Equality Act 2010 and any future amendments to legislation

7. Legal Framework and Relevant Legislation

7.1 The Equality Act 2010

7.1.1 The Equality Act 2010 came into effect on 1st October 2010, simplifying, strengthening and harmonising the previous anti-discrimination legislation and providing a framework to protect the rights of individuals and advance equality of opportunity for all. The Act sets out the personal characteristics (known as “Protected Characteristics”) that are protected by law and the behaviour that is unlawful.

7.1.2 The nine protected characteristics are:

1. Age
A person belonging to a particular age or range of ages
2. Disability
A physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities
3. Gender reassignment
The process of transitioning from one gender to another
4. Marriage and civil partnership
A union between a man and a woman or between a same-sex couple
5. Pregnancy and maternity
Being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding
6. Race
Refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins
7. Religion and belief
Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (such as Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition

8. Sex

A man or a woman

9. Sexual orientation

Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes

7.2 Unlawful Discrimination

7.2.1 Under the Act people are not allowed to discriminate, harass or victimise another person because they have any of the protected characteristics. There are different types of discrimination, which are summarised below:

- Direct discrimination – treating someone less favourably than someone else because of a protected characteristic
- Indirect discrimination – where a provision, criteria or practice, which applies to everyone particularly disadvantages people who share a particular protected characteristic and where that provision, criteria or practice is a proportionate means of achieving a legitimate aim
- Direct discrimination by perception – treating one person less favourably than someone else because you incorrectly think they have a protected characteristic
- Discrimination arising from disability – treating a disabled person unfavourably because of something connected with their disability when this cannot be objectively justified
- Direct discrimination by association – treating someone less favourably than another person because they are associated with a person who has a protected characteristic
- Victimisation – treating someone unfavourably because they have taken or are taking some form of action relating to the Equality Act, or supporting someone else who is doing so
- Harassment – unwanted behaviour related to a protected characteristic which has the purpose or effect of violating someone's dignity or which creates a hostile, degrading, humiliating or offensive environment

7.3 The Public Sector Equality Duty

7.3.1 The Equality Act 2010 also placed a requirement on all Local Authorities to comply with the Public Sector Equality Duty (PSED). The Equality Duty aims to promote and protect the dignity of all persons in society, and covers all nine protected characteristics.

7.4 The General Equality Duty

7.4.1 The PSED requires public authorities, in the exercise of their functions, to have due regard for 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
- Foster good relations between people who share a protected characteristic and those who do not

7.5 Due regard

7.5.1 Under the equality duty, having due regard means:

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

7.6 Equality Impact Assessments (EIA's)

7.6.1 The council aims to ensure that it provides services which do not discriminate and that it considers issues relating to equality when making decisions. In order to demonstrate its commitment to this aim, and ensure compliance with the requirements of the Equality Act, the council uses Equality Impact Assessments (EIA's).

7.6.2 An EIA is a process for systematically identifying the potential impact of the council's policies, services and functions on different groups within the community. In particular, an EIA will help with anticipating and identifying any potential discriminatory or negative impacts on groups with protected characteristics. Having done this, the process enables actions to be taken to

eliminate, or minimise, these adverse impacts during the development of the policy/service/function.

- 7.6.3 The council has developed a toolkit to assist Managers undertaking EIA's providing guidance and advice at each step of the process. Managers are required to conduct an EIA as soon as a relevant new policy, function or service is considered. It should also be an integral part of policy development. In addition to satisfying the legal requirement, an EIA will help to improve policies, strategies, procedures, functions and reviews for the whole community and not just minority groups.
- 7.6.4 There are two stages to equality impact assessments. The first is a pre-screening process. If potential adverse impacts are identified during the pre-screening process then a full equality impact assessment will be required. We have developed guidance for managers on completing pre-screening forms and full assessments.
- 7.6.5 Further guidance on completing a pre-screening form or completing a full assessment can be found here: http://insite.west-norfolk.gov.uk/corporate_documents/Equality%20Impact%20Assessments/Forms/AllItems.aspx

7.7 Specific Equalities Duties

- 7.7.1 The Public Sector Equality Duty legislation is supported by Equality Act 2010 (Specific Duties) Regulations which came into force in September 2011 and which are designed to help authorities meet the general duty. The Specific Duties regulations place a requirement for public bodies to:
- publish information to demonstrate their compliance with the general equality duty, including information relating to people who share a protected characteristic who have been affected by its policies and practices, who are:
 - employees
 - affected by its policies and practices

