

Subject: Revision of the Equalities Strategy **Status:** For Publication

Report to: Cabinet

Date: 4th July 2007

Report of: Head of Human Resources

Portfolio Holder: A Well Managed Council

Key Decision: Yes

Forward Plan General Exception Special Urgency

1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to agree the revision of the Equalities Strategy and the Equalities Policy in light of changes in legislation and advise Members of changes in relation to the Equality Standard.

2. CORPORATE PRIORITIES

- 2.1 The matters discussed in this report are linked to delivering quality services to out customers.

3. RISK ASSESSMENT IMPLICATIONS

- 3.1 The Council has specific legislative responsibilities in relation to the promotion of Equalities.

4. BACKGROUND AND OPTIONS

- 4.1 The Equalities Strategy has been updated in light of legislative changes specifically:

Employment Equality (Age) Regulations 2006.

Gives protection against discrimination and harassment on the grounds of age. Employees have the right to request to work beyond this age or any other retirement age set by their organisation.

Employment Equality (Sexual Orientation) Regulations 2003.

Gives protection against discrimination and harassment on the ground of sexual orientation. (orientation is defined as “same sex” – lesbian/gay)

Employment Equality (Religion or Belief) Regulations 2003.

Gives protection against discrimination and harassment on the grounds of religion or belief.

Disability Discrimination Act 1995.

Makes it unlawful to discriminate on the grounds of disability and imposes a duty on employers to make reasonable adjustments to practices, policies, procedures and premises to ensure that the disabled person is not at a substantial disadvantage. Individuals are protected against discrimination and victimisation in recruitment, terms and conditions of employment, training, promotion, transfer and dismissal.

Part – Time Workers (Prevention of Less Favourable Treatment) Regulations 2000.

Part time workers cannot be treated less favourably in their contractual terms and conditions than comparable full-time workers.

Fixed-terms Employees (Prevention of Less Favourable Treatment) Regulations 2002 – since 1 October 2002.

Employees on fixed- term contracts have had the right to be paid the same rate as similar permanent employees working for the same employer and in general terms should not be treated less favourably than comparable permanent employees.

Equality Act 2006

Makes it unlawful to discriminate on the grounds of religion or belief or sexual orientation in the provision of goods, facilities and service, the management of premises, education and the exercise of public functions. In addition, creates a duty on public authorities to promote equality of opportunity between men and women and prohibit sex discrimination in the workplace.

- 4.2 In addition, Members are asked to note that the **Equality Standard For Local Government in England** was revised in 2006, the Standard has been extended to address six equality strands: age; disability; gender; race religions/belief and sexual orientation as a consequence of the aforementioned new public sector duties.

The Equality Standard is a tool to combat the institutional processes that lead to discrimination as part of the culture, administration, and governance that can be found in many public organisations. Assumptions and working practices that we all have can set up barriers to prevent fair access to services and equal employment opportunities, which in turn can result in discrimination against people on the grounds of age, disability, gender, race, religion or belief and sexual orientation.

The Equality Standard provides a way of working in local authorities that makes the mainstreaming of equality into service delivery and employment an issue for all aspects of the Council’s work. There is a requirement to monitor and audit the Council’s progress in relation to the Standard. The revised standard now makes it a requirement for the Council to incorporate anti-discrimination policies for age, sexuality and religion or belief in addition to gender, disability and race.

The Equality Standard was introduced to mainstream equality into service provision and employment. The need for a proactive and systematic approach to wards anti-discrimination was underlined by the findings of the Stephen Lawrence Inquiry which highlighted the way institutional discrimination can influence how organisations operate and the services are provided.

Institutional racism is described as:

“The collective failure of an organisation to provide an appropriate and professional service to people because of their color, culture and ethnic origin.”

The Equality Standard comprises Five Levels of achievement:

Level 1: Commitment to a Comprehensive Equality Policy

Level 2: Assessment and Community engagement

Level 3: Setting equality objectives and targets

Level 4: Information systems and monitoring against targets

Level 5: Achieving and reviewing outcomes

Claims at all levels must include sexual orientation, age and religion/belief.

The Council’s target for 2008 is Level 3 of the Standard.

5. COMMENTS OF THE HEAD OF FINANCIAL SERVICES

- 5.1 The Council does need to consider how it will provide the resources needed to implement the Standard. Planning, consultation, training, data-collection, monitoring and more importantly, action to redress potential or actual adverse impact potentially may require resources.

6. COMMENTS OF THE HEAD OF LEGAL AND DEMOCRATIC SERVICES

- 6.1 The Council does have a legal requirement to meet the obligations of the Equality Standard and Equality associated legislation.

7. COMMENTS OF THE HEAD OF HUMAN RESOURCES

- 7.1 The allocation and access to training and development opportunities is on the basis of Equal Opportunity for all employees.

8. CONCLUSION

- 8.1 To eliminate discrimination there is a need to make equality practice an integral part of human resource processes, service planning, service delivery and other areas of local democratic activity.

9. RECOMMENDATIONS

- 9.1 To agree the revision to the Equalities Strategy and delegate any future changes to the Head of Human Resources in consultation to the Portfolio Holder and Chief Executive.
- 9.2 To note the change to the Equality Standard.
- 9.3 To support the integration of Equality issues into the decision making processes of the Council.

10. CONSULTATION CARRIED OUT

- 10.1 Equalities Implementation Group
- 10.2 Lead Member for Equalities
- 10.3 Portfolio Holder for a Well Managed Council

Contact Officer	
Name	Liz Murphy
Position	Head of Human Resources
Service / Team	Human Resources
Telephone	01706 252452
Email address	lizmurphy@rossendalebc.gov.uk

Background Papers

The Equality Standard For Local Government revised May 2007