

Forest Heath & St Edmundsbury councils



**Forest Heath District Council
St Edmundsbury Borough Council**

**West Suffolk Equality Scheme
2015 - 2020**

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Appendix A: A guide to Equality Impact Assessments (EqIA)

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If you have any questions about this equality scheme, please contact the Corporate Policy Team on 01638 719473 or policy@westsuffolk.gov.uk

1. Purpose of this scheme

Equality is about creating a fairer society where everyone can participate and have the opportunity to fulfil their potential. Legislation is in place to address unfair discrimination based on membership of a particular group.

This scheme sets out how Forest Heath District Council and St Edmundsbury Borough Council will meet our equality obligations.

Under the Equality Act 2010, we have a duty to exercise our functions, having due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic¹ and those who do not; and
- foster good relations between people who share protected characteristics and those who do not.

For further information regarding our statutory duties, please refer to section two of this scheme.

This scheme is a guide to our work to promote equal opportunities, oppose discrimination, as well as recognise the benefits that a diverse community can bring. This scheme also provides a clear message to staff, councillors, customers, partners and businesses that we prioritise good customer service; it demonstrates that we understand our customers and can adapt services to their needs. It also highlights the steps we will take to protect and support our staff as a responsible employer.

The scheme includes:

- our statutory duties
- guidance to staff and councillors about the promotion of equal opportunities and opposing discrimination, both as an employer and a service provider;
- our commitment to promoting equal opportunities and challenging discrimination in our employment and service delivery functions; and
- our equality analysis and impact assessment procedures;

¹ See appendix 1 for definition of protected characteristics – Equalities Act 2010

2. Our statutory duties

2.1 The Equality Act 2010

The Equality Act creates a general public sector equality duty as well as introducing specific duties. The specific duties (outlined below) are intended to ensure that we are accountable for delivering on our equality duties by requiring us to be transparent about our staff and the services we deliver.

2.2 General equality duty

As explored in Chapter 1, as a public authority we must have due regard to:

1. Eliminating discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
2. Advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (protected characteristics are detailed in Section 8); and
3. Fostering good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard for advancing equality involves:

- removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- taking steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and
- encouraging persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The Equality Act 2010 states that meeting different needs involves taking steps to take account of people's differences. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the duty may involve treating some people more favourably than others.

We also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status. This means that the first element of the equality duty (eliminating discrimination etc) applies to this characteristic but that the other elements (advancing equality and fostering good relations) do not apply.

2.3 Specific duties

As well as the general duty, we also have a number of specific duties we have to comply with. The purpose of the specific duties is to help us comply with the general equality duty. In terms of the specific duties we are required to:

1. Set and publish equality objectives at least every four years (from April 2011); and
2. Publish information to show our compliance with the Public Sector Equality Duty, at least annually.

All of this information must be published in a way that is accessible to the public and is written in plain English.

2.4 Human Rights Act 1998

The Human Rights Act 1998 came into force in the United Kingdom in October 2000. It is composed of a series of sections that have the effect of codifying the protections in the European Convention on Human Rights into UK law.

The Act applies to all public authorities and other bodies performing public functions. These organisations must comply with the act – and people’s human rights – when providing a service or making decisions that have a decisive impact upon people’s rights.

3. Our equality commitments

3.1 Our West Suffolk equality objectives

Our equality objectives are incorporated into our Strategic Plan 2014-2016. These objectives are our commitment to ensuring equality in our communities. Through the achievement of these equality objectives for 2014-16, we want to see:

1. People with the educational attainment and skills needed in our local economy;
2. A thriving voluntary sector and active communities who take the initiative to help the most vulnerable;
3. Improved physical and mental health and wellbeing; and
4. Homes that are flexible to meet people's changing needs.

3.2 Delivering equalities as a service provider and an employer

As well as working towards our equality objectives we recognise that people may experience different forms of disadvantage depending on their age, sex, ethnicity, race, gender reassignment, religion and belief, sexual orientation, pregnancy or maternity, marital or civil partnership status and whether or not they have a disability.

As a service provider and an employer we are committed to promoting equal opportunities and eliminating all forms of discrimination, harassment and victimisation.

We examine our policies and practices to guard against institutional discrimination. We are also committed to providing services fairly to all sections of the community and valuing diversity.

We aim to provide:

- services that are accessible;
- equal and appropriate opportunities in employment and recruitment; and
- effective partnership working with all our communities

We are committed to promoting equality by:

- ensuring that our services are accessible and relevant to the needs of our communities;
- having appropriate recruitment, employment and promotion practices and procedures;
- letting contracts to suitable/appropriate suppliers of services;
- consulting with communities and groups affected when developing policies;
- providing training opportunities for staff and councillors;
- providing information in relevant languages and formats where necessary; and

- ensuring equal access to our complaints and other procedures.

To ensure equality in service provision, we are committed to the following:

- **Access to council buildings** – we will ensure that buildings from which a council service is delivered will be as accessible as is reasonably practicable to people with disabilities.
- **Charges for services** – when charges are made for services we will recognise that this may have an impact on people with low incomes and work to minimise the impact where possible.
- **Community consultation** – we will, where appropriate, consult with organisations and individuals who are able to represent their community in order to help us develop policies and services.
- **Information about services** – we will provide, where appropriate, information on our services, policies and practices in a reasonable variety of formats to avoid exclusion or discrimination against any group or individual.
- **Inspection and regulation** – we will undertake inspection and regulation duties in such a way that prevents prejudice, stereotyping and unequal treatment.
- **Interacting with the public** – we will ensure, through training and raising awareness, that all staff and councillors are familiar with the principles, practices and policies with regard to equal opportunities.
- **Service delivery** – we will seek to ensure equality of access and will strive to meet people’s specific needs.
- **Take-up of services** – we will, where appropriate, monitor the use of our services to ensure that no individual or groups are excluded because of age, sex, ethnicity, race, gender reassignment, religion and belief, sexual orientation, pregnancy or maternity, marital or civil partnership status.
- **Transparency** – we will be open about the information on which we base our decisions, about what we are seeking to achieve and about our results.

3.3 Going beyond the equality protected characteristics

Whilst there is no legal requirement to do so, we will also consider the impact that our activities may have on other social groups that are not listed in the protected groups. For example:

- families and those with parenting or caring responsibilities
- individuals on low income
- those suffering rural isolation
- those who do not have English as a first language

4. Our responsibilities as a service provider

4.1 Equality analysis and impact screening and assessment

The Equality Act 2010 attaches importance to the need for analysis and engagement with those likely to be affected by a policy. West Suffolk councils believe that the best way to assess the impact of a policy or service change is through an equality impact assessment (EqIA). These must be completed to a high standard, as opposed to just completing a document (an EqIA form), which some may take to be standard practice.

The actions of public bodies can affect groups of people in different ways, which may result in unfair advantage or exclusion from opportunities to fully participate in society. Where this occurs is known as 'adverse impact' or 'negative impact' and in many cases is unlawful.

To avoid adverse or negative impacts, we must scrutinise our own policies, projects and proposals to assess whether they will unfairly disadvantage or exclude certain groups, and mitigate any areas of concern. This practice is formally known as 'Equality Impact Assessment' (EqIA).

Under the equality duty, we are not required to follow any specific methodology or template to undertake equality analysis, but we do need to be able to show that we have had due regard to the effect of our policies and practices on equality – this will involve looking at evidence, engaging with people, staff, service users and others, whilst also considering the effect of what we do on the whole community.

To assist our officers in completing EqIAs to a high standard, we have produced a guidance form which reflects the requirements of the Equality Act. Completion of the EqIA form supports the equality analysis but it is only a starting point and prompts us to consider equality issues. For this reason, an assessment of the equality implications (equalities screening) is a compulsory part of all policy or service delivery decisions at St Edmundsbury and Forest Heath Councils. The full EqIA is a natural progression from the screening stage if there remain **significant** uncertainties about the levels of impact on one or more of the identified diversity groups. We have developed EqIA forms and guidance for this purpose (Appendix A). EqIA's form part of a business case or report and are available via the committee papers on our website, www.westsuffolk.gov.uk.

4.2 Equality monitoring arrangements

The introduction of Equality Impact Assessments (EqIAs) began our journey to greater understanding of how our services and functions take account of the protected characteristics. We recognise the value of assessing the effects of our services on the protected characteristics, as well as the views of our users and non-users. We use some of the following methods to gather information:

- analysis of complaints;
- Equality Impact Assessments (EqIAs);
- focus group for employees with disabilities;
- locality networks;
- customer and resident surveys;
- feedback at community events;
- service/policy specific monitoring and consultation; and
- staff and councillor surveys.
- national and local data from other organisations e.g. census.

Our aim is to ensure that monitoring arrangements are proportionate to the size of the relevant service, the nature of the policies concerned and the potential impact on the public, especially with regard to the protected characteristics. In some cases, small-scale decisions can have significant equality implications; whereas in other cases, large-scale decisions may have very few. There are therefore no rules about the scale of a project or policy to which an EqIA would apply. Rather, the handling of each decision needs to be considered in isolation.

When monitoring, we take into account resource implications, the sensitivity of the information, and also the willingness of the public to supply it. We also consider how best to publish the results of monitoring. We recognise that implementing monitoring arrangements across the entire organisation is an area which requires further development for all protected characteristics.

4.3 Publishing data

The Equality Act requires us to publish equalities information relating both to our workforce and to the services we provide. This data must be published in a way that is open and freely available to a range of individuals and groups such as equalities campaigners. The publication of this equality data is intended to ensure that we:

- are held to account for our actions by the local communities and interested parties; and
- are judged by residents on the basis of clear information about the equality results we achieve.

We will also report progress against our equality objectives through our Annual Report which documents achievements against our Strategic Plan. These documents are available on our website, www.westsuffolk.gov.uk.

5. Our responsibilities as an employer

5.1 Equality of opportunity in employment

We are committed to promoting equality and diversity in all aspects of employment and are committed to a policy of equal opportunity for all staff at West Suffolk. Assessment for recruitment and selection, as well as appraisal, training and career progression is based entirely on the individual's ability and suitability for the work. All applicants with a disability who meet the essential criteria for a vacancy are guaranteed an interview.

We are also committed to providing all of our staff with opportunities to maximise their skills and achieve their potential, while offering flexible working arrangements wherever possible. We believe a diverse workforce brings benefits and experience, and aim to provide a working environment where staff are valued and respected. Discrimination, bullying and harassment are not tolerated. This responsibility is shared by everyone and includes both councillors and staff.

Staff surveys allow us to keep up-to-date with staff opinions and this helps us to identify what we can do better. The surveys ask for opinions on a range of subjects including:

- internal communications;
- staff welfare;
- work-life balance;
- learning culture;
- team-based working;
- recruitment and retention; and
- pay and benefits.

We are committed to monitoring employment and recruitment to ensure equal opportunity of employment. This includes monitoring the following activities:

- job applications;
- access to training and internal promotions;
- performance related pay as a result of outcomes of Performance Reviews (PRs);
- grievances/discipline matters
- leavers from employment;
- staff affected by redundancy and early retirements;
- flexible working requests; and
- reports of bullying.

To help us to continually improve our approach to equality we are committed to regularly reviewing our recruitment and employment policies and practices.

5.2 Arrangements for gathering information: employment

We operate a system whereby information provided to us by staff is on a voluntary basis, and we actively encourage staff to do this. This includes information on age, sex, ethnicity, race, gender reassignment, religion and belief, sexual orientation, pregnancy or maternity, marital or civil partnership status issues they may have; whilst ensuring their privacy is respected. Any information about our staff helps us to identify if there are instances of occupational segregation (the division of labour where men, women and members of different ethnic or religious groupings are channelled into different types of occupational roles and tasks).

When recruiting, we gather information about each applicant. This information is monitored to ensure that our advertising is reaching all sectors of the community. As a result of our commitment to the Double Tick scheme more detailed monitoring is carried out before short-listing to ensure that all applicants with a disability who meet the essential criteria are guaranteed an interview.

Monitoring continues throughout the career of the applicant and provides a detailed, accurate database, while capturing the following information:

- activities leading to promotion (for example mentoring);
- disciplinary and grievance (stating outcomes and sanctions);
- exit interviews;
- grade at entry;
- Performance Review (stating outcomes leading to pay awards); and
- training and development (offered and undertaken)

5.3 Disability (Double Tick)

We renew our pledge to this scheme annually in order to reflect our best practice procedure towards those with a disability and employment.

The double tick symbol is a recognised award given to organisations which can demonstrate their commitment to employing people with disabilities.

Each year we are required to provide written evidence on how we have continued to meet the commitment and requirements of this award.

5.4 Staff and councillor development/organisational learning

We are conscious that effective communication, staff development and organisation-wide learning play a key role in the implementation of this Equality Scheme. We are therefore committed to integrating an equality dimension in the design, development and implementation of learning and development activities.

In accordance with our legal responsibilities and our commitment to delivering high performing, customer-focused service, all staff are made aware of the

performance standards of work and behaviour expected. We ensure equality of access to learning and development (and thereby opportunities for career progression), and evaluate the extent to which the beneficiaries of training activities acquire the necessary skills and knowledge.

We incorporate an equality dimension in the development of service provision and team planning. This includes:

- equality requirements in the induction of new staff and councillors;
- employees who investigate and monitor complaints effectively provided with the necessary skills and knowledge;
- specific development activities provided to staff in management and specialist roles, for example, trainers, lawyers and staff involved in research and data collection, policy development, service design, monitoring and evaluation; and
- our recruitment process is competency based. All competencies for posts mirror those corporate competencies included in the Performance Review scheme, including a diversity competency.

Learning and development activities are delivered both by in-house staff and external consultants. Input is sought from representatives of consultative groups to inform the content and development of such activities. The quality of delivery, benchmarked against agreed learning objectives, is recorded by in-house evaluation returns.

6. Working with partners and procuring

6.1 Partnerships

We have a strong history of working with partners, both in the public, private and voluntary sectors. We recognise that we remain responsible for meeting the equality duty when working in partnership.

