

**POLICY SCRUTINY PANEL**

**4<sup>th</sup> December, 2007**

**Present:** Cllr. Wilkes (in the Chair), and Councillors Freeman, Kellett, Lightley, Lodge, McDonnell, Simmons, Walker and Wolstenholme.

**Also Present:** Councillor Marsden

**Apologies for Absence:** No Apologies for Absence were received.

**Bullet Points from the Meeting held on 6<sup>th</sup> November, 2007.**

The Bullet Points from the Meeting held on 6<sup>th</sup> November, 2007, were approved as a correct record.

**BULLET POINTS**

**EQUALITIES ISSUES**

- The Director of Corporate Services was in attendance to give the Panel an overview on the current position regarding the Council's Equalities Policies.
- Members had been provided with a copy of the Council's Equal Opportunities Policy and an outline of the requirements necessary for the achievement of the five levels of The Equality Standard for Local Authorities.
- The Panel was informed that the Standard was set at five levels of achievement and that City of Durham was currently at Level 2.
- The Director of Corporate Services informed Members that most other District Councils were also currently at Level 2.
- Also circulated at the Meeting were copies of the Corporate Equalities Plan, the Corporate Equalities Action Plan, which had been utilised to achieve Level Two, and an Audit Report on the Council's Equality Policies from 2006, which had rated them as Excellent.
- On a point of clarification in relation to the Equal Opportunities Policy, the Director of Corporate Services explained that the final category on the list of grounds for possible grievance, "*Or any other unjustified factor*", referred to any type of grievance not previously listed in the Policy. The categories were prescribed by a National Document.
- The Panel were informed that the Council had in place the Corporate Equality Plan, which was an overall plan to achieve a certain level of The Equality Standard. There had been input from the Council's Equalities Steering Group and the Council had progressed from Level 0 to Level 2 of the Standard, which was the current norm for Districts.
- The achievement of Level 3 would generally necessitate the embedding of all Equalities issues into Service Delivery and the development of processes for measurement of the effectiveness of the Policies.
- Substantial preparation work and commitment of resources would be necessary to progress to Level 3. An amount of £10,000 would also be needed to pay for the External Assessment. A decision would need to be made as to the cost effectiveness of this, especially in the light of current LGR proposals.

- The three individual equalities pointers were, Gender Equality, Race Equality and Disability Equality. Policies in relation to each issue have been adopted and put in place by the Council. Action Plans in relation to each Policy have been drawn up to ensure progress against the Policies.
- It was noted that there seemed to have been an increase in the number of Appeals being heard. Members requested the Director of Corporate Services to provide them with the number/cost of Appeals against the Council, in relation to Equal Opportunities issues, over the past two years.
- Members also referred to the Audit Report from 2006. It was requested that the Director of Corporate Services provide Members with BVPI Figures in relation to Equalities issues, updated from those contained in the 2006 Report. Members also requested the projected date for the next Audit.
- It was agreed that for the next Panel Meeting, a draft scoping document be circulated for discussion, to enable Members to identify the parameters of this Scrutiny.

The Meeting terminated at 6.22pm

**Policy Scrutiny Panel**

**7<sup>th</sup> January, 2008**

**Scrutiny Report – Members Online – Additional Recommendation**

The Report of the Policy Scrutiny Panel in relation to the Scrutiny of the Members Online system was considered by the Scrutiny Committee on 6<sup>th</sup> December, 2007.

The Scrutiny Committee suggested that before submission to Cabinet, a fourth Recommendation be added to the three previously agreed by the Panel, and that the fourth Recommendation read as follows:-

- *“That, for the purpose of information, all Members of the Council be supplied with paper copies of Agendas for the meetings of Committees/Panels of which they are not a member”.*

The Scrutiny Committee also suggested that the additional Recommendation be referred back to the Policy Scrutiny Panel for their confirmation or rejection. If the Panel were to reject the additional Recommendation, the Report to Cabinet would revert to the three original Recommendations.



## SCOPING SHEET FOR SCRUTINY PANEL

<p><b>TOPIC FOR SCRUTINY: <i>Equalities Policies</i></b></p>
<p><b>Purpose of Review</b></p> <p>To review the Council's existing Equalities Policies and assess progress against the individual Action Plans drawn up against each Policy.</p>
<p><b>Specific issues to be looked at</b></p> <p>Overall Corporate Equalities Issues.          Individual Equalities Policies and their Action Plans.          Viability of working towards Level Three of "The Equality Standard" for Local Authorities.          Number/Cost to Council of Appeals in relation to Equalities issues.</p>
<p><b>Required Outcomes</b></p> <p>Members to be made aware of progress made so far in meeting Equalities Requirements (Achievement of Level Two of "The Equality Standard").</p> <p>Ensuring agreed requirements/timescales contained in current Action Plans are being achieved in relation to each Policy.</p> <p>Possible recommendations to begin work towards achieving Level Three of "The Equality Standard".</p> <p>Improved or maintained performance figures against BVPI's subsequent to the Audit Report of 2006.</p>
<p><b>Possible Implications</b></p> <p>Resource implications - development of further Action Plan (Officer Time)          Cost implications (External Assessment for Level Three)          Possible further training issues          LGR Implications</p>

<b>KEY TASKS</b>	
<p><b>Documents/evidence/research</b></p> <p>Equal Opportunities Policy Corporate Equality Plan/Action Plan Audit Report 2006 “Equal to the Task” – document from CfPS and Equalities Commission</p> <p>Disability Equalities Policy/Action Plan Race Equalities Policy/Action Plan Gender Equalities Policy/Action Plan</p> <p>Requirements for achieving Level Three</p>	<p><b>When</b></p> <p>Background Documents</p> <p>Panel discussions</p>
<p><b>Consultation</b></p> <p>Other Authorities/Comparison</p> <p>Benchmarking/Best Practice</p>	<p><b>When</b></p> <p>As Required</p>
<p><b>Witnesses</b></p> <p>Director of Corporate Services</p> <p>HR Officers</p> <p>External witnesses, if required.</p>	<p><b>When</b></p> <p>Initial Meeting Background discussions</p>
<p><b>Project start date: January, 2008</b> <b>Report to Scrutiny Committee:</b></p>	<p><b>Draft report deadline (if any)</b></p>



## Race Equality Scheme

**We can make this document available in a range of languages, on tape, in Braille, in large print and in other formats. For more information, please phone 0191 3018884**

বাংলা

এই ডকুমেন্ট অন্য ভাষায়, বড় প্রিন্ট আকারে এবং অডিও টেপ আকারেও অনুরোধে পাওয়া যায়।

हिन्दी

अनुरोध पर यह दस्तावेज़ अन्य भाषाओं में, बड़े अक्षरों की छपाई और सुनने वाले माध्यम पर भी उपलब्ध है।

ਪੰਜਾਬੀ

ਇਹ ਦਸਤਾਵੇਜ਼ ਹੋਰ ਭਾਸ਼ਾਵਾਂ ਵਿਚ, ਵੱਡੇ ਅੱਖਰਾਂ ਵਿਚ ਅਤੇ ਆਡੀਓ ਟੇਪ 'ਤੇ ਰਿਕਾਰਡ ਹੋਇਆ ਵੀ ਮੰਗ ਕੇ ਲਿਆ ਜਾ ਸਕਦਾ ਹੈ।

اردو

درخواست پر یہ دستاویز دیگر زبانوں میں، بڑے حروف کی چھپائی اور سننے والے ذرائع پر بھی میسر ہے۔

ગુજરાતી

આ દસ્તાવેજ વિનંતી કરવાથી બીજી ભાષાઓ, મોટા છાપેલા અક્ષરો અથવા ઓડિઓ રચનામાં પણ મળી રહેશે.

