

Title of Report:	Public Sector Equality Duty
Report to be considered by:	Executive
Date of Meeting:	15 December 2011
Forward Plan Ref:	EX2284

Purpose of Report:

1. To provide information on the new Public Sector Equality Duty
2. To make recommendations on actions to be taken by the Council to ensure compliance with the general and specific public sector duties under the Equality Act 2010.

Recommended Action:

Approve recommended actions to comply with the general duty, and with the specific duties to set and publish equality objectives and publish data on employees and service users.

Reason for decision to be taken:

To comply with the law on equality

Other options considered:

n/a

Key background documentation:

- Home Office Quick Guide to the Public Sector Equality Duty
- Home Office Quick Guide to Specific Duties to Support the Equality Duty
- <http://www.homeoffice.gov.uk/publications/equality-act-publications/equality-act-guidance/>

The proposals contained in this report will help to achieve the following Council Plan Priority:

- CPP1 – Support our communities through the economic downturn** – to alleviate the impact on different communities and individuals who find themselves out of work and/or disadvantaged

The proposals will also help achieve the following Council Plan Themes:

- CPT12 - Including Everyone**
 CPT14 - Effective People
 CPT15 - Putting Customers First

The proposals contained in this report will help to achieve the above Council Plan Priorities and Themes by:

Ensuring that good practice on equality issues is embedded in decision-making, and that the Council complies with its legislative requirements in this area.

Portfolio Member Details	
Name & Telephone No.:	Councillor Pam Bale 0118 9842980
E-mail Address:	pbale@westberks.gov.uk
Date Portfolio Member agreed report:	01 December 2011

Contact Officer Details	
Name:	David Baker
Job Title:	
Tel. No.:	01635 519083
E-mail Address:	dbaker@westberks.gov.uk

Implications

Policy:	The Council already has policies which support the proposals in this report.
Financial:	No proposals carry any specific financial implications
Personnel:	The Council already publishes equality data on its workforce
Legal/Procurement:	n/a
Property:	n/a
Risk Management:	n/a
Equalities Impact Assessment:	attached.

Is this item subject to call-in?	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input type="checkbox"/>	
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months	<input type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	

Executive Summary

1. Introduction

- 1.1 The Equality Act 2010 replaced previous anti-discrimination laws with a single act to make the law simpler and to remove inconsistencies. The act also strengthened protection in some situations. The majority of the Act came into force on 1 October 2010.
- 1.2 The public sector Equality Duty came into force on 5 April 2011. It aims to ensure that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all.
- 1.3 The Equality Duty is supported by specific duties, set out in regulations which came into force on 10 September 2011. The specific duties, require public bodies to publish relevant, proportionate information demonstrating their compliance with the Equality Duty; and to set themselves specific, measurable equality objectives.

2. Proposals

- 2.1 That we continue to provide and monitor the uptake of mandatory training for all employees on equality and diversity; and continue to carry out impact assessments on all new and revised policies where these will have a differential impact on people with protected characteristics.
- 2.2 Ensure that the Council's procurement processes require any third parties which exercise functions on its behalf comply with the Duty, and monitor that they do so in practice.
- 2.3 Include a reference to the Council's specific duties under the Equality Act within the 'putting people first' principle in the new Council Strategy and include specific equality objective(s) within the Council Strategy.
- 2.4 Discontinue use of the existing Single Equality Scheme that was implemented in 2009, ensuring that any outstanding actions/objectives are incorporated into service action plans or the new Council Strategy as appropriate. Update the Including Everyone Strategy to accommodate the requirements of 2010 Equality Act, its duties and compliance.
- 2.5 Publish an initial stand-alone report on employee equality data by the end of January 2012, and publish employee equality data as part of the Annual Employment Report each summer.
- 2.6 Carry out an audit of data held across the organisation on people using its services and collect information on policies and programmes that have been put in place across the Council to address equality concerns in service delivery. Analyse and publish this information in a stand-alone report by the end of January 2012.
- 2.7 The equalities officer to publish equality data on the equalities web pages covering the impact of the Council's policies and services on an annual basis.

3. Conclusion

- 3.1 The recommendations in this report will ensure that the Council complies with its duties under the Equality Act 2010.

Executive Report

1. Introduction

- 1.1 The Equality Act 2010 replaced previous anti-discrimination laws with a single act to make the law simpler and to remove inconsistencies. The act also strengthened protection in some situations. The majority of the Act came into force on 1 October 2010.
- 1.2 The public sector Equality Duty came into force on 5 April 2011. The Equality Duty aims to ensure that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all.
- 1.3 The Equality Duty is supported by specific duties, set out in regulations which came into force on 10 September 2011. The prescriptive specific duties regulations (drafted under the previous government) were revised and simplified by the Coalition Government, following consultation which aimed to reduce the bureaucratic burden on public bodies. The resultant specific duties require public bodies to publish relevant, proportionate information demonstrating their compliance with the Equality Duty; and to set themselves specific, measurable equality objectives. There is no prescribed format for publication.
- 1.4 This report draws heavily on the brief [guidance on the Public Sector Equality Duty](#) published by the Home Office, and outlines what the Council is required to do to comply with these new duties under the Act. The Equalities and Human Rights Commission is expected to publish a code of conduct in the New Year.

