



Report of Corporate Management Team

Report of Lorraine O'Donnell, Assistant Chief Executive

Councillor Simon Henig, Leader

Purpose of the Report

1. The report provides information on the revised equality policy (Appendix 2) and the streamlined corporate approach to equality planning and performance management.

Background

2. The Equality Act 2010 replaced previous equality legislation which contained a number of specific requirements for local authorities, these covered policies, action planning, equality impact assessment, monitoring and reporting processes. Though we are still required to meet responsibilities under the Act and the public sector equality duty, the Equality Act is now less prescriptive in relation to policies and procedures than the previous legislation. In response we have reviewed our equality policies and our approach to equality planning in order to maintain our commitment in a cost effective manner.

Equality policy - current position

3. There are four policies in the equality 'suite' – an overarching equality policy which is supplemented by specific policies on gender, disability and race. This reflected the legal requirements of previous legislation which meant we were obliged to have the three supplementary policies in place.
4. The Equality Act does not include specific policy requirements, this has allowed us to review our position and streamline the existing cumbersome range of documents whilst still meeting our legal responsibilities. The existing policies also incorporate some practical and procedural guidance which, although helpful, is not actual policy information so our review considered how to make this information more readily available to employees.

Revised policy

5. The aim of the review was to update the policy and provide a clear, concise message which would:
 - a) be understood by all employees, Members and the general public;
 - b) meet our current legal obligations in a single document;
 - c) be 'future proofed' against changes to legislation by removing specific detailed references and minimise the costs of further reviews.

6. The revised policy is a simplified and streamlined commitment to treating people fairly, with respect and dignity whilst complying with our legal responsibilities. The policy will apply to every elected member, employee, volunteer or organisation representing the authority through contractual or commissioning arrangements. There are a number of key commitments relating to service delivery, employment and working with others. These commitments are linked to and supported by the current equality objectives which are part of our public sector equality duty.

Equality planning and performance management

7. Alongside we have also streamlined our approach to action planning and performance management. Previously we were required to produce and publish an equality scheme which included a three year action plan, this changed in 2012 under the new public sector equality duty which requires us to publish an annual equality analysis and equality objectives every four years. As a result 2012/13 was a transition period between the final year of our Single Equality Scheme and publication of the new equality objectives.
8. Our equality aims and objectives, published in April 2012, were based on evidence from local and national statistics as well as previous consultation activities.

The three equality aims and nine underpinning objectives are:

Aim 1 – Provide high quality accessible services to all

- Understand the needs of County Durham's diverse communities
- Ensure equal access to council services
- Improve services to meet diverse customer needs

Aim 2 – Be a diverse organisation

- Provide strong leadership in relation to equality and diversity
- Recruit and retain a diverse workforce
- Promote equality and diversity through working practices

Aim 3 – Work with others to promote equality countywide

- Work effectively with underrepresented communities
- Work effectively with partners
- Integrate equality and diversity through commissioning and procurement

9. The equality objectives maintain our overarching focus whilst allowing Services to identify relevant and proportionate actions which are monitored and reported through the performance management framework. We have now consolidated our approach by building all equality actions into the Council and Service plans which embeds our approach to equalities into our corporate processes. This provides a more efficient way of managing actions and monitoring performance so that they are no longer published separately or seen as an additional burden.
10. Members may wish to note that Cabinet will consider the latest draft Council Plan and Service Plans on 19th March 2014, which will incorporate equality related actions. Our annual equality reports are available on the County Council website.

Recommendations

11. Cabinet are asked to

- approve the revised equality policy, and
- note the streamlined approach to equality planning and performance management.

Contact: Kay Winter Tel: 2680020

Appendix 1: Implications

Finance – No additional budget requirements.

Staffing – No additional staffing requirements. Policy governs staff behaviour.

Risk – Updated policy continues to mitigate risk of legal challenge.

Equality and Diversity / Public Sector Equality Duty – Policy and approach to action planning relate directly to Equality Act 2010 and PSED requirements.

Accommodation – N/A

Crime and Disorder – N/A

Human Rights – Not specifically covered in the policy but equality issues are linked to Human Rights.

Consultation – None required, this is an update rather than introduction of new policy or objectives.

Procurement – N/A

Disability Issues – Disability is a protected characteristic covered by the policy and there are specific actions included in Service Plans.

Legal Implications – The policy relates to the Equality Act 2010, it will provide evidence in case of legal challenge and includes responsibilities for staff, Members and those providing services on behalf of the authority. Equality objectives are required under the Equality Act 2010.