(中文 (繁體字))

本文件也可應要求，製作成其他語文或特大字體版本，也可製作成錄音帶。

## 1 Foreword

- 1.1 The City of Durham Council aims to make racial equality a central part of the way we work. We plan to do this by putting equality at the centre of our policies, services (including any our contractors provide), employment practice, regulation and enforcement. We welcome our duty under the Race Relations Amendment Act (2000) to produce a race equality scheme. We also believe that by promoting racial equality we will improve public services for everyone.
- 1.2 City of Durham does not have high numbers of people from ethnic-minority backgrounds currently living or working in the district. However, we accept that attention to racial equality is just as important in areas with small numbers, because people often experience isolation and cultural and language barriers, and do not have the normal support networks to improve their situation. The fact that numbers are small can also make it more likely that people become the target for racism and harassment. We recognise that institutional racism within organisations can affect whether some communities, households or people are able to get access to an appropriate and professional service. As a result, we must tackle institutional racism.
- 1.3 In our commitment to getting rid of racial discrimination, we accept the following two basic definitions set out in the Macpherson Report on the inquiry into the death of Stephen Lawrence.

### ***Institutional racism***

The joint failure of an organisation to provide an appropriate and professional service for people because of their colour, culture or ethnic origin. It can be seen in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantages ethnic-minority people.

### ***Racist incident***

Any incident which the victim or any other person believes is racist.

- 1.4 Our race equality scheme is part of a wider agenda that aims to include the community in the way we provide our services. This will be supported by a broad Equal Opportunities Policy that tackles racial inequality as well as discrimination due to a person's disability, sex, sexuality, age or religion or belief. Darlington and Durham Racial Equality Council have offered to help us develop our racial equality scheme. We will work with them to develop our understanding of this important topic.
- 1.5 Under the Local Government Act 2000, all local authorities must produce a community strategy for promoting and improving the economic, social and environmental wellbeing of their communities. We will include the aims of our racial equality scheme in:
- the ongoing development of this strategy; and
  - our planning and our consultation with all groups, including ethnic-minority communities, which will be vital to shaping our local services in the future.
- 1.6 We will also develop effective partnership arrangements with the public, private and voluntary sectors to improve the wellbeing of everyone who lives in the District.
- 1.7 We are committed to providing a better quality of life for everyone. By developing our race equality scheme and including it in our arrangements on planning services and managing our performance, we will make sure that no-one is overlooked or less well-treated than others, either deliberately or by mistake, simply because of their race, ethnic background or colour.

1.8 We are firmly committed to:

- following racial equality legislation;
- always taking account of racial equality and valuing people's differences;
- getting rid of unfair prejudice and discrimination; and
- tackling problem areas.

*Leader of the council /Chief Executive*

## **2 Introduction**

2.1 The Race Relations Act 1976 (as amended by the Race Relations (Amendment) Act 2000) gives public authorities a general duty to promote racial equality. The duty applies to all public authorities, including us.

2.2 Under the general duty, when carrying out our work, we must aim to:

- get rid of unlawful racial discrimination;
- promote equal opportunities; and
- promote good relations between people from different racial backgrounds.

2.3 The aim of the duty is to make racial equality a central part of the way we work, by putting it at the centre of our policies, services, employment practice, regulation and enforcement. We welcome our duty and believe that promoting racial equality will improve public services for everyone.

2.4 To meet our general duty, we must also meet the specific duties. These are not ends in themselves but provide the steps, methods or arrangements public authorities should follow to help us meet the general duty. The resulting race equality scheme is a statement of how we plan to meet both the general and the specific duties to promote equality under the amended Race Relations Act. This public document explains the values, principles and standards we follow. It sets out what we will do whenever discrimination is found within our organisation. It makes clear how we will communicate with our customers and what we will do to publish information. It also sets out how we make sure that staff and councillors are made aware of their responsibilities under the act.

2.5 The race equality scheme is a set of complementary procedures. These include:

- identifying the functions and policies (including proposed policies) that are relevant to meeting the duty; and
- making arrangements to:
  - assess proposed policies for any effects they might have on promoting racial equality;
  - consult people who are likely to be affected by those policies;
  - monitor policies for any negative effects they might have on people from different racial groups;
  - make sure the public have access to information and services;
  - publish the results of the assessments, consultations and monitoring; and
  - train staff in meeting these duties.



- 2.6 We will also monitor the ethnic origin of anyone we employ or who applies to us for work. This is to deal with any under-representation when compared to the local community we serve.
- 2.7 We will commit the necessary resources (people, time and money) to make sure we put the scheme into practice, and monitor and review it. We will report on progress each year and update the entire scheme every three years. The first full review will take place at March 2010.

### **3 Our commitment to racial equality**

#### **Our commitment**

- 3.1 The Council's mission is "To improve the quality of life for all people who live and work in or visit the City of Durham district". We want to provide quality public services for all people in the district and narrow the gap between disadvantaged communities and those more fortunate.
- 3.2 We are committed to acting in a way that is supportive of, and consistent with, the following framework of core values, which we have adopted in our Corporate Performance Plan.
- Ambition – striving to be the best.
  - Equality – promoting equality of opportunity and treating people fairly.
  - Customer Focussed – understanding and responding to the individual rights, needs and responsibilities of our customers .
  - Investing in People – valuing and developing everyone and helping them to realise their potential.
  - Collaboration and Partnership working – collaboration and working in partnership to achieve greater collective results.
  - Integrity & Openness – maintaining the highest standards of conduct, being rigorous and transparent about how decisions are taken and ensuring that those decisions are taken on the best quality data.
  - Communication & Consultation – putting in place effective resources, structures and systems to ensure that formal methods of consultation and communication with all of our stakeholders are established and maintained.
- 3.3 As part of our Human Resources Strategy one of our key objectives is Diversity at Work. The outcome is to improve our understanding of the needs of, and increase the number of people employed from minority and under represented groups. The key tasks include ;
- To ensure all employment practices comply with level 3 of the equalities standard.
  - To promote dignity at work through appropriate policy development.
  - To consult with representative minority groups aimed at developing and maintaining a workforce that is representative of the community it serves. .
- 3.4 To build further on the principle that equality and diversity are core issues which underpin all services throughout the Council we are working towards the Equality Standard which provides a framework for five levels of achievement in delivering equality for employment and service delivery. The Council achieved level two of the standard in December 2006 and our action plan provides for

achievement of level three in March 2008. The standard was written to provide a common approach for dealing with race, gender and disability issues. However, the Council will take steps to apply the standard to prevent discrimination in the following areas

- Race, Colour, Ethnic or National Origin
- Gender.
- Marital Status
- Employment Status
- Responsibility for children or dependants
- Age
- Disability
- Sexual Orientation
- Religion or Belief
- Offending Background

The review of our Race Equality Scheme first published in 2002 will support our Equal Opportunities Policy and will strive to:-

- improve customer satisfaction and relations with the wider public;
- improve everyone's understanding of different racial groups;
- build respect for each other; and
- by having a more varied workforce, develop better-quality services using a wider range of ideas.

