

## EQUALITIES SUB-COMMITTEE - 30 NOVEMBER 2020

### POLICY AND RESOURCES COMMITTEE – 7 DECEMBER 2020

#### PART I – NOT DELEGATED

## 7. EQUALITIES MOTIONS (CED)

### 1 Summary

- 1.1 At the Council meeting on 20 October 2020 it was agreed that the following motions would be referred to the Equalities sub-committee. The following motions will be taken individually in the order provided. All the proposers and seconders of the motions have been invited to the meeting to present their motion under new Rule 11(11).

### 2 Summary of Main Points

- 2.1 **Motion 1 - Councillor Sara Bedford and seconded by Councillor Phil Williams to move under Notice duly given as follows:**

#### **Supporting Trans and non-binary people**

Council notes that Trans people face significant disadvantage in society. One in four Trans people report being discriminated against in work, over a third avoid expressing their gender through physical appearance in fear of being assaulted or harassed, and almost 50% of Tran's people have attempted suicide at some point in their lives. (see [https://www.stonewall.org.uk/sites/default/files/trans\\_stats.pdf](https://www.stonewall.org.uk/sites/default/files/trans_stats.pdf))

1. Council believes that:
  - a) Tran's men are men, Tran's women are women, and that non-binary genders are valid.
  - b) Trans people deserve respect and autonomy
  - c) Transphobia has a hugely detrimental impact on the mental health and well-being of trans individuals
  - d) It is our duty as community leaders who seek to create an open and tolerant society to speak out against transphobia and make clear it will not be tolerated.
  
2. Council therefore resolves to:
  - a) Ensure that all Council services, both directly provided and through partners, are fully accessible to all, regardless of their sexuality or gender identity.
  - b) Work to provide at least one gender neutral toilet where possible in every public building owned or operated by the Council, and encourage partners to do likewise.
  - c) Ensure that the Council's constitution, policies, forms, and all internal and external communications are gender neutral.
  - d) *Subject to the availability of and within existing resources, to create a network of informal LGBT allies across officers and councillors to support all members of the Three Rivers LGBT communities.*

- 2.2 **Motion 2 - Councillor Stephen Giles-Medhurst to propose, seconded by Councillor Chris Lloyd to move under Notice duly given as follows:**

Not every Disability is Visible

This Council notes that:

The charity Crohn's and Colitis UK is encouraging venues providing accessible public toilets to install new signage. This is to help stop stigma and discrimination towards people with invisible illnesses such as Crohn's Disease and ulcerative colitis. There have been instances nationally where such individuals using an accessible toilet have been accused by others of being ineligible to use them.

These signs have two standing figures and a wheelchair user with the words Accessible Toilet and the logo. Not every disability is visible. The Government has decided recently that large accessible toilets for severely disabled people known as Changing Places will be made compulsory for large new buildings, such as shopping centres supermarkets, sports and arts venues, in England from 2021.

Council resolves to:

- Ensure that accessible toilets on Council premises bear these signs.
- Ask town and district centre retailers and leisure outlets to do likewise with their accessible public toilets.
- Seek advice from the charity Crohn's and Colitis UK on the information and training we should provide to Council Staff members. This is so they understand these illnesses and to prevent potential embarrassment for those who suffer with them.
- Ensure that any Changing Places toilets in our buildings are properly signposted for visitors.
- Ensure that the any legal requirement to provide new Changing Place toilets is included within any of the Council's future plans.

### **2.3 Motion 3 - Councillor Stephen Giles-Medhurst, seconded by Councillor Sarah Nelmes to move under Notice duly given as follows:**

This Council is appalled by the evidence of racism and discrimination that have blighted the lives of so many in the UK and concerned by the evidence of the disproportionate impact the COVID-19 pandemic is having on BAME communities.

The Council during Black History Month and at time where Black, Asian and Minority Ethnic (BAME) communities globally are expressing their anger and frustration with institutional racism which disproportionately affects them, takes this opportunity to restate our condemnation of racism, discrimination and hatred in all its forms.

This Council reaffirms its underlying our values of equality and inclusion. Recent events have highlighted once again the sad truth that discrimination and racism still looms large, particularly against members of the black community both abroad and at home in the UK.

Council restates its determination to condemn racism where we see it but also to develop and maintain a proactive anti-racist approach across the council. Part of this is acknowledging the hard truth that there are inequalities within our organisation and our communities. These inequalities can only begin to be fixed by speaking to and understanding members of our workforce and our residents who have been disadvantaged because of their ethnicity.

Council acknowledges that, alongside the threat of overt racism, there exists deeply ingrained and often unconscious discrimination across all levels of society. As a council representing a diverse community, we have an important role to play in dismantling biases and systemic oppression.

As an organisation we endeavour to make Three Rivers and Hertfordshire a safe and inclusive place of opportunity for all of our residents. Three Rivers District Council remains committed to doing our part to achieve this and play our part in the hard task of removing racism and discrimination from our society.

