

## **POLICY AND RESOURCES COMMITTEE - 10 DECEMBER 2018**

### **PART I - DELEGATED**

#### **7. REVISION OF COMPREHENSIVE EQUALITY POLICY (CED)**

##### **1 Summary**

1.1 This report recommends updates to the Council's Comprehensive Equality Policy.

##### **2 Details**

2.1 The Council's Comprehensive Equality Policy was last reviewed and updated in October 2012 following the introduction of the Equality Act 2010.

2.2 Officers have now reviewed the Policy and have made changes to reflect the following:

2.2.1 Changes to the vision of the Council's Strategic Plan.

2.2.2 The introduction of a new section explaining in more detail the Council's duties under the Equality Act 2010.

2.2.3 Recognition of carers and income deprivation as additional factors beyond the protected characteristics affecting use of services and employment.

2.2.4 Recognition of additional legislation that impacts on the Council's work in relation to equalities.

2.2.5 An update on the demographic profile of the District.

2.2.6 Revisions to the wording of the Policy statement to reflect the wording of the Equality Act 2010 in relation to protected characteristics.

2.2.7 Rewording of key actions in relation to consultation work to reflect that mechanisms do not need further development, but rather on-going analysis in line with current resources available to the Council.

2.2.8 Rewording of key actions in relation to Fair Treatment to reflect the Council's work in relation to hate incidents and hate crime as a third party reporting centre.

2.2.9 Rewording of the key actions in relation to workforce monitoring to reflect the current protected characteristics on which data is collected.

2.2.10 The responsibility of the Community Partnerships unit to co-ordinate the publication of equality information and equality objectives as required by the Equality Act 2010.

2.3 The changes to the Policy are highlighted in the revised Policy in appendix 1 in green for review. Section 3 is entirely new but has not been highlighted due to the insertion of graphs.

2.4 The Council has received two complaints regarding the wording used in the 2012 version of the Comprehensive Equality Policy specifically related to the use of the word 'gender' as opposed to the protected characteristic of 'sex'. This has been addressed in the revision. Further work is being undertaken to review the language

used in equality relevance tests and equality impact assessments in relation to these complaints. The responsibility for such procedures is the responsibility of the Community Partnerships Unit. It should be noted that as the Council does not provide any medical services it will rarely need data on a customer's 'sex', but rather need to understand their 'gender' in relation to terms of address and personal identity.

- 2.5 As the changes to the Policy are technical and do not reflect a substantial change in practice or actions no consultation has been undertaken. Consultation was undertaken when the Policy was adopted in 2006.

**3 Options and Reasons for Recommendations**

- 3.1 The Policy and Resources Committee is responsible for the performance management of this Policy and for making recommendations to Council on the development of policy.

**4 Policy/Budget Reference and Implications**

- 4.1 The recommendations in this report are within the Council's agreed budgets.
- 4.2 The recommendations in this report are not within the Council's agreed policy.
- 4.3 The purpose of this proposed policy is to update the existing Comprehensive Equality Policy to reflect on changes to legislation and the Council's working practices in relation to actions to implement the policy.

**5 Financial, Staffing, Environmental, Public Health, and Customer Services Centre, Implications**

- 5.1 None specific.

**6 Legal Implications**

- 6.1 The Policy has been updated to reflect more explicitly the Council's duties under the Equality Act 2010. This includes use of terminology that reflects the protected characteristics.

**7 Equal Opportunities Implications**

- 7.1 Relevance Test

Has a relevance test been completed for Equality Impact?	Yes
Did the relevance test conclude a full impact assessment was required?  The revisions to the Policy seek to continue to address inequalities and discrimination within the work of the Council in relation to all protected characteristics.	No

**8 Community Safety Implications**

8.1 The revisions to the Policy reflect the legislative areas of Forced Marriage, Female Genital Mutilation, Domestic Violence, Modern Slavery and Counter Terrorism. The revisions also reflect the Council's work in relation to being a third party reporting centre for hate incidents and hate crime.

## 9 Communications and Website Implications

9.1 The revised Policy will be published on the Council's website alongside other information it is required to publish under the Equalities Act 2010.

## 10 Risk Management and Health & Safety Implications

10.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.

10.2 The subject of this report is covered by the Community Partnerships service plan. Any risks resulting from this report will be included in the risk register and, if necessary, managed within this plan.

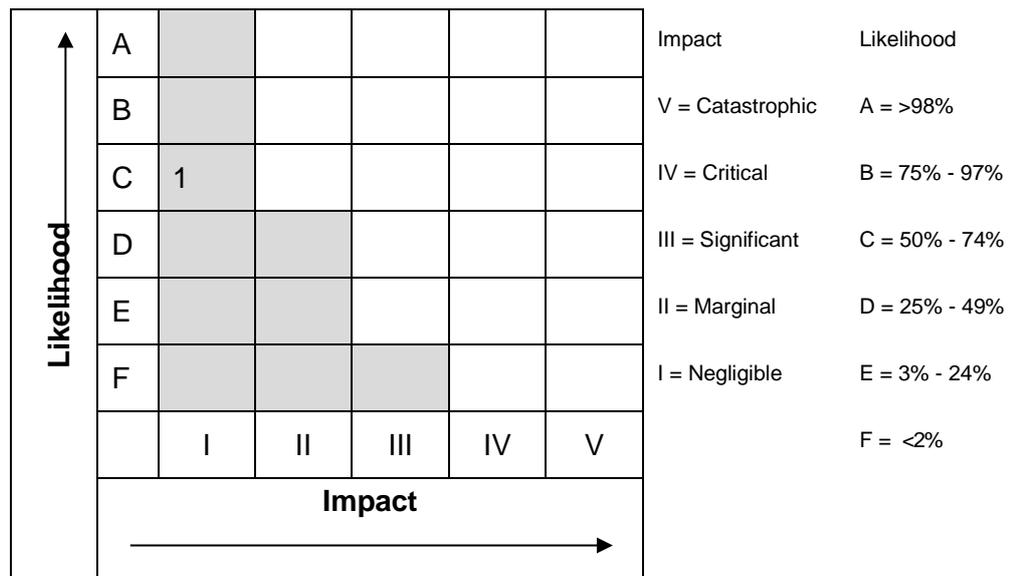
10.3 There are no risks to the Council in agreeing the recommendation.

10.4 The following table gives the risks that would exist if the recommendation is rejected, together with a scored assessment of their impact and likelihood:

Description of Risk		Impact	Likelihood
1	The Council's Comprehensive Equality Policy fails to reflect its duties and practices under the Equality Act 2010 resulting in complaints from the public.	I	C

10.5 The risk detailed above is not already managed within a service plan.

10.6 The above risk is plotted on the matrix below depending on the scored assessments of impact and likelihood, detailed definitions of which are included in the risk management strategy. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood are plotted in the shaded area of the matrix. The remaining risks require a treatment plan.



10.7 In the officers' opinion the new risk above, were it to come about, would not seriously prejudice the achievement of the Strategic Plan and is therefore an operational risk. The effectiveness of treatment plans are reviewed by the Audit Committee annually.

**11 Recommendation**

11.1 That Policy and Resources Committee agree the revised Comprehensive Equality Policy and that officers undertake a further review of the policy in 2021.

Report prepared by: Andy Stovold, Head of Community Partnerships

**Data Quality**

Data sources:

Herts Insight – demographic data.

Data checked by: Gordon Glenn, Performance and Projects Manager

Data rating:

1	Poor	
2	Sufficient	✓
3	High	

**APPENDICES / ATTACHMENTS**

**Appendix 1 – Comprehensive Equality Policy version 4.5 July 2018**