

Agenda item:

Title of meeting: The Governance and Audit & Standards Committee

Date of meeting: 26 September 2013

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. To update the Committee on the compliance of council services with the Equality Duty and the Equality Impact Assessment process since the last report dated 27th June 2013.

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

3.1. Background

3.1.1. The Equality Act 2010 introduced the Public Sector Equality Duty requiring the council to consider the impact of its policies, strategies, projects and services on people with any of the nine 'protected characteristics': These are age, race,

disability, sex, gender reassignment, sexual orientation, religion, pregnancy and maternity, marriage or civil partnership.

3.1.2. Non-compliance can lead to costly, time-consuming and reputation-damaging legal challenge by individuals or pressure groups.

3.1.3. The council has a well-established Equality Impact Assessment process which assists compliance with the Public Sector Equality Duty.

3.2. Table showing compliance of individual services with the Equality Impact Assessment process

The table below shows the individual services' compliance with the council's 3 yearly rolling EIA process as at 16th September 2013. This process sets deadlines for EIAs to be completed on the major services, policies, and functions of the council that have been identified by the management and the Equality & diversity team as having a potential present or future disproportionately negative impact on people possessing any of the 'protected characteristics'. All major completed non-exempt EIAs are published on the equality pages of the council website. Other EIAs are available on request from the Equality & diversity team.

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. These are monitored by the Equality & diversity team regularly through the Future Work Programme. Council services are overall pro-active in planning for equality analysis as part of their project processes and / or contacting the Equality & diversity team for advice and support. The issue is often around quality of the EIAs produced. The Equality & diversity team however works with individual officers on their better understanding of the Equality Duty and improvements in quality of their EIAs. Officers are usually cooperative and implement the team's advice.

The table below illustrates that the majority of the services continue to be 100% compliant. Adult Social Care has significantly improved its compliance with the EIA process and are now 100% compliant. Transport & Environment Services have provided us with an updated list of the major service areas that require EIAs and have proposed timescales for their completion. Yet, the service has already fallen behind the deadlines agreed by them and have 60% outstanding EIAs (that's 9 of 15 EIAs on the list). Children's Social Services now have one outstanding EIA, making them 88% complaint. The Equality & diversity team is

working with these services to ensure that these EIAs are completed without further delay.

Directorate	Service	Compliance
Public Health	Health, Safety & Licensing	100% - no change
People Services	Education & Strategic Commissioning	100% - no change
	Children's Social Care and Safeguarding	88% (1 of 9 EIAs outstanding) - down from 100%
	Adult Social Care	100% - up from 62%
	Revenues and Benefits	100% - no change
Regeneration	City Development & Cultural Services	100% - no change
	Corporate Assets, Business & Standards	100% - no change
	Transport & Environment	40% (9 of 15 EIAs outstanding)
	Housing & Property Services	100% - no change
Performance / Support Services	Information Services	100% - no change
	Finance	100% - no change
	HR, Legal & Performance	100% - no change
	Customer, Community & Democratic Services	100% - no change

6. Reasons for recommendations

- 6.1.** To ensure that the Council complies with its legal obligations under the Equality law.

7. Equality impact assessment (EIA)

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

8. Head of legal services, comments

- 8.1.** Legal advice and the effect of non-compliance are set out in this report.

9. Head of finance's comments

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

.....
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	

.....
Signed by: