



# Executive Committee

No Specific Ward Relevance

9th December 2009

## SINGLE EQUALITIES SCHEME 2009-2012

(Report of the Head of Strategy and Partnerships)

### 1. Summary of Proposals

The Council is under a statutory duty to publish a Race Equality Scheme; a Disability Equality Scheme and a Gender Equality Scheme.

The Single Equality Scheme attached to this report sets out how Redditch Borough Council is promoting and taking action on the specific equality duties placed on it in respect of race, disability and gender. It also explains how it is applying the equality duty principles to other strands of diversity – age, gender identity, religion or belief, and sexual orientation.

The Scheme outlines the context in which the Council operates; the baseline position in relation to equality; and how it intends to continue to promote equality. A single equality scheme can be beneficial as it can focus more on an individual's needs and recognises that people have more than just a single identity. It provides a framework in which to address multiple discrimination and to build synergies between different groups and identities.

### 2. Recommendations

**The Committee is asked to RECOMMEND that**

**the Single Equalities Scheme and Equalities Action Plan attached to this report at Appendix 1 be approved.**

### 3. Financial, Legal, Policy Risk and Sustainability Implications

#### Financial

- 3.1 Actions within the scheme do not have any immediate financial implications. As the action plan develops in more detail, should any additional requirements for resources arise they will be subject to the normal Council approval procedures

#### Legal

- 3.2 The Race Relations (Amendment) Act 2000, the Disability Discrimination Act 2005 and the Sex Discrimination Act 1975 as amended by the Equality Act 2006 place statutory duties on the

Council to have equalities schemes in place covering race, disability and gender equality. These can be incorporated into a single equalities scheme provided that they can be separately identified within that scheme.

In addition the Employment Equality (Religion or Belief) Regulations 2003, the Employment Equality (Sexual Orientation) Regulations, 2003 and the Employment Equality (Age) Regulations 2006 make it unlawful to discriminate in employment or training through direct discrimination, indirect discrimination, harassment or victimisation on the grounds of religion or belief, sexual orientation or age.

The Single Equality Bill published in April 2009 will streamline the law by creating a clearer legal framework, drawing together a number of pieces of equality law into a Single Equality Act. It proposes the amalgamation of the six equality strands covering gender, race, disability, age, sexual orientation, religion or belief, and gender reassignment into a single equalities duty which is expected to come into force in 2011.

### Policy

- 3.3 The Council has had a Race Equality Scheme and a Disability Equality Scheme in place. These are now due for review. The Single Equality Scheme contains the Council's first Gender Equality Scheme.

### Risk

- 3.4 Failure to have the required equality schemes in place could lead to action being taken against the Council by the Equalities and Human Rights Commission, who have powers of enforcement under section 31 of the Equality Act 2006.

### Sustainability / Environmental

- 3.5 None specific.

### Report

#### **4. Background**

- 4.1 The Council is under a statutory duty to have in place equalities schemes and action plans covering race, disability and gender equality. These can be incorporated into a single equalities scheme provided that they can be separately identified within that scheme.

- 4.2 The Council's Race Equality Scheme and Disability Equality Scheme are due to be reviewed and will be incorporated into the new Single Equalities Scheme, together with the Gender Equality Scheme.
- 4.3 There is a wide range of equality law to be borne in mind when creating equality schemes. Consideration must also be given to human rights law, and the duty of all public authorities to comply with human rights as specified in the Human Rights Act 1998.
- 4.4 The term "equality" is used to mean that everyone has equal access to Council services or equal opportunities as an employee or Member of the Council. It is not about treating everyone in the same way, but recognising that individuals have different needs, which may need to be met in different ways to achieve equal outcomes.
- 4.5 There are six areas of equality recognised by law – Race, Gender, Disability, Religion or Belief, Sexual Orientation and Age. People in those groups have historically suffered more direct and indirect discrimination and social exclusion than the majority of the population. Some people will fit into more than one of these strands may face obstacles for more than one reason.
- 4.6 Diversity among residents, service-users and employees is not limited to the six statutory equality strands. It also includes issues such as education, geographical location, marital status, class and work experience amongst others.

## **5. Key Issues**

- 5.1 Public authorities were required to prepare and publish a Gender Equality Scheme by 30<sup>th</sup> April, 2007. The Council has not yet published its Scheme and there is, therefore, a risk that enforcement action may be taken by the Equalities and Human Rights Commission.
- 5.2 A Single Equality Scheme is a scheme that covers all the communities that generally face inequality of opportunity. These have been identified as age, disability, gender, sexual orientation, faith or belief and ethnicity. The aim of the Single Equality Scheme is to provide a clear approach to equality and diversity across all communities.
- 5.3 The Single Equality Scheme has considered how the extension of the principles of the equality duties may work across the other diversity strands of age, gender identity (wider than transsexual as covered by the gender equality duty), religion or belief, and sexual orientation. The Scheme looks at some issues which may be of relevance to those strands, and has considered how our work may impact on them, and what actions we might take.

- 5.4 The Equality Action Plan attached as Appendix 1 to the Scheme incorporates the identified areas for improvement across the six equality strands following consultation.
- 5.5 In some instances, delivering equality may mean breaking down unfair barriers and discrimination. In others it may simply mean changing the way we deliver services to make them more accessible for all. This is a matter of good service delivery for all our residents.
- 5.6 The Council has specific duties to consult on the development of equality schemes and policies. The Community Forum has been actively consulted on in relation to this scheme.
- 5.7 Good Governance is important for the scheme to have the maximum positive impact and effect over the next three years. This will be achieved through:
- a) **Equality Champions.** These are Council Officers who will support their service area and Head of Service to deliver the Council's equality agenda.
  - b) **The Community Forum.** This will be a stable, long term working group made up of representatives from community groups. It will be involved in the development and implementation of the Single Equalities Scheme and will nominate a representative to sit on the Redditch Partnership.
  - c) **The Corporate Management Team** will monitor the work on equalities. Progress will be reported regularly to the Corporate Management Team during the year.
  - d) **The Executive Committee** will receive an annual progress report on the scheme (covering all equality strands) which will then be published in March of each year.
- 5.8 The Single Equality Scheme is a living document, elements of which are likely to change over the three year period of the Scheme. For example, parts of the action plan may develop further as a result of completed actions, future organisational change within the Council, or following changes in legislation. Any changes will be reported on annually in March.

## 6. Other Implications

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|------------------|---|--|
| Asset Management | - | None specific  |
| Community Safety | - | It is anticipated that improving service design and delivery to achieve equality |

of outcomes for local people (while promoting good relations between different groups in the community) will have a positive impact on matters such as community safety, crime and disorder, and community cohesion.

Human Resources - There are no staffing implications associated with this report.

Social Exclusion - Social exclusion of vulnerable or marginalised individuals and communities has a direct link with equality of access to services.

### 7. **Lessons Learnt**

7.1 The equalities agenda is very complex and requires effective consultation with both internal services and external customers from all sections of the community. Equalities is a fast moving and dynamic policy development area and officers, while researching best practice found a multitude of different schemes, with differing emphasis and different degrees of community involvement.

### 8. **Background Papers**

8.1 The Equality Framework for Local Government.

### 9. **Consultation**

9.1 This report has been prepared in consultation with relevant Borough Council Officers.

9.2 Other consultees were the Community Forum, Crime and Disorder Reduction Partnership, the Home Office and support was given by IDeA.

### 10. **Author of Report**

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### 11. **Appendices**

Appendix 1 – Single Equality Scheme 2009 – 2012.