The council produces an annual monitoring report reviewing its policies and practices with regards to employees. This report is published on our website at: https://www.west-norfolk.gov.uk/info/20006/council_and_democracy/304/equality

- Set specific, measurable equality objectives. These objectives must be published in a manner which is accessible to the public

The council's current equality objectives are detailed in Appendix C

7.8 Hate Crime

7.8.1 **Note: Norfolk Community Safety Partnership has a role in eliminating hate crime - this section may require further amendment prior to consideration by Cabinet in line with their new policy, due to be released in early November.**

7.8.2 Hate crime is any crime that is motivated by hostility on the grounds of race (such as anti-Semitism), religion, sexual orientation, disability or transgender identity. There are three categories of hate crime in legislation: incitement to hatred offences on the grounds of race, religion or sexual orientation; specific racially and religiously motivated criminal offences (such as common assault); and provisions for enhanced sentencing where a crime is motivated by race, religion, sexual orientation, disability or transgender identity. Hate incidents can include: name calling, physical attack, vandalism, hate mail and texts and theft.

7.8.3 Hate crime can be perpetrated online or offline, or there can be a pattern of behaviour that includes both. The internet, and social media in particular, have provided new platforms for offending behaviour. Hate crime via social media remains a criminal offence and may be expressed through the sharing of hate material and communications in response to a recent tragic event. The Crown Prosecution Service state that online complaints should be taken as seriously as offline complaints and encourage all to be reported to the police.

7.9 Human Rights Act

7.9.1 The council must also comply with the conventions contained within the Human Rights Act 1998, which sets out the fundamental rights and freedoms that individuals in the UK have access to.

7.9.2 We have statutory responsibilities under the Human Rights Act 1998 and will act as far as possible and at all times in accordance with the spirit of the Act, respecting the appropriate fundamental human rights of all employees, customers and members of the public.

8. Roles and Responsibilities

8.01 The council has a range of roles and responsibilities with regards to equalities as a service provider and as an employer. In addition, our employees, elected members and contractors who we work with also have a role to play in ensuring the aims of this policy are achieved. The responsibilities for each of these groups are set out below.

8.02 As a community leader, service provider and employer the council has an active role in removing barriers to participation and ensuring access to services for all members of the community. We will do this by:

- Ensuring fair and reasonable treatment and opportunities for all our residents, visitors, and employees
- Collaborating with others and promoting equality of opportunity
- Working with voluntary and community groups

8.1 As A Service Provider

8.1.1 Our priority for the way the council does business is to operate within our means – providing important local services within our available resources. As a result, we continuously look closely at what really matters to the citizens of west Norfolk and focus our resources accordingly. Our Corporate Business Plan outlines our current key priorities, many of which are focussed on improving the quality of life for people in west Norfolk.

8.1.2 To support the aims of this policy we will:

- Ensure that all of the services we are responsible for are accessible
- Ensure that all service users are treated with fairness, dignity and respect
- Ensure Equality Impact Assessments are undertaken on all key council policies and policy decisions
- Actively promote services and when necessary, targeting particular individuals and groups, where appropriate
- Actively challenge prejudice and discrimination

8.1.3 Key ways in which we facilitate access to our services for all our customers are:

- Providing high quality interpreting and translation services by subscribing to the INTRAN Partnership in Norfolk. Through INTRAN, we can deliver equality of access to information and services. This improves safety and safeguards individual rights of access
- Providing digital services that are accessible to the widest possible audience, regardless of technology or ability
- Actively working to increase the accessibility of our services
- Aiming to ensure all our digital services meet the Double-A standard of the [Web Content Accessibility Guidelines 2.0](#). which are guidelines explaining how to make web content more accessible for disabled people

8.2 As An Employer

8.2.1 The council, as a major employer in west Norfolk, wholeheartedly supports the principle of equal opportunity in employment and opposes all forms of

unlawful or unfair discrimination. Our aim is to create a working environment which is supportive, prejudice free and which reflects the diversity of our local population.