6.2 Procurement

Procurement is the process by which we enter into a contract with another party to carry out works on our behalf or provide us goods and services. Equality considerations are an important part of the procurement process.

Our procurement rules mean that the purchase of goods, services and facilities is undertaken in line with our own commitment to ensure equality of access and opportunity for all and complies with the requirements of the Equality Act 2010.

We aim to ensure that our suppliers abide by the law and are working to best practice in this area. As part of our tender evaluation criteria, suppliers are required to provide evidence that they have appropriate equal opportunities policies in place and are committed to them, as well as an understanding of the specific training their staff need.

The West Suffolk Procurement Strategy 2014-2016 states that we will:

- ensure all applicable procurement opportunities are advertised to alert as wider a range of businesses as possible;
- conduct our procurement operations in a transparent and fair manner;
- comply with relevant equality and diversity legislation and expect the same of our suppliers;
- treat people fairly and not discriminate against but actively promote equality; and
- abide by the councils' statutory equality duties under the Equality Act 2010 and ensure compliance.

Our Procurement Strategy can be found on our website, www.westsuffolk.gov.uk

7. Involvement and consultation

7.1 How we involve and consult

Consultation provides people with the opportunity to tell us what they think about our services and the implementation of them and other key issues affecting the area and their communities.

To ensure that consultation opportunities are available to all communities we will endeavour to ensure:

- consultation methods are accessible for under-represented groups (for example in a language and style that is understandable);
- consultation exercises are well-managed, giving people enough time to respond, and have clear aims;
- service users are consulted and their views taken into account when developing policies;
- the same groups are not overburdened; and
- the results of consultation are published, fed back to those taking part in the consultation, and taken account of in the decision-making process in an open and responsible way.

Amongst other methods we use social media to communicate with the public and continue to search for new and innovative methods to communicate and include the public in consultation.

Groups that are often under-represented in consultation, and therefore groups that we are particularly keen to engage and consult with, include;

- people with disabilities
- Gypsies and Travellers;
- lesbian, gay, bisexual and transgender (LGBT) people;
- older people;
- people from minority ethnic communities;
- people with caring responsibilities;
- refugees and asylum seekers;
- religious groups;
- women; and
- young people.

Further information about our approach to involvement and consultation, specifically relating to planning matters, can be found in our Joint Statement of Community Involvement on our website, www.westsuffolk.gov.uk.

7.2 Benefits of involvement in consultation

Effective community involvement means that the way our services are delivered will be better informed and more effective.

Benefits for the community:

- a better understanding of local issues and council processes;
- a positive experience of working with the council;
- improved community cohesion;
- improvement in the delivery of services in the public interest;
- increased participation in decision making;
- more attention to public priorities;
- raised awareness of the local issues and priorities;
- the creation of a sense of shared ownership;
- the opportunity to influence decision making; and
- the opportunity to work collaboratively with other individuals and organisations.

Benefits for West Suffolk:

- more effective and efficient use of resources;
- a shared responsibility for decision making;
- improved quality of decisions and problem solving;
- raising the profile of our work; and
- the opportunity to work together with the community and stakeholders.

8. Protected Characteristics

The Equality Duty replaces the three previous public sector equality duties – for race, disability and gender. The new Equality Duty covers the following **protected characteristics**:

- **Age** – refers to a person belonging to a particular age (e.g. 30 years old) or range of ages (e.g. 18-30 years old).
- **Disability** – a person has a disability if s/he has physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities. For the purposes of the Equality Act, these terms have the following meanings: 'substantial' means more than minor or trivial, 'long term' means that the effect of the impairment has lasted or is likely to last for at least twelve months (there are special rules covering recurring or fluctuating conditions), 'normal day-to-day activities' include everyday tasks such as eating, washing, walking and going shopping.
- **Sex** – men/boys and women/girls
- **Gender reassignment** – the process of transitioning from one gender to another.
- **Race** – refers to the protected characteristic of race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.
- **Religion or belief** – religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.
- **Sexual orientation** – whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.
- **Pregnancy or maternity** – pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.
- **Marriage and civil partnership** – marriage is defined as 'the legally or formally recognized union of a man and a woman (or, in some jurisdictions, two people of the same sex) as partners in a relationship.' This definition changed in July 2013 to incorporate the Marriage (Same Sex Couples) Act 2013.

Further guidance on the protected characteristics and what the Equality Act duties mean can be found at www.equalityhumanrights.com.

Further Information

Appendix 1 includes our Equalities Impact Assessment (EqIA) Screening Form and Guidance for staff and councillors.

Further information and support is available from the Corporate Policy Team on policy@westsuffolk.gov.uk or 01638 719473.

Additional information can also be found on the Equality and Human Rights Commission website at www.equalityhumanrights.com

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