

Agenda item:

Title of meeting: The Governance and Audit Committee

Date of meeting: 9 March 2012

Subject: Update on the Council's compliance with its Equality Duty and Equality Impact Assessment Process

Report by: City Solicitor

Wards affected: All

Key decision: No

Full Council decision: No

1. Purpose of report

- 1.1. The purpose of this report is to update the Governance and Audit Committee on the compliance of individual services with the Equality Duty and the Equality Impact Assessment process.

2. Recommendations

- 2.1. That the Committee notes the contents of the report;
- 2.2. That the Committee continues to monitor the compliance of the Council services with the Equality Duty and the Equality Impact Assessment process adopted by the Council on a quarterly basis.
- 2.3. That the City Solicitor continues to report on such compliance to the Committee on a quarterly basis.

3. Background

- 3.1. A report updating members on the recent changes in the Equalities legislation was considered by the Committee on 10 November 2011.
- 3.2. The report outlined the Council's legal responsibilities under the Equality Act 2010, which introduced the Public Sector Equality Duty. The main points made by the report are:

- 3.2.1. The Equality Duty requires public bodies, including local authorities to carry out an equalities analysis of any proposed new or changed policy, service, function or strategy as part of their decision-making and performance of their functions.
- 3.2.2. Non-compliance can lead to costly, time-consuming and reputation-damaging legal challenge by individuals or pressure groups.
- 3.2.3. The Council has a well-established Equality Impact Assessment process which ensures compliance with the Public Sector Equality Duty.

3.3. The recommendations from the report of 10 November 2011 were:

- 3.3.1. “That the Committee welcomes the Equality Act 2010, and notes the contents of the report;
- 3.3.2. That the Committee monitors the compliance of the Council services with the Equality Duty and the Equality Impact Assessment process adopted by the Council on a quarterly basis.
- 3.3.3. That the City Solicitor reports on such compliance to the Committee on a quarterly basis.”

3.4. The Committee endorsed the above recommendations and this report provides an update on the compliance of the Council’s individual services with the Equality Duty and the Equality Impact Assessment process.

4. Update on the Council’s compliance with the Equality Duty and the Equality Impact Assessment (EIA) process

The table below measures the individual services’ compliance with the council’s 3 yearly rolling Equality Impact Assessment process. This process sets deadlines for EIAs to be completed on the major services, policies, and functions of the council.

The table does not take account of the additional EIAs being undertaken on other proposed new or changed projects, policies, services and strategies that are placed before relevant decision-makers. We can however confirm that the Equality and diversity team has provided an update to all council services on their duties under the Equality Act 2010 and the council EIA process. The services have been compliant with these duties and require little prompting in undertaking equality analyses of relevant projects, policies, etc.

Directorate	Service	Compliance
Adult Services	Community Safety	100%
	Health Improvement and Development	100%
	Social Care	100%
	Housing Management	81.82% There are four EIAs outstanding. However, they require full assessments involving consultation with affected public. Therefore, the delay is warranted.
	Customer, Community and Democratic Services	100%
	Revenues and Benefits	100%
Young People	Education	The service has undergone a major restructure and the service is currently in the process of undertaking EIAs on its new and changed services and policies.
	Children's Social Care	The service has undergone a major restructure and the service is currently in the process undertaking EIAs on its new and changed services and policies.
	Audit and Performance Improvement	75% There are four EIAs outstanding. However, they are currently being undertaken.
Regeneration	Planning	100%
	Community Housing and Regeneration	100%
	Traffic and Transportation	100%
	Culture	85.71% Only one EIA is outstanding due to lack of staff resource. This is being prioritised by the service management.
Performance / Support Services	Information Services	100%
	Finance	100%
	Legal, Licensing and Registrars	100%
	Asset Management	100%
	Human Resources	100%

5. Reasons for recommendations

5.1. To ensure that the Council complies with its legal obligations under the Equality law.

6. Equality impact assessment (EIA)

This report does not require an Equality Impact Assessment as it does not propose any new or changed services, policies or strategies.

7. Head of legal, licensing & registrars' comments

The recommendations in this report are intended to increase compliance with the Council's legal obligations. There are no other legal implications in this report.

8. Head of finance's comments

There are no financial implications arising from the recommendations in this report.

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Signed by:

Appendices: Nil

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Nil	

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Signed by: