

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

REPORT OF THE EXECUTIVE MANAGEMENT TEAM TO COUNCIL

17 December 2008

1. CORPORATE EQUALITY SCHEME

Submitted by: Policy and Performance Officer (Community Intelligence and Equalities)

Portfolio: Safer and Stronger Communities

Ward(s) affected: All

Purpose of the Report

For Members to adopt the Corporate Equality Scheme, which sets out the Council's obligations in respect of relevant legislation to avoid discrimination on the grounds of age, disability, gender, race, religion or belief and sexual orientation.

Recommendation

That the Corporate Equality Scheme be adopted.

Reasons

The Council is aiming to address all areas of inequality and not only those prescribed by its statutory duties. In anticipation of the Single Equality Bill, and in line with good practice guidance from the Government's Equality Office, the Authority's Corporate Equality Scheme draws together the work undertaken under the existing three schemes (Disability, Race and Gender) and also incorporates sexual orientation, age, religion/belief and other inequalities, such as rurality and income deprivation.

1. Background

- 1.1 At its meeting on 26 March 2008, Cabinet agreed the draft Corporate Equality Scheme and associated Action Plan.
- 1.2 The Scheme and its Action Plan sets out the Authority's strategic approach to ensuring that all equality issues are considered when developing and delivering services to local people.
- 1.3 Under existing legislation, the Authority was obliged to update its Race Equality Scheme for a three year period covering 2008 - 2011. The existing Disability Equality Scheme covers the period 2006 - 2009, and the Gender Equality Scheme the period 2007 - 2010.
- 1.4 The Single Equality Bill, expected during this Parliament, will contain a new streamlined Equality Duty to replace the race, disability and gender equality duties, which will also cover gender reassignment, age, sexual orientation and religion or belief.
- 1.5 The Scheme underwent a twelve week consultation period, as per National COMPACT guidelines and was distributed to local community groups. Partners have been involved in the implementation of the methodology behind the Scheme and are currently working to impact assess delivery plans arising from the Sustainable Community Strategy.

2. **Issues**

- 2.1 The Council has made a commitment to address all areas of inequality and not only those prescribed by its statutory duties. The Corporate Equality Scheme sets out a commitment to consider the needs of all communities, those who are living in rural areas, those living with the effects of multiple deprivation and poverty and other communities who feel marginalised for reasons that are out of their control.
- 2.2 Very limited feedback from the consultation was received, which gave full support to the Scheme and no changes have been made to the document or action plan.

3. **Options Considered**

- 3.1 The Borough Council currently has three equalities schemes; Race, Disability and Gender. Consideration was given to the idea of leaving these as separate documents and updating them and creating another document to cover the other three strands, i.e. Age, Religion and Belief and Sexual Orientation. However, in anticipation of the Single Equality Bill, it was decided to take an even broader view of equalities to encourage a more comprehensive approach.

4. **Proposal**

- 4.1 It is proposed to incorporate actions under the existing three schemes into a more comprehensive action plan that will be added to and monitored regularly in-line with the completion of Equality Impact Assessments.
- 4.2 The Authority's Equality Steering Group will facilitate on-going quality assurance and monitoring of the assessment process and six monthly progress reports will be made to the Executive Management Team. An annual report on progress will be made to Cabinet.
- 4.3 All completed Equality Impact Assessments and the full Equality Action Plan will be published on the Council's website. Feedback from residents and partners will be encouraged, forming the basis for ongoing consultation and dialogue with service users and other stakeholders on equalities issues.

5. **Reasons for Preferred Solution**

- 5.1 The proposed solution meets the Council's current and future legal obligations and provides a practical basis for further improvement in this area.

6. **Outcomes Linked to Corporate Priorities**

- 6.1 The Council priority of achieving excellence will be contributed to by improving equality in leadership, service delivery and employment practices. Adoption of the Scheme also underpins the Council's commitment to act in a fair, open and honest way with integrity and impartiality, following ethical standards. Learning from Equality Impact Assessments will help deliver improved services in all our priority areas and help to build safer and stronger communities.

7. **Legal and Statutory Implications**

- 7.1 This report responds to the legal requirement for the Council to extend its equalities policies to include age, religion and belief and sexual orientation.

8. **Equality Impact Assessment**

8.1 This report addresses differential equality impact issues.

9. **Financial and Resource Implications**

9.1 There are no financial implications flowing directly from adoption of the Corporate Equality Scheme 2008-11. Actions identified through Equality Impact Assessments will be reported separately.

10. **Major Risks**

10.1 If the proposals to improve equalities are not addressed the Council may not be able to demonstrate improvement to its stakeholders and may breach statutory requirements. By adopting this approach the risk is mitigated.

11. **Key Decision Information**

11.1 The effects of adopting a good approach to improving equalities will benefit all wards. A modern, high quality Council recognises the importance of equality of access to services and employment opportunities.

12. **Earlier Cabinet/Committee Resolutions**

18 May 2005 - Race Equality Scheme
27 November 2006 - Disability Equality Scheme
25 April 2007 - Gender Equality Scheme
17 October 2007 - Corporate Equality Policy
28 March 2008 - Draft Corporate Equality Scheme

13. **List of Appendices**

Appendix 'A' (cream paper) - Corporate Equality Scheme
Appendix 'B' (white paper) - Corporate Equality Scheme Action Plan

2. **ACCESS TO INFORMATION RULES = MODEL PUBLICATION SCHEME**

Submitted by: Head of Central Services

Ward(s) affected: All

Purpose of the Report

To advise Council of the updating of its Publication Scheme.

Recommendation

That Council note the adoption of the model Publication Scheme as required by law.

1. **Background/Issues**

1.1 The Freedom of Information Act 2000 provides rights of public access to information held by public authorities. Every public authority subject to the Freedom of Information Act 2000 is required to adopt and maintain an approved Publication Scheme. A Publication Scheme is a commitment to routinely and proactively provide information to the public.

1.2 The Council's current Publication Scheme expires on 31 December 2008. The Information Commissioner has published a model document, and from 1 January 2009 this will update the Council's existing Scheme. No official 'sign up' of the Scheme needs to be provided to the Information Commissioner, but the Scheme must be adopted and enforcement of the Publication Scheme will commence in March 2009. This will take the form of targeted checks and spot checks on websites.

1.3 As Members will be aware, the Council's website has recently been upgraded. Part of that upgrade is to ensure the availability of Publication Scheme information to the public.

1.4 The Scheme commits an authority to:

- Proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below.
- Specify the information which is held by the authority and falls within the classifications below.
- Proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within the Scheme.
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- Review and update on a regular basis the information the authority makes available under the Scheme.
- Produce a schedule of any fees charged for access to information which is made proactively available.
- Make the Publication Scheme available to the public.

1.5 **Classes of Information:**

Who we are and what we do
What we spend and how we spend it
What are priorities are and how are we doing
How we make decisions
Our policies and procedures
Lists and registers
The services the Council offers.

The classes of information do not generally include information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or otherwise properly considered to be protected from disclosure; information which is in draft form, and/or information which is not readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

1.6 **The method by which information published under the Scheme will be made available**

The authority will indicate clearly to the public what information is covered by the Scheme and how it can be obtained.

Where it is within the capability of the authority, information will be provided on its website. Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with the Scheme.

Materials which is published and accessed on a website will be provided free of charge. Charges may be made for actual disbursements incurred such as photocopying, postage and packing and/or the costs directly incurred as a result of viewing information. If a charge is to be made, confirmation of the payment due should be given before the information is provided. Payment may be requested prior to provision of the information.

1.7 **Written requests**

Information held that is not published under the Scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

2. **Legal and Statutory Implications**

2.1 The Council is under a statutory duty to publish its Publication Scheme.

3. **Proposal**

3.1 That the Council note the adoption of the model Publication Scheme as required by law.

4. **Outcomes linked to Corporate Priorities**

4.1 The Scheme provides the framework for giving access to information to members of the public. Making it easier to access information about the Council directly contributes to the priority of transforming our Council to achieve excellence and indeed the other three priorities.

5. **Equality Impact Assessment**

5.1 No differential impact has been identified.

6. **Financial and Resource Implications**

6.1 Actions to be achieved within allocated budget.

7. **Background Papers**

Local Government Act 2000
The Information Commissioner's Guidance

3. **MEMBERSHIP OF THE COUNCIL'S STANDARDS COMMITTEE**

Submitted by: Head of Central Services

Portfolio: Corporate and Service Improvement

Ward(s) affected: All

Purpose of the Report

To review the number of Council members currently sitting on the Standards Committee.

Recommendation

That the number of Council members sitting on the Standards Committee (currently nine) be reduced by two until such time as a further Independent member is available.

Decisions Required

- (a) Who do you wish to nominate as the Authority Members of the Committee?
- (b) Do you wish to allow reserves?

Reasons

To ensure the Council is in compliance with the Standards Committee (England) Regulations 2008, and guidance on Standards Committees for Local Authorities.

1. **Background**

1.1 Standards Committees must comprise at least:

- Two members of the Authority and
- One independent person who is not a Member or officer of the Authority and
- One Parish Council representative.

1.2 The Committee is currently made up of nine Council members, three Independent members and two Parish Council members. In order to comply with the Regulations, at least 25% of a Standards Committee must be made up of Independent members. Where an authority must have Parish representatives, it must ensure that it has at least two who are not also Members of the authority.

2. **Issues/Options**

2.1 The rules on political balance requiring committees to mirror the political makeup of the Authority as a whole do not apply. It is recommended that Members should, where possible, have all-party support.

2.2 To regularise the situation, the Council must reduce the number of Authority Standards Committee members to ensure compliance with the law until such time as another Independent member can be appointed. However, it should be noted that this process is time consuming and in the past there has been little interest shown. The members of the

Committee have built up a level of knowledge on Standards issues and it may be helpful if the same members are retained with those unable to carry on being held in reserve.

4. **Outcomes Linked to Corporate Priorities**

4.1 High ethical standards are essential to ensure the efficient and effective delivery of services in accordance with the objective of transforming the Council to achieve excellence.

5. **Legal and Statutory Implications**

5.1 The Council is under a statutory duty to act.

6. **Equality Impact Assessment**

6.1 No differential impact has been identified.

7. **Financial and Resource Implications**

7.1 Actions to be achieved within allocated budget.

8. **Background Papers**

Guidance on Standards Committees for Local Authorities
Local Government Act 2000 and Regulations there under.

**NEWCASTLE-UNDER-LYME
BOROUGH COUNCIL
CORPORATE EQUALITY SCHEME
2008**

Newcastle-under-Lyme Borough Council is committed to:

Ensuring that everyone will have a fair chance to participate in society

We are committed to:

- Eliminating unlawful discrimination
- Promoting equal opportunity for all
 - Eliminating harassment
- Promoting positive attitudes towards all groups
- Working with partners to achieve a fairer Newcastle-under-Lyme.

We aim to produce real outcomes and practical improvements to the lives of local people and our employees.

We would like to thank everyone who has assisted us in developing this Scheme.

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Introduction

Newcastle-under-Lyme Borough Council is working towards making equalities central to the way that it works, in order to create:

- Better-informed decision-making and policy development
- A clearer understanding of the needs of service users
- Better-quality services which meet varied needs
- More effective targeting of policy and resources
- Better results and greater confidence in public services
- A more effective use of talent in the workforce.

This Corporate Equalities Scheme (CES) brings together the work done previously on

- Race;
- Disability; and
- Gender.

It also covers the new legal requirements around

- Age
- Religion and belief; and
- Sexual orientation.

However the equalities work within the Borough Council is much broader than these six categories and focuses on any issues that could introduce inequalities e.g. area of residence. Taking a corporate approach also allows for overlapping equalities issues to be addressed e.g. the diverse needs of older men and older women, the needs of people with a disability of diverse ethnicities.

