

BRIDGEND COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL PEN-Y-BONT AR OGWR
REPORT TO EQUALITIES COMMITTEE
REPORT OF THE EXECUTIVE DIRECTOR – STRATEGIC CHANGE
18 JULY 2007

Report on the development of the Corporate Equality Policy Framework

1. Purpose

- 1.1** The purpose of this report is to seek the endorsement of the Equalities Committee for the development of a single Corporate Equality Scheme for Bridgend County Borough Council in line with the recommendation of the Corporate Management Board made on 10 July 2007.

2. Connection to Corporate Improvement Plan & other Corporate Priorities

- 2.1** This proposal will help mitigate the risk of failure to meet the Authority's statutory duties in respect of equalities that was identified in the Corporate Improvement Plan 2006/09. The proposal will support all of the Authority's corporate priorities, especially supporting our disadvantaged communities.

3. Background

- 3.1** In order to meet the Authority's statutory duties under the Welsh Language Act 1993, the Race Relations (Amd) Act 2000, the Disability Discrimination Act 2005 and the Equality Act 2006 the Authority must publish the following:

- Welsh Language Scheme
- Race Equality Scheme
- Disability Equality Scheme
- Gender Equality Scheme

Also this is a crucial part of achieving the Equality Standard for Local Government in Wales which forms part of the Authority's Welsh Assembly Government Policy Agreement (local measure 15). Each statutory scheme operates on a different 3 yearly cycle and requires slightly different reporting mechanisms.

- 3.2** The equalities agenda is currently undergoing a period of rapid and radical change which will see major changes in both way the equality duties apply to the public sector, the way performance is assessed and

the way the duties are enforced. The main drivers of change on the equalities agenda are:

- The *Equalities Review: Fairness and Freedom Report* (March, 2007) called for a clearer national consensus on equality, a simpler legal framework, more targeted action on persistent inequalities, greater transparency and accountability in measuring progress and a more sophisticated enforcement regime.
- The *Commission for Equality and Human Rights* will formally begin work in October 2007, replacing the existing Equal Opportunities Commission, Commission for Racial Equality, and Disability Rights Commission. It will also tackle discrimination on the grounds of sexual orientation, religion or belief and age. It will have a clear remit to foster good community relations and help build strong, cohesive communities.
- The *Discrimination Law Review: A framework for a fairer future* has just been published by the Secretary of State for Communities and Local Government (June 2007). This proposes a Single Equality Bill to simplify the law and make it more effective. This includes proposals to revise the existing public sector duties to ensure an approach that will mainstream equality and good community relations into public services. This approach will focus on improving performance through proportionate action to achieve priority equality objectives.
- The recent WLGA proposal to introduce the *Equality Improvement Framework for Wales* (June, 2007) to replace the Equality Standard for Local Government in Wales over the coming year. This framework is designed to complement the Wales Programme for Improvement and the *Making the Connections* policy agenda.
- In October 2005 the Welsh Assembly Government published new guidance for Local Authorities on the Wales Programme for Improvement (Circular 28/2005). This includes a requirement that the council should conduct annual assessments of progress towards equality objectives.
- In March 2007 the Welsh Assembly Government published *Making the Connections – Building Better Customer Services* which sets out its vision for putting the ‘voice’ of the citizen as a key driver for service improvement. This document sets out 5 core principles of customer care - access, personal experience, responsiveness, language options, and redress. Specific reference is made to statutory equality duties under the core principles of *responsiveness* and *language options*, including the need for public services to meet the needs of citizens who prefer to access and use services in English or Welsh, or need to use minority ethnic languages or British Sign Language.

3.3 Finally, the Commissions have recently modified their stance on single equality schemes, advising that if a public authority opts to draw up a single scheme then such a scheme should include arrangements for

meeting the specific duties which are easily identifiable, notably around gathering evidence, involving and consulting people and setting out separate action plans for each equality strand. Authorities would also need to ensure that their annual reporting clearly identifies progress on objectives for each equality strand. The Commissions and the UK Government take the view that it is possible to coordinate equalities work, address multiple-discrimination, and ensure effective processes by combining all elements of the different duties into one totally integrated scheme.

- 3.4** However, it should be noted that the Welsh Language Act 1993 and the statutory guidance from the Welsh Language Board has set out a prescribed format for the production of Welsh Language Schemes. It is not proposed at this time to merge the Welsh Language Scheme into a single equality scheme. However the Board recommends that an annual monitoring report on the Council's Welsh Language Scheme be published as part of the Council's Corporate Improvement Plan. This would provide an opportunity to co-ordinate corporate planning and reporting against both the Welsh Language Scheme and the Corporate Equality Scheme to fit in with the WPI reporting schedule.

