

Agenda Item No: 9.6

Report Title: Equality Annual Report

Report To: Cabinet

Date: 5 February 2018

Cabinet Member: Councillor Elayne Merry

Ward(s) Affected: All

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Purpose of Report:

The report provides Members with an update on the council's activities in relation to equalities over the past year and seeks Cabinet's adoption of a new action plan for 2018. In addition, it proposes a revised set of Equality Objectives for 2018 to 2021, for the Scrutiny Committee to consider and which Cabinet are recommended to adopt.

Cabinet is recommended to:

- 1** Note progress against the 2017 Equality Action Plan as set out in Appendix B.
- 2** Approve the proposed Equality Objectives 2018 to 2021 as set out in paragraph 18.
- 3** Approve the Equality Action Plan for 2018 set out in Appendix D.

Reasons for Recommendations

- 1** The Equality Act 2010 seeks to protect people from discrimination on the basis of the protected characteristics of disability, race, sex, age, sexual orientation, religion or belief, gender reassignment, pregnancy and maternity, and marriage and civil partnership. The Act applies to employment rights, service provision, and the provision of goods and facilities.
- 2** The Act includes a general Public Sector Equality Duty, which requires public authorities to consider equality implications in all they do. This involves giving due regard to the need to eliminate discrimination and harassment, advance equality of opportunity, and foster good relations

between groups of people with protected characteristics.

- 3 In addition, the Act imposes specific duties on public authorities for the purpose of enabling the better performance by the authority of the general duty referred to above. The specific duties require local authorities to set one or more Equality Objectives, publish information annually to show how they have met the provisions of the Act, and regularly review their objectives.
- 4 This report details progress against the equalities action plan during 2017 and summarises some of the equality related work undertaken. This enables Members to scrutinise the Council's work in this area, and ensures that the council fulfils its equality duties.

Progress against the 2017 Equalities Action Plan

- 5 The council's annual Equality Action Plan sets out specific equality-related work which the Council commits to undertaking to help meet its equality objectives. Appendix B details progress against the 2017 Equality Action Plan.
- 6 A significant new area of focus in the past year has been to ensure the equality implications of the Joint Transformation Programme were fully considered. This has been in relation to potential impact of the changes on both staff and customers.
- 7 In the past year we have also reviewed our Equality and Fairness Policy (now joint with EBC). This was approved by Cabinet at its meeting on 13th November 2017.
- 8 In line with legislation we have consulted on a refreshed set of Equality Objectives. Paras 18 -21 provide more information about this.
- 9 We have completed the second year of our campaign to help make the District more 'Dementia Friendly'. We have run a number of information sessions for staff and Councillors and funded 3VA to provide support to the new Lewes Dementia Action Alliance and Havens Dementia Action Alliance.
- 10 We continue to support and promote the White Ribbon Campaign to raise awareness of issues relating to violence against women and girls. We have had stands at a number of events, issued press releases and used social media to promote the national '16 days of action' campaign.

Equality Analysis of Council Services

- 11 To ensure the council is taking fair and equitable approaches in its policies, services and projects, we carry out a programme of Equality Analyses. For every key decision, such as new service development or policy proposal or at initiation of a new project initiation such an analysis is undertaken and documented. In particular this helps to ensure that Cabinet and Council members making key decisions have the

considered equality implications.

- 12** In the past year the majority of our equality analyses have focused on service and policy changes brought about as a result of the Joint Transformation Programme. This has enabled us to be confident that the council is not inadvertently introducing any discriminatory practices through the changes it is making.
- 13** All the JTP projects that have started in 2017 have been screened for Equality and Fairness and a total of eleven full analyses have been completed to date. Actions arising from these have included:
- Adjustments to the website to improve accessibility
 - Website user testing
 - Ensuring alternative formats and languages are offered where appropriate
 - Ensuring face to face service options continue to be available where there are access issues.
- 14** Cabinet have considered Equality Analyses alongside a number of reports they have received this year, including, for example, the introduction of Public Space Protection Orders, the new Housing Allocations Policy and a range of Planning Policies.
- 15** For the coming year, a new programme of Equality Analyses has been developed (Appendix A). This will cover the period from 2018/19 to 2020/21. This will enable us to ensure, over a three year period, that all our services and functions are fully considering the equalities implications of their policies and practices.

Equality Objectives

- 16** All Councils are required by legislation to have an adopted set of equality objectives which have been subject to consultation and which are regularly reviewed. The council's current objectives have been in place since 2012, with Cabinet having agreed annually since that time that they continued to remain relevant.
- 17** The current objectives are:

Theme: inspire exceptional contribution – awareness and understanding. **Objective:** ensure all councillors and staff receive appropriate learning opportunities so that good practice in equality and diversity is embedded in the culture and work practices of the organisation.