3.6 We will include our race equality scheme in all our policies, services and activities.

3.7 We will monitor and review how effective our race equality scheme is at the end of its third year, and report formally to Cabinet on the Council's performance.

3.8 A high level Working Party, chaired by the Chief Executive, has also been established to oversee the development, implementation and improvement of equality and diversity action plans. The primary role of the Equality Working Party will be to:-

- develop and implement corporate plans to support equality and diversity;
- oversee progress towards the Equality Standard through initiating local and corporate assessments; and
- ensure all areas take responsibility for delivering the equality and diversity policy and race equality scheme action plans and that they get any support they need.

3.9 Our success in implementing an effective race equality scheme depends upon several factors:

- internal resistance or lack of awareness about race issues
- sustained high level commitment
- adequate staff resource
- establishment of good partnerships with racial groups
- mainstreaming by linking new arrangements into existing standard procedures
- availability of suitable external expertise
- building internal body of expertise

We have been mindful of the importance of these factors when developing our race equality scheme.

## Background information

- 3.10 Having analysed the 2001 Census to provide a range of information this was to be used to ensure that our policies and services would be based on local rather than national data.
- 3.11 According to the 2001 Census, most people (85,692– 97.7%) in Durham City describe themselves as white. The rest, 2017 people (2.3%), identify themselves as from another ethnic group. The information available shows that the largest ethnic-minority groups in the district are Chinese (0.8%) and Asian (0.8%).
- 3.12 The following table shows the breakdown of ethnic groups in the district.

Durham City			Number	Percentage
All			87,709	
White			85,692	97.7
Mixed			439	0.5
Asian or Asian British <ul style="list-style-type: none"> <li>• Indian</li> <li>• Pakistani</li> <li>• Bangladeshi</li> <li>• Other Asian</li> </ul>			701	0.8
Black or Black British <ul style="list-style-type: none"> <li>• Caribbean</li> <li>• African</li> <li>• Other Black</li> </ul>			176	0.2
Chinese or Other Ethnic Group			701	0.8

Source: 2001 Census

- 3.13 Information from the 1991 Census suggests that the black population has risen in the last decade, from 0.7% to 2.3%. The effect has still been small, because the numbers were small to begin with.
- 3.14 In the past we have had little access to any details of the shared or different characteristics of our ethnically varied population. The 2001 Census highlights how important it is to consider the characteristics of each ethnic group separately and **not** to consider all ethnic-minority groups as one group. A more detailed analysis would allow us to target ethnic-minority groups more effectively so that they receive information, get fair access to services and can identify their specific needs. Even then, we know that single ethnic groups themselves will not necessarily represent a single group and that there will be a range of opinions.
- 3.15 We already use performance information to monitor equality and racial equality issues through national performance indicators (standards to measure performance against). Appendix 1 shows our performance in a number of related performance indicators over the financial years 2004/2005 and 2005/2006.
- 3.16 This information shows that the number of racist incidents the Council has been recording for the past two years using the Home Office guidance and adaptation of the standard form is nil. This

monitoring has not been effective and we will work with the Police and other agencies to ensure this becomes a more effective indicator. Despite this, the experience of other local authorities with very low ethnic-minority populations is that reporting using this system may be low as the general public do not necessarily think that they can report a racist incident to the local authority. This is something we are aware of, and we must improve the way we collect this information.

- 3.17 The relatively low numbers of people from ethnic-minority groups is a dilemma for the organisations who need to consult them to identify specific needs, especially as the same people will be contacted by a number of different agencies for very similar purposes. Rather than continue this approach, we will work with other organisations, such organisations as the Darlington and Durham R.E.C. to ensure we become more effective in our consultation

## **4 Identifying and assessing current and proposed policies and services**

### **Identifying relevant functions and policies**

- 4.1 As part of our general duty to promote race equality, we have a specific duty to set out arrangements to assess the likely effects of our functions and policies on different groups in the community.
- 4.2 For this purpose:
- ‘Functions’ means all of our duties and powers. It covers internal and external functions, including service delivery.
- ‘Policies’ means the full range of formal and informal decisions we make in carrying out our functions, and all the ways in which we use our powers – or decide not to. Any assessment of a policy will include an examination of long-standing custom and practice and management decisions, as well as any formal written policy.
- ‘Relevant’ means ‘having implications for’ (or affecting) the general duty. A function or a policy will be relevant if it has, or could have, implications of any kind for promoting race equality.
- 4.3 This a two-stage process
- Stage 1 – screening to determine their relevance to the general duty.  
Stage 2 – to carry out a formal assessment for each function or policy that is deemed to be relevant
- 4.4 The first stage aims to screen all current and new functions, strategies and policies to ensure that those with potentially the most significant impact on racial groups are fully examined first. The method involves:
- an initial identification of all the functions and policies
  - assessment of each function or policy for relevance
  - prioritisation of each function or policy for action
- 4.5 The Equalities Working Party have developed an initial list of functions, policies and strategies which we have responsibility for. This has been developed into a three year programme for evaluation.
- 4.6 A number of staff within the Authority have been trained to undertake Equality Impact Assessments.
- 4.7 Full consultation with appropriate bodies will not be possible until appropriate networks have been established. As soon as appropriate consultative groups have been established, we will consult and revise, if necessary, the prioritised list.

- 4.8. We intend to review this prioritised list of functions and policies each year as part of our formal annual business planning process to ensure that, as we collect more relevant statistical information, this can help inform their continued relevance and priority.

### **Assessing current and new functions and policies**

- 4.9 We have considered which policies and areas of our work are relevant to our duty to promote racial equality. We have prioritised these, as needed by the Act and decided which policies and areas of our work we should analyse in years 1, 2 and 3.
- 4.10 Our policy developers are based in each of the functional areas of the council and are often the Heads of Service themselves, with input from others the key areas for consideration in policy development are
- issues to be addressed;
  - aims;
  - features;
  - benefits;
  - scope;
  - definition;
  - appropriate frameworks, organisational structures, and responsibilities;
  - consultation arrangements;
  - changes to processes;
  - communications;
  - induction and training requirements and plan;
  - monitoring arrangements;
  - approvals; and
  - review process
- 4.11 This review process will also enable us to assess the impact of all new policies. We currently do this by highlighting impact under a number of various headings.
- 4.12 A formal action plan is required to implement each new policy with ownership allocated from the outset. Progress is controlled through our standard Business Planning arrangements, which demand the development of plans in a specific format including specification of: links to corporate objectives; targets and milestones; measuring, evaluation and monitoring arrangements; and allocation of responsibility to officer and Council portfolio holder. Our systematic planning approach includes the reporting of progress to the various bodies and committees responsible for overseeing performance. Progress is regularly monitored by the corporate management team and Member led Performance Clinics on an exception reporting basis.
- 4.13 Full consultation with appropriate bodies will not be possible until appropriate networks have been established. In the short term, the Equality Working Party (who have some limited training in racial issues) will take responsibility for assessing how new and updated policies may affect ethnic-minority groups.
- 4.14 We will not have to formally carry out an assessment of the impact of every new policy but will decide the level of assessment and consultation required in each case. We will therefore make an initial assessment or 'screening' based on information we have. If the screening shows that racial groups will not be affected differently by the policy, or that the policy has a very low relevance to race equality, then we will not move to the next level of assessment.
- 4.15 When carrying out a full impact assessment, we will:
- set clear policy aims and objectives
  - collect existing ethnic data and commission research if necessary

- use the data to decide whether the policy is likely to affect different racial groups, directly or indirectly, in different ways.
- consider changes to the policy to prevent any adverse impact or unlawful discrimination, while still delivering the aims of the policy.
- consult interested parties, service users, trade unions and members of the public on the preferred policy
- take account of all assessments and consultations before making a final decision on the policy
- monitor and review the policy and its impact.