8.2.2 To support the aims of this policy we will:

- Develop open, fair and consistent arrangements for the recruitment, selection and appointment of employees
- Work towards the employment of a workforce which represents the community it serves
- Provide access to learning, training and development opportunities for all staff
- Enforce our belief that all employees have a right to be treated with dignity and respect, and taking steps to ensure this right is protected
- Tackle unacceptable behaviour in the workplace
- Maintain a work environment free from discrimination, harassment and bullying
- Develop initiatives/procedures to enable employees to balance the demands of their home and work lives
- Monitor our workforce profile against our local community profile to work towards a workforce which is reflective of the community we serve

8.2.3 Further details of our commitment to equality in employment, and the actions we will take to achieve this, are outlined in our 'Equality in Employment' policy which is shown in Appendix A.

8.3 Our Employees

8.3.1 All of our employees have an integral role to play in both ensuring they work within the principles of this policy and promoting equality through their work. The council believes that all employees have a right to be treated with dignity and respect and the council will take steps to ensure this right is protected. In addition, employees have a responsibility to treat their colleagues with respect. Where employees believe that unfair discrimination has taken place, they should report it (as set out in section 10)

8.3.2 Specific Roles/Responsibilities of employees:

Chief Executive and Executive Directors	Ensuring that the policy is communicated to all their Employees. Ensuring its implementation into all personnel and management practices.
Executive Director, Central and Community	Overseeing the implementation of the Equality Policy. Providing advice to services on equality matters, including best personnel and management practices

Services	Collating and analysing equality monitoring information, initiating corporate/service responses to the outcomes, where necessary. Ensuring that complaints of discrimination are investigated and dealt with effectively.
Policy, Performance and Personnel Manager	Providing advice and guidance on implementation of equality policy, including Equality impact assessments, consultation, monitoring & reporting to Members. Ensuring the council complies with all relevant equalities legislation and preparing policies and initiatives which reflect good practice with regards to equality issues. Ensuring all employment policies and practices are consistent with the Equality Policy. Conducting annual employment monitoring and reporting the findings to the Corporate Performance Panel. Chairing Corporate Equality Working Group, including acting as the link between Management Team and the group.
Communications Officer	Ensuring that the council's corporate image, media and communications activities support and further the Equality Policy.
Service Accountant	Ensuring that corporate procurement standards and monitoring arrangements reflect the council's commitment to equality and fairness.
Service Managers	Promoting equal opportunities policies as an employer and service provider and adhere to the council's requirements regarding equalities. Ensuring that the policy is communicated to all their employees. Ensuring implementation of the policy into all personnel and management practices.
Line Managers and Supervisors	Ensuring managers comply with the policy at a practical level through their actions in recruitment and selection, service delivery, contract procurement, training and development and general management. Encouraging good practice by their staff and dealing where appropriate with breaches of this policy.
All Employees	Ensuring all employees act within the Equality Act. Ensuring all employees comply with the contractual duty to comply with this policy as a whole and thereby ensure its consistent application on a day to day basis. Treating all colleagues with respect.
Corporate Equality Group	Consists of representatives from all service areas. Leads and drives forward equalities issues within the council, working towards the requirements of the council's Equality Policy, legislation and best practice. Responsible for disseminating information within their service area and acting as a point of contact/reference for colleagues within that service.
Disability Complaint	Responsible for investigating corporate complaints of

Investigators	discrimination as allocated by the Executive Director, Central and Community Services.
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8.4 Elected Members

8.4.1 Elected members are responsible for ensuring that equality is incorporated within all council activity. Using Equality Impact Assessments elected Members will consider equality throughout the policy and decision making process. Elected members should ensure that they work within the principles of this policy and where they believe that unfair discrimination has taken place, they should report it.

8.4.2 Specific Roles/Responsibilities of Elected Members:

Elected Members	To comply with the principles of this policy. Promoting equality. Ensuring adequate resources are made available to enable the council to meet its legal responsibilities.
Portfolio Holder / Cabinet	To adopt the corporate equality policy and ensure it is implemented.
Corporate Performance Panel	To receive monitoring reports on equality matters.

One Elected Member will be given the role of 'Disability Champion' to respond to queries from members of the public and external bodies. The role of the Disability Champion will be promoted via the council's website and the postholder will report to the Environment and Community Panel on an annual basis.