Theme: unswerving commitment to customer services – flexibility and responsiveness. **Objective:** ensure effective use of engagement, consultation, monitoring and equality analysis to develop services responsive to the diverse needs of our community.

Theme: fairness and accessibility. **Objective:** ensure offices and services are accessible to people with disabilities

- 18 With the Council now going through a period of significant change, it was agreed by Members that the objectives should be reviewed in 2017. A revised set of Equality Objectives has been drawn up for 2018 to 2021. These are similar to the previous Objectives but are more simply stated.

Objective 1: Ensure that equality and diversity is at the heart of everything we do and good practice is embedded in the Council's culture and work.

Objective 2: Build respect and understanding of each other across our communities by working with them to tackle prejudice, discrimination and hate crime.

Objective 3: Promote fairness and accessibility.

- 19 Public consultation on these proposed Equality Objectives took place between 7th November and 15th December 2017. A copy of the full consultation document is attached at Appendix C along a summary of the responses.
- 20 We received 51 responses to the consultation of which 43 were from individuals and 8 from organisations. The majority of those who responded agreed with the objectives overall. The percentage of those who agreed with specific actions detailed under each objective ranged from 79% to 92%.
- 21 An additional Objective was suggested during the consultation and it is proposed that this be added to the specific objectives listed under Objective 2 as follows:
- working to improve the Councils' understanding of the needs of different communities in the District through effective community profiling, consultation, liaison and involvement

This gives a fuller picture of the work which the Council undertakes to engage with different communities.

2018 Equality Action Plan

- 22 Subject to Members' approval of the new Equalities Objectives, an Action Plan for 2018 has been drawn up which will enable the Council to begin to deliver against those objectives. This is set out in Appendix D. Key areas of activity will include the delivery of training in equality and fairness to all new staff, training in equality analysis and on Prevent, the development of wider links with representatives of groups protected under the Equality Act, and activities to mark the centenary of the Representation of the People Act 1918 which first introduced women's suffrage.

Financial Appraisal

- 23** There are no direct financial implications arising from this report.

Legal implications

- 24** This report provides evidence of how the council is fulfilling its public sector equality duty under section 149(1) of the Equality Act 2010, and its specific equality duties under the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017.

Lawyer consulted 13.12.17. Legal ref:006982-JOINT-OD

Risk Management Implications

- 25** The following risks will arise if the recommendations set out at 13.1 below are not implemented:
- Failure to comply with statutory obligations under the Equality Act 2010 and
 - Increased risk of incurring vicarious liability for acts of discrimination, harassment or victimisation in the event of litigation.

No new risks will arise if the recommendations are implemented

Equality screening

- 26** It is the function of this report to scrutinise the progress of the Council towards meeting its equality objectives in eliminating discrimination, promoting equality of opportunity and fostering good relations. A full Equality and Fairness Analysis has been completed covering the Council's Equality and Fairness Policy. For this reason it is not considered necessary to carry out a separate Equality Analysis of the report itself.

Background Papers

- 1** [Equality Act 2010 Guidance](#)
- 2** Joint Equality and Fairness Policy – Cabinet Report November 2017
- 3** Consultation Report [Consultation on the councils' equality objectives](#)
- 4** Equality and Fairness Analysis

Appendices

- 5** Appendix A – Equality and Fairness Review of Council Functions Programme
2018/19 to 2020/21

Appendix B – Equality and Fairness Action Plan 2016

Appendix C – Consultation on Equality and Fairness Objectives

Appendix D - Draft Equality and Fairness Action Plan 2017

Appendix A

Equality and Fairness review of Council Functions – 3 year programme 2018/19 to 2020/21

Strategy, Planning and Regeneration:	2018/19	2019/20	2020/21
Projects and Performance monitoring	Performance and Programmes Lead		
Communications	Customer Communications and Engagement Lead		
Consultation and engagement		Customer Communications and Engagement Lead	
Housing acquisition and development		Housing and Development	
Regeneration, business advice and support – 2019/20		Regeneration and Planning Policy	
Community Safety		Thriving Communities	
Community development and voluntary sector support services			Thriving Communities
Community grants	Thriving Communities		
Planning Policy development		Regeneration and Planning Policy	
Commercial Businesses and Property development		Group Head of Commercial Businesses	
Partnerships (in tandem with governance review of partnerships)		Thriving Communities	
Tourism and Enterprise:			
Tourist information services	Tourism and Enterprise		
Marketing	Tourism and Enterprise		
Sports and leisure facilities		Tourism and Enterprise	
Seafront services		Tourism and Enterprise	
Art, cultural and heritage services		Tourism and Enterprise	
Events			Tourism and Enterprise

