

CABINET COMMITTEE - EQUALITIES – 26 JUNE 2012

MINUTES OF A MEETING OF THE CABINET COMMITTEE - EQUALITIES HELD IN
COMMITTEE ROOM 2/3, CIVIC OFFICES, ANGEL STREET, BRIDGEND, ON TUESDAY,
26 JUNE 2012 AT 10.00AM

Present: -

Councillors

M E J Nott
H J David
M Gregory
P J White

Invitees:-

Councillor M W Butcher	Councillor C L Jones
Councillor L Ellis	Councillor A D Owen
Councillor D M Hughes	Councillor C Rees
Councillor C Jones	Councillor C Reeves
Councillor H Townsend	

Officers:

S Kingsbury	- Head of Human Resources and Organisational Development
P Williams	- Business Partner, Human Resources
H Stephens	- Equality and Diversity Consultant
R Crocombe	- Equality and Engagement Trainee
S Evans	- Principal Officer Learning and Development
M A Galvin	- Senior Democratic Services Officer - Committees

1. APPOINTMENT OF CHAIRPERSON

RESOLVED: That in the absence of Councillor D Sage, Chairperson of the Cabinet Committee – Equalities the Committee agree that Councillor Nott be appointed Chairperson for the meeting.

Councillor Nott took the Chair.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members for the reasons so stated:-

Councillor D Sage	- Family commitment
Councillor L C Morgan	- Other Council business

3. DECLARATIONS OF INTEREST

None.

4. MINUTES OF PREVIOUS COMMITTEE MEETING

RESOLVED: That the minutes of the meeting of the Cabinet Committee - Equalities dated 6 February 2012 be approved as a true and accurate record.

In respect of Minute 137, Page 100 an Invitee asked if training in BSL could be rolled out to Members as well as Officers.

The Business Partner, Human Resources advised that he would place this request before the Member Support Group for further consideration.

5. PRESENTATION ON EQUALITY AND DIVERSITY

The Leader introduced Mrs Helen Stephens from Helen Stephens Development.

He advised that Mrs Stephens had previously worked in Swansea City Council and the WLGA and she was now a Training Consultant and had her own private business.

The Leader confirmed that Mrs Stephens would give a power point Presentation on the Equality Act 2010 and how the implementation of the Act will impact upon the Council.

Mrs Stephens began by giving:

- An introduction to the Act
- Explaining the new Public Sector Duty
- Confirming why it was needed
- Confirming who was protected
- Outlining the Specific Duties in Wales
- Advising of the importance of monitoring

She then explained the definition of **Equality** which was treating people according to their needs rather than treating everyone the same. She advised that **Diversity** was about recognising that all individuals were different, and confirmed that **Inclusion** was about asking people what they want or what they need to live an active life.

Mrs Stephens then outlined the meaning of discrimination, harassment and victimisation which were:

- I. Direct discrimination – When someone is treated less favourably than others in the same circumstances.
- II. Indirect discrimination – When someone puts in place rules that apply to everyone, but put you at an unfair disadvantage because of your protected characteristic.
- III. Harassment – Unwanted or uninvited behaviour that is offensive, embarrassing, intimidating or humiliating.

- IV. Victimisation – When you are treated less favourably than someone else because you have complained about discrimination, or supported someone else who has.

She explained that there were more often than not effects of discrimination on the person who was being discriminated against. These could be in the form of depression, anxiety, stress, anger, low self esteem and a lack of confidence.

Mrs Stephens explained that the Equality Act was a mixture of rights and responsibilities that had either changed, stayed the same, been extended or been introduced for the first time.

She advised that local authorities and other public bodies including schools, must have due regard for the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

Mrs Stephens then explained that the Equality Act was needed, as it puts fairness at the heart of society, levels up protection, clarifies the law, protects the public at large and updates or replaces existing legislation.

The Act protects the following:

- < Race
- < Sex
- < Disability
- < Age
- < Religion or belief
- < Sexual orientation
- < Gender reassignment
- < Marriage and civil partnership
- < Pregnancy and maternity

Mrs Stephens then elaborated upon harassment, explaining that harassment in the work place had to be addressed by Management. A line manager who takes no action following 3 separate complaints of harassment by an employee would be liable in a court of law.

She then advised upon issues of levelling up protection, and explained that discrimination could be claimed through association and/or perception, as well as through one of the 9 characteristic groups.

Mrs Stephens also confirmed to Members, that pre-employment questionnaires outlining for example a potential employee's disabilities etc, would no longer be lawful under the terms of the Act until such time that they were appointed.

The specific duties for local authorities and other organisations across Wales would be:

What?

- a. Objectives
- b. Strategic Equality Plans
- c. Annual reporting mechanism
- d. Assessment of equality impacts
- e. Pay differences
- f. Staff training (particularly for front line customer service staff)
- g. Procurement (ie if the authority procured services from an external organisation, they would be required to apply the provisions of the Equality Act in any legal Agreement)

How?

- a. Through engagement
- b. Through sharing equality information
- c. Through employment information
- d. Publishing requirements
- e. Making the requirements of the Act accessible
- f. Regular reviewing of equality themes, aims and objectives

Mrs Stephens advised that the purpose of the Equality Plans and accompanying action plans, was to enable the delivery of measurable equality outcomes, which improved the lives of individuals and communities. These were required she continued, to allow Authorities to be more proactive, in developing planning, performance monitoring and reporting arrangements which meet local needs, and help to achieve equality improvements which make sense locally. She confirmed that equality objectives should be mainstreamed so that all services and departments contribute to equality improvement.

She then explained of the importance of equality monitoring, to ensure services are fair; rather than unequal, to establish who is and isn't accessing things they should be, to see if there are different outcomes for people, which cannot be explained, and finally to ensure the Authority have a record of individuals specific needs, so adjustments can be made to meet such needs.

In terms of what the Authority were required to monitor as a result of the Equality Act, Mrs Stephens advised that these were the 9 protected characteristics, as well as any needs related to these.

As this concluded the Presentation, the Leader thanked Mrs Stephens for providing such an interesting and informative submission on what was a very important topic.

He then invited questions from Members.

A Member asked if there were any significant changes in terms of an organisation protecting characteristic groups as a result of the coming into being of the Act, compared to previous.

Mrs Stephens explained that there was no significant change other than organisations having to put in place firmer protocols, policies and procedures than previous, in order to ensure that all individuals forming society were afforded equality and not discriminated against in any way.

A Member noted that the public sector were bound by the requirements of the Act, and he asked if it was going to be applied in relation to outside organisations such as those not funded publically, for example Town and Community Councils.

The Business Partner, Human Resources advised that the Act would apply to all organisations rather than just those of the public sector and the like, and the Council could link in with these organisations situated within the County Borough, to advise them of the Equality Act and confirm that the Council have introduced a Strategic Equality Plan to support the provisions of the Act.

It was suggested that the Equality Act could be shared with Town and Community Councils via the Town and Community Council Forum.

Mrs Stephens also advised that an organisation external to the Authority who were procuring any of its services, were also bound by the provisions of the Act when it became fully operational from 2 April 2012.

RESOLVED: That the Presentation on the subject of the Equality Act 2010 be noted.

6. CORPORATE EQUALITY MANAGEMENT GROUP NOTES

The Business Partner Human Resources pointed out for the benefit of new Members, that the main purpose of the Group was to lead on and consider the implementation of major Plans, Policies and Strategies of an equalities nature at an infancy stage prior to issues such as this being presented to the Cabinet Committee Equalities.

He confirmed that the Corporate Equality Management Group was looking to develop a new Equality Impact Assessment Toolkit in order for it to be more meaningful.

Key Officers that formed the Group, were also engaging with organisations such as the local Deaf Club and other similar type representative groups, in order to ensure that organisations such as the local authority were offering and providing services that individuals within groups such as these both need and require and how these services are to be delivered, ie by what methods..

In response to a question, the Business Partner Human Resources confirmed that the provision of services was not only looking to those delivered to protected characteristic groups within the town of Bridgend, but to the wider areas of the County Borough. He added that all the 9 protected characteristic groups were represented upon the Corporate Equality Management Group.

A Member asked if groups such as Gypsy Romany and Irish Travellers were represented on the Group.

The Business Partner Human Resources advised that this was presently the subject of discussion.

The Business Partner added that there was progress also being made in terms of supporting employees with autism, whereby the Council would soon be accredited to a recognised national standard, translating certain documents bi-lingually from English to Welsh, as well as looking to extend the package known as “my friend” where individuals with hearing problems could obtain access to a BSL interpreter on line.

RESOLVED: That the Committee noted the Notes of the Corporate Equality Management Group.

7 6 MONTHLY REPORT ON EQUALITY IN THE WORKFORCE

The Assistant Chief Executive Performance submitted a report that provided the Cabinet Committee with data on the Council’s workforce, together with comparative information and an update on developments that are employment related.

The Business Partner Human Resources referred those present to Appendix 1 of the report that provided a profile of the workforce as at 30 September 2010, 31 March 2011, 30 September 2011 and 31 March 2012. This data included the number of employees in relation to the equality strands identified in the Council’s Strategic Equality Plan and Draft Action Plan and examples of these were shown in paragraph 4.1.1 of the report.

Paragraph 4.1.3 of the report, outlines details of the various reasons why employees had left the Council between the dates of 1 April 2011 – 31 March 2012.

Paragraph 4.1.4 then outlined a summary of workforce information as at 31 March 2012, based on gender/pay grade for all BCBC staff excluding casual/relief employees.

The Business Partner Human Resources then referred Members to ongoing developments, these being in relation to Equalities Data Capture, Strategic Equality Plan, Job Evaluation and Equal Pay, British Sign Language, “Louder than Words” Charter; Autism Awareness and Employment Development and Training.

He added that areas of focus of the Human Resources Service Unit in the next 12 months would continue to be:

- To continue to provide Human Resources support to service areas undertaking staff reviews and to ensure that relevant workforce issues are managed in a fair and timely manner in accordance with Council’s policies and statutory equality duties.
- Disability 2 ticks symbol: The Council was awarded the “2 ticks” symbol in 2010 and is currently being re-assessed by Job Centre Plus for the award to be renewed.

- In respect of the Strategic Equality Plan, a draft action plan had been produced Development of the themes within the objective 'The Council's Role as an Employer will begin in 2012, with initial focus being on the development staff networks and a review of the induction process.

Members asked questions on the report, and stated that it would be useful in future reports if reference to Teachers in the summary of workforce information (contained in paragraph 4.1.4 of the report) could be broken down further.

A Member noted from paragraph 4.1.3 of the report that there had been 344 resignations from the Authority last year. He asked if there was any data available to confirm the reasons for these staff resignations and did staff within the Council when they leave complete an exit questionnaire.

The Head of Human Resources and Organisational Development explained that at present the Council did not provide exit questionnaires for employees who leave the Authority, though exit interviews were undertaken for jobs in certain specific areas. She added that there was a possibility of obtaining data for the next meeting in respect of the reasons why staff had left the Authority during the above period, through the Trent system.

She further added that Officers were presently investigating the possibility of conducting an employee survey.

A Member noted that Appendix 1 to the report reflected that there were 1.1% of employees within the Council that were disabled, with this figure only reflecting the percentage that had declared this. He added that this was quite low compared with the average figure based on the population of the County Borough, which was around 3.4%. He asked if it would be possible to receive data of disabled people employed in other Authorities in Wales, in order to gauge comparisons.

The Business Partner Human Resources, advised that nationally the percentage of people who were disabled and unemployed was around 50%. In terms of more accurate data being provided on the number of persons employed by the Authority who were disabled, he confirmed that the data capture exercise would provide for more accurate figures than those that currently exist.

RESOLVED: That the Committee considered and noted the information contained within the report.

8 FORWARD WORK PROGRAMME

The Assistant Chief Executive – Performance submitted a report the purpose of which was to propose a Forward Work Programme for the Committee, Appendix 1 to the report referred.

A Member felt that it was important to itemise an item on the Forward Work Programme which reflected the fact that the Council were actively engaging with its young people.

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The Cabinet Member – Children and Young People advised that he would engage with the Youth Council over this, as well as with groups such as those in the Bridgend College.

The Business Partner Human Resources encouraged Members to contact him direct with any further items they feel should be added to the Forward Work Programme and he would consider adding these.

RESOLVED: That the Cabinet Committee Equalities approves the proposals outlined within the Forward Work Programme attached to the report.

The meeting closed at 12.00pm