8.5 Third Party Organisations and Contractors

8.5.1 We procure a wide range of goods and services from third parties and contractors. We aim to ensure that all relevant third parties and contractors who work with us have the information they need to ensure equality of opportunity for their employees and service users. The procurement and grants process require all relevant third parties and contractors to have an equality policy and we will seek sufficient information and evidence that compliance with equality legislation is taking place. This will follow the procedure set out on contract management, monitoring and evaluation in our contract standing order policy.

9. Equality Monitoring

- 9.1 Some services may ask users for personal information as part of their processes. When we ask employees or members of the public for personal information for our equality monitoring we will only ask for the information we need. We will state why we need the information and we will take care not to identify individuals through the information we collect, especially where it is shared or published. We will ensure that in doing so we comply with the law in relation to confidentiality, data protection and freedom of information.

10. Complaints Procedures

10.1 External Complaints

- 10.1.1 If a customer feels they have been discriminated against in relation to council activity they should fill out the council's Discrimination Complaints Form, which is available here: https://www.west-norfolk.gov.uk/downloads/download/187/complaints_comments_and_complaints_documents

- 10.1.2 This form covers discrimination related to any of the protected characteristics under the Equality Act: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation. This form should also be used if a complaint relates to a hate incident.

10.2 Internal Complaints

- 10.2.1 If a member of our staff feels they have been discriminated against they should use the relevant procedures as outlined in the Employee Handbook. Complaints of harassment will be handled in accordance with the council's 'Harassment at Work' procedure.

11. Implementation

- 11.1 This policy will be published on the council website and will be available on Insite. All staff will be made aware of the policy as part of their induction training.

12. Reference Documents

12.1 Equality Act 2010 <https://www.legislation.gov.uk/ukpga/2010/15/contents>

12.2 Equality and Human Rights Commission
<https://www.equalityhumanrights.com/en>

12.3 Human Rights Act 1998
<https://www.legislation.gov.uk/ukpga/1998/42/contents>

13. Date approved by Full Council

[to be inserted]

14. Responsible Officer

Policy, Performance and Personnel Manager

15. Review Date

January 2019

16. Appendices

Appendix A Employment Policy

Appendix B Glossary of Terms

Appendix C Equality Objectives

Appendix A: Equality in Employment Policy

The council, as a major employer in west Norfolk, wholeheartedly supports the principle of equal opportunity in employment and opposes all forms of unlawful or unfair discrimination. The employment related sections of this policy therefore concern all matters directly or indirectly related to employment affecting individuals or groups whether they are actual or potential employees.

We believe that it is in the council's best interests, and those of all who work for it or who live in the area, to ensure that the human resources, talents and skills available throughout the community are considered when employment opportunities arise. Every possible step will be taken to ensure that individuals are treated fairly and that all employment related decisions are based solely on objective, justifiable and job related criteria.

The council is committed not only to the legal obligations placed upon it by equalities legislation but also to the positive promotion of equal opportunities in all aspects of employment. With this in mind, the council will ensure that all its employment policies, procedures, guidelines and practices reflect and reinforce its commitment to equality

Our aim is to create a working environment which is supportive, prejudice free and which reflects the diversity of our local population. To achieve this aim we will undertake the actions in the following areas:

A. Recruitment, Selection and Appointment

The council will:

1. Develop open, fair and consistent arrangements for the recruitment, selection and appointment of employees, including:
 - (i) Ensuring all advertised posts have a clear and up-to-date job description and a personal specification which outlines the skills, qualifications and experience required to undertake the job. Both the job description and personal specification will only include requirements that are necessary and justified for the effective performance of the job.
 - (ii) Ensuring advertisements for posts provide sufficient, clear and accurate information to enable potential applicants to assess their own suitability for the post in a manner which does not restrict its audience in terms of any potentially discriminatory factor.
 - (iii) Complying with the requirements outlined in the 'fluency duty' English language requirement for public sector workers (Part 7 of the Immigration Act 2016). Clearly outlining in the advertisement and

- relevant personal specification the standard necessary for applicable job roles.
- (iv) Producing recruitment literature which is clear and bias free, including making access to a copy of the Equality in Employment policy available to all job applicants.
 - (v) Requiring all job applicants to complete a standard job application form and requesting monitoring information via a separate part of the form which is held confidentially within Personnel.
 - (vi) Ensuring officers involved in recruitment and selection procedures have received appropriate training, including relevant equalities training.
 - (vii) Ensuring the selection criteria used to determine candidates shortlisted for interview, and the successful candidate for a post, is based only on the information contained within the job description and personal specification for the position.
 - (viii) Ensuring that reasonable adjustments are offered to all applicants to enable them to attend a job interview
2. Work towards the employment of a workforce which represents the community it serves by:
 - (i) Ensuring job opportunities are communicated to all sections of the community
 - (ii) Ensuring there are no barriers which discourage applications from any section of the community
 3. Comply with the requirements of the Disclosure and Barring Service for relevant posts with regards the employment of ex-Offenders.
 4. Comply with the requirements of the Asylum and Immigration Act with regards ensuring job applicants are eligible to work in the UK.
 5. Ensure that promotions are determined on the basis of ability and other relevant objective job related criteria.

B. Learning, Training and Development

The council will:

1. Recognise the need to provide a range of learning, development and training opportunities to all employees and elected members, regardless of any protected characteristic, to ensure that their potential is harnessed with a view to achieving improvements in performance and service delivery.
2. Maintain our commitment to the principles that:
 - (i) The council is fully committed to developing its employees and elected members in order to achieve its aims and objectives
 - (ii) The council is clear about its aims and objectives and what employees and elected members need to do to achieve them
 - (iii) The council develops its employees and elected members in order to improve performance
 - (iv) The council understands the impact of its investment in people on its performance

3. Encourage all employees to discuss the training and development needs with their line manager at least annually as part of the council's performance appraisal process.
4. Develop training programmes to ensure employees are aware of their responsibilities with regards equalities, to include:
 - (i) training for new recruits via induction
 - (ii) training for managers as part of the annual corporate training programme
 - (iii) training on specific equalities issues as required to support this Policy.
5. Review training and development procedures to ensure there are no barriers which prevent employees from potentially disadvantaged groups accessing opportunities.

C. Working Environment

The council will:

1. Enforce our belief that all employees have a right to be treated with dignity and respect and take steps to ensure this right is protected through our Harassment at Work Procedure.
2. Supply all employees with a copy of the Harassment at Work procedure which provides guidance to employees on what constitutes unacceptable behaviour and which includes definitions of harassment and bullying as follows:
 - (i) Harassment can take many forms, occur on a variety of grounds and may be directed at an individual or a group of individuals. Harassment may, however, be summarised as conduct which is unwanted, unreasonable and offensive to the recipient. It is not the intention of the perpetrator but the deed itself and the impact on the recipient which determine what constitutes harassment.
 - (ii) Bullying is defined as unreasonable, offensive, intimidating or insulting behaviour, which makes the recipient feel upset, threatened, humiliated or vulnerable, which undermines confidence and which may cause stress which is unconnected with race, sex or disability.
3. Ensure staff are aware that they are required to comply with the Harassment at Work Procedure and to treat all colleagues with respect.
4. Under no circumstances, condone harassment of any nature. We will undertake to investigate all complaints of harassment fully and as quickly as possible. Investigations will be totally confidential and, when a complaint is found to be justified, disciplinary action will be taken.
5. Provide a group of trained Harassment Advisers to provide employees with information concerning the options available to them through the Harassment at Work Procedure.
6. Provide employees with information relating to the Protection from Harassment Act 1997 as required.

7. Include responsibilities in relation to equalities in the job descriptions of senior managers.

D. Conditions of Employment

The council will:

1. Ensure all employees are aware of this Policy via the Employee Handbook and other communication channels as appropriate. Changes and updates to the policy will also be communicated to employees as and when required.
2. Ensure all employees are familiar with this Policy and the council's 'Code of Conduct' and conduct themselves in accordance with these requirements.
3. Ensure all employees receive regular performance appraisal in accordance with the council's performance management scheme. Assessments of performance will be based solely on job requirements and individual ability. Reviews of the scheme will be undertaken to ensure the removal of any barriers for employees from potentially disadvantaged groups.
4. Develop initiatives/procedures to enable employees to balance the demands of their home and work lives, including
 - (i) A caring package
 - (ii) A flexible working hours scheme
 - (iii) A homeworking policy
 - (iv) Procedures for dealing with flexible working requests
5. Give consideration to requests from employees to adjust working times or practices to accommodate religious needs.
6. Put in place any reasonable adjustment required by an employee who becomes disabled during employment, or for a new employee who has a disability.
7. Consider requests from employees for reduced or amended working hours to accommodate external requirements and when vacancies arise, consider part time working as an alternative method of filling the vacant post.
8. Ensure employees with flexible working arrangements receive no less favourable treatment than other employees.

