

Report

Report to:	Corporate Resources Committee
Date of Meeting:	29 June 2005
Report by:	Executive Director (Corporate Resources)

Subject:	Mainstreaming Equality Considerations
----------	--

1 Purpose of Report

1.1 The purpose of the report is to:-

- ◆ allow members to consider:-
 - ◆ proposals to effectively mainstream equality considerations into Council activities as required by the Race Relations Amendment Act (2000) and changes to the Disability Discrimination Act 1995, and
 - ◆ that the draft of the revised race equality scheme for 2005-2008 be issued for public consultation, a copy of which is available in the Members' library.

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) that equality considerations be mainstreamed into Council activities as required by the Race Relations Amendment Act (2000) and changes to the Disability Discrimination Act 1995;
- (2) that the draft revised race equality scheme for 2005-2008 be issued for public consultation; and
- (3) that a further report be submitted on the outcome of the consultation on the revised race equality scheme for 2005-2008.

3 Background

- 3.1 With the introduction of the Race Relations (Amendment) Act in 2000 there was a shift in emphasis in equality legislation from the "prevention of unlawful discrimination" to a pro-active duty on public bodies to "promote racial equality" and to set out their arrangements for this in a race equality scheme to be published by 30 November 2002 and reviewed every 3 years thereafter. The Council's current race equality scheme has been revised by the Resource representatives on the Corporate Working Group on Equal Opportunities and copies are available for inspection in the Members' library.
- 3.2 This requirement to develop and publish a race equality scheme is gradually being extended to other areas. By December 2006 the Council will have to publish a disability equality scheme. Proposals for the new Commission on Equality and Human Rights include a similar recommendation with regard to gender and the government is reviewing the current equality legislation in an attempt to draft an umbrella type "equality bill".

- 3.3 The framework previously adopted by the Council was to adopt the Commission for Racial Equality (CRE) Standard for Local Government as an action planning framework and it is an adapted form of this which has been used for the corporate and service based action plans for 2005-2008, set out in Appendix 7 of the draft race equality scheme.
- 3.4 During the summer of 2004, the CRE in Scotland carried out an assessment of public sector race equality schemes published in 2002, and issued compliance notices to 16 Councils giving their Chief Executives 21 days to comply with required changes. South Lanarkshire Council's race equality scheme was assessed as one of the better ones, however, following publication by the CRE of their assessment toolkit, it was clear that the Council needs to take a more robust approach to mainstreaming race and other equality strands.
- 3.5 The mainstreaming of equalities issues into all policies and strategies is also a requirement of Best Value, as introduced by the Local Government (Scotland) Act 2003, and is one of the themes for the current audit of Scottish Councils. The full audit which will be carried out in 2006 will not just be paper based but will include interviews with service managers to identify whether equalities considerations are in practice "built in" to the planning, delivery and performance measurement of Council services.

4. Proposals

- 4.1 A systematic approach is required to ensure that from policy development and review through to service planning and consultation, each Resource can provide an audit trail evidencing the mainstreaming of equalities issues.
- 4.2 The key recommendations from the Corporate Working Group on Equal Opportunities are that Executive Directors ensure that within their Resource equalities issues are:-
- identified through an assessment of its functions/policies and strategies for relevance to race equality and other equality strands
 - included in Resource and service planning processes
 - included in Best Value or other reviews of service delivery
 - identified and assessed when considering any change to policy/new policy in an area of medium/high relevance to equal opportunities, by carrying out an impact assessment using the toolkit contained in the draft revised race equality scheme
 - taken account of in arrangements for consultation and engagement with stakeholders
 - publicised by ensuring that a summary of the results of impact assessments and consultation processes is published on the Council website
 - included in arrangements for service monitoring and performance measurement
 - identified in arrangements for communicating information about how to access services
 - included in analysis of corporate and Resource complaints
 - included in the Council's procurement arrangements
 - a standing item on the agenda for Resource senior management meetings
 - a standing item on the agenda for Resource JCCs
 - communicated effectively to Elected Members and employees by:-

- presenting the annual Resource reports to the Equal Opportunities Forum to the relevant Resource Committee
- communicating information from the annual Resource equal opportunities report to employees by means of a “core brief”
- introducing a section on equality/diversity issues into “The Works”

4.3 Given the level of risk to the Council of non compliance in this area, it is further recommended that a system of auditing compliance be introduced including:-

- amending the template for Committee reports to require verification that an impact assessment has been carried out where appropriate
- random sampling of impact assessments by the Corporate Working Group on Equal Opportunities
- an audit of both corporate and Resource training provision to ensure that they adequately address equality issues
- using the attached audit tool to audit current practice in each Resource to identify areas where further action is required

5. Draft revised race equality scheme 2005-2008

5.1 The draft of the revised race equality scheme was available in the Members’ library before this meeting. It incorporates the recommendations set out in paragraphs 4.2 and 4.3 above, and adoption of this approach will mean that the Council has the necessary systems in place when it prepares its disability equality scheme in 2006, including an impact assessment toolkit to be used where any new policy or change in policy is proposed in an area of high/medium relevance to the promotion of race equality. The toolkit has been based on both CRE guidelines and one developed to assess impact on any equality strand by the NHS.

6 Employee Implications

6.1 The statutory duties include the Council in its role as employer and the proposals take account of this.

7 Financial Implications

7.1 As equalities considerations are to be “mainstreamed”, they should be contained within existing resources

8 Other Implications

8.1 The relevant legislation and statutory duties on the Council are described in paragraph 3.

9 Consultation

9.1 There is a statutory duty to consult on the revised race equality scheme and appropriate arrangements will be made.

Alan Cuthbertson
Executive Director (Corporate Resources)

14 June 2005

Link(s) to Council Objectives

- ◆ Creating successful communities
- ◆ Living in the community
- ◆ Supporting our community
- ◆ Delivering modern services

Previous References

- ◆ Reports on the 1st Race Equality Scheme November 2002

List of Background Papers

- ◆ Equal Opportunities Policy
- ◆ Statutory Code of Practice on the duty to promote race equality
- ◆ Draft Code of practice on the duty to promote disability equality

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Gill Bhatti Employee Development & Diversity Manager or Maureen Clark, Personnel Adviser

Ext: 5604 or 5626 (Tel: 01698 455604 or 01698 455626)

E-mail: gill.bhatti@southlanarkshire.gov.uk

maureen.clark@southlanarkshire.gov.uk

Equality Strategy - Self Audit Tool

Resource:

1. Resource and Service Planning

Issues	Met – Yes or No	Evidence or Action Required	Lead Officer
<p>♦ Are equalities issues specifically mentioned in :</p> <ul style="list-style-type: none"> ▪ The Resource Plan ▪ Service Plans ▪ Best Value Reviews 			

2. Service Delivery and Monitoring

Issues	Met – Yes or No	Evidence or Action Required	Lead Officer
<ul style="list-style-type: none"> ◆ Has each service assessed and identified those functions / policies / services relevant to equalities and specifically race and disability ◆ Has this information been communicated to operational managers and employees ◆ Have impact assessments been carried out on all proposed policies / changes to policy ◆ Have service monitoring arrangements been reviewed and any gaps identified: <ul style="list-style-type: none"> ▪ to ensure there is monitoring in areas identified as being high / medium relevance ▪ to take steps to tackle any 'gaps' e.g. in range of data collected ◆ What steps have you taken to develop / identify equality related performance indicators ◆ Have consultation processes been reviewed to : <ul style="list-style-type: none"> ▪ ensure all high / medium functions are included ▪ to take steps to identify any gaps in range of groups consulted 			

3. Mainstreaming Equalities Issues in the Resource

Issues	Met – Yes or No	Evidence or Action Required	Lead Officer
<ul style="list-style-type: none"> ◆ Are arrangements in place to ensure that: <ul style="list-style-type: none"> ▪ Equalities issues are a standing item on the agenda of Resource / Service Management Team meetings ▪ Is equalities a standing item for discussion at Resource JCC ▪ Information on Resource activities is fed back to employees e.g. through core brief summary of annual equalities report 			

4. Ensuring Competence and Commitment

Issues	Met – Yes or No	Evidence or Action Required	Lead Officer
<ul style="list-style-type: none"> ◆ Does the PDR process clearly articulate the performance / knowledge requirements in terms of equalities for all employees ◆ Is there evidence that action is taken to tackle gaps e.g.: <ul style="list-style-type: none"> ▪ Through training ▪ Through other development ◆ Is there evidence of leadership /commitment from Resource Management Team ◆ How is this cascaded through the Resource 			

5. Ensuring Public Access to Information and Services

Issues	Met – Yes or No	Evidence or Action Required	Lead Officer
♦ What arrangements have you put in place to: <ul style="list-style-type: none">▪ Ensure the public can easily access information about the services you publicise▪ Ensure that information is produced in a format / content that is accessible			

Signed:

Date:

Designation