

Individual Decision

The attached report will be taken as an
Individual Portfolio Member Decision on:

Wednesday, 14 November, 2012

Ref:	Title	Portfolio Member	Page No.
ID2566	Equality Policy	Councillor Pamela Bale	1 - 12



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Individual Executive Member Decision

Title of Report:	Equality Policy
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	14 November 2012
Forward Plan Ref:	ID2566

Purpose of Report: To set out West Berkshire Council's expectations and responsibilities in relation to equality.

Recommended Action: That the proposed policy be approved and adopted.

Reason for decision to be taken: To provide a public statement of our position with regard to equality.

Other options considered: None

Key background documentation: Equality Act (2010)

Portfolio Member Details	
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Contact Officer Details	
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Implications

Policy: Introduces a new policy.
Financial: None
Personnel: None
Legal/Procurement: None
Environmental: None
Property: None
Risk Management: None
Equalities Impact Assessment: Attached.

Consultation Responses

Members:

Leader of Council: Councillor Gordon Lundie

Overview & Scrutiny Management Commission Chairman: Councillor Brian Bedwell

Ward Members: All Members

Opposition Spokesperson: Councillor Julian Swift-Hook

Local Stakeholders: Disability External Scrutiny Board - No amendments

Officers Consulted: Including Everyone Group - Amendments included
Corporate Management Team

Trade Union:

Is this item subject to call-in?	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
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Supporting Information

1. Background

- 1.1 Prior to the introduction of the Equality Act 2010, West Berkshire Council set out its responsibilities and activities in relation to equality in a Single Equality Scheme.
- 1.2 The requirement for an equality scheme is no longer current, and therefore the proposed policy provides a high level statement of our expectations and responsibilities in relation to equality.

2. Equalities Impact Assessment Outcomes

- 2.1 The proposed policy is intended to improve equality outcomes for all protected groups. No detrimental impact has been identified. (See attached EIA at Appendix A).

3. Recommendation

- 3.1 That the policy be approved and adopted.

Appendices

Appendix A – Equality Impact Assessment

Appendix B – Equality Policy

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Equality Impact Assessment Template – Stage Two

Name of item being assessed:	West Berkshire Council Equality Policy
Version and release date of item (if applicable):	Version 1.0 - Nov 2012
Owner of item being assessed:	Elaine Walker
Name of assessor:	Elaine Walker
Date of assessment:	12/10/12

1 What are the main aims of the item?

(What does the item try to achieve?)

The policy sets out the Council's expectations in relation to equality, and the responsibilities of those working in the Council's name.

2 What research are you undertaking to inform this assessment?

(for example, who, how and when will you consult? What existing information is available either internally or externally? Are there complaints, comments received that will inform this assessment? Are there any local groups you can talk to? Etc)

Use this space to set out your activity.

The Disability Equality Scrutiny Board were specifically consulted, however the requirements of the policy are such that no one from any of the protected groups is expected to be detrimentally affected.

3 What are the results of your research?

Note which groups may be affected by the item, consider how they may be affected and what sources of information have been used to determine this.

(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)

Group Affected	What might be the effect?	Information to support this.
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Further Comments relating to the item:		
The policy provides a positive step for all protected characteristics by clearly setting out expectations for behaviours and responsibilities in a single document. No negative effects were identified.		

4 What actions will be taken to address any negative effects?			
Action	Owner	By When?	Outcome

<p>5 What was the final outcome and why was this agreed?</p> <p>(Was the item adjusted, rewritten or unchanged? Refer to page 15 of <i>Meeting the Equality Duty in Policy and Decision Making</i> for more information.)</p> <p>The policy was unchanged.</p>

<p>6 What arrangements have you put in place to monitor the impact of this decision?</p>

<p>7 What date is the Equality Impact Assessment due for Review?</p> <p>12/10/15</p>

Signed: Elaine Walker

Date: 12/10/12

Please now forward this completed template to the Principal Policy Officer (Equality and Diversity) for publication on the WBC website.

Equality Policy

Document Control

Document Ref:		Date Created:	July 2012
Version:	1.0	Date Modified:	
Revision due	July 2015		
Author:	Elaine Walker	Sign & Date:	
Owning Service	Strategic Support		
Equality Impact Assessment: (EIA)	Date undertaken:		
	Issues (if any):		

Chief Executive	Sign & Date:	
Corporate Director (Community Services)	Sign & Date:	
Corporate Director (Children & Young People)	Sign & Date:	
Corporate Director (Environment)	Sign & Date:	

Change History

Version	Date	Description	Change ID
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2			
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1. Purpose

- 1.1. The purpose of this policy is to set out West Berkshire Council's commitment to equality.
- 1.2. This policy provides a broad statement of the Council's expectations and responsibilities in relation to equality, and is a reflection of our requirements under current equalities legislation.