E. Monitoring and Review

The council will:

1. Continue to monitor our workforce profile against our local community profile to work towards a workforce which is reflective of the community we serve.
2. Specifically monitor recruitment, promotion, training opportunities and training take up, performance assessments, grievance and disciplinary cases, leavers and sickness absence on an annual basis.
3. Undertake monitoring based on gender, disability and other equalities criteria as required to support this Policy.

4. Report to the relevant Council Panel and to Management Team on the results of employment monitoring on an annual basis.
5. Comply with the requirement to undertake, and publish, gender pay related information as required by The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017.
6. Regularly review our employment monitoring practices and information collecting systems to ensure these comply with legislation.
7. Obtain feedback from employees on the council's equality policies via the Employee Opinion Survey's/specific surveys as may be required from time to time.
8. Review the employment section of this policy regularly, updating the document in line with legislation as required.

Appendix B: Glossary of Terms

Anti-Semitism - In December 2016, the Government formally adopted the International Holocaust Remembrance Alliance working definition of anti-Semitism; the first European Union country to do so: "Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."

Associative discrimination - applies to race, religion or belief and sexual orientation, age, disability, gender reassignment and sex. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Direct discrimination - occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have or because they associate with someone who has a protected characteristic.

Disability - a person is disabled if they have a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day-to-day activities, which would include things like using a telephone, reading a book or using public transport. People who have had a disability in the past are also protected.

Ethnic minority community - is an ethnic group that is numerically smaller than the predominant white group in Britain. This includes groups distinguished by their skin colour, as well as those such as Irish, Turkish, Cypriot, Eastern European and Travelling people.

Gender reassignment – a transsexual person is someone who proposes to, starts or has completed a process to change his or her gender.

Harassment - is "unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual".

Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership. Employees will now be able to complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves. Employees are also protected from harassment because of perception and association.

Hate Crime - Hate crime is any crime that is motivated by hostility on the grounds of race, religion, sexual orientation, disability or transgender identity. There are three categories of hate crime in legislation: incitement to hatred offences on the grounds of race, religion or sexual orientation; specific racially and religiously motivated criminal offences (such as common assault); and provisions for enhanced

sentencing where a crime is motivated by race, religion, sexual orientation, disability or transgender identity.

Hate incidents can include: name calling, physical attack, vandalism, hate mail and texts, hate material on social media and theft.

Indirect discrimination - applies to age, race, religion or belief, sex, sexual orientation and marriage and civil partnership, disability and gender reassignment. Indirect discrimination can occur when you have a condition, rule, policy or even a practice in an organisation that applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if you can show that you acted reasonably in managing your business, i.e. that it is 'a proportionate means of achieving a legitimate aim'. A legitimate aim might be any lawful decision you make in running your business or organisation, but if there is a discriminatory effect, the sole aim of reducing costs is likely to be unlawful. Being proportionate really means being fair and reasonable, including showing that you've looked at 'less discriminatory' alternatives to any decision you make.

Inter-sex

Sometimes a person's external genitals, their internal reproductive system or their chromosomes are inbetween what is considered clearly male or female. People born with these kinds of variations are often referred to as intersex people.

Inter-sex people are not explicitly protected from discrimination by the Act, but must not be discriminated against because of their gender or perceived gender.

For example, if a woman with an intersex condition is refused entry to a women-only swimming pool because the attendants think her to be a man, this could be sex discrimination or disability discrimination.

Marriage and civil partnership - 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 in a wide range of circumstances, such as employment, education, service provision and housing. Failure to do so would amount to discrimination on grounds of sexual orientation.

Perceptive discrimination - applies to age, race, religion or belief, sexual orientation, disability, gender reassignment and sex. This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Race - the current legal definition of a racial group is a group of people defined by their race, colour, nationality (including citizenship), ethnic or national origins.

