

TORBAY COUNCIL

Report No: SS/12/04

Title: **Equality and Inclusion Policy and Scheme**

To: Executive on 18th May 2004

1. Purpose

- 1.1 To consider the adoption of a new Equality and Inclusion Policy and Scheme following the outcome of the consultation exercise recently undertaken.

2. Relationship to Corporate Priorities

- 2.1 Customer Focus – Core Value.
- 2.2 Transforming Torbay, p. 14: Enhancing community leadership and customer focus (ensuring equality of access to our services).

3. Recommendation

- 3.1 That, subject to any issues raised at the meeting, the Equality and Inclusion Policy and Scheme be approved and adopted;
- 3.2 That an Equality Group, lead by the Director of Social Services, be established with the following terms of reference:-
- (i) to monitor the impact and effectiveness of the Equality and Inclusion Policy and Scheme;
 - (ii) to provide recommendations for improvements, including the need to work towards 'Community Cohesion' through further consultation with the community, including working with the Local Strategic Partnership, 'hard to reach' groups and those who have been subject to discriminatory (racist etc) incidents in Torbay;
 - (iii) to monitor progress of the action plan and Council's position in relation to the 'Expected Outcomes';
 - (iv) To accord with feedback from the consultation exercise.
- 3.3 That a Member for Equality be nominated and becomes a member of the Equality Group.

4. Reason for Recommendation

- 4.1 The production of this policy and scheme are a legal requirement, particularly in connection with the Race Relations Amendment Act.
- 4.2 The Council's Comprehensive Performance Assessment (CPA) rating will be improved (equality improvements, including consultation with the community, will affect CPA rating – this will be assessed through the Equality Standard for Local Government).
- 4.3 The proposed policy and scheme will streamline existing equality policies and schemes providing a clear, comprehensive and workable document that helps make equality a central part of business planning and service delivery.

5. Background

- 5.1 The Race Relations (Amendment) Act 2000 [RRAA] places general and specific duties on local authorities.
- 5.2 The General duty of the RRAA is to: Eliminate Unlawful Discrimination, Promote Equality of Opportunity and Promote Good Race Relations.
- 5.3 In May 2002 the Council was required, by law (under the RRAA), to adopt a Race Equality Scheme.
- 5.4 It is becoming clear that other equality legislation will be moving towards adopting a similar approach to the RRAA; this is already proposed in draft Disability Legislation. In the longer term it is likely that all equality legislation will be merged.
- 5.5 In broadening the Race Equality Scheme to a general Equality Scheme, the Council will be 'ahead of the game'.
- 5.6 The Council has made a commitment to use the equality standard for local government as a framework for assessing and implementing equality actions. The Standard has been brought in as a central part of the Council's equality improvement plan (p.32 – 36 of the document). The Standard has also mainstreamed the RRAA to cover the other equality strands.

6. Aims of the document

- 6.1 The aims of the document are to:
- 6.2 Set out key values and principles of Torbay Council.
- 6.3 Address major implications of these values and principles for practice in Torbay and define the expected outcomes.
- 6.4 Provide a framework for future action to increase inclusion, promote equal opportunities and good relations and eliminate unlawful discrimination.

7. People/communities affected by the policy

- 7.1 The policy applies to all in the Torbay community and employees of the Council. It is particularly relevant to:
 - (i) those from ethnic minorities;
 - (ii) disabled people;
 - (iii) gay, lesbian, bi-sexual and trans-sexual (GLBT) people;
 - (iv) people from different faith communities;
 - (v) older and younger people; and
 - (vi) people from disadvantaged backgrounds.

8. Equality Impact Assessment

- 8.1 From the initial screening: to identify the potential negative/positive impacts on different communities in relation to equality of opportunity, elimination of unlawful discrimination and promotion of good relations.
- 8.2 It is intended that the whole document is well balanced and that equal regard is given to matters concerning disability, race, gender, sexuality etc. without ignoring particular issues relating to different groups (accessibility for people with disabilities, translation services for people who's first language is not English for example).

8.3 The policy clearly communicates the Council's duty to promote equality, good relations and eliminate unlawful discrimination.

8.3 Low or no adverse impact identified.

9. Initial feedback from consultation exercise

9.1 Apart from requests for some minor amendments to phrases, the policy has been well received.

9.2 To include a Community Profile as an appendix (this is now under development and will be brought to the meeting on 18th May; it is not anticipated that this information will alter the proposal in any way).

9.3 Initial feedback from a member of the Devon and Exeter Race Equality Council suggests the document "will take the Council to a new dimension", but lacks a focus on "community cohesion".

9.4 A report by the Local Government Association/Home Office/ODPM/Commission for Racial Equality and InterFaith Network has identified that "Community Cohesion" incorporates and goes beyond the concept of race equality and "social inclusion" (which is where the current policy is directed). A broad definition of a cohesive community is one where: there is a common vision and a sense of belonging for all communities; the diversity of people's different backgrounds and circumstances are appreciated and positively valued; those from different backgrounds have similar life opportunities and strong, positive relationships are being developed between people from different backgrounds in the workplace, in schools and within neighbourhoods

10. Relevance to equality

10.1 The policy and scheme has a high relevance to the promotion of equality of opportunity, elimination of unlawful discrimination and promotion of good relations. A full equality impact assessment is required. Outcomes of the consultation will be presented to the meeting. Recommendations to monitor the policy for its impact and effectiveness have been made in part 3.

11. Alternative Options (if any)

11.1 Outcomes of the consultation exercise to be brought to the meeting.

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IMPLICATIONS, CONSULTATION AND OTHER INFORMATION

Part 1

These sections may be completed by the Report author but must be agreed by named officers in the Legal, Finance, Human Resources and Property Divisions. If these are not completed and agreed the Report will not be included on the agenda.

Does the proposal have implications for the following issues?

Insert name of
responsible officer

Legal (including Human Rights)	Equality Legislation complied with	Bill Norman
Financial – Revenue	Accessibility in relation to Disability	Paul Looby
Financial – Capital Plan	Accessibility in relation to Disability	Paul Looby
Human resources (including equal opportunities)	Training staff. Staff Monitoring.	Clare Armour
Property	Changes to buildings & equipment : Access for people with disabilities. Long Term Accommodation Strategy: Prayer facilities for staff who request them; creche facilities; contracting of catering (food/drink provided considers religion/belief); public access & reception	Steve Parrock

Part 2

Does the proposal have implications for the following issues?

Please give details as appropriate

Sustainability	No	
Crime and Disorder	Yes	Responding to racist incidents and building an inclusive/cohesive community
*OfSTED Post Inspection Action Plan	Yes	Equality improvements as indicated in the OfSTED report
*Social Services Action Plan	Yes	Equality improvements being delivered in Social Services
*Change Management Plan	Yes	“Cultural Strategy developed under the umbrella of the LSP.” (CMP Update) “Enhancing Community Leadership & Customer Focus” 1.1.3 Community Plan 1.1.4 Partnership roles 1.2.1 Communication Strategy 1.2.2 Consultation strategy 1.4.1 Equalities 1.4.2 Corporate Complaints System 4.5.2 Working environment which recognises the differing needs of the staff

Part 3

Does the proposal have implications for the following Directorates? If so, please inform the relevant Director.		
Please give details as appropriate		
MD and Support	Yes	Implementing actions within the scheme/nominating an equality rep (time commitments of that rep and impact on their work)
Corporate Governance		As above
Human Resources		As above
Financial Services		As above
Learning & Cultural Services	Yes	As above
Environment Services	Yes	As above. + Accessibility (buildings)
Social Services	Yes	As above
TDA	Yes	As above

Part 4

Is the proposal contrary to or does it propose amendment to the Policy Framework or contrary to (or not wholly in accordance with) the Council's budget?		No
1. Details of the nature and extent of consultation with stakeholders and relevant select committees.		
2. Details and outcome of consultation, as appropriate.		
<p>Groups approached by letter/e-mail and provided with the document for comments between 21st April and 14th May 2004:</p> <ul style="list-style-type: none"> • the Council's Directors • Unions • Devon and Exeter Race Equality Council • Torbay Racist Priority Action Team (TORPAT) • Intercom Trust (GLBT) • Disability Partnership and other groups • Council for Church and Society • Age Concern • Team Network Torbay • South West Islamic Centre • Local Strategic Partnership • Members of the Executive <p>NB Existing policies (which have been amalgamated in this document have been fully consulted upon over a longer period of time).</p>		

Part 5

Is the proposal a Key Decision in relation to an Executive function?	Yes	Reference Number X3/2004	
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Wards

All

Appendices

Appendix 1 Equality and Inclusion Policy and Scheme

Documents available in Members' Room

None

Background Papers:

Transforming Torbay

Change Management Plan

'Guidance on Community Cohesion' from the Home Office website

(<http://www.homeoffice.gov.uk/comrace/cohesion/index.html>)

Equality Standard for Local Government (copyright protected and not publicly available)