This document applies to Newcastle-under-Lyme Borough Council and its responsibilities to promote equality through its

- Leadership and corporate management;
- Service delivery and procurement practices;
- Employment practices; and
- Decision-making and planning processes, including community engagement.

It is the Authority's intention to mainstream equality within all its functions.

This Scheme sets out our priorities and our action plan for the next three years.

We will consult on this draft CES with Newcastle-under-Lyme residents, local groups and organisations and with staff to ensure that it will address the most urgent priorities and produce real change.

The Action Plan will be reviewed and updated annually by the Council's equalities lead officer.

Newcastle under Lyme

The Borough of Newcastle-under-Lyme forms part of the conurbation of North Staffordshire, lying approximately half way between Manchester to the north and Birmingham to the south. It is an attractive mix of rural villages and two main towns – Newcastle and Kidsgrove.

The Borough today covers some 81 square miles and has a population of around 123,800¹. The Borough's population is stable but its profile is changing. Most significantly, households are getting smaller in size and the population generally is ageing. The industrial base has changed significantly in the last century, with the closure of local mines and the development of the distribution and manufacturing sectors.

The presence of the university at Keele, together with the development of its Science Park and new Medical School, and the growth in the hi-tech and research industries demonstrate the potential and vibrancy of the area. Newcastle Town Centre is recognised as being one of two strategically important centres in the North Staffordshire conurbation, taking advantage of its connectivity to major transport routes. It is strengthening its position as a vibrant centre both for its specialised and independent shopping offer and its night-time economy.

Newcastle-under-Lyme is characterised by significant variations in the level of employment, health, economic well-being, housing and overall living standards – life expectancy varies by 10 years between the most affluent and the most deprived areas. The Borough has areas of considerable affluence, but also has three wards that have pockets of deprivation that fall into the 10 per cent most deprived in the country. Reducing these inequalities is a major challenge for our partners and us.

Deprivation

Newcastle is the third most deprived district within Staffordshire in terms of multiple deprivation and is the most deprived in terms of income and employment. The Borough also ranks highly in terms of extent and concentration of deprivation - second only to East Staffordshire.

People experiencing inequalities are more likely to live in privately rented or social housing in poorer neighbourhoods. Many barriers that people face are compounded by low levels of income and lack of access to high quality services. A Local Labour Market Assessment is being used to support decision making in this area along with deprivation statistics.

¹ Source: ONS Mid-year population estimates 2006

Newcastle-under-Lyme Borough Council

As one of the larger district authorities in the country, Newcastle Borough Council provides more than 270 essential local services to a population of over 123,000 people.

Residents are represented on the Borough Council by 60 councillors who represent 24 wards and serve for a four-year term. Each year a new Mayor is elected and, as first citizen of the Borough, the duties include attending a range of official functions.

For the past few years no single political party has had overall of the authority. The current political make-up is as follows: Labour 12; Liberal Democrat 19; Conservative 25; UKIP 4.

The authority has a main base in the Civic Offices in Merrial Street, Newcastle and a branch office at Kidsgrove Town Hall. There is also a depot in Knutton Lane, Newcastle, which acts as a base for staff who carry out most of the authority's main service contracts such as refuse collection.

Strategic services such as social services and education are provided through Staffordshire County Council.

While the Borough Council continues to provide many services directly itself, it increasingly works in close partnership with a wide range of other organisations to help improve the quality of life for local people. Practical examples of this close working are demonstrated by the fact that two major partners – Staffordshire Social Services and Newcastle Primary Care Trust – now have staff based in the Civic Offices.

The Borough Council is also a key member of the Newcastle Local Strategic Partnership – a body which represents all major public, private, voluntary and community groups in the Borough. It has also been responsible for leading major community partnership programmes such as those at Chesterton, the Western Urban Villages and the Cross Heath and Knutton Neighbourhood Management Initiative (NMI). The NMI project is one of just 35 schemes nationwide to be selected as pathfinders for the Government's £45 million National Strategy on Neighbourhood Renewal.

Other major partnerships by the Borough Council have seen the development of crime reduction action plans following joint working with the police and Staffordshire County Council.

The Newcastle Safer Communities Partnership has launched a series of projects to tackle residents' key concerns over crime. Recent examples include:

- Anti-drugs programmes
- Car crime reduction schemes
- Running activity events for teenagers
- Operating a mobile CCTV unit

Many of the partnerships which the Council supports now operate across North Staffordshire and involve neighbouring authorities. Key areas include proposals to develop and improve the local economy through the North Staffordshire Regeneration Partnership, and the multi-million pound work to transform local housing through the nationally-funded housing market renewal programme.

Consulting and involving residents is now a fundamental part of how the Council operates. The authority manages the 600-strong Newcastle People's Panel who are regularly consulted on key local issues. Detailed information is distributed to every home in the Borough through the Council's own newspaper the Reporter, while the Council is continuing to expand its long-established Internet site – <http://www.newcastle-staffs.gov.uk/>

Main services

Some of the main services provided by the Borough Council include:

Operational Services – bereavement services;; managing parks and open spaces; playgrounds; strategic transport; drainage; landscape development and grounds maintenance; Managing the Borough-wide weekly refuse collection service; recycling; street cleaning; managing swimming pools, bowling greens, football and rugby pitches and tennis courts; community centres; recreation centres; sports development; museum and art gallery; monitoring noise, pollution and food hygiene; dog warden service; urban renewal; litter control; public toilets; Agenda 21.

Resources and Support Services – Customer Services, Council Tax collection; business rates; Council Tax and housing benefits; grants to voluntary groups. Information and communication technology services. Personnel Services;- Employee relations; health and safety; training and development; payroll; data protection.

Chief Executive Services – members' services; elections and electoral registration; Mayoral and civic services; licensing; land charges; legal services;; policy and performance, media and communications.

