

CABINET – 13 MARCH 2012

EQUALITY POLICY 2012-2017

Report by Head of Law and Governance

Introduction

1. The Equality Policy 2012-2017 sets out how the Council is approaching its responsibilities for ensuring that all residents in Oxfordshire have fair access to services and equal life chances. It also demonstrates how the Council is meeting the requirements placed on public bodies under the Equality Act 2010, including setting equality objectives for the next four years.
2. A draft of the policy has been out for public consultation since January, and the final policy has been amended to reflect feedback from internal and external stakeholders. To fulfil our legislative requirements, the final policy will be published by 6th April 2012, and progress in implementing it will be monitored and reported as part of the council's overall performance management arrangements.

Requirements of the Equality Act 2010

3. The Equality Act 2010 places a requirement on public bodies to give 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 characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic, and those who do not.
4. There is also an Equality Duty that replaces the previous public sector equality duties for disability, ethnicity and gender and covers the following protected characteristics:
 - Age
 - Disability
 - Gender reassignment
 - Marriage and civil partnership (but only in respect of eliminating unlawful discrimination)
 - Pregnancy and maternity
 - Race – this includes ethnic or national origins, colour or nationality
 - Religion or belief – this includes lack of belief
 - Sex
 - Sexual orientation

5. The Equality Duty requires public bodies to consider how the decisions that they make, and the services they deliver, affect people who share different protected characteristics. The Council must publish information by 31st January 2012 to demonstrate that it has done this, and at least annually thereafter.
6. In addition the Council is also required to set specific, measurable equality objectives and publish these, along with an equality policy, by 6th April 2012. There is an expectation that this will follow consultation and should be linked to the information that is published. The equality objectives must be refreshed at least every four years.

Demonstrating Compliance with the Equality Act and specific duties

7. A detailed report has been produced that evidences the wide range of actions the Council is taking to comply with the requirements of the public sector equality duty, and provide examples of how service areas are improving outcomes for people who share the protected characteristics. It also summarises the make-up of Oxfordshire's population in relation to people who share protected characteristics.
8. This information was published on the Council's website before 31st January 2012 as part of demonstrating compliance with the equality duty, and is available at:
www.oxfordshire.gov.uk/cms/public-site/equality-and-cohesion
9. This document includes a general statement of effectiveness in complying with the requirements of the Equality Act. Based on the examples and actions provided it is considered that the council performs very well in meeting the needs of people who share protected characteristics.
10. However, there are a number of areas where there is room for further improvement and these will form the basis of the council's equality objectives for the next four years.
11. The Council is also required to publish information to demonstrate it has considered how its activities as an employer affect people who share different protected characteristics. A separate Equality Duty in Employment Report 2011 has been produced and is available at:
<http://www.oxfordshire.gov.uk/cms/content/fairness-and-equality-work>

Consultation with Stakeholders

12. Public consultation on a draft of the Equality Policy 2012-2017 took place between 19 January and 2 March 2012 (a period of 6 weeks).

13. Details of the written consultation including the draft policy document, supporting information and links to an online survey were placed on the council's intranet site and public website and promoted using home page features and headlines.
14. Key stakeholders were also contacted directly and invited to comment, including all staff and Councillors; district, town and parish councils; other public sector organisations including Thames Valley Police, the Primary Care Trust, schools, universities and the military; voluntary, community and faith sector organisations and charities, including those representing people who share protected characteristics as set out in the Equality Act 2010.
15. A stakeholder workshop took place on 17 February 2012, offering an opportunity to discuss the draft policy and comment in more detail as part of the consultation. A wide range of public, voluntary, community and faith sector organisations and charities were invited, along with some existing service users.
16. In total 21 people attended the stakeholder workshop and 10 responses were received to the online consultation, with a further 2 responses sent by email.
17. A summary of the outcomes of the consultation is attached as Annex 2, with the detailed responses available in the councillor's resource room.
18. Overall, the outcomes of the consultation indicate there was broad support for the council's overall ambition for and approach to equalities. There were some objections expressed about the use of language; the need for clarification and examples of current performance; more consideration of governance and accountability; further explanation of the council's approach to mainstreaming; and the need to manage expectations. The feedback also provided helpful suggestions for how the key issues might be delivered.

Equality Policy 2012-2017

19. Attached to this report is the Equality Policy 2012-2017. It sets out the Council's ambition for equality of opportunity as follows:

“Oxfordshire County Council is committed to making Oxfordshire a fair and equal place in which to live, work and visit.

We aim to ensure that our staff are equipped with the knowledge and skills to meet the diverse needs of customers, that our services are accessible and to encourage supportive and cohesive communities through our service delivery.”

20. The policy also includes a general statement of effectiveness:

Oxfordshire County Council considers that it performs well in meeting the requirements of the Equality Duty.

21. In setting out how the Council will achieve its ambition, and in recognising that there despite performing well there are areas where improvement is needed, the policy is structured around four key equality objectives:

Objective 1 - Understanding the needs of individuals and communities

Objective 2 - Providing accessible, local and personalised services

Objective 3 - Supporting thriving and cohesive communities

Objective 4 - Promoting a culture of fairness in employment and service delivery

22. The policy has been updated and amended to reflect the outcomes of the consultation and the feedback will continue to inform implementation of the policy. In particular, more detail has been added under each objective to provide more explanation of what each means and why it is considered to be important. This includes more examples of what the council is already doing, providing a stronger link to the supporting information about our current performance that has already been published on the council website to demonstrate our compliance with the public sector equality duty (see www.oxfordshire.gov.uk/cms/public-site/equality-and-cohesion)
23. The four key equality objectives have also been amended slightly from the key issues published as part of the consultation document, to reflect feedback during the consultation period:
- (a) Objective 1 previously referred to 'understanding the needs of customers', a term that people did not feel accurately reflected the fact that many service users do not choose to access our services, or that many people do not access council services at all.
 - (b) Objective 4 was previously 'promoting a culture of fairness', and in response to feedback has been amended to be more specific about what we are aiming to achieve.
24. These key equality objectives link closely to the overall strategic objectives of the council as set out in the Council Plan 2012-1017. A number of actions are set out under each objective, based on the need to build on current practice and address areas for improvement. These actions are closely linked to existing strategies, plans and objectives, and will be reported on as part of the Council's quarterly performance monitoring arrangements (rather than establishing another performance management process).

Financial and Staff Implications

25. There are no financial implications arising directly from this report. However there may be financial implications arising from the delivery of some of the actions against the objectives in the Equality Policy 2012-2017. These will be met from within existing budgets.

26. The implementation of the Equality Policy 2012-2017 will require all staff to be aware of their responsibilities under the Equality Act 2010, and of the Council's approach to 'mainstreaming' its equality work. Appropriate training and briefing opportunities will be delivered throughout the coming year, including through the corporate learning and development programme.

Equality Implications

27. By definition the Equality Policy 2012-2017 is intended to have a positive impact on all groups that share protected characteristics as defined in the Equality Act 2010. However, in keeping with Council guidance these implications have been considered in more detail in the Service and Community Impact Assessment attached at Annex 4.

RECOMMENDATION

28. **The Cabinet is RECOMMENDED to approve the Council's judgement on effectiveness and key equality objectives as set out in the Equality Policy 2012/2017 and to RECOMMEND Council to receive the report.**

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Background papers: None

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