2. Applicability

- 2.1. This Policy applies to:
 - 2.1.1. All non-school based employees working for the Council, including those working from home or at non-Council locations.
 - 2.1.2. Other persons including elected members, consultants, agency staff and contractors working for the Council, and external organisations working with the Council, whilst engaged on Council business.
- 2.2. It is the responsibility of each employee and other person mentioned in Section 2.1.2 to familiarise themselves with and adhere to this policy.
- 2.3. This policy has undergone internal and external consultation including with Heads of Service and trade unions and has been ratified by the Executive Member for Equalities.

3. Policy

- 3.1. West Berkshire Council recognises that the needs of our service users and employees are diverse and that we must consider these differences when developing our activities. We understand that one size does not fit all, and we strive to develop services and practices that will be suitable for all.
- 3.2. We are committed to ensuring that equality and diversity lie at the heart of our services and employment practices and will work to remove the barriers that limit access and opportunity. We welcome and embrace the strength and resilience that diversity brings to the district.
- 3.3. We endeavour to treat our service users, employees, and contractors with respect and dignity and according to the framework set out in legislation. We will ensure that no one is treated less fairly on the grounds of age, disability, gender, gender identity, race, religion, belief, sexual orientation, or on any other grounds, as set out in legislation, which cannot be justified.
- 3.4. In order to meet our aims, West Berkshire Council will:
 - 3.4.1. Ensure a continuing strategic lead for equalities supported by appropriate policies and guidance;
 - 3.4.2. Have regard to our obligations under relevant legislation, including the requirement to duly consider people from all communities in the formation of our policies and services;
 - 3.4.3. Promote equality and good relations between people who share a relevant protected characteristic and people who do not share it;
 - 3.4.4. Promote an environment free from discrimination, bullying and harassment, and tackle behaviour in contravention of this;
 - 3.4.5. Recognise and value the differences and individual contribution that people make;

3.4.6. Treat our customers, colleagues and partners fairly and with respect

4. Roles and Responsibilities

- 4.1. The Including Everyone Board is responsible for:
 - 4.1.1. Being aware of new legislation, new national initiatives and policy changes;
 - 4.1.2. Prioritising equality activity and focus in light of internal and external drivers, reprioritising when necessary;
 - 4.1.3. Reviewing corporate progress against West Berkshire Council's equality objectives;
 - 4.1.4. Holding directorates to account for completion of allocated activity;
 - 4.1.5. Consulting with and seeking feedback from relevant local groups on the Council's approach to equality;
 - 4.1.6. Providing a forum for the discussion of activity and sharing information and good practice between directorates.
- 4.2. Employees are expected to:
 - 4.2.1. Treat customers and colleagues fairly and with respect;
 - 4.2.2. Promote equality of opportunity within the Council, and externally with customers, communities and partners;
 - 4.2.3. Take into consideration the impact on service users, and consult effectively with them when designing new policies or services;
 - 4.2.4. Familiarise themselves with this policy and acting in accordance with it.

5. Failure to comply with the Equality Policy

- 5.1. Job applicants and service users who feel they have been subject to unfair discrimination can make a complaint under the Council's Complaints Procedure.
- 5.2. Employees who feel they have been subject to unfair discrimination can raise the issue informally with their line manager, or formally under the terms of the Council's Grievance Procedure.
- 5.3. Employees who are alleged to have committed an act of unfair discrimination may be liable to disciplinary action in accordance with the Council's Disciplinary Procedure.
- 5.4. Any individual or organisation working for the Council who commits an act of unjustified or unlawful discrimination, or allows discrimination to occur without taking appropriate action, may have their contract terminated.
- 5.5. Anyone to whom this policy applies, who commits an act of unjustified or unlawful discrimination, or allows discrimination to occur without taking appropriate action, may also be liable to a claim being brought against them by the victim in the Civil Court.

6. Review

- 6.1. This policy will be reviewed to respond to any changes and at least every 3 years.
- 6.2. The Including Everyone Board is responsible for reviewing and maintaining this Policy.

7. Further Documentation

- 7.1. Equality Act (2010)
- 7.2. Non-statutory guidance on the Equality Duty (Equality and Human Rights Commission)
- 7.3. Equality Impact Assessment Guidance (West Berkshire Council)
- 7.4. Consultation Policy (West Berkshire Council)

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