4. Current Proposal for a single Corporate Equality Scheme

- 4.1** An increasing number of public authorities have produced single equality schemes or are considering doing so, including Denbighshire County Council, Cardiff City & County Council and South Wales Police. At a meeting of the WLGA Equality Officers Network on 14 June 2007 the three Commissions in Wales provided feedback on current equality schemes. This feedback highlighted common barriers encountered by authorities that may be more effectively addressed by a single Corporate Equality Scheme. These include:

- Leadership and clear corporate messages
- Corporate approach on impact assessment
- Evidence gathering, including workforce and service monitoring
- Community and staff involvement
- Staff training and awareness
- Annual monitoring and reporting on progress
- Public access to the schemes

The key message from the Commissions was that authorities should take a SMART approach to producing a scheme with targeted activities that will deliver real change in organisational culture and meaningful outcomes for the local community.

- 4.2** Currently, the authority has in place, in draft form, a Corporate Equality Plan; revised Race Equality Scheme; revised Welsh Language Scheme; Disability Equality Scheme; and equality policies covering race, gender, disability, language, faith, sexual orientation, age and carer status. This work has included consultation and involvement with the wider community which has identified local priorities, but there needs to be greater engagement internally to identify a clear line of

sight between equalities and the corporate improvement agenda. A single Corporate Equality Scheme would provide an opportunity to address these barriers and transform the authority's approach so that it is better able to respond to the rapidly changing equalities agenda and make clear to the public what the authority's equality objectives are and what progress is being made.

4.3 The aim of the proposal is to design a single Corporate Equality Scheme which strikes an appropriate balance between the costs and administrative burdens of meeting the authority's duties, and the benefits in terms of the equality outcomes to be achieved. The main benefits of producing a single Corporate Equality Scheme will be :

- Clear corporate message on equality and community relations
- Make better use of limited staff resources, including council and management time and publication costs
- Enable the authority to prioritise objectives in line with its authority's long-term strategic aims and take proportionate action to achieve these objectives
- Identify opportunities to carry out targeted involvement and consultation activities linked to the strategic aims of the authority
- Address the current capacity of the authority to achieve its equality objectives, including budget and resource allocation
- Develop a corporate approach to equality impact assessment
- Have a unified timetable for planning and reporting that links into existing corporate reporting methods and mechanisms for business and improvement planning in line with the WPI requirements for an annual assessment report.

The proposal is to produce a single Corporate Equality Scheme by March 2008 in line with the planning timetable for the Corporate Plan. This will ensure that the authority has the necessary structures in place to meet the statutory deadline for producing a revised race equality scheme by May 2008.

5. Effect on Policy Framework and Procedure Rules

5.1 The report has no direct effect upon the policy framework or procedure rules but is required to effectively implement the Authority's statutory duties in relation to equalities and human rights.

6. Legal implications

6.1 The proposal contained within this report will help to ensure the effective implementation of relevant equality and human rights legislation.

7. Financial implications

- 7.1** The proposal contained within this report will ensure the efficient use of corporate resources and budgets and help to mitigate any potential legal claims.

8. Recommendation

It is recommended that the Equalities Committee:

- Approve the proposal to produce a single Corporate Equality Scheme by March 2008 incorporating the authority's draft race and disability equality schemes and covering faith, sexual orientation, age and carer status.

Tony Garthwaite
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Background papers and legislation:

- Wales Programme of Improvement Guidance for Local Authorities 2005 (Circular 28/2005)
- The Equalities Review: Fairness and Freedom Report (March, 2007)
- Discrimination Law Review: A framework for a fairer future (June, 2007)
- Equality Improvement Framework for Wales (June, 2007)
- Making the Connections – Building Better Customer Services (March, 2007)
- Equal Pay Act 1970 and 1983
- Sex Discrimination Act 1975 and 1986
- Race Relations Act 1976 and 2000 and 2003
- Welsh Language Act 1993
- Disability Discrimination Act 1995 and 2005
- Employment Rights Act 1996
- Government of Wales Act 1998
- Crime and Disorder Act 1998
- Human Rights Act 1998
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003

- Gender Recognition Act 2004
- Carers (Equal Opportunities) Act 2004
- Civil Partnership Act 2005
- Equality Act 2006
- Employment Equality (Age) Regulations 2006
- Equality Act (Sexual Orientation) Regulations 2007