4.16 In considering whether the policy is likely to affect different groups, we will ask the following questions:

- could this policy affect some racial groups differently?
- will it promote good race relations?
- is there any public concern about possible discrimination?
- are there other strategies or approaches we could adopt to reduce any negative effects on any racial groups?
- how could we use this policy to promote a positive effect on disadvantaged racial groups?

4.17 Any adverse affects identified through the assessment and consultation process will be addressed by the policy developer.

4.18 When reviewing and carrying out a full impact assessment on existing functions and policies, we will follow the same process as that outlined above. If we update or change our policies, or create new ones, we will also consider the effects on different racial groups using the same approach.

4.19 Our aim for new policies is to carry out this impact assessment at an early stage of developing the policy. It is essential that our staff know how to do this, and resources and training programmes will be provided.

4.20 In time, we will examine all new policies for the effect they will have on all the categories covered by the Corporate Equalities policy. We will include details of what we have assessed in each impact assessment.

4.21 We will give managers guidance, support and training based on advice from the Commission for Racial Equality (CRE) on how to carry out an equality impact assessment.

## **5 Consulting people who are likely to be affected by the policies**

5.1 We have a duty to set out the arrangements for how we will consult people from ethnic-minority groups about the effect of our services and policies. Consultation will involve staff and members of the council, people who use our services, members of the community, and our partners.

5.2 We realise the importance of consulting, involving and working with communities across a wide range of issues and services factors we need to consider are;

- use and application of different methods of consultation
- presentation of the results of consultation.
- evaluation of outcomes of consultation
- coordination of activity
- consulting with hard to reach groups
- developing knowledge skills etc
- establishing wider community links – informing, consensus building, partnering and empowering
- guidance on who, when, why and how to consult
- consultation standard
- consultation objectives

- breakdown of feedback into equality categories including CRE recommended ethnic minority categories.

5.3 Our normal consultation action will involve:

- selection of policy for consultation
- setting clear aims for consultation
- setting timetable and linking it to the decision making process
- selecting appropriate consultation methods
- carrying out the consultation
- analysing results promptly
- feeding results into the decision making process and making changes if necessary
- publishing the results of consultation

5.4 We follow a combination of different approaches, depending upon the nature of the policy and in case one approach accidentally excludes a particular group we will identify the method of consultation and target audience which will produce the most representative results. Methods could include:

- open or public meetings to targeted audience;
- consultation through community representatives;
- surveys;
- meetings;
- face to face interviews
- group discussions with partners;
- conferences;
- written documents;
- newsletters;
- focus groups;
- user panels
- feedback on our website;
- open days
- exhibitions
- roadshows.

5.5 As part of our standard policy development process, we consult internally and externally, depending upon the nature of the policy. However, we currently have no arrangements in place for ensuring that our consultation methods reach a truly representative sample of our community. Furthermore, the relatively small numbers of ethnic minority people in the borough make it likely that ready made groups of ethnic minority people are unlikely to exist already and they will be difficult to establish and maintain.

5.6 We will develop new consultation arrangements to reach the ethnic-minority population of Durham City, or their representatives, who could be affected by the policies. We will aim to develop effective consultation arrangements in association with a wider range of partners .. These may include:

- anti-racist organisations
- advice networks
- ethnic minority organisations
- other equality commissions
- other public service deliverers
- racial harassment organisations
- networks set up to consult with hard to reach groups

5.7 Any policies developed prior to the consultation mechanism being established will be re-examined and assessed after consultation with the appropriate groups likely to be affected, once they have

been set up.

## **6 Monitoring policies and services**

- 6.1 Monitoring will help us check whether our services and culture discriminate against certain people. Without information from ethnic monitoring, there is no reliable way of knowing whether how we deliver services is consistent across all groups, whether discrimination is taking place, or whether our policies to prevent or tackle it are working. Monitoring will also provide information to allow us to share best practice across similar authorities.
- 6.2 Our current monitoring system uses a mixture of results across key performance indicators and also results from surveys, audits and other feedback mechanisms to report the results of our activity. Results are analysed and reported every three months to our corporate management team, performance clinic and Cabinet. Any results that deviate from planned performance are highlighted for remedial action.
- 6.3 We do not currently carry out a lot of racial equality monitoring within each of our policy areas and areas of work that are relevant to the general duty, this is a priority area for development.
- 6.4 We currently measure satisfaction across a wide range of areas covered by a comprehensive performance assessment and can break responses down to show the ethnic background of people who responded. A permanent representative group of residents provides feedback on some issues, our viewpoint panel, however, we need to take action to encourage people from ethnic-minority backgrounds to take part in the group.
- 6.5 We recognise that we need to make a number of improvements to our current monitoring system to capture information about our services and policies in relation to ethnic minorities. This action will make sure that our service monitoring arrangements are inclusive of the ethnic composition of our local population. We have relied heavily on the 2001 Census information to provide information about the population of Durham City. However, we need to develop a more detailed understanding of the characteristics of these groups to gain a better understanding of their needs. We have taken notice of advice from the CRE to avoid the use of too generic a system for ethnic monitoring classification purposes. This will minimise the risk of disproportionate racial discrimination taking place or that certain racial groups experience inferior service provision. We will use the categories the CRE recommended as a focus for more detailed research. This should help us to consult with and assess how our policies affect these people.
- 6.6 As part of our screening process, we will identify the monitoring requirements for each of the functions or policies identified, and prioritise these to ensure that sufficient ethnic minority data is available to inform the impact assessment process. We will then
- set up monitoring systems for all relevant functions and policies;
  - analyse data from monitoring;
  - decide what action is needed to deal with issues identified by the monitoring data;
  - change policies or functions as appropriate.
- 6.7 By using the CRE recommended classification system to regularly assess how effective our services are, we will then be able to decide the best method for monitoring each function or policy according to the circumstances in each case. We will use conventional ethnic record keeping and monitoring and also surveys, personal interviews, public consultations or focus groups where these are appropriate.
- 6.8 Our internal audit system will include equality and diversity in its normal systems audit checking procedure. It will also incorporate a specific audit of equality and diversity (including race) in its programme of audits.



- 6.9 If, as a result of monitoring, we find that the impact of a policy goes against any of the three parts of the general duty, we will fully investigate that policy and introduce alternatives or measures to stop the problem. If we did not originally give the policy a high priority for review in our action plan, we will amend the timetable for reviews and action accordingly.
- 6.10 As part of our partnership working, we aim to work our way through the five levels of the government Equality Standard. We will carry out self-assessments of our performance as part of the Equality Standard process. Results will be fed back to the Equalities Working Party to direct further action.
- 6.11 The General Residents Survey 2006 asks a new question which the Council can use to inform the Scheme:-
- To what extent do you agree or disagree that this local area is a place where people from different backgrounds get on well together?
- 6.12 We are currently introducing a corporate performance management database (Performance Plus). We will use this to improve how we report on performance and actions every three months. Councillors and officers will use this database to monitor performance relating to our service plans. This will make sure that we can include the performance indicators and actions set out in the race equality scheme in the database and assess our progress.