Regeneration and Planning Services – dealing with planning applications; development and building control; Local Plan; census information; community and economic regeneration; planning and housing strategy;; property management, partnerships and community safety.

Definitions

Equality as Quality

A modern, high quality service recognises the importance of equality of access to employment opportunities and services. We recognise our duty to provide services that are appropriate to people. Rather than assuming that people should fit with existing service provision structures, services should be built around a robust analysis and understanding of diverse needs, against the context of diverse localities.

Equality of Opportunity and Equality of Outcome

Equality of opportunity is about giving people the right to be treated fairly in employment, education and services; that they should not be discriminated against on the grounds of their sex, race, disability, age, sexual orientation or religion or belief. Equality of opportunity is a basic principle of democracy and is supported and promoted by legislation and national policy.

It is difficult to measure the success of equal opportunity policies. Opportunity itself is difficult to accurately measure. In practice, equal opportunity is said to exist when people with similar abilities reach similar results (equality of outcome) after doing a similar amount of work. Equal opportunity and equality of outcome are therefore seen as complementary.

Positive Action

In limited circumstances, organisations can use 'positive action' to address inequalities. This is a powerful tool for creating a level playing field and is intended to make up for past discrimination and stereotyping. 'Positive action' is only allowed where the law expressly permits it, because it is indirect discrimination.

Direct Discrimination

Where someone is treated less favourably because of their race, sex, age, marital status, religion, sexual orientation or gender reassignment etc.

Indirect Discrimination

Indirect discrimination occurs where the effect of certain requirements, conditions or practices has an adverse impact disproportionately on one group or other. For example if there is a rule which only applies to part-time workers and the majority of part-time workers are women then this can be seen to indirectly discriminate against women.

Predictive Impact Assessment

An Equality Impact Assessment carried out before a service or policy is implemented estimating what impact that new service or policy will have.

Retrospective Impact Assessment

An Equality Impact Assessment for a current policy or service, using service data from the past to assess the impacts.

Differential Impact

Different groups of people are more or less likely to use a service or be subject to certain experiences, e.g. domestic violence. There will also be issues about service provision, so do different groups of people require different approaches when a service is being delivered and is this recognised?

Statutory Duties

All legislation has the two-fold objectives of

- Eliminating discrimination and harassment; and
- Promoting equality of opportunity.

The Borough Council recognises its statutory duties with regard to specific pieces of legislation which include

Race Equality: The Race Relations (Amendment) Act 2000 requires the Council to:

- a) Eliminate unlawful Race Discrimination
- b) Promote equality of opportunity
- c) Promote good relations between persons of different racial groups.

Disability Equality: The Disability Discrimination Act 2005 requires the Council to: -

- a) Promote equality of opportunity between disabled persons and other persons
- b) Eliminate discrimination that is unlawful under the act
- c) Eliminate harassment of disabled persons that is related to their disabilities
- d) Promote positive attitudes towards disabled persons
- e) Encourage participation by disabled persons in public life
- f) Take steps to take account of disabled persons' disabilities, even where this requires more favourable treatment

Gender Equality: The Sex discrimination Act 1975 (as amended by the Equality Act 2006) requires the Council to: -

- a) Eliminate unlawful discrimination and harassment
- b) Promote equality of opportunity between men and women

Age Discrimination: The Council has a duty not to discriminate on the grounds of age, which impacts mainly upon procedures for recruitment, selection and retirement and pensions.

Sexual Orientation

The Employment Equality (Sexual Orientation) Regulations 2003 offer protection on the grounds of sexual orientation in the workplace. With the addition of powers introduced by the Equality Act 2006, it is also unlawful to discriminate on the grounds of sexual orientation in:

- (a) The exercise of public functions
- (b) Education
- (c) The provisions of good facilities and services
- (d) The disposal and management of premises

Religion or Belief: The Employment Regulations 2003 currently offers protection against discrimination on the grounds of religion or belief in the workplace. With the addition of the new powers granted by the Equality Act 2006, it is also unlawful (with exemptions) to discriminate on the grounds of religion or belief in:

- (a) The exercise of public functions
- (b) Education
- (c) The provisions of good facilities and services
- (d) The disposal and management of premises

Human Rights Act

We recognise that as a public authority we have obligations to promote and protect human rights, and must act in a way that is compatible with the European Convention on Human Rights. This means treating individuals fairly, with dignity and respect, while also safeguarding the rights of the wider community.

Applying a 'human rights framework' means including core human rights values, such as equality, dignity, privacy, respect and involvement in decision-making, whether a public service is being delivered directly to the public or a new plan or procedure is being devised.

We recognise that we must take human rights into account in our everyday work and are committed to ensuring that we achieve this.

The Equality Standard for Local Government

“The Equality Standard provides a way of working in local authorities that makes the mainstreaming of equality into service delivery and employment an issue for all aspects of a local authority’s work. By working through the Standard, local authorities will be able to identify disadvantage associated with race, gender, disability, religion or belief, sexual orientation and age (the six equality strands) and set targets to eliminate the barriers that create that disadvantage.”

The standard recognises the importance of fair and equal treatment in local government services and employment. It has been developed primarily as a tool to enable local authorities to mainstream age, disability, gender, race, religion or belief and sexual orientation into council policy and practice at all levels.

The five levels of achievement are

Level 1: Commitment to a Comprehensive Equality Policy

Level 2: Assessment and community engagement

Level 3: Setting equality objectives and targets

Level 4: Information systems and monitoring against targets

Level 5: Achieving and reviewing outcomes

It has been a voluntary best value performance indicator. There are now no national performance indicators for equalities issues. The table below shows the achievement levels of local authorities across England.