Theatres			Tourism and Enterprise
Catering			Tourism and Enterprise
Homes First:			
Homelessness services	Housing Needs and Allocations		
Housing advice and options		Housing Needs and Allocations	
Housing Needs registration and rehousing processes			Housing Needs and Allocations
Housing Grants and Loans – DFGs, Small Works, Energy saving etc.	Tenancy Services		
Housing repairs, maintenance and estate management			Tenancy Services
Tenancy management, tenancy support, complaints incl. neighbour nuisance		Tenancy Services	
Tenant participation and involvement		Tenancy Services	
Customer First, Account Management, Casework and Specialist Advice:			
Customer contact – phone and reception services and facilities	Customer Advice		
Customer contact – on-line services, website, on-line processes and ‘report it’		Customer Advice	
Business Rate setting and collection	Specialist Advice / Growth and Prosperity		
Household waste collections, recycling, bulky waste, trade waste	Specialist Advice / Quality Environment		
Management of parks and gardens		Specialist Advice / Quality Environment	
Health and Safety advice and inspections		Specialist Advice	
Cemeteries and crematoria, funeral services – including welfare funerals			Specialist Advice

Licensing and enforcement			Specialist Advice
Private housing inspection and HMO licensing		Specialist Advice	
Food hygiene and inspection		Specialist Advice	
Parks, gardens			Specialist Advice
Parking permits, fines and car parks			Specialist Advice
Neighbourhood First:			
Public Health – pests, filthy and verminous premises, pollution			Specialist Advice / Neighbourhood First
Neighbourhood response to complaints – e.g. graffiti, vandalism, etc.		Specialist Advice / Neighbourhood First	
Animal welfare			Specialist Advice / Neighbourhood First
Access Advice		Specialist Advice / Neighbourhood First	
Human Resources			
Recruitment	Human Resources		
Staff development		Human Resources	
Democratic Services			
Committees and Councillors	Democratic Services		
Electoral Services		Democratic Services	
Finance			
Rent setting and collection	Financial Services / Account Management		
Council Tax setting and collection		Financial Services / Account Management	
Budgeting	Financial Services		
Service charges and fees		Financial Services	
Legal Services			

Legal Enforcement and Advice	Legal Services		
Property and Facilities			
Property and Estate Management		Property and Facilities Shared Service	
Car Parking	Property and Facilities Shared Service		
Public Conveniences			Property and Facilities Shared Service

Appendix B – Update on Equality and Fairness Action Plan 2017

Ref	Action	Lead Officer	Resources	Target date	Year End
1.	Develop joint LDC/EBC approach to Equality Analysis for the Joint Transformation Project.	Performance Officer (Equality and Fairness)	Officer time	Jan 2017	Completed.
2.	Set up Equality and Fairness Forum for consideration of Equality and Fairness implications of JTP	Performance Officer (Equality and Fairness)	Officer time	Jan 2017	Completed.
3.	Set up Equality and Fairness External Stakeholder Group for JTP	Performance Officer (Equality and Fairness)	Officer time	Jan 2017	Completed.
4.	Provide training and guidance on Equality Duties and Equality Analysis for JTP Project Leads and Equality and Fairness Champions, Equality and Fairness Forum and Equality and Fairness External Stakeholder Group	Performance Officer (Equality and Fairness)	Officer time	Jan 2017	Completed.
5.	Provide Scrutiny Committee and Cabinet with Annual Equality and Fairness Report for 2017	Performance Officer (Equality and Fairness)	Officer time	Dec 2017	Completed.
6.	Offer 'Dementia Friends Information Sessions' to all staff and Councillors	Performance Officer (Equality and Fairness)	Officer time	March 2017	Completed.
7.	Develop Local Dementia Action Alliance for Havens and Lewes areas.	Performance Officer (Equality and Fairness)	Officer time	March 2017	Completed.
8.	Promote 'White Ribbon' Activities and implement action plan in partnership with EBC and Domestic Abuse	Community Safety Officer	Officer time	Dec 2017	Completed