Racial Incident - in respect of race equality the council has adopted the Macpherson definition of a racial incident, i.e. 'a racial incident is any incident which is perceived to be racist by the victim or any other person'.

Religion or belief - religion includes any religion. It also includes a lack of religion, in other words employees or jobseekers are protected if they do not follow a certain religion or have no religion at all. Additionally, a religion must have a clear structure

and belief system. Belief means any religious or philosophical belief or a lack of such belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour. Denominations or sects within a religion can be considered a protected religion or religious belief. Humanism is a protected philosophical belief but political beliefs would not be protected. Discrimination because of religion or belief can occur even where both the discriminator and recipient are of the same religion or belief.

Sex – is the biological difference between men and women.

Sexual Orientation - means an individual's sexual orientation towards:

- People of the same sex (gay or lesbian);
- People of the opposite sex (heterosexual);
- People of both sexes (bisexual)

Stalking – In 2012 the Coalition Government added two specific criminal offences of stalking to the 1997 Protection from Harassment Act. These are: stalking (section 2A) which is pursuing a course of conduct which amounts to harassment and which also amounts to stalking and stalking (section 4A) involving fear or violence or serious alarm or distress.

Third party harassment - applies to sex, age, disability, gender reassignment, race, religion or belief and sexual orientation. The Equality Act makes an employer potentially liable for harassment of your employees by people (third parties) who are not employees of their company, such as customers or clients. An organisation will only be liable when harassment has occurred on at least two previous occasions, they are aware that it has taken place, and have not taken reasonable steps to prevent it from happening again.

Victimisation - occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

Appendix C: Equality Objectives

Equality Objectives 2017 – 2020

The following equality objectives have been developed to support the Council's corporate business plan and the updated corporate equality policy.

Equality Objectives – Services

1. We will use fair and evidence based decision making when reviewing Council policies, services and functions, including ensuring equality implications are taken into consideration
2. We will improve the quality of life for people in West Norfolk through improved access to information and services
3. We will ensure the Council's approach to equalities issues are regularly reviewed and promoted

Equality Objectives – Employment

1. We will maintain a diverse workforce that reflects the community that we serve
2. We will maintain a working environment that is inclusive and where all staff are treated fairly
3. We will ensure all our employment policies, practices and procedures comply with equalities legislation

CORPORATE PERFORMANCE PANEL WORK PROGRAMME 2017/2018

DATE OF MEETING	TITLE	TYPE OF REPORT	LEAD OFFICER	OBJECTIVES AND DESIRED OUTCOMES
7 June 2017	MEETING CANCELLED			
17 July 2017	CIC Area Offices	Presentation	H Howell	The purpose of this report is to review the level of use of the Downham Market and Hunstanton offices by customers and agree an option for the long term viability of the offices
17 July 2017	Council Tax Support: Development of the Draft Scheme for Consultation 2018/2019	Policy Development	J Stanton	To review and develop the Council Tax Support Scheme for 2018/2019
17 July 2017	Non-Domestic Rates – Discretionary Hardship Relief	Policy Development	J Stanton	
17 July 2017	Council Tax Discounts	Policy Development	J Stanton	
17 July 2017	Performance Management Framework	Update	B Box	To provide the Panel with an update.
17 July 2017	2016/2017 Full Year Performance Monitoring Report and Action Report	Monitoring	B Box	To review the report and in particular the Action Report. Members are also asked to agree the actions outlined in the Action Report.

DATE OF MEETING	TITLE	TYPE OF REPORT	LEAD OFFICER	OBJECTIVES AND DESIRED OUTCOMES
17 July 2017	Corporate Performance Monitoring – Target Setting for 2017/2018	Monitoring	B Box	To review and suggest any new targets.
17 July 2017	2016/2017 Q4 Corporate Business Plan Monitoring Report	Monitoring	B Box	The Panel are invited to review the Q4 2016/2017 Corporate Business Plan Monitoring Report.
17 July 2017	Nomination to Outside Bodies and Partnerships – Hunstanton Sailing Club Development Sub-Committee	Annual		To nominate a Councillor on an annual basis to serve on the Hunstanton Sailing Club Development Sub-Committee
30 August 2017	Presentation on Homes in Multiple Occupation	Presentation	S Farley	To provide the Panel with an overview on the work undertaken regarding Houses in Multiple Occupation.
30 August 2017	CIC Area Offices	Review	H Howell	To provide the Panel with further information as requested on 17 July 2017
30 August 2017	Updated Equalities Policy – Initial Discussion	Policy Development	B Box	To have an initial discussion with the Panel prior to the draft document being prepared for consideration at 13 November Panel meeting.
30 August 2017	Employment Monitoring Figures – Annual Report	To note only	B Box	