2006/7 Figures

	Levels						
Authority	0	1	2	3	4	5	Totals
County	0	3	20	11	0	0	34
District	9	96	110	21	1	1	238
London Borough	0	0	8	15	7	3	33
Met	0	1	18	12	5	0	36
Unitary	0	5	25	17	0	0	47
Totals	9	105	181	76	13	4	388

Newcastle-under-Lyme Borough Council has achieved Level 2 of the Local Government Equalities Standard. This means that it has

- Developed systems for self-assessment, scrutiny and audit as the basis for continuous improvement
- Engaged in equality impact assessment
- Undertaken self-assessment across the authority

- Involved designated community, staff and stakeholder groups in service planning
- Engaged in the development of information and monitoring systems
- Engaged in an equality action planning process for employment, pay and service delivery

The Council is committed to reaching Level 3 before the end of March 2009.

Roles and Responsibilities

The responsibility for ensuring that the Council makes substantial progress with regards to equalities rests with many people. Each of these groups of people has roles and responsibilities and publicising this fact will be a key action of the CES.

Councillors will

- Provide leadership and support
- Ensure resources are available
- Engage with the local community
- Provide a scrutiny role- provide a scrutiny role

Managers/Unions/ Staff will

- Work towards speedy implementation
- Organise and participate in training
- Challenge existing cultures and traditions
- Engage with the community

Community/Stakeholders will

- Work with the equality planning process
- Participate in scrutiny
- Extend knowledge of the Equality Standard within the community

Taking the Equalities Agenda forward

The Council has a designated cabinet lead for equalities and the Chief Executive is the officer with responsibility for ensuring that the equalities agenda is promoted within the Borough Council. There is a Steering Group comprising members of all services chaired by the Chief Executive which meets monthly. Its aim is to ensure that the Council's leadership, policy development and decision making:

- enables the delivery of fair, accessible and relevant services which recognise the needs of all communities within the Borough; and

- Ensures equality of opportunity for all its existing and potential employees.

The Steering Group's objectives are

- To facilitate the comprehensive review of the Authority's services, policies and strategies by undertaking Equality Impact Assessments where appropriate.
- To recommend policies and actions that will support the Authority in meeting its duties as an employer and service provider.
- To ensure that developments in equalities work are delivered within the framework of the Equality Standard for Local Government, through progressive attainment of the levels described in the Standard.
- To achieve Level 2 of the Equality Standard by 2008.
- To recommend developments that will be of benefit to the Authority in increased customer satisfaction, and represent value for money.
- To ensure that there is appropriate and effective performance management of equalities work, through the monitoring of Best Value Performance Indicators, local performance indicators and the Authority's own policies and procedures.
- To engage with partners and stakeholders - to learn from best practice and to seek guidance on areas identified for development.

The Policy and Performance Officer (Community Intelligence) takes the lead for equalities work within the Council and her work is supported by the Equalities Steering Group.

The Equality Policy was reviewed and updated in October 2007.

How the Council is meeting specific duties

The Council has taken action to meet duties around the Race, Disability and Gender Equality Schemes. These actions are detailed here.

Race Equality Scheme

We have set up appropriate procedures which enabled us to monitor policies and procedures for any adverse impact on the promotion of race equality. We have used the data collected from ethnic monitoring of service delivery to:

- Highlight possible inequalities
- Investigate the underlying causes
- Remove any unfairness or disadvantage.

In relation to the Council's workforce, we have used the data collected from ethnic monitoring to:

- Examine the ethnic makeup of our workforce and benchmark it against the ethnic makeup of the Borough as a whole
- Analyse how our personnel practices and procedures affect different ethnic groups in relation to recruitment, training promotion and disciplinary matters.

Disability Equality Scheme

We have published a Disability Equality Scheme (DES) setting out how the Council intends to fulfil the requirements of the General Duty. To do this we

- Involved disabled people in developing the DES, identifying priorities and producing an action plan
- Identified how we would gather and analyse evidence to inform our actions and monitor progress
- Set out how we would assess the impact of our existing and proposed activities on disabled people
- Produced an action plan for the 2006- 2008
- Reported on progress every year and review and make appropriate revisions to the DES every three years

Gender Equality Scheme

To meet the Specific Duties we:

- Published a Gender Equality Scheme by 30 April 2007 showing how we would meet our general and specific duties and setting out our gender equality objectives

- Considered the need to include objectives to address the causes of any gender pay gap
- Gathered and used information on how our policies and practices affected gender equality in the workforce and in the delivery of services
- Consulted stakeholders (i.e. employees, service users and others, including trade unions) and took account of relevant information in order to determine our gender equality objectives
- Assessed the impact of its current and proposed policies and practices on gender equality
- Started to implement the actions set out in its scheme
- Plan to report against the scheme every year and review the scheme at least every three years.

With reference to the **Corporate Equality Plan** the Council has the following activities to undertake: -

- i. Assessing the impact of policies, procedures and services
- ii. Consulting on those policies, procedures and services.
- iii. Action to minimise adverse impact
- iv. Publishing information such as the results of assessment, consultation and monitoring.
- v. Involving people – residents, businesses, voluntary organisations, partner agencies and staff
- vi. Training our employees to ensure the general duties are understood.
- vii. Monitoring and reviewing action plans including employment activities.

The way that the Council is carrying out those duties is explained below.

Assessing the impact of policies, procedures and services

Equality Impact Assessments (EIAs): The programme for equality impact assessments for each service area is being updated and will be completed at the end of March 2008. This will be attached to the final document as an appendix.

The new framework for assessing the impact of policies, strategies and service delivery is now in place and being used across the Council. The basic process is to

- Identify the policy or service being assessed
- Ensure there is a named officer responsible for this policy or service
- Describe the service or policy, who it is intended to cover, who delivers it, where it is delivered and why.

