

MUNICIPAL YEAR 2012/2013 REPORT NO. 153

MEETING TITLE AND DATE:
Cabinet – 13th February
2013

REPORT OF:
Director of Finance, Resources
and Customer Services

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Agenda – Part: 1

Item: 8

Subject: Fairness for All - Equality and
Diversity Annual Report 2012

Wards: All

Cabinet Member consulted:
Cllr. Doug Taylor

1. EXECUTIVE SUMMARY

Enfield Council's Equality and Diversity Scheme Annual Report 2012 details what the Council has done in the last year, and what we plan to do in the future, to meet the duties placed on all public sector bodies under the Equality Act 2010.

2. RECOMMENDATIONS

Cabinet considers and approves the Annual Report.

3. BACKGROUND

3.1 The Equality Act 2010 -

- aimed to make the law easier to understand and implement by simplifying 116 pieces of existing equality legislation into a single Act
- identified nine protected characteristics that the legislation aims to protect from discrimination - age, disability, gender, gender reassignment, pregnancy and maternity, race, sexual orientation, religion or belief, and marriage and civil partnership

3.2 The Public Sector Equality Duty (PSED) within the Act requires public bodies to consider, and have due regard to, the needs of diverse groups when designing, evaluating and delivering services in order to -

- eliminate discrimination

- advance equality of opportunity and access, and
- foster good relations between different groups in the community.

3.3 The specific duties under the Act require all councils to publish specific and measurable equality objectives. These objectives should be revised at least every four years. In Enfield, the majority of the Council's corporate objectives relate to tackling inequality. As a result, we have adopted these as our equalities objectives, and report on the positive progress against them in our annual report.

3.4 At the time of writing, the Government's Red Tape Challenge is reviewing the PSED 'to establish whether it is operating as intended'. For that reason, the law may change in the near future.

3.5 On 9th September 2011, the Government published Statutory Instrument 2011 No. 2260 – The Equality Act (Specific Duties) Regulations 2011. These regulations apply to all local authorities in the country. All authorities with more than 150 employees must –

- publish information to demonstrate its compliance with section 149(1) of the Act by 31st January 2012 and at least annually after that.
- publish information relating to persons who share a relevant protected characteristic who are either its employees or other persons affected by its policies and practices
- publish one or more specific and measurable objectives that it thinks should achieve the requirements of the Public Sector Equality Duty. It must then publish objectives subsequently at intervals of not greater than four years

All the information above must be published in such a manner that is accessible to the public, and authorities can publish it within another document if appropriate.

3.6 The Council publishes an Equality and Diversity Scheme Annual Report that updates progress against the Council's equality objectives. The Annual Report also includes information on equality impact assessments/analyses that have been carried out, and also on latest annual population figures. The full Annual Report 2012 is attached and will be published on the Council website, and an executive summary will be sent to all interested stakeholders. Copies will also be available in the Group Offices and Members' Library. This latest version provides all information required to be published by the Equality Act 2010, particularly how the Council's objectives fit within the overall aims and priorities of the administration, and how they link to service level equality objectives.

4. ALTERNATIVE OPTIONS CONSIDERED

No alternative options were considered as this is a statutory obligation.

5. REASONS FOR RECOMMENDATIONS

The proposed recommendations will ensure that the Council fully complies with the new legislation. The recommendations also meet the requirements of the Equality Framework for Local Government for which the Council is currently seeking accreditation at the excellent level.

6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

6.1 Financial Implications

There are no financial implications directly pertaining to this report – all costs will be met from existing budgets.

6.2 Legal Implications

6.2.1 Legal implications are set out in the main body of report which sets out in detail what the Council has done and must do in order to comply with the Public Sector and specific duties of the Equality Act 2010 and the Equality Act (Specific Duties) Regulations 2011.

6.2.2 The Equality Act can be enforced by a Judicial Review of a decision, a civil claim against the Council or a claim in the Employment Tribunal, depending upon the breach.

7. KEY RISKS

Approval of the Annual Report should prevent the risk of non-compliance with the Equality Act 2010.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

Meeting the requirements of the Equality Act 2010 will ensure that the Council is effectively tackling discrimination, and advancing equality of opportunity, for the benefit of all residents of the borough.

8.2 Growth and Sustainability

None

8.3 Strong Communities

Meeting the requirements of the Equality Act 2010 will ensure that the Council is effectively fostering good relations in the local community for the benefit of all residents of the borough.

9. EQUALITIES IMPACT IMPLICATIONS

An equality impact assessment/analysis of the Council's compliance with the duties of the Equality Act 2010 as been undertaken and has concluded that compliance is likely to have only a positive impact on any groups in the community, as the aim of the new legislation is to combat discrimination, advance equality of opportunity and foster good community relations. However, people who are married or in a civil partnership are only protected from the discrimination element of the duties.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

Compliance with the legal requirements of the Equality Act 2010 is essential, will contribute to the achievement of the 'excellent' rating in the Equality Framework for Local Government, and help ensure that consideration of equalities issues is embedded across the Council.

11. HEALTH AND SAFETY IMPLICATIONS

There are no health and safety implications directly pertaining to this report.

12. HR IMPLICATIONS

The annual report includes information on equalities in relation to staff who work for the Council, and the training they receive in order to provide services fairly to all customers and residents.

13. PUBLIC HEALTH IMPLICATIONS

The Annual Report covers all Council services and activities including public health. Many of the actions included in the report relate to activities designed to reduce public health inequalities through increasing access to services.