

DECISION-MAKER:	INTERIM DIRECTOR OF ENVIRONMENT AND ECONOMY		
SUBJECT:	APPROVAL OF THE COUNCIL'S EQUALITY ACTION PLAN		
DATE OF DECISION:	30 AUGUST 2013		
REPORT OF:	COMMUNITIES AND IMPROVEMENT MANAGER		
<u>CONTACT DETAILS</u>			
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STATEMENT OF CONFIDENTIALITY

Not applicable

BRIEF SUMMARY

In November 2012 Cabinet and Council approved the council's Equality Policy and delegated approval of the final Equality Action Plan to the Director for Environment and Economy after consultation with the Cabinet Member for Communities. A public consultation has been carried out on 18 draft equality actions. This report seeks approval of the council's new Equality Action Plan, which has taken into consideration consultation feedback on 18 proposed actions. Some actions have been included in the Council Plan (2013 – 16), approved by Cabinet on 16th July and Council on 17th July 2013.

RECOMMENDATION:

- (i) To approve the Equality Action Plan 2013 -16 following consideration of the consultation feedback and consultation with the Cabinet Member for Communities.

REASONS FOR REPORT RECOMMENDATION

1. The Equality Action Plan identifies actions to translate the council's commitment into outcomes and to ensure the council complies with the requirements of the Equality Act 2010 Public Sector Equality Duty.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. Not approving an Equality Action Plan 2013 -16 was rejected as the council will not be able to have a transparent and systematic way of monitoring and demonstrating that its commitment is delivering the right outcomes and that it is complying with the legislation.

DETAIL (Including consultation carried out)

3. In November 2012 Cabinet and Council approved the council's Equality Policy. Cabinet approved delegated authority to the Interim Director of Environment and Economy, after consultation with the Cabinet Member for

Communities, to approve the final Equality Action Plan.

Consultation

4. The Equality Act 2010 public sector equality duty encourages engagement with members of the public, staff and service users when carrying out equalities work. The council conducted a public consultation exercise from 14 December 2012 to 10 March 2013, on the 18 proposed actions. This consultation was done via a variety of targeted meetings and an online questionnaire which was promoted through different channels including the council's website. It was also promoted to council staff.

Consultation Feedback

5. The main feedback was that the council has to demonstrate its commitment and that the actions have to be understandable, practical, meaningful and appropriate so that they can achieve the necessary outcomes. Feedback to the key consultation themes is summarised in Appendix 1. There were a number of comments that highlight the need to improve cohesion including continuing to tackle hate crime and harassment and improving connections between equalities groups. Some feedback related to specific services and these have been passed on to relevant managers in those areas. Where people requested a specific response to their feedback, this has been given to them.

Ongoing Work

6. Many of the proposed actions covered "business as usual" work that the council already does, in some cases due to legal obligations. These had been included to demonstrate work that is ongoing but the feedback indicated a strong view that equality actions should be about new initiatives rather than existing "business as usual" work. This has been reflected in the revised Plan.

Mainstreaming compliance

7. The council's commitment to equalities, anti-poverty and fairness is reflected in its priorities and challenges relating to tackling inequalities over the next three years. The Council Plan (2013-16) therefore presented an opportunity to integrate equalities work into the mainstream work of the council. These priorities include actions to address health inequalities, helping people to address the impact of the welfare reforms and reducing the gap in educational attainment for children and young people from specific backgrounds. Integrating equalities in this way helps the council to mainstream compliance with equalities legislation. Cabinet and Council approved the Council Plan (2013-16) at their meetings of 16th and 17th July 2013 respectively. Therefore the Equality Action Plan 2013 -16 details only those actions not included in the Council Plan. It also does not include those actions deemed to be 'business as usual' as the council will continue to mainstream such actions into its day-to-day business; for example by using Equality and Safety Impact Assessments to inform decision making.

Progress

8. Progress has been made in a number of areas since January 2013 (Appendix 2). It includes the development of an Equalities Profile (Appendix

3), contributing to the council's increased focus on an evidence-based approach to priority setting, policy development, resource allocation and decision making. It also includes the work carried out to develop a local Fairness Commission. Terms of Reference for the Fairness Commission have been now been drafted and key areas for the Commission to focus on identified. Cabinet has given approval for establishing a time-limited Commission. This work is now considered to be 'business as usual' and therefore not included in the final Equality Action Plan. It is recognised that findings from the Fairness Commission's work may inform revision of the Equality Action Plan in future years.

9. The final Equality Action Plan 2013 – 16 (Appendix 4) is therefore based on evidence from the Equalities Profile and consultation feedback. It reflects the council's approach towards integrating equalities both within its day-to-day business and through the Council Plan (a key element in the council's policy framework). It is outcome focussed, based on the strategic priorities approved by Cabinet and Council in November 2012. The Plan will be updated annually.
10. Monitoring
Progress will be monitored quarterly and reported to Cabinet as part of the quarterly reporting on the Council Plan.

RESOURCE IMPLICATIONS

Capital/Revenue

11. There are no additional resources required in 2013/14 as the actions will be delivered within existing resources. The actions do not however take into account any potential impact on these resources from any proposed savings in future years.

Property/Other

12. None

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

13. The general public sector equality duty was created by the Equality Act 2010, which replaced the public sector race, disability and gender equality duties which existed previously. The duty now covers the wider protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief, and sexual orientation.
14. The general equality duty is set out in section 149 of the Equality Act and requires public authorities to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons with protected characteristics and those without; and foster good relations between persons with protected characteristics and those without.
15. Public authorities are required to publish information to demonstrate compliance with the equality duty at least annually. This information must include information relating to people who share protected characteristics and are affected by its policies, and for organisations over 150 employees, information about how its own employees are affected by its policies.

- Authorities are also required to prepare and publish their own equality objectives, which must be specific and measurable, at least every 4 years. All information must be published in a way that is accessible to the public.
16. The Council is further subject to a duty under Section 17 of the Crime and Disorder Act 1998 to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area including anti-social behaviour, substance misuse and other behaviour adversely affecting the local environment.

Other Legal Implications:

17. None

POLICY FRAMEWORK IMPLICATIONS

18. The recommendations will complement the implementation of the Council Plan.

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	All
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SUPPORTING DOCUMENTATION

Appendices

1.	Responses to key consultation themes
2.	Equality Action Plan Progress Highlights (January to August 2013)
3.	Equalities Profile
4	Equality Action Plan 2013 to 2016

Documents In Members' Rooms

1.	None
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Equality Impact Assessment

Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.	No
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Other Background Documents

Equality Impact Assessment and Other Background documents available for inspection at:

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1. Revision of the Council's Equality Policy and Objectives	http://www.southampton.gov.uk/moderngov/mglIssueHistoryHome.aspx?lId=8931