- Detail what information has been used to make an assessment e.g. service user data, satisfaction surveys, comparisons with borough data, national research findings and People's Panel results.
- Identify the potential areas where inequalities may occur e.g.
 - Age
 - Area of Residence
 - Caring Responsibilities
 - Contact with the Criminal Justice System (past or present)
 - Disability
 - Gender
 - Homelessness
 - Income Level
 - Lack of Basic Skills
 - Mental Health issues
 - Race
 - Religion or Belief
 - Sexual Orientation
- Identify the actual areas of differential impacts, detail any actions already taken and then identify actions to remedy any differential impact
- Identify any staffing issues around equalities e.g. training, recruitment and selection, family-friendly working
- Develop and monitor an action plan

EIAs are being promoted through the Council's Equalities Steering Group. This Group is chaired by the Chief Executive and has representatives from all service areas. It meets monthly and is overseeing and monitoring all the Council's equalities work. The EIA form is attached as an appendix.

Training for people around the issues involved in completing an EIA is being delivered via small workshop groups. This is proving to be easy to facilitate and effective in spreading expertise and learning. It also assists staff to recognise the skills and knowledge that they already possess. The development of the internal equalities intranet will also help to communicate good practice and expertise. The framework for this intranet is attached as an appendix.

More general equalities training will be completed for all staff and members by the end of March 2008. There will be the need to keep staff updated on changes of legislation and policy and for new staff joining the Council to receive training.

Consulting on those policies, procedures and services.

Services across the Council gain information from service users and potential services users in a variety of ways. There needs to be a more consistent approach taken and more information recorded and shared.

There could be more partnership working promoted via the Local Strategic Partnership around consultation and engagement.

Action to minimise adverse impact

The Action Plans for the Race, Disability and Gender Equality Schemes have been presented together and can be found at the back of this document. Further actions have been developed following the work undertaken by the Equalities Steering Group.

There will be some actions arising from this year's EIAs – if these are corporate issues they will be added into this plan – if they are service specific they will be found in service improvement plans but if they are significant actions they will also be found in this Plan.

Publishing information such as the results of assessment, consultation and monitoring.

All Equalities Schemes and Action Plans are available on the Newcastle-under-Lyme Borough Council's Website. When completed EIAs will also be available on the Site. Part of the consultation around this Scheme will focus on what information local residents and partner organisations would like to see and how they would like that presented and delivered.

Involving people

There is a consultation programme link to this CES which will involve engaging with

- LSP partners
- Staffordshire Equality Network Partners
- GOWM
- Voluntary sector
- Newcastle Communities Forum
- Staff and members

Over the next 12 months a Participation Strategy will be developed. It is hoped that some or all of our LSP partners will become involved with this.

Training our employees to ensure the general duties are understood.

All staff and members are signed up to receive training delivered via an innovative drama-style workshop before the end of March 2008.

The EIA training is successfully being delivered informally via skills and expertise sharing workshops.

The internal Equalities Intranet is being developed to include a range of resources around equalities generally and EIAs specifically. There will also be signposting to free or low-cost courses – in particular on-line courses that staff can undertake at their desks.

Monitoring and reviewing our activities including those around employment

The Equalities Steering Group has the remit to oversee and monitor all the Council's equalities work. As a member of the Staffordshire Equalities Forum we can also make use of peer review.

The actions arising from EIAs will be embedded into service plans and as such will be monitored and reviewed.

Conclusion

The development of this Corporate Equalities Scheme shows a significant commitment from the Borough Council towards ensuring that all borough residents and staff feel that they are being treated fairly and that they are being encouraged to achieve their potential. However it is only through real partnerships with those people that this will become a reality.

We are committed to fulfilling our responsibilities as laid down by legislation but more than this we are committed to ensuring that the needs of our diverse communities are met through appropriate, high quality services. We are also committed to ensuring that those services are delivered by a diverse workforce who feel that Newcastle-under-Lyme Borough Council is a fair employer that invests resources into supporting and developing its staff.

March 2008

**NEWCASTLE UNDER LYME
BOROUGH COUNCIL**

**CORPORATE EQUALITY SCHEME
2008**

ACTION PLAN

Level 3: Setting Equality Objectives and Targets

In 2008/09 Newcastle Borough Council will achieve Level 3 of the Equality Standard for Local Government and will:

Implement a strategy for participation of designated community, staff and stakeholder groups in setting objectives of employment and service delivery

Set equality objectives across the authority for race, gender and disability, sexual orientation, age and religion or belief for employment, pay and service delivery based on impact assessments and participation strategy

Translate equality objectives into action plans with specific targets

Continue to develop information and monitoring systems that allow it to assess progress in achieving targets

Ensure that action on achieving targets has begun

Verify progress through self-assessment and scrutiny and has been validated externally through an accredited assessor

Level 4: Information systems and monitoring against targets

In 2008/09 Newcastle Borough Council will achieve Level 4 of the Equality Standard for Local Government and will:

Achieve progress across the authority against the targets that it set at Level 3 for race, gender and disability, sexual orientation, age and religion and belief

Have in place information and monitoring systems that allow it to assess progress in achieving targets

Measure progress against targets and effectively using its information and monitoring systems

Produce monitoring reports specified intervals and circulated to designated consultation and scrutiny groups

Use the self-assessment process to review and revise targets, monitoring and consultation systems.

Ensure that self-assessment includes involvement of designated community, staff and stakeholder groups and seeks external validation through community involvement, peer review or expert opinion

Continue to carry out equality impact assessments for new policies and where gaps are identified through self-assessment

Begin a new round of action planning and target setting

Use monitoring systems to provide useful information about progress towards specific targets

Level 5

To achieve Level 5 of the Standard the Borough Council will have to demonstrate that it has made considerable progress in achieving equal employment and service provision with regard to race, gender and disability.

The Borough Council will need to show that:

- It has complied with Public Sector Duties for Race, Disability and Gender
- It has achieved progress towards the targets that it set at Level 3
- It can demonstrate real outcomes that have improved equality in services and employment
- Outcomes have been verified through self-assessment and scrutiny and have been validated externally through an accredited assessor
- It has reviewed and revised targets, monitoring and consultation systems with designated community, staff and stakeholder groups
- It has initiated a new round of action planning and target setting
- Through its achievements it can be seen as an example of good practice for other local authorities and agencies.

Newcastle Borough Council aims to reach Level 5 of the Equality Standard for Local Government in 2011

Year 1 - 2008/09

Action	Responsibility	Date
Ensure consistency of Corporate Equality Scheme with statutory equality schemes	Improvement Team	Apr 2008
Develop a system and timetable for reporting the results of impact assessments	Equalities Steering Group	May 2008
Ensure that all departments and service areas set targets devised through completed impact assessments and participation of designated community, staff and stakeholder groups (to include sexual orientation, age and religion and belief)	Equalities Steering Group	Sep - Dec 2008
Establish corporate guidelines for information gathering and equality monitoring	Improvement Team	Sep 2008
Seek agreement on equality targets with designated community stakeholders and local partners	Improvement Team Equalities Steering Group	Sep - Dec 2008
Establish mechanisms for ensuring that equality targets are delivered by contractors through contract management	Procurement Officer	Sep 2008
Ensure completion of equality action plans at department and service level incorporating performance indicators	Senior Managers Executive Team	Dec 2008
Implement systems for reviewing progress and revising the Corporate Equality Scheme and departmental action plans	Improvement Team Senior Managers	Jan - Mar 2009

Action	Responsibility	Date
Members and senior officers to endorse action plans as appropriate	Cabinet and Exec Team	Jan 2009
Ensure that action on achieving targets has started	Improvement Team	Mar 2009
Ensure that progress has been verified through self-assessment, scrutiny and audit and have been validated externally through an accredited assessor	Improvement Team	Mar 2009
Develop a strategy for all designated community, staff and stakeholder groups to participate in the development of equality objectives, service design and employment practice	Improvement Team Senior Managers	Apr - Sep 2008
Make all service level and employment objectives and targets available for consultation and scrutiny	Senior Managers	Sep - Dec 2008
Make provision of language services appropriate to designated consultation and scrutiny groups	Improvement Team	Sep - Dec 2008
Consultation is systematically built into equality impact assessment, self assessment and the equality planning process	Senior Managers	Sep - Dec 2008
Involve designated community, staff and stakeholder groups with scrutiny procedures	Equality Steering Group	Jan 2009

Action	Responsibility	Date
Consultation on equality to be linked with the continuing development of community strategies	Partnerships Manager	Dec 2008
Publicise how, where and when action on targets will start	Improvement Team	Jan 2009
Set equality targets devised through completed impact assessments and participation of designated community, staff and stakeholder groups (to include sexual orientation, age and religion and belief)	Senior Managers	Sep - Dec 2008
Service plans to specifically address the importance of barriers, accessibility and reasonable adjustment in the provision of services	Senior Managers	Sep - Dec 2008
Allocation of appropriate resources to achieve targets	Senior Managers	Sep - Dec 2008
Establish structures of responsibility at departmental and service level to progress action plans	Senior Managers	Dec 2008
Set timetable within action plans for creating/adapting information and monitoring systems within service areas	Senior Managers	Dec 2008
For agencies delivering services on behalf of the local authority, include within contracts a requirement to deliver an effective and appropriate service, fairly and without unlawful discrimination	Procurement Officer	Sep 2008
Establish monitoring of contracts to secure equal employment and equal service delivery targets	Procurement Officer	Sep - Dec 2008

Action	Responsibility	Date
Start action on departmental and service area targets	Senior Managers	Apr 2009
Set employment equality targets for recruitment, staff retention, work force profiles for all six equalities strands	Human Resources	Sep - Dec 2008
Conduct an equal pay review and plan for equal pay adjustment	Human Resources	Achieved
Establish that policies and procedures associated with equality are part of staff handbook and are understood by staff	Human Resources	Sep 2008
Establish a system of guidance and training on relevant equality issues to short-listing panels and interviewers	Human Resources	Dec 2008
Ensure that staff and members are aware of action plans and the implications for services and employment	Improvement Team	Jan - Mar 2009
Provide training for managers on the implementation of the Standard with contractors and partners	Procurement Officer Improvement Team	Dec 2008
Appraise competency/behaviours to ensure that managers and staff are capable of implementing the Equality Standard, including the new strands of sexual orientation, religion or belief and age	Human Resources Senior Managers	Mar 2009
Provide training for all staff on the detailed implementation of the Equality Standard including action plans and updates on legal and other developments	Improvement Team	Mar 2009

Action	Responsibility	Date
Ensure that Local Government Workforce Strategies address equality issues	Workforce Development Officer	Dec 2008
Build equality objectives and targets into management appraisal mechanisms	Human Resources Senior Managers	Mar 2009
Provide information and appropriate training on action plans to support scrutiny process	Improvement Team	Dec 2008
Start action on all employment and pay targets	Human Resources	Apr 2009

Year 2 2009/10

Action	Responsibility	Date
Corporate assessment of adequacy of departmental information and monitoring systems	Improvement Team Equalities Steering Group	Jun 2009
Set up system for review of service and employment monitoring reports by designated consultation and scrutiny groups	Equalities Steering Group	Apr 2009
Review targets against monitoring information and produce reports for corporate management team	Improvement Team	Sep 2009
Prepare reports on progress against policy objectives for council executive/cabinet, scrutiny bodies and audit	Improvement Team	Sep 2009
Take on board responses from designated consultation and scrutiny groups for revising policy objectives and targets	Senior Managers Improvement Team	by Sep 2009
Self-assess progress against the targets set at Level 3 for all six equality strands (race, disability, gender, sexual orientation, religion or belief and age.	Equalities Steering Group	Dec 09 -Mar 10
New targets and action plans have been developed through involvement of stakeholders	Senior Managers	Dec 2009
Involve designated community, staff and stakeholder groups in deciding what kind of information will be collected and the reasons for it	Improvement Team	Apr - May 2009

Action	Responsibility	Date
Circulate monitoring reports to those groups	Improvement Team	from Sep 2009
Ensure that the participation strategy demonstrably engages designated groups in review process	Improvement Team	Apr 2009
Review by designated groups of progress against targets	Improvement Team	Dec 2009 - Mar 2010
Feedback response on monitoring reports to corporate and departmental teams, to directorate, council committees, employee representatives and members and to community partners	Improvement Team	Mar 2010
Require contractors to supply monitoring reports on service delivery and take-up	Procurement Officer	Sep 2009
New targets and action plans have been developed through involvement with stakeholders	Senior Managers	Dec 2009
All departmental and service level units are using information systems to monitor service outcomes	Senior Managers	by Jun 2009
Service delivery monitoring reports are produced at specific and regular intervals	Senior Managers	by Jun 2009
Service delivery monitoring reports are circulated to all designated consultation and scrutiny groups	Senior Managers	Sep 2009

Action	Responsibility	Date
Monitoring procedures are applied across contracts and partnerships	Partnerships Managers Procurement Officer	Sep 2009
Service Managers are fully involved in the self-assessment process to review and revise targets, monitoring and consultation systems.	Senior Managers	Dec 09 - Mar 10
At service level there is demonstrable progress against targets set in action plans for all equalities areas	Senior Managers	Dec 09 - Mar 10
Report progress on employment targets to directorate members, council committees, members and consultation and scrutiny groups	Senior Managers	Sep 2009
Use monitoring to assess achievements against targets set in action plans and feed back results into policy review, targeting and revised action plans	Senior Managers	from Jun 09
Establish interdepartmental scrutiny process	Improvement Team	Sep 2009
Use existing or adapted personnel information systems to provide equality data relating to human resource targets (recruitment, promotion, training, grievances, disciplinary action, appraisal, dismissal and other reasons for leaving, retention, and equal pay)	Human Resources	Jun 2009
Produce monitoring reports at regular and specified intervals and circulate to designated consultation and scrutiny groups	Human Resources	by Sep 2009

Action	Responsibility	Date
Use equality data to monitor use of all personnel procedures	Human Resources	from April 2009
Use equality data to monitor the number of staff leaving employment and their reasons for leaving	Human Resources	from April 2009
Use monitoring reports to assess whether authority employment profiles more closely fit the profile of local labour market	Human Resources Improvement Team	from Jun 2009
Self-assessment should demonstrate progress against employment targets	Human Resources	Dec 09 - Mar 10
Reports based on self-assessment sent to directorate members, council committees, members and consultation and scrutiny groups and seek verification	Human Resources	Mar 2010
Report on implementation of pay review recommendations	Human Resources	Mar 2010
Review targets for employment and pay review and agree action plans with designated stakeholders	Human Resources	Mar 2010
Review training needs against service action plans and revise training plan to deliver appropriate competencies/behaviours	Human Resources	Apr 2009
Incorporate targets for revised training programme in staff appraisal	Human Resources	Apr 2009

Year 3 2010/11

Action	Responsibility	Date
Demonstrate success in meeting a range of targets across the authority and reviewing those targets for future action planning	Improvement Team Equalities Steering Group	Dec 2010
Demonstrate real outcomes that have improved equality in services and employment	Senior Managers	Dec 2010
Benchmark the authority's achievements against comparable others and share its experience in developing good practice	Improvement Team	Dec 2010
Produce corporate self-assessment report to verify performance on targets and outcomes	Senior Managers Improvement Team	Mar 2011
Seek verification of performance and outcomes through scrutiny and audit and have been verified externally through an accredited assessor	Improvement Team	Mar 2011
Review the Corporate Equality Plan	Improvement Team	Mar 2011
There is involvement of community and scrutiny bodies in all equality processes	Senior Managers	Dec 2010
There is increased satisfaction amongst the community and scrutiny bodies with services and progress in meeting targets	Improvement Team	Dec 2010

Action	Responsibility	Date
Demonstrate that there is trust and confidence among all stakeholders in the authority's consultation and scrutiny mechanisms	Improvement Team	Mar 2011
Assess participation strategy through community, staff and stakeholders	Improvement Team	Dec 10 - Mar 11
Review the consultation, assessment and scrutiny elements of the Corporate Equality Scheme	Improvement Team	Mar 2011
The authority's consultation and scrutiny practice is seen as a model for others	Improvement Team	Mar 2011
Complete department/service level reviews of target achievement	Senior Managers	Dec 10 - Mar 11
Demonstrate significant equality improvements and outcomes across all six equality strands (race, gender and disability, sexual orientation, religion/belief and age)	Senior Managers	Dec 10 - Mar 11
Accurate service user profiles are being used to inform service changes and improvements	Senior Managers	from Apr 2010
Show that an interdepartmental scrutiny process is working effectively	Senior Managers Improvement Team	from Apr 2010
Managers have been appraised against service equality objectives and targets	Executive Mgt Team Senior Managers	Dec 2010

Action	Responsibility	Date
Effective systems are in place for managing equality across contracts and partnerships	Procurement Officer	Apr 2010
Service Managers are involved in self-assessment and in preparation for external assessment and validation	Senior Managers	Dec 2010
Benchmarking of full range of equality achievements against other authorities in a similar position	Senior Managers	Dec 2010
Review equal access service objectives and targets	Improvement Team	Mar 2010
Demonstrate movement towards greater equality in the workforce profile and other employment targets	Human Resources	Dec 2010
The authority can show that it is paying its staff equally for work of equal value	Human Resources	Mar 2011
Assess results of equal employment and equal pay target achievement	Human Resources	Mar 2011
Assess continuing relevance of objectives and targets	Human Resources	Dec 2010
Demonstrate that staff are fully trained in systems for delivering fair employment and equal pay objectives	Human Resources/ Senior Managers	Mar 2011

Action	Responsibility	Date
Managers at all levels can demonstrate that fair employment and equal pay objectives are mainstreamed as part of their professional practice	Human Resources	Mar 2011
Managers have been appraised against employment equality targets and against a competency/behaviours framework	Human Resources	Dec 2010
Benchmarking of full range of equality achievements against other authorities	Improvement Team	Dec 2010