Council therefore:

- 1) Endorses this approach, calling out racism as an evil that has no place in the Council's workplaces;
- 2) Supports the holding of a Q&A event for the Council's BAME staff with senior leaders to understand their concerns and required actions;
- 3) Affirms its commitment to condemn racism, discrimination and hatred in all its forms.

### **3 Options and Reasons for Recommendations**

- 3.1 For the reasons set out at para 7, below, Members may wish to consider with the proposer, the draft amendments to 2 d) of motion 1 that are set out in that paragraph.

### **4 Policy/Budget Reference and Implications**

- 4.1 The motions in this report are within the Council's agreed policy. The relevant policy is entitled the Councils Comprehensive Equality Policy 2018.
- 4.2 Dependant on the sub committees consideration and views upon the motions, more detailed work will be carried out to assess budget implications.
- 4.3 Rule 11(6)

If a motion includes a proposal for the Council to take any significant policy decision which is contrary to the Budget and Policy Framework or incur any expenditure in excess of £10k it shall only be considered in principle to the extent that the matter is noted by Council and is referred to the relevant Committee for consideration. The motion shall not be moved or debated. The minutes of the meeting will record the motion being received. Any decision on the motion shall be made at a future meeting of the Council which shall not consider the matter without a full report on the policy, budget and financial implications together with any recommendations from the Committee to which the matter was referred.

### **5 Financial Implications**

- 5.1 As mentioned at 4.2 above, further work will be needed to assess financial implications.

### **6 Legal Implications**

- 6.1 The amended motion (motion 1) meets the requirements of the public sector equality duty under sections 29 and 149 of the Equality Act 2010.

### **7 Equal Opportunities Implications**

- 7.1 The adoption of the motions, with noted amendment to motion 1, are not in breach of the Public Sector Equality duty. They do support the Council's obligations under the

Equality Act 2010, and its responsibilities under the Public Sector Equality Duty, to demonstrate due regard and to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

## 7.2 Relevance Test

Has a relevance test been completed for Equality Impact?	No
Did the relevance test conclude a full impact assessment was required?	N/A

## 8 Staffing Implications

8.1 Dependant on the approval of the motions more detailed work will be carried out to assess implications.

## 9 Environmental Implications

9.1 Dependant on the approval of the motions more detailed work will be carried out to assess implications.

## 10 Community Safety Implications

10.1 Dependant on the approval of the motions more detailed work will be carried out to assess implications.

## 11 Public Health implications

11.1 Dependant on the approval of the motions more detailed work will be carried out to assess implications.

## 12 Customer Services Centre Implications

12.1 Dependant on the approval of the motions more detailed work will be carried out to assess implications.

## 13 Communications and Website Implications

13.1 Dependant on the approval of the motions more detailed work will be carried out to assess implications.

## 14 Risk and Health & Safety Implications

14.1 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.

- 14.2 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/these plan(s).

<b>Nature of Risk</b>	<b>Consequence</b>	<b>Response</b> <i>(tolerate, treat, terminate, transfer)</i>	<b>Risk Rating</b> <i>(combination of likelihood and impact)</i>
Not applicable at this stage.			

- 14.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

<b>Very Likely</b> ----- <b>Likelihood</b> ----- ▼ <b>Remote</b>	<b>Low</b>	<b>High</b>	<b>Very High</b>	<b>Very High</b>
	4	8	12	16
	<b>Low</b>	<b>Medium</b>	<b>High</b>	<b>Very High</b>
	3	6	9	12
	<b>Low</b>	<b>Low</b>	<b>Medium</b>	<b>High</b>
	2	4	6	8
	<b>Low</b>	<b>Low</b>	<b>Low</b>	<b>Low</b>
	1	2	3	4
	<b>Impact</b>			
	Low	-----▶		Unacceptable

**Impact Score**

4 (Catastrophic)

3 (Critical)

2 (Significant)

**Likelihood Score**

4 (Very Likely (≥80%))

3 (Likely (21-79%))

2 (Unlikely (6-20%))

1 (Marginal)

1 (Remote (≤5%))

- 14.4 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

Description of the risk	Service Plan
Not applicable	

The remainder are therefore operational risks. Progress against the treatment plans for strategic risks is reported to the Policy and Resources Committee quarterly. The effectiveness of all treatment plans are reviewed by the Audit Committee annually.

**15 Recommendation**

- 15.1 Members discuss all the motions and decide whether these motions are taken forward with more detailed costings, as well as legal and equalities implications being considered.
- 15.2 Members consider all the motions and agree their intentions as applicable to the Council and any actions arising that might require officer actions, further reports, costings, legal and equalities implications.

Report prepared by: Rebecca Young, Acting Head of Community Partnerships

Data Quality

Data sources: Council 20 October 2020

Data checked by: James Baldwin, Principal Solicitor

Data rating:

1	Poor	
2	Sufficient	✓
3	High	

Background Papers – Council 20 October 2020

**APPENDICES / ATTACHMENTS**

Appendix 1 – Annex to Motion 2 - Accessible Toilet Sign