Ref	Action	Lead Officer	Resources	Target date	Year End
	Working Group.				
9.	Highlight 2 'Celebrating Diversity' themes to promote equality and diversity internally	Performance Officer (Equality and Fairness)	Officer time	Dec 2017	Approach adjusted due to focus on JTP activities
10.	Review and align LDC/EBC Equality Objectives and Equality Policies for JTP	Performance Officer (Equality and Fairness)	Officer time	Deferred until after Phase 1 of JTP (2017/18)	Completed
11.	Review and align LDC/EBC Safeguarding Policies for JTP	Performance Officer (Equality and Fairness)	Officer time	Deferred until after Phase 1 of JTP (2017/18)	Policies were aligned in 2016; updated policies to be presented to Cabinet in 2018
12.	Review and align LDC/EBC Equality Monitoring Policies for JTP	Performance Officer (Equality and Fairness)	Officer time	Deferred until after Phase 1 of JTP (2017/18)	Report to Cabinet in 2018
13.	Undertake an Equal Pay Review	Human Resources Manager	Officer time	Deferred until after Phase 1 of JTP (2017/18)	Equal Pay data will be published by 31 st March 2018.
14.	Develop Equality and Fairness data reporting on the workforce profile in line best practice and open data transparency	Performance Officer (Equality and Fairness)	Officer time	Deferred until after Phase 1 of JTP (2017/18)	Equality data has been monitored and will be published early in 2018
15.	Provide training for staff on all new joint LDC/EBC Equality and Fairness related policies and practices.	Performance Officer (Equality and Fairness)	Officer time	Deferred until after Phase 1 of JTP (2017/18)	Training will take place when new staff are in post: by May 2018
16.	Undertake self-assessment against Equality Framework for Local Government	Performance Officer (Equality and Fairness)	Officer time	Deferred until after completion	To be carried forward

Ref	Action	Lead Officer	Resources	Target date	Year End
		Fairness)		if JTP (2019/20)	

Appendix C – Equality objectives consultation questions and responses

How we consulted

- We carried out a public consultation from 7 November to 15 December 2017 in Lewes district.
- We published a consultation page on the council website which included information about the Equality Act 2010 and the council's equality duties under the act and the draft equality objectives.
- We provided an online survey for respondents to provide their feedback and made the offer of providing the consultation information available as paper copies and alternative formats and languages on request.
- We also invited responses in writing by email and in hard copy.
- Paper copies of the consultation information and survey were requested by Newick Parish Council.

How we publicised the consultation

- We issued a press release to the local media which resulted in coverage in the Sussex Express.
- We promoted the consultation through our social media channels including twitter and facebook throughout the duration of the consultation period.
- We sent an email alert to our consultation email subscriber mailing list at the beginning of the consultation and one week before it closed.
- We emailed a number of relevant community groups including; the Seaford and Newhaven Access Group, the Lewes Area Access Group, East Sussex Disability Organisation, Seahaven seniors, East Sussex Association of Blind and Partially Sighted People, Lewes Seniors and hearing issues, Tenants of Lewes District, Lewes District BME seniors group, 3VA, the Joint Transformation Equality and Fairness External Steering Group, the Lewes Equalities Working Group, Age Concern UK and the East Sussex Equality Involvement Network.
- We promoted the consultation to Lewes District Council members through the Members First internal newsletter.
- We encouraged staff to take part in the consultation by including an article about it in Council Briefing, the council's internal staff newsletter.

Consultation Document

Background

Lewes District Council has a responsibility and commitment to meet the Public Sector Equality Duty to:

- eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Equality Act;
- advance equality of opportunity between people who share a protected characteristic and people who do not share it (for example by meeting specific

- needs; minimising difficulties faced or encouraging participation in public life); and
- foster good relations between people who share a protected characteristic and people who do not share it.

Protected characteristics covered by the Equality Act 2010

- Age
- Disability
- Pregnancy and maternity
- Marriage and civil partnership
- Race
- Religion and belief
- Sex
- Gender reassignment
- Sexual orientation

Our equality objectives

Under the act, we are required to publish the council's equality objectives. These objectives set out how we will ensure we comply with our equality duties. Our current equality objectives were set in 2012. We have reviewed these and are now proposing a new set of objectives for both councils which bring the separate objectives together.

