

CABINET MEETING – 14 MARCH 2012
EXECUTIVE SUMMARY SHEET – PART I

Title of Report:
Equality Scheme

Author(s):
Deputy Chief Executive

Purpose of Report:
To request approval for publication of the Equality Scheme (Appendix A)

Description of Decision:
Cabinet is recommended to: Agree this approach to meeting the specific duties of the Equality Act 2010 and agree the attached Equality Scheme appended and equality objectives

Is the decision consistent with the Budget/Policy Framework? ***Yes**

If not, Council approval is required to change the Budget/Policy Framework

Suggested reason(s) for Decision:
Under the Equality Act 2010, the Council is required to set out its approach to equality, and agree equality objectives. A full set of equality objectives must be published by the 6th April 2012

Alternative options to be considered and recommended to be rejected:
It is proposed that the Equality Scheme and associated objectives are published to meet the requirement to have equality objectives published by the 6th April 2012. Other options such as a quick refresh of the existing scheme would not have met legal requirements or maximised the benefits of taking a joined-up approach.

Is this a “Key Decision” as defined in the Constitution? **Yes**

Is it included in the Forward Plan?
Yes

Relevant Scrutiny Committee:

Sustainable Communities Scrutiny Committee

EQUALITY SCHEME

REPORT OF THE DEPUTY CHIEF EXECUTIVE

1. PURPOSE OF THE REPORT

- 1.1. To request approval for publication of the accompanying Equality Scheme (Appendix A).
- 1.2. This report sets out the Council's Equality Scheme in response to the Public Sector Equality Duty. This report seeks approval of the Equality Scheme for publication. Setting out the Council's approach to equality, and the agreement of equality objectives are both required by law. The objectives must be published by the 6th April 2012.

2. DESCRIPTION OF THE DECISION (RECOMMENDATIONS)

- 2.1. Cabinet is recommended to:
 - a) Agree this approach to meeting the specific duties of the Equality Act 2010;
 - b) Agree the attached Equality Scheme appended and equality objectives.

3. INTRODUCTION/BACKGROUND

- 3.1. The 2010 Equality Act places a number of equality obligations on public bodies, including councils. The Public Sector Equality Duty, set out in Section 149 of the Equality Act, came into force on the 5th April 2011. This duty seeks to ensure that public bodies consider the needs of all individuals in shaping policy, delivering services and in relation to their own employees.
- 3.2. The Equality Act sets out a more joined-up approach to equality and extends coverage to nine 'protected characteristics' (age, race, sex, disability, gender re-assignment, pregnancy and maternity, religion or belief, sexual orientation and marriage and civil partnership). All public authorities must have "due regard" to three key areas in relation to the 'protected characteristics' in both service provider and employer roles:
 - Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act;
 - Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
 - Foster good relations between people who share a protected characteristic and people who do not share it.

- 3.3. Further specific duties came into force on the 10th September 2011 and require public bodies to be transparent about how they are responding to the Equality Duty. This duty requires public bodies to publish relevant proportionate information showing compliance with the Equality Duty, and to set equality objectives. Guidance from the Equality and Human Rights Commission (issued December 2011) suggests information will usually fall into two main categories:
- Information to identify equality issues
 - Information to identify steps taken to have due regard to the aims of the general equality duty
- 3.4. The specific duties aim to ensure the public have enough information available to them regarding decision making and the equality data underpinning this to allow informed public scrutiny.

4. CURRENT POSITION

- 4.1. The current Corporate Equality Scheme and three equality schemes for disability, race and gender require updating in light of the Equality Act 2010. The legislation has also expanded the protected characteristics to nine as set out in 3.1 and requires publication of what the Council is doing to meet these new obligations. A draft Equality Scheme was published for engagement in January 2012. This new draft reflects the legislative changes and included a series of draft Equality Objectives which the Council must publish by the 6th April 2012. The attached Equality Scheme (Appendix A) is a revised version of this draft which responds to the feedback gained through the engagement process and proposed for publication.
- 4.2. The Scheme sets out how the Council intends to meet its aspirations and obligations in relation to equality reflecting an overarching ambition to reduce discrimination, improve equality of opportunity for all and foster good relations across Sunderland. It also includes a series of equalities objectives and links to a series of equality profiles for the protected characteristics.
- 4.3. The document includes a summary of the Council's priorities and the legal context which have informed its development. It also summarises the actions undertaken by the Council in order to achieve positive equalities outcomes. The Scheme outlines how equalities are incorporated into the decision-making process, policy and strategy development and service design and delivery through Equality Analysis. Explanation is also provided on how we build and maintain our understanding of key issues and develop appropriate responses. This is accomplished through the Equality Forums (previously referred to as Independent Advisory Groups or IAGs), Cohesion Networks, consultation and engagement and the ARCH hate incident reporting system. It also sets out how equality is addressed through the procurement procedures.

- 4.4. The Scheme further addresses the Council's role as an employer setting out what is already in place to ensure that the needs of our diverse staff are understood and responded to.
- 4.5. The Scheme incorporates a series of Equality Objectives. These set out what the Council intends to achieve over the course of the Scheme to meet the aspirations set out in paragraph 4.1. Progress on these, as measured through a detailed action plan, will be monitored by the Council's Corporate Communities Group. The objectives will be refreshed on an annual basis to ensure they remain relevant.
- 4.6. A series of Equality Profiles accompany the Scheme which outline our understanding of the key issues relating to different 'protected characteristics'. These have been shared as part of the engagement process but will also be subject to an extended period of development with the Equality Forums over the next year.
- 4.7. A summary of the engagement feedback is also provided in Appendix 3 of the Equality Scheme. This demonstrates what feedback was received and supports scrutiny of how we have responded to this and incorporated it into this proposed published version.

5. REASON FOR THE DECISION

- 5.1. Under the Equality Act 2010, the Council is required to set out its approach to equality, and agree equality objectives. A full set of equality objectives must be published by the 6th April 2012.
- 5.2. The draft Equality Scheme was published in January 2012, which met the Council's legal obligation to publish its information covering employees and service users and the protected characteristics by the 31st January 2012.

6. ALTERNATIVE OPTIONS

- 6.1. It is proposed that the Equality Scheme and associated objectives are published to meet the requirement to have equality objectives published by the 6th April 2012. Other options such as a quick refresh of the existing scheme would not have met legal requirements or maximised the benefits of taking a joined-up approach.
- 6.2. This Equality Scheme brings together both the Council's aspirations and the legal obligations reflecting a positive document which reflects both local aspiration and national legislative requirements.

7. RELEVANT CONSIDERATIONS/CONSULTATIONS

- 7.1. The draft Equality Scheme was published for a period of engagement during late January and February 2012. This has taken a number of forms:
- Online consultation through the online consultation portal
 - Publication on the council web pages (both inter- and intra- net)
 - An engagement event on the 1st February 2012 at the Quayside Exchange for partner organisations including VCS organisations and Equality Forums
 - Attendance at, and communication with, specific targeted groups
- 7.2. The feedback has been largely positive and shows clear support for the broad direction outlined in the equality objectives and the approach taken in the Scheme. It also highlighted areas for further development. These issues and our response are summarised in Appendix B.
- 7.3. Equality Analysis of the Equality Scheme has been undertaken and the summary of this is at Appendix C. The Analysis does not show any major equality concerns as the Scheme is designed specifically to address the equality in relation to the 'protected characteristics'. Nevertheless it does highlight the particular importance of a comprehensive information baseline.
- 7.4. The Equality Scheme specifically responds to the Council's aspirations and aims as set out in the Sunderland Strategy and the Corporate Outcomes Framework. This is outlined in the body of the Scheme and in the Objectives which are broadly grouped by the three key areas of Council work, People, Place and Economy.
- 7.5. Following publication further work will be undertaken with Equality Forums to continue to update and refine the 'live' equality profiles over the next year. A review of the Equality Scheme and equality objectives will be undertaken later in the year. This will feed into a refresh of the scheme to ensure it continues to meet the wider equality obligations of the Council and needs of the city.

8. LIST OF APPENDICES

Appendix A – Sunderland City Council Equality Scheme 2012-2016
Appendix B – Summary of Consultation Feedback and Response
Appendix C – Equality Analysis Summary
Appendix D – Equality Profiles

9. BACKGROUND PAPERS

Sunderland City Council Equality Scheme Summary. This summary of the full Scheme is available in draft format from Kirsty McNally, Associate Policy Lead for Communities and Equalities on 0191 561 7961/561 7951. The summary will be finalised once the full scheme has been approved.