## **7 Access to information and services**

- 7.1 We recognise that there must be equal access to the services and information we provide to all people. We also recognise that certain sectors of the community may have difficulties in accessing services and information because of how we deliver them, and they may become discriminated against as a result.
- 7.2 People currently access our information and services through
- personal visit to our buildings located throughout the district
  - telephone
  - email, fax or letter
  - face to face contact in meetings, seminars, focus groups, community meetings or panels.
  - through written guidance and publications
  - through leaflets placed in public buildings
  - home visits for vulnerable people
  - web site
- 7.3 We currently provide a wide range of information to the general public, partners, staff and service users. We have developed a number of appropriate formats for presenting this information, including the following:
- corporate publications such as our Corporate Performance Plan
  - magazines and newsletters
  - we publish a large number of leaflets on specific subjects eg leisure activities,
  - our website, which is updated regularly, which also provides links to other useful sites
  - exhibitions at conferences and other events
  - answers to enquiries and complaints
  - use of media for advertising, campaigning and press articles.
- 7.4 We are aware that we have not offered information in ways that are suitable to people from ethnic minority groups. We are therefore putting in place procedures to make sure that important information is available in a range of languages and other formats, when people ask. We will also use the Language Line phone interpretation service to improve access to services. We will make staff aware of these arrangements and review how these are used. We are also aware that the

range of languages people use has changed dramatically over the last 10 years. Through Language Line, we will make sure that we keep up to date with the changing needs of our local population.

- 7.5 Our standard cyclical performance management and improvement process requires that we first test out all new or improved policies, procedures, leaflets and other written documents with our users and use their feedback to make further improvements. The weakness in this system is that our user representatives are not fully representative of the community we serve. We will review and update our consultation strategy and guidance document to make sure that there is equal access to all consultation exercises to be targeted to ethnic minorities and will help start identifying problems with information and access to services we provide. The feedback will be used to make improvements.
- 7.6 We also need to adopt a more systematic approach so that we not only consult on satisfaction with access and information provision during the policy development process but also monitor and consult our users throughout the year, using residents and other user panels and surveys, and use the feedback to plan and implement further improvements.
- 7.7 Our method for making improvements to any aspect of our service is to refer feedback from monitoring and consultation exercises to Heads of Service they will consider this information in considering policy development.

## **8 Publishing results**

- 8.1 As part of the Race Relations Amendment Act (2000) we have a duty to promote equal opportunities and good relations between people of different racial groups as well as publish the results of any assessments, consultation and monitoring. We would like to become an example of good practice by making sure we publish information in formats that are suitable for all groups, including the main languages that are appropriate to District's ethnic population.
- 8.2 We will research the best places, methods and languages to use to reach our ethnic population and will make sure that our public documents provide an opportunity for feedback.
- 8.3 We will produce an annual report that will show the progress we have made on putting our racial equality scheme into practice, as well as reviewing our action plan.
- 8.4 We will make written policy assessments available in other formats and languages when people ask.
- 8.5 We will publish all new and updated policies on our website for all officers and councillors.
- 8.6 On the website, and by publishing this information, we will encourage people to give us their views.
- 8.7 We will tell the public that this information is available through press releases and public notices.
- 8.8 We recognise that we need to encourage harmony between different ethnic groups within the community. We want to encourage individuals and groups to be involved in all our work.

## **9 Complaints**

- 9.1 We welcome feedback and complaints about any of our work and encourage all employees to tell us when things go wrong so that we can improve services. We also recognise that our complaints system is central to our need to know how we are performing and how accessible our services are. These systems need to be reliable and effective if the community is to have confidence in them.

- 9.2 We currently monitor our complains by ethnicity which allows us to measure the response we receive from different sections of the community and to identify, prioritise and remove any barriers that might exist.
- 9.3 We are currently working to deal with any complaints as quickly as possible (we aim to reply fully within ten working days). If someone who makes a complaint is not happy with the outcome, we can refer the matter to the, Local Government Ombudsman if the person making the complaint is not completely satisfied.
- 9.4 We will respond constructively to suggestions on how we can improve our complaints procedure. We will work to make it accessible to anyone who wants to complain, including our staff.
- 9.5 If our employees are racially abused by members of the public, we will encourage them to report the incident to line managers and support them. If necessary, this support will include contacting the police so that they may deal with the matter.
- 9.6 Employees who have a grievance about their treatment by managers or colleagues based on race can complain through the normal grievance procedures. People trained to understand these issues will investigate the grievance. If it can be proved there has been a grievance, we will take appropriate disciplinary action against the employee concerned.
- 9.7 We will monitor race-based complaints, grievances or allegations of bullying and harassment each year. We will report on these as part of the race equality scheme annual report.

## **10 Training employees and councillors**

- 10.1 To make sure that we meet our duty to provide racial equality, we need to make sure that staff and councillors have the relevant training and skills to understand the issues involved and put the racial equality scheme into practice.
- 10.2 Our current training and development processes are reasonably well developed. Training is delivered using professional external trainers for equalities issues.
- 10.3 The council has an ongoing partnership arrangement with Northumbria University they deliver an accredited programme for middle managers on a range of technical, personnel and management skills . We are therefore able to support our employees through specialist and technical training courses and can provide a wide variety of development experiences for staff.
- 10.4 City of Durham have achieved Investors in People accreditation, this helps us to help us commit, plan, take action and evaluate our training more effectively and systematically.
- 10.5 Our annual employee PDR process has been designed to identify specific individual training needs, we collate and analyse these needs and include them in an annual training plan, together with an analyses of corporate requirements, for the corporate management team to consider and approve.
- 10.6 We intend to continue to provide training on our racial equality scheme and on the general and specific duties required of us under the Race Relations Act 2000. It will form part of a wider approach to help us reach acceptable standards across all areas of equality and diversity.
- 10.7 We recognise that the different groups of the workforce who will receive racial equality training will have different needs. We also recognise that the training we provide must not be just about generalised race awareness, but must go further in helping everyone to take on their responsibilities under the Act.
- 10.8 Our strategy with regard to development has covered the whole council in a top-down approach. The Chief Executive, other members of the corporate management team and heads of service, have all undertaken general equalities training. Front-line staff, particularly people who handle

complaints and those dealing with the community each day have been trained as a high priority. Our Induction programme will also be enhanced, to ensure new employees are fully aware of their responsibilities under the Act.

- 10.9 All existing training courses will be timetabled for review to ensure their compliance with and support for our Equal Opportunities Policy and race equality scheme. New training courses will incorporate equality and diversity (particularly race) in their content to support our efforts to mainstream such considerations. We will review the equality standards of any external trainers we use.
- 10.10 As part of the training programme, we have already started to raise staff's awareness on our duty to review our racial equality scheme.

## 11 Employment

- 11.1 To meet the general and specific duties in relation to employment under the Act we must be able to monitor, by racial group, the number of:
  - employees currently working for us
  - applicants for employment, training and promotion
  - employees who receive training
  - employees who undergo performance appraisals
  - employees who are involved in grievance procedures
  - employees who are subjected to disciplinary action; and
  - employees who end their service with us.

We must also publish the results of this monitoring each year.

- 11.2 The Council has systems in place that enables this information to be produced.
- 11.3 On the face of it, evidence from the 2001 Census shows that ethnic-minority groups are under-represented in employment at the council compared with the population as a whole. We will analyse any patterns of inequality using the categories outlined in paragraph 11.1 and take whatever steps are needed, to redress the balance of any adverse impacts.
- 11.4 Where, as a result of monitoring by staff attitude survey or other method we identify possible discriminatory practices, we will respond constructively to remove any barriers to fair treatment or causes for dissatisfaction.
- 11.5 All our employees already have the opportunity of relevant training and professional qualifications, which we review each year through the employee PDR scheme. Through this process we can identify further training opportunities with each member of staff. We will make sure that procedures are in place to monitor the identification of training needs and take up of training opportunities by racial group.
- 11.6 As part of employees' induction, we will tell them that they can speak to their manager or HR at any time if they feel they are being discriminated against in any way. Any discussions will be confidential. As a result, we will deal with any discrimination and monitor it in line with our equal opportunities policy and dignity at work policy. We will take action against any employee whose behaviour or actions do not follow our commitment to equal opportunities. We will support employees who are racially harassed, abused, victimised or discriminated against. Where employees are subjected to discrimination or harassment by members of the public, we will support them in any appropriate action they wish to take.
- 11.7 We will follow a similar procedure for employees leaving our employment to make sure there has been no discrimination or other injustice throughout their employment. We will offer employees the opportunity to take part in an exit interview where any concerns may be highlighted.

- 11.8 When we recruit employees we will follow guidance set out in the Commission for Racial Equality's Code of Practice.
- 11.9 We will do everything we can to meet the needs of different faiths that employees may have, including flexible working. We will publish cultural and religious festivals and holidays and acknowledge them so that we do not unreasonably withhold leave from employees who may have to celebrate them.
- 11.10 We will seek opportunities to enable our employees to participate in activities that promote good race relations within the community and throughout the District.
- 11.11 We need to improve our understanding of the reasons behind the figures we gain from the monitoring process. We will therefore produce a yearly employees monitoring report so that we can consider what further action is needed to deal with under-representation within the workforce.
- 11.12 We will make consultants, contractors, suppliers and partners (including those in the voluntary and community sectors) aware of our policy on racial equality. We also expect that their policies will at least include:
- a commitment to equal opportunities in recruiting, choosing, training, transferring, promoting, disciplining and dismissing employees; and
  - a statement that racial discrimination and harassment are disciplinary offences.
- We will also invite them to participate in any racial equality training we provide for our employees.

## **12 Action plan**

- 12.1 The structure for putting our racial equality scheme into practice includes:
- formal authority for the scheme and putting it into practice;
  - a process owner – the Head of Human Resources;
  - an Equalities Working Party, and
  - leadership and commitment – Chief Executive and corporate management team.
- 12.2 We have produced a three-year action plan so that we can meet the duties of the act as set out in this scheme.
- 12.3 We will review the action plan in March each year.

## **13 References**

- Audit Commission (2002) 'Building an inclusive organisation', Diversity Scheme
- Audit Commission (2002) 'Directions on diversity: current opinion and good practice'
- Audit Commission (2002) 'Equality and Diversity. Learning from audit, inspection and research'
- Commission for Racial Equality (2002) 'The duty to promote race equality'. The statutory code of practice and non-statutory guides for public authorities.
- Commission for Racial Equality and others (2002) 'The equality standard for local government'. Commission for Racial Equality, Equal Opportunities Commission, Disability Rights Commission, Employers Organisation, dialog, Local Government Association

- Local Government Association and others (2002) 'Guidance on community cohesion'. Local Government Association, Office of the Deputy Prime Minister, Home Office, Commission for Racial Equality, Inter Faith Network for the UK
- Race Relations Amendments Act 2000

**RACE EQUALITY SCHEME ACTION PLAN – APRIL 2007 TO MARCH 2010**

	<b>Action</b>	<b>Outcome</b>	<b>Responsible Officer</b>	<b>Target Date</b>
1.	Launch and promote consultation on revised Race Equality Scheme internally and with partner organisations	Effective communication and feedback on Scheme and ownership of targets	Head of Human Resources	April 2007
2.	Ensure that the race equality elements of the Equality Standard for local government are achieved	Race equality is contained within the day to day activities of the Council departments and service areas	Equalities Working Party Heads of Service	March 2008 – Level 3 March 2009 – Level 4
3.	Engagement in an equality impact assessment process	Equality Impact Assessments take place systematically and are used to inform how we plan our services	Equalities Working Party Heads of Service	In line with EIA three year rolling programme
4.	Meet targets for Best Value Performance Indicator (BVPI 11b). The percentage of the 5% of earners employed by the authority that are from black and minority ethnic communities.	Improved representation of black and minority ethnic employees at a senior level	Head of Human Resources	2007/2008 – 4.00% 2008/2009 – 4.00% 2009/2010 – 5.00%
5.	Meet targets for Best Value Performance Indicator (BVPI 17a). Minority ethnic community staff as a percentage of the total workforce.	A workforce that is representative of the community it serves	Head of Human Resources	2007/2008 – 2.30% 2008/2009 – 2.50% 2009/2010 – 2.70%
6.	Meet targets for Best Value Performance Indicator (BVPI 2b). This is a measurement set by national government which helps us see how well we are doing in the duty to promote race equality.	Improvement in the duty to promote race equality	Head of Human Resources	2007/08 – 70.00% 2008/09 – 80.00% 2009/10 – 90.00%
7.	Meet targets for Best Value Performance Indicator (BVPI 174). The number of racial incidents recorded by the authority per 100,000 population	To reduce the number of racial incidents	Head of Community Services	2007/08 – 0.00% 2008/09 – 0.00% 2009/10 – 0.00%

	<b>Action</b>	<b>Outcome</b>	<b>Responsible Officer</b>	<b>Target Date</b>
8.	Improve interpretation, translation and transcription within the council	Effective communications in place for people whose first language is not English	Head of Human Resources	June 2007
9.	Service areas to develop plans to introduce equality monitoring in relation to race and other equalities areas	Information systematically collected to measure gaps in service delivery, investigate any such gaps and take action to remove any disparities or disadvantage	Heads of Service	July 2007
10.	Ensure procurement activity addresses race equality issues	Ensure that external providers of Council services meet their statutory equalities requirements and the Council's equalities policies and practices	Head of Business Development	On-going
11.	Examine alternative means of reaching black and minority ethnic community groups and review membership of Viewpoint Panel and other consultative bodies with a view to increasing members of black and minority ethnic people	Increased accessibility and better representation for black and minority ethnic people	Head of Community Development	June 2007
12.	Continue to provide equalities training	Staff are aware of their legal and employee obligations, and transfer their learning into practice	Head of Human Resources	On-going
13.	Develop a staff training strategy for equality issues including e-learning options	Structured plan for equalities training	Head of Human Resources	September 2007
14.	Produce workforce data in compliance with the specific duties under the Race Relations (Amendment) Act	To have available comprehensive and accurate information to support the recruitment	Head of Human Resources	On-going



	<b>Action</b>	<b>Outcome</b>	<b>Responsible Officer</b>	<b>Target Date</b>
		and retention of a diverse workforce		
15.	Incorporate race (and other) equality objectives and targets in departmental service plans	To ensure integration of race equality targets and objectives in service planning	Heads of Service	On-going
16.	Review of Authority's website to include information on race equality and published race equality scheme	Provision of information in relation to race equality	Head of Human Resources	April 2007
17.	Review action plan annually	An accurate and relevant Action Plan that improves the way the Authority provides its service on an ongoing basis	Equalities Working Party	March 2008
18.	Review scheme in 3 years	An accurate and relevant scheme that is integrated with other diversity issues	Heads of Service	March 2010



## **DISABILITY EQUALITY SCHEME**

**2006-2009**

### **Introduction**

This is the first Disability Equality Scheme to be produced by the City of Durham Council. Most public authorities have to produce a Disability Equality Scheme and this gives them the opportunity to show everyone how inequality, disadvantage and discrimination that disabled people face during their lives will be addressed.