DATE OF MEETING	TITLE	TYPE OF REPORT	LEAD OFFICER	OBJECTIVES AND DESIRED OUTCOMES
9 October 2017	Cabinet Report: Re-fit Proposals for Council Building Assets	Cabinet	N Gromett	
9 October 2017	Updated Equalities Policy Progress Report	Policy Development	B Box	To provide the Panel with a progress report prior to the draft document being prepared for consideration at 13 November Panel meeting.
9 October 2017	Q1 2017/2018 Performance Monitoring Report and Action Report	Monitoring	B Box	To review the report and in particular the Action Report. Members are also asked to agree the actions outlined in the Action Report.
9 October 2017	Formal Complaints against the Borough Council 1 April 2016 – 31 March 2017 Compliments received by the Borough Council	For Information only	R Harding	Report to be published on the Borough Council's Website/Insite
13 November 2017	<u>Exempt Item</u> : King's Court Accommodation	Monitoring	M Henry	
13 November 2017	Council Tax Support: Final Scheme for 2018/2019	Policy Development	J Stanton	Update following consultation period. To agree the final Council Tax Support Scheme for 2018/2019.

DATE OF MEETING	TITLE	TYPE OF REPORT	LEAD OFFICER	OBJECTIVES AND DESIRED OUTCOMES
13 November 2017	Updated Equalities Policy – Draft Document	Policy Development	B Box	Draft document for Panel to consider prior to Cabinet Report being prepared for 9 January 2018 meeting.
13 November 2017	Annual Communications Update	Annual Update	S Clifton H Howell A Howell	To provide the Panel with an annual update and an opportunity to ask questions.
18 December 2017	Hunstanton Sailing Club Progress Report	Exempt Annual Report	O Paparega/ J Curtis/BC Rep	To examine the progress made by the Hunstanton Sailing Club and provide an opportunity for the Panel to ask questions of representatives from the Sailing Club.
18 December 2017	Performance Targets relating to Planning		S Ashworth	
18 December 2017	Private Sector Housing Investment Policy	Policy Development	J Russell	
18 December 2017	Non-Domestic Rates – Review and Update of Discretionary Relief Policy	Policy Development	J Stanton	To review and update the existing Discretionary Relief Policy following the 2017 Revaluation and to tidy up the existing policy.
18 December 2017	2017/2018 Q2 Performance Monitoring Report and Action Report	Monitoring	B Box	To review the report and in particular the Action Report. Members are also asked to agree the actions outlined in the Action Report.

DATE OF MEETING	TITLE	TYPE OF REPORT	LEAD OFFICER	OBJECTIVES AND DESIRED OUTCOMES
18 December 2017	2017/2018 Q2 Corporate Business Plan Monitoring Report	Monitoring	B Box	The Panel are invited to review the Q4 2016/2017 Corporate Business Plan Monitoring Report.
18 December 2017	Budget		L Gore	
19 February 2018	Presentation on Improving Attainment in West Norfolk	Annual Update	B Box	To provide an update on the Improving Attainment in West Norfolk.
18 February 2018	Pontoons, Riverfront	Evaluation of Project	O Paparega	
18 February 2018	KLIC	Evaluation of Project	O Paparega	
DATE OF MEETING	TITLE	TYPE OF REPORT	LEAD OFFICER	OBJECTIVES AND DESIRED OUTCOMES
5 April 2018	2017/2018 Q3 Performance Monitoring and Action Report	Monitoring	B Box	To review the report and in particular the Action Report. Members are also asked to agree the actions outlined in the Action Report.

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Forthcoming items to be programmed

July 2018 – Review of effect of closure of Downham Market and Hunstanton Area Offices.

Monitoring of Corporate Projects/Evaluation:

- Refit Project (Cabinet Report presented 09.10.17)
- Channel Shift