Proposed equality objectives of Lewes District Council

Objective 1: We will ensure that equality and diversity is at the heart of everything we do and that good practice is embedded in the councils' culture and work. We will do this by:

- ensuring fair recruitment and staff development practices are in place
- developing consultation and engagement opportunities and supporting local communities to have a greater say in the way we design our services and make decisions about the future of the Eastbourne and Lewes district
- Establishing an effective shared Equality and Fairness review process across both councils.
- Providing translation and interpreting services to meet local needs
- Ensuring all councillors and staff receive appropriate learning opportunities so that good practice in equality and diversity is embedded in the culture and work practices of the organisation. (keep)

Objective 2: We will build respect and understanding across our communities by working with them to tackle prejudice, discrimination and hate crime. We will do this by:

- Promoting equality and fairness in our work with voluntary and community organisations through community networks and training in liaison with voluntary sector partners
- Engaging with representatives of protected groups in Eastbourne and Lewes district

- Working with partners in the Safer East Sussex Partnership, Local Safeguarding Children Board, Prevent Board, and Safeguarding Adults Board on counter terrorism, hate crime, modern slavery, human trafficking, domestic abuse and child exploitation.
- Delivering the councils' responsibilities for Prevent and Protect.

Objective 3: We will promote fairness and accessibility. We will do this by:

- Developing and implementing an access policy covering the councils' buildings
- Ensuring relevant staff are trained and confident in responding to customer enquiries relating to access issues.
- Ensuring proposed developments, replacement and refurbishment of council properties are discussed in liaison with representatives of disabled people and their organisations.

Consultation responses

- We received 51 responses to the consultation. 43 of these were from individuals, 8 were from organisations.
- The majority of those who responded agreed with the objectives overall. The percentage of those who agreed with specific actions detailed under each objective ranged from 79% to 92%.
- Aggregating the responses to the actions proposed under Objective 1, 84% of respondents agreed, 10% disagreed, 5% said they did not know, and 1% did not answer some of the questions.
- Aggregating the responses to the actions proposed under Objective 2, 86% of respondents agreed, 10% disagreed, and 4% said they did not know.
- Aggregating the responses to the actions proposed under Objective 3, 88% of respondents agreed, 9% disagreed, 1% said they did not know and 2% did not respond.

Appendix D - Proposed Equality and Fairness Action Plan 2018

Ref	Action	Lead Officer	Resources	Target date
1.	Review and report on equality profile in relation to recruitment and development of staff	Human Resources Manager	Officer time	December 2018
2.	Publish Gender Pay Gap report	Human Resources Manager	Officer time	April 2018
3.	Establish joint Equality and Fairness Planning Group with EBC	Strategy and Partnerships Lead – Thriving Communities	Officer time	March 2018
4.	Establish joint Equality and Fairness Stakeholder Group with EBC	Strategy and Partnerships Lead – Thriving Communities	Officer time	March 2018
5.	Identify representatives of women's interests to join Equality and Fairness Stakeholder Group	Strategy and Partnerships Lead – Thriving Communities	Officer time	March 2018
6.	Continue supporting Sompriti to ensure effective engagement with BAME communities	Strategy and Partnerships Lead – Thriving Communities	Officer time	December 2018
7.	Identify approaches to engagement which encourage participation by young people, women, people living in rural areas, faith communities, BAME communities and LGBT people and increase the proportion of responses from these groups	Customer Communications and Engagement Lead	Officer time	December 2018
8.	Provide training and guidance on Equality Duties and Equality Analysis for Heads of Service, Managers and Team Leader, Project Managers and members of Planning Group and Stakeholder Group	Strategy and Partnerships Lead – Thriving Communities	Officer time	May 2018
9.	Arrange training on Access Issues to Neighbourhood First	Strategy and Partnerships Lead	Officer time	June 2018

Ref	Action	Lead Officer	Resources	Target date
	teams and ensure Neighbourhood Officers are able to respond confidently and effectively to customer enquiries relating to access issues	– Thriving Communities		
10.	Promote 'White Ribbon' Activities and implement action plan in partnership with EBC and Domestic Abuse Working Group.	Specialist Advisor – Community Safety	Officer time	December 2018
11.	Promote activities commemorating centenary of the Representation of the People's Act 1918	Customer Communications and Engagement Lead	Officer time	December 2018
12.	Review and align LDC/EBC Equality Monitoring Policies for JTP	Strategy and Partnerships Lead – Thriving Communities	Officer time	April 2018
13.	Work with voluntary sector partners to promote equality and fairness through training and network meetings	Strategy and Partnerships Lead – Thriving Communities	Officer time	December 2018
14.	Implement a 3-year programme of functional reviews following completion of Phase 2 JTP	Strategy and Partnerships Lead – Thriving Communities	Officer time	April 2018 to 2021
15.	Monitor use and quality of translation and interpreting services	Strategy and Partnerships Lead – Thriving Communities	Officer time	December 2018
16.	Undertake self-assessment against Equality Framework for Local Government	Strategy and Partnerships Lead – Thriving Communities	Officer time	Deferred until after completion if JTP (2019/20)