We also want to show how we will enable disabled people to become full and active members of the communities in which they live. We will ensure that when we deliver services we think about how we can meet the diverse needs of disabled people and will continue to acknowledge the skills and abilities of disabled people who apply for jobs and are employed by the City of Durham Council.

We will continue to involve disabled people in developing the Scheme.

### **The Purpose of our Disability Equality Scheme**

The new Disability Discrimination Act (DDA) 2005 places 'general' and 'specific' duties on the Authority to promote disability equality. Disability equality is about making things fairer for disabled people.

Producing a Disability Equality Scheme is one of the 'specific duties' of the new DDA 2005.

The Disability Equality Scheme sets out our plans for making equality happen for disabled people in the City of Durham district. The Scheme also includes a number of things we must consider under the specific duty.

## **The Council's Vision, Values and Strategic Priorities**

The Council's mission is:

“To improve the quality of life for all people who live and work in or visit the City of Durham district”,

To ensure that the Council maintains its clear strategic direction, a threefold vision has been developed for the Council and the district:-

- Flourishing Communities
- Quality Public Services
- Capital City

In support of our strategic priorities, we have adopted a series of corporate values. These values describe our fundamental beliefs and underpin our approach to service delivery:-

- Ambition – striving to be the best
- Customer Focussed – understanding and responding to the individual rights, needs and responsibilities of our customers.
- Investing in People – valuing and developing everyone and helping them to realise their potential
- Equality – promoting equality of opportunity and treating people fairly
- Collaboration and Partnership working – collaborating and working in partnership to achieve greater collective results
- Integrity and Openness – maintaining the highest standards of conduct, being rigorous and transparent about how decisions are taken and ensuring that those decisions are taken based on the best quality data
- Communication and Consultation – putting in place effective resources, structures and systems to ensure that formal methods of consultation and communication with all of our stakeholders are established and maintained.

The Authority is committed to providing equality and diversity in both employment and service delivery and this is reflected in our Equal Opportunities Policy. We will ensure that:-

- There is equality of opportunity in terms of access to the Council's services and that the provision of service reflects, and is appropriate to, the needs of the diverse communities within the district;
- Present and prospective employees are afforded equal and fair treatment in relation to recruitment, selection terms and conditions of employment, training and promotion.

## **The National and Local Context**

### **The National Context**

- There are over 10 million disabled people in the UK which represents around 18 percent of the population; of which, 4.6 million are over State Pension Age and 700,000 are children (Family Resource Survey 2003-2004)
- There are over 6.8 million disabled people of working age which represents 19 percent of the working population. (Labour Force Survey, June 2005)
- One in every three customers either has a disability or has a close relative or friend who is disabled. (Office of National Statistics, Census 2001)

### **The Local Context**

- With a resident population of 87,709 people, the City of Durham district features vast social and economic diversity.
- 20.1% of the population of the City of Durham district have a long term limiting illness. (2001 Census)
- 44.1% of households in the City of Durham district have one or more person with a limiting long term illness. (Audit Commission Area Profile website)
- Of the whole population who are economically active in the City of Durham district 17.36% are disabled people. (Audit Commission Area Profile website)
- 2.3% of the population in the City of Durham district are from black and minority ethnic groups. (2001 Census)

### **The Social Model of Disability**

Research shows that disabled people do not currently have the same opportunities or choices as non-disabled people. Nor do

they enjoy equal respect or full inclusion in society on an equal basis.

In its report “Improving the Life Chances of Disabled People” (Strategy Unit, 2005), the Government sets out its vision for disability equality as follows:-

“By 2005, disabled people in Britain should have full opportunities and choices to improve their quality of life and will be respected and included as equal members of society”.

The “Social Model of Disability” was created by disabled people in response to the “Medical Model of Disability” which suggests that the inequality experienced by people with disabilities is as a result of disabled people’s impairments; in other words, that the impairment is the problem and that the medical profession needs to seek cures for disabilities.

The Social Model, on the other hand, describes disability not as a medical issue but as one where people face daily barriers in society; for example in the way buildings are designed and built, the way social activities are organised and in the attitudes of people who favour non-disabled people over disabled people.

<b>Medical Model Thinking</b>	<b>Social Model Thinking</b>
Disabled person is faulty	Disabled person is valued
Diagnosis is needed	Strengths and needs are defined by individuals and others
Person is labelled	Barriers are identified and solutions developed
Impairment is the focus	Outcomes are the focus
Therapy is imposed	Services are adapted
Individuals segregated	Training of professionals to allow integration
Needs are not considered	Relationships are nurtured
Re-entry to society is considered “normal” otherwise permanent exclusion	Diversity is welcomed, individual is included
Society remains unchanged	Society evolved

Adapted from Micheline Mason 1994, R. Rieser 2000

The City of Durham Council fully supports the Social Model of Disability and will seek to promote this positive attitude of people with disabilities as part of its day-to-day work.

### **What the Law Says**

The City of Durham Council will carry out its duties under disability legislation. This includes:-

- The Disability Discrimination Act (DDA) 1995 as amended by the Disability Discrimination Act 2005
- Building Regulations 2000 and Part M requirements – building regulation amendments 2003

### **Disability Discrimination Act (DDA) 2005**

The new general duty means that we must, in carrying out our functions, have due regard to:

- Promote equality of opportunity between disabled people and other people;
- Eliminate discrimination which is unlawful under the Act;
- Eliminate harassment of disabled people that is related to their disabilities;
- Promote positive attitudes towards disabled people;
- Encourage participation by disabled people in public life;
- Take steps to take account of disabled people's disabilities even where this involved treating disabled people more favourably than other people.

The general duty builds upon the duties of the Disability Discrimination Act 1995 including the duty to make reasonable adjustments to make sure disabled people can access employment; goods, facilities, services, functions and premises.

The specific duty requires authorities to produce a Disability Equality Scheme to demonstrate how it intends to fulfil its general and specific duties and should involve disabled people in the development of the scheme.

The scheme includes:-

- How we have involved disabled people in the development of the scheme.
- The Authority's methods for equality impact assessment.
- A three-year disability equality action plan on how we will put the scheme into practice.
- The Authority's arrangements for gathering information in relation to employment and in the delivery of its functions.
- The Authority's arrangements for putting the information gathered to use, in particular in reviewing the effectiveness of the action plan and in preparing subsequent Disability Equality Schemes.

### **Who is responsible for the Disability Equality Scheme?**

Corporate responsibility for the Disability Equality Scheme rests with the Chief Executive in conjunction with the Leader of the Council.

