



ARTICLE NO: 2E

**CORPORATE AND
ENVIRONMENTAL OVERVIEW &
SCRUTINY COMMITTEE**

ISSUE: 1

Article of: Transformation Manager

Relevant Managing Director: Managing Director (Transformation)

Relevant Portfolio Holder: Councillor I Ashcroft

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SUBJECT: Equality Act 2010 - Progress Updated

Wards affected: Borough wide

1.0 PURPOSE OF ARTICLE

1.1 To inform Members of the Council's progress in relation to it's duties under the Equality Act 2010.

2.0 BACKGROUND – THE EQUALITY ACT 2010

2.1 The Equality Act, which came into force from October 2010, places a number of duties on public authorities. The Act supersedes a raft of previous equality legislation, including the Equal Pay Act (1970), the Race Relations Act (1976), The Disability Discrimination Act (1995) and the Sex Discrimination Acts (1975 and 1986), making the law simpler and more consistent in the way that it treats groups of people that are at risk of discrimination.

2.2 The Act requires public authorities to comply with three general duties. These are to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity (removing or minimising disadvantage and meeting the needs of people)
- Foster good relations between people who share a protected characteristic and those who do not share it.

2.3 Protected characteristics are those characteristics by which a person might be subject to discrimination. The Act specifies nine of these. They are:

- Age
- Disability
- Gender reassignment (people who have, or are in the process of changing their gender, or people who live their lives in a different gender to the one they were born)
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or Faith
- Sex
- Sexual orientation

2.4 In order to carry out its equality duties, the Act identifies a number of key functions that public authorities should focus on. These include:

- Monitoring the use of, and satisfaction with, services across the protected characteristics and analysing that information to identify if there are any particular groups of people not using services.
- Engaging with all sections of the community when developing services and policies
- Carrying out actions to plug any gaps in terms of service needs for particular groups and monitoring these actions as part of the performance management of business and service plans
- Ensuring contractors are compliant with the legislation
- Providing evidence that 'due regard' for equality issues has been considered when developing services and policies and when making decisions that impact on the community and staff and that any negative impacts are addressed and/or mitigating actions are carried out where possible.

3.0 WEST LANCASHIRE'S RESPONSE TO ITS EQUALITY DUTIES

3.1 To deliver its response to the Equality Act, the Council established an officer working group – the Equality and Diversity Strategic Steering Group, which, with the approval of Cabinet, has developed and implemented the following processes and activities:

- **West Lancashire Equality Scheme 2011 - 2015** – the Scheme brings together in one place, the activities that the Council will undertake over the next four years. The Scheme includes the Authority's equality and diversity commitments and how these will be implemented and monitored, as well as a more detailed action plan upto 2015.
- **Equality Impact Assessments (EIAs)** – the Council has committed to carrying out EIAs across its services, policies and strategies in order to be sure that they are fair and meet the needs of all sections of the community. An EIA toolkit, based on five simple steps, has been developed to help officers with the process. To support the implementation of EIAs, a series of training sessions for team leaders was carried out. The Council's reporting template now prompts officers to respond to a question about whether EIAs have been carried out or not and what mitigating actions will be undertaken in the case of any negative

impacts identified. In addition, the Council has audited its services and prioritised the ones that will be assessed imminently.

- **Monitoring form** – to help provide the information required to carry out EIAs, the Council has developed an equality monitoring form. Based on Stonewall's* equality monitoring form, and the recent national census categories, the purpose of the form is to identify which groups of people are using and not using Council services, and those satisfied and less than satisfied with services. This is so that remedial action to promote and improve services can be carried out where necessary.
- **Community engagement protocol** – this has been developed to help strengthen the Council's formal and semi-formal consultation and engagement activities. The protocol is a series of steps which help to ensure that consultation and engagement is as representative as possible of the communities in the borough.
- **Awareness-raising for Elected Members** – a briefing session for Elected Members, on the Equality Act and implications for West Lancashire Borough Council, was held in July 2011.
- **Staff briefings** –in addition to training on EIAs for specific members of staff, a more general briefing paper on the Equality Act and West Lancashire's response to its duties under the Act, has been produced and has been circulated to all staff via the Intranet and through Team Briefing discussions.
- **Equality web page** – to demonstrate its commitment to equality, and to make it easier to access documents for audit purposes, the Council has introduced an equality page on its web site. The page shows links to national policy websites and documents as well as its own procedures.

4.0 CONCLUSION AND NEXT STEPS

Through its work on equality and diversity, the Council has improved, and will continue to improve, the quality of life for all its residents. Officers and Elected Members have shown a commitment to responding to the Council's legislative duties, and the approach taken is a straight forward one, and one that empowers all officers to take responsibility for equality in their areas of work.

The next steps are for the Council to ensure the delivery of its Equality Scheme action plan, and to continue to carry out equality impact assessments as agreed.

5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 5.1 Processes and tools to support the Equality Scheme are already in place or will continue to develop over the next 3 years. Arrangements to review actions and the Scheme annually are in place and monitored by the Equality and Diversity Strategic Steering Group.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 6.1 The majority of the work associated with the action plans developed within the Equality Scheme have been undertaken and absorbed within Services without additional resources being required. It is envisaged that an external consultant will be brought into the Council during 2012 to undertake a full audit of actions undertaken and review the Scheme and actions to ensure the council is still legislative compliant and progressing satisfactorily. This will require additional funding which will be absorbed from within existing budgets current held within the Human Resources Services.

7.0 RISK ASSESSMENT

- 7.1 The authority must comply with the legislation and failure to do so has implications in respect of vulnerable protected groups who are resident within the community and also leaves the authority open to challenge by the Equality and Human Rights Commission and court proceedings.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this report.

Equality Impact Assessment

The update provided in this report does not have any direct impact on members of the public, employees, elected members and / or stakeholders. This is a report for information for which there is no Equality Impact Assessment required.

Appendices

None.