Durham County Council Equality and Diversity Policy

Policy statement

Durham County Council is committed to promoting equality of opportunity, valuing diversity and ensuring discrimination, harassment or victimisation is not tolerated.

Our policy is to treat people fairly, with respect and dignity. We also comply with legal requirements in relation to age, disability, gender, pregnancy and maternity, marriage and civil partnership, gender reassignment, race, religion or belief and sexual orientation.

We believe that everyone in County Durham deserves excellent public services which take account of their needs and circumstances. As an employer, service provider, partner and community leader we will ensure that all communities have opportunities to access our services, be involved in decision making and be part of our workforce.

Equality and diversity is more than just meeting our legal obligations, we will take action to improve our policies and everyday practice.

Responsibilities

Our policy applies to every elected member, employee, volunteer and any other person or organisation employed by the council to work or to deliver services on its behalf. This includes contractual and commissioning arrangements. The policy applies to all work-related situations including social events and the use of electronic communications or social media.

It is the individual's responsibility to:

- treat others fairly, with dignity and respect,
- follow council policies and procedures,
- ensure documentation, information and activity is lawful,
- consider reasonable adjustments and other requirements relating to disabled people,
- challenge discrimination and unfair treatment, reporting it where appropriate, and
- attend relevant training and ask for advice where necessary.

All actions, which are intentionally contrary to this policy, will be dealt with under the appropriate disciplinary procedure.

Our commitment

To support our corporate policy and commitment, we will:

- Treat all individuals with dignity and respect.
- Value diversity.
- Encourage participation in decision making and take account of consultation responses.
- Take action on any form of discrimination or complaints of unfair treatment.
- Comply with equality law and learn from good practice in other organisations.
- Regularly monitor, assess and consult on the impact of our policies, services and functions to ensure they are fair and reflect people's varied needs.
- Monitor and review our equality objectives which are supported in the Council plan and Service plans.

Demonstrating our commitment to equality and diversity

We will ensure that elected members and employees are made aware of this policy through our induction, training and corporate communications. We will take actions to advance equality in service delivery, employment and working with others.

Service delivery

We are committed to providing accessible and appropriate services to meet the needs of all our service users.

When we deliver or commission services we will:

- Develop flexible and responsive services within the resources available.
- Adapt services and make reasonable adjustments where appropriate.
- Improve access to council premises.
- Make our information accessible by offering alternative formats, interpretation and sign language services where necessary.
- Monitor take up of services and take appropriate action to eliminate barriers
- Include equality actions in our Council and Service plans.
- Consult and involve all sections of the community to ensure their needs are considered.
- Ensure equal access to the Council's complaints procedure.
- Evaluate and monitor the impact of our policies, services and functions on communities.

Employment

We are committed to being a fair and supportive employer, and we will monitor our employment practices to ensure fair representation and treatment.

As an employer we will:

- Treat all employees fairly, with dignity and respect at all times.
- Ensure fair recruitment processes which encourage applications from all groups in the community.
- Provide a safe and accessible working environment, creating a culture which is free from discrimination, harassment, bullying and victimisation.
- Provide fair and transparent pay, reward and employment conditions.
- Promote work-life balance and opportunities to work flexibly.
- Make reasonable adjustments in line with our legal duties.
- Monitor employment procedures to avoid unlawful discrimination and ensure consistent treatment.
- Ensure that all employees have fair and equal access to learning and development opportunities to ensure that the workforce is equipped with the necessary skills.

Working with others

As a large public sector organisation we will use our influence and work together with other key partners and the local community to:

- Develop understanding of the communities we serve.
- Ensure effective communication with the local community.
- Encourage all members of the community to participate in decision making.
- Use feedback from communities to help shape future plans, decisions and policies.
- Encourage, develop and participate in joint working.
- Share information, experience and examples of good practice on equality with other public, private, voluntary and community organisations.

- Use our influence and purchasing power to encourage good equality practice in other organisations.
- Provide opportunities for residents to come together through cultural, sporting and other community activities.

Complaints procedures

There are a number of ways to report equality issues or complaints:

- Employees can raise issues informally with their line manager or Head of Service. Formal complaints should follow the grievance procedure.
- Councillors can report issues through the member officer protocol or the code of conduct depending on the nature of the complaint.
- Members of the public can use the corporate and statutory complaints procedures.

We will take prompt action to investigate any complaints.

Anyone who has complained will not be treated unfavourably or victimised. However, if a complaint is found to be malicious this will be dealt with under the appropriate disciplinary procedure.