

## REPORT TO CABINET

<b>Open</b>		Would any decisions proposed :		
<b>Any especially affected Wards</b>	Mandatory/	Be entirely within Cabinet's powers to decide		YES/NO
	Operational	Need to be recommendations to Council		YES/NO
		Is it a Key Decision		YES/NO
Lead Member: Cllr B Long E-mail: <a href="mailto:cllr.brian.long@west-norfolk.gov.uk">cllr.brian.long@west-norfolk.gov.uk</a>		Other Cabinet Members consulted:		
		Other Members consulted: Corporate Performance Panel		
Lead Officer: Becky Box, Policy, Performance and Personnel Manager E-mail: <a href="mailto:becky.box@west-norfolk.gov.uk">becky.box@west-norfolk.gov.uk</a> Direct Dial: 01553 616502		Other Officers consulted: Management Team, Corporate Equalities Working Group		
Financial Implications NO	Policy/Personnel Implications YES	Statutory Implications YES	Equal Impact Assessment YES If YES: Pre-screening	Risk Management Implications NO

Date of meeting: 9<sup>th</sup> January 2018

### EQUALITY POLICY

#### Summary

The Council's corporate Equality Policy was last updated in 2008. Since then there have been changes to legislation with regards to equalities issues, which have been reflected in the Council's procedures and practices but which are not reflected in the current policy. The policy has therefore been revised to bring it up-to-date with regards to the roles and responsibilities of a local authority.

#### Recommendation

1. That Members approve the proposed revised Equality Policy
2. That Members support the steps required to implement the new policy, including the provision of training
3. That Members delegate authority to the Executive Director, Central and Community Services, in consultation with the relevant Portfolio Holder, to agree amends/updates to the Policy that may be required to ensure it remains compliant with legislation

#### Reason for Decision

To ensure that the Council meets its statutory duties with respect to equalities.

#### Background

1.1 The Council's current Equality Policy was last updated in 2008. Since then there have been changes to equality legislation, most notably the Equality Act 2010 which simplified, strengthened and harmonised previous anti-discrimination legislation and provides a framework to protect the rights of individuals and advance equality of opportunity for all.

1.2 Other key changes which have come into effect since 2008 include:

- definitions for protected characteristics
- new definitions of types of unlawful discrimination
- the requirements of the public sector equality duty
- recognition and definition of 'hate crimes'

1.3 Since 2008 the Council's procedures and practices have been revised and updated to ensure they remain in line with changes to legislation. However, the policy itself has become outdated and in need of a review.

1.4 A thorough review has therefore been undertaken during 2017. Key factors taken into consideration during the review have been:

- changes in legislation
- how the Council ensures compliance with the requirements of new legislation
- any changes to process/best practice within the Council

1.5 The review has also included presentations to and consultation with the Corporate Performance Panel and officers from the Council's corporate equalities working group, to ensure that that the policy takes into consideration all Council services.

1.6 The aim of the revised Equality Policy is to ensure that the Council meets its statutory responsibilities with regards to equality and ensures equality for all residents, visitors and employees and sets out how we will achieve this:

- through the delivery of accessible and fair services
- by treating our employees and service users with fairness and respect
- by ensuring all contractors and other third party organisations we work with share our commitment to equalities

1.7 To reflect the various changes since 2008 the revised policy therefore includes sections covering:

- the new legal framework
- revised definitions
- requirements of the public sector equality duty
- equality Impact Assessments
- equality objectives
- hate crime
- roles and responsibilities – both as a service provider and an employer

- an updated employment section

1.8 We have also taken the opportunity to streamline and reformat the policy, moving the more detailed employment section (which can be used as a standalone policy when required) to an appendix and adding a new glossary of terms.

1.9 Once adopted, the revised policy will be communicated to staff and Elected Members. An implementation plan will be developed, with a particular focus on ensuring the Council meets its equality objectives. A review of existing equalities training is also planned and will include consideration of training for Elected Members, in consultation with the Leader, Portfolio Holder and Democratic Services.

### **Policy Implications**

None – this is an updated version of an existing policy.

### **Financial Implications**

None. Training related costs are already budgeted for within the corporate training budget.

### **Personnel Implications**

None.

### **Statutory Considerations**

The Council has legal responsibilities as set out in the Equality Act 2010 which applies to all organisations. In addition, the Equality Act introduced a requirement for all Local Authorities to comply with the Public Sector Equality Duty. The requirements of the Public Sector Equality Duty are supported by Equality Act 2010 (Specific Duties) Regulations which came into force in September 2011. There are various other pieces of legislation which impact on employment related equalities activities.

### **Equality Impact Assessment (EIA)**

Pre-screening form completed and no issues have been identified.

### **Risk Management Implications**

Local Authorities have an important role in ensuring and promoting equality of opportunity – as a provider of services, employer and in its role as a Community Leader. The lack of an up-to-date policy and procedures potentially leaves the Council at risk legal action should any allegations of discrimination occur.

### **Declarations of Interest / Dispensations Granted**

None

### **Background Papers**

- Equality Act 2010
- Equality Act 2010 (Specific Duties) Regulations
- Human Rights Act 1998
- Guidance from the Equality and Human Rights Commission
- Guidance from ACAS