Members will be required to oversee the implementation of the Disability Equality Scheme, ensure adequate resources are available, engage with the local community and provide a scrutiny role.

The Equality Working Party has strategic responsibility for the implementation, monitoring, evaluation, and audit of the Scheme and will conduct an annual review of the Scheme

Operational responsibility rests with Heads of Service who will ensure that the objectives of the Scheme are incorporated into business plans. They will also set additional equality and diversity objectives relating to their specific areas of work, and be responsible for coordinating the programme of Equality Impact Assessments (EIA's) for their service.

All employees have a responsibility for the implementation of the Disability Equality Scheme and to highlight practices or procedures that may present barriers to disabled employees or to disabled people in the way they access or receive services from the Council.

## **Meeting the General Duty**

The Authority will adopt a proactive approach, mainstreaming disability equality into all decisions and activity.

## **The Equality Standard for Local Government**

In order to deliver our overall commitments on equality and diversity, the Authority has adopted the Equality Standard for Local Government.

The Equality Standard is not a legal requirement but has been produced to provide a framework through which local authorities can meet their legal obligations under anti-discrimination legislation. It has five levels of achievement:-

- Level 1 – Commitment to a comprehensive Equality Policy
- Level 2 – Assessment and consultation
- Level 3 – Setting equality objectives and targets
- Level 4 – Using information systems and monitoring against equality targets
- Level 5 – Achieving and reviewing outcomes

The Standard is about making equalities part of our day to day activities. The Authority is working towards Level 2 by December 2006 and Level 3 by March 2008.

## **Equality Impact Assessments (EIA's)**

We need to understand whether our services are meeting everyone's needs and that people who need our services have access to them. To help us to do this we carry out an Equality Impact Assessment.

The Authority has been carrying out Equality Impact Assessments on a number of policies and services during 2006. Assessments will be carried out on new policies and services, as they are developed and over time on all other existing policies and services. Disability issues will be considered alongside other equality issues such as race, gender, age, sexual orientation, religion and belief.



We have produced guidance and we have provided training to people who are responsible for undertaking Equality Impact Assessments.

## **Performance**

Best value guidance set by the Government requires councils to make arrangements to improve the way they carry out their functions and provide services. Best Value Performance Indicators (BVPI's) – linked to disability issues are:-

- BVPI 2a – The level of the Equality Standard for Local Government to which the Authority conforms.
- BVPI 11c – The percentage of the top paid 5% of staff who have a disability.
- BVPI 16a – The percentage of local authority employees declaring they meet the Disability Discrimination Act 1995 definition.
- BVPI 156 – The percentage of authority buildings open to the public in which all public areas are suitable for and accessible to disabled people.

Targets have been set for each of these BVPI's which are included in the action plan and the Authority is constantly working towards improving performance in these areas.

The development of service level disability targets will be included in the business planning process.

## **Access to Services, Information and Communication**

The Authority is a service provider and is also responsible for exercising public functions. This means under the Disability Discrimination Act we have legal duty to ensure that wherever possible disabled people can use or receive the same services to the same standards as non-disabled people; and that disabled people do not experience unlawful discrimination.

The Council is committed to making its buildings more accessible for disabled people.

All new City Council buildings will comply with Part M of the Building Regulations 2000, as amended in 2003. We will follow

the guidelines for 'BS 8300 Design of Buildings' and use this approach to help meet the needs of disabled people.

The Authority is also a member of the Durham City Access for All Group which works towards improving access across Durham City.

The Authority will ensure that interpretation and translation mechanisms are in place to improve communication with disabled people.

## **Involvement**

The Authority is committed to involving disabled people and giving disabled people every opportunity to comment on how our services and employment practices are provided and developed. The Authority also recognises that it is important disabled people are represented in all the ways in which we consult.

People with disabilities were given the opportunity to express their views about County Durham's public authorities, "Have Your Say," held at Durham County Hall, on 21<sup>st</sup> July 2006, gave people with disabilities living throughout the area the chance to give vital feedback to their public authorities about their thoughts on existing services which directly affect them and suggestions for future improvements. Each public authority within the County will use this information to inform their disability equality action plans.

## **Consultation Standards**

The Council has in place a number of arrangements to engage and consult on a wide range of issues. These arrangements will be continuously developed to ensure effective consultation with disabled people. The arrangements can be described as follows:-

- Area Forums which deal with issues in the community and are the most localised point of contact for interaction
- General residents surveys which consult on the satisfaction levels of service users
- Ad hoc service consultations which take place to inform and gather information on service focus

- Viewpoint panels have been established to consult with a cross section of the community
- General performance and service literature which the Corporate Performance Plan and Council publications such as Durham City News.

Our priority is to put in place effective resources, structures and systems to ensure that formal methods for consultation and communication with all of our stakeholders are established and maintained.

### **Comments and Complaints**

Members of the public who feel that they have experienced disability discrimination in the way the Authority has treated them may make a complaint through its Corporate Complaints Procedure.

We have a grievance procedure in place for employees if they feel they have been unfairly treated and will introduce a Dignity at Work Policy which will include a procedure for dealing with complaints of bullying and harassment.

We also have a Confidential Reporting Policy which extends the protection for employees who want to report bad practice without fear of being victimised as a result.

We will take all complaints seriously and will not tolerate any form of discriminatory behavior.

The Members' Code of Conduct and Standards Committee deals with complaints about the conduct of elected members.

Monitoring complaints is also another way of gathering information to see whether we are meeting our equality duties.

Independent advice for complaints on disability equality matters may be sought from the Disability Rights Commission at:

Disability Rights Commission  
DRC Helpline  
FREEPOST MID02164  
Stratford upon Avon  
CV37 9BR

## **Training**

We train our staff so they are more aware of and have skills to take positive action in removing barriers placed in the way of disabled people by society.

An Equalities and Diversity training programme for all staff, managers and Members has been on-going within the Authority since 2001.

Disability awareness training needs are considered through the Personal Development Review process and delivered through the annual Corporate Training Programme.

We will ensure disability equality is included within other relevant courses provided by the Authority, i.e. customer care, recruitment and section.

## **Employment Equality**

We monitor the number of disabled people that we employ; figures show that 5.88% of people employed by the Authority are disabled. We will monitor on a yearly basis to ensure that our workforce continues to be representative of the wider community and take positive action to promote representation at all levels within the Authority.

Analysis of information on the effect of employment policies and practices will be undertaken in relation to:-

- Recruitment/retention and development (promotion & training) of disabled employees
- Number of disabled applicants

- Number of disabled employees in post
- Number of disabled people who leave the Authority

We will work towards encouraging a culture where people feel safe to declare their disability so that we can help make any reasonable adjustments that are necessary.

If an employee becomes disabled or their disability gets worse we will explore all options for reasonable adjustments and redeployment to retain them in employment.

We will also encourage work experience opportunities from disabled people.

### **Review of the Scheme**

This scheme will be reviewed on an annual basis by the Equalities Working Party. It will be reviewed to ensure that:-

- We have complied with the duties under the Act.
- Equality of opportunities have been advanced during the life of the Scheme.
- Improvements upon what we have already achieved can be recognised.
- Lack of progress in particular areas are identified and acted upon.
- Consultation undertaken to monitor public perception and satisfaction is maintained and acted upon.