2. The Equality Act

- 2.1 The act covers nine protected characteristics (replacing the previous six 'strands' of equality legislation), which cannot be used as a reason to treat people unfairly. The protected characteristics are:
 - (1) age
 - (2) disability
 - (3) gender reassignment
 - (4) marriage and civil partnership
 - (5) pregnancy and maternity
 - (6) race
 - (7) religion or belief
 - (8) sex
 - (9) sexual orientation

3. The Public Sector Equality Duty

- 3.1 The Equality Duty is a duty on public bodies and others carrying out public functions. It aims to ensure that public bodies consider the needs of all individuals

in their day to day work – in shaping policy, in delivering services, and in relation to their own employees.

3.2 The new Equality Duty replaces the three previous public sector equality duties – for race, disability and gender. The new Equality Duty covers the following protected characteristics: age, disability, gender reassignment, pregnancy and maternity; race (this includes ethnic or national origins, colour or nationality); religion or belief (this includes lack of belief); sex, and sexual orientation. It also applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate discrimination.

3.3 The Home Office Quick Start Guide to the Equality Duty states;

“The new Equality Duty supports good decision-making – it encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people’s needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people’s opportunities, public bodies are better placed to deliver policies and services that are efficient and effective. The Equality Duty therefore helps public bodies to deliver the Government’s overall objectives for public services.”

3.4 Section 149 of the Equality Act states that;

(1) "A public authority must, in the exercise of its functions, have due regard to the need to—

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

These are known as the 'three aims' of the Equality Duty.

(2) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low."

3.5 Section 149 qualifies these requirements by further stating;

- (a) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- (b) Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice and promote understanding.
- (c) Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

4. Implementing the Equality Duty

4.1 Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making and policy development. Case law suggests that they should ensure;

- (1) That those who exercise the body's function are aware of the requirements of the Duty
- (2) That consideration to the Duty is given at all stages of decision-making or policy processes - i.e. during development, in making any final decision, and in later reviews
- (3) That consideration of the Duty is integral to the decision-making process, that it is approached with an open mind, is rigorous and has real influence on the final decision
- (4) That sufficient information is available to inform proper consideration of the Duty
- (5) That any third parties which exercise functions on the body's behalf are capable of complying with the Duty, are required to comply with it, and that they do so in practice
- (6) That a record is kept of the process of consideration of the Duty in relation to the decision or policy

5. The Specific Public Sector Equality Duty – publishing information

5.1 Public bodies subject to the specific duties must publish information to show their compliance with the Equality Duty. This means that the information they publish must show that they had due regard to the three aims (see 3.4 (1) above).

5.2 Publishing relevant equality information should make public bodies transparent about their decision-making processes, and accountable to their service users. It should give the public the information they need to hold public bodies to account for their performance on equality.

5.3 Public bodies must publish information to show that they consciously thought about the three aims of the Equality Duty as part of the process of decision-making. The information published must include:

- (1) information relating to employees who share protected characteristics (for public bodies with 150 or more employees); and
- (2) information relating to people who are affected by the public body's policies and practices who share protected characteristics (for example, service users).

5.4 Most public bodies (including local authorities) must publish this information by 31 January 2012. Schools must publish it by 6 April 2012. Subsequently, the information must be published at least annually.

5.5 It is up to each public body to decide for itself what information it publishes to show its compliance with the Equality Duty. This will vary, depending on the size of the body; the range of functions it performs, and the extent to which those functions could affect equality. There is no prescribed format.

5.6 The Home Office guidance states; "For most public bodies, the sensible starting point will be simply to look at what equality information it publishes already, and to consider whether that gives a reasonable picture of progress on equality issues affecting its employees and service users."

5.7 It is important to note that the specific duties do not require public bodies to prepare or publish equality schemes, equality action plans, equality impact assessments, or separate annual reports on equality. This is a departure from previous legislation which was very prescriptive about what should be published. The current Government felt that this led to compliance with the letter of the law, but did not necessarily translate into improved practice on the ground.

6. Information about employees

6.1 The Equality Duty requires public bodies to consider how their activities as employers affect people who share different protected characteristics. The specific duties require public bodies with 150 or more employees to publish information to show they did this. This could include information relating to:

- (1) the make-up of the overall workforce;
- (2) the gender pay gap and pay equality issues more generally for the public body;
- (3) recruitment and retention rates for staff with different protected characteristics;
- (4) applications for flexible working and their outcomes for different protected characteristics;
- (5) applications for learning and development opportunities and their outcomes for staff with different protected characteristics;
- (6) grievances and disciplinary issues for staff with different protected characteristics.

6.2 Published information could also include details of policies and programmes that have been put in place to address equality concerns within the workforce, and information from staff surveys.

- 6.3 The specific duties do not require us to ask every member of staff to disclose information about protected characteristics, such as their age, sexual orientation, or religious beliefs. We should only collect this information if we think it is necessary to be able to demonstrate compliance with the Equality Duty.

7. Information about policies and services

- 7.1 The Equality Duty requires public bodies to consider how the decisions that they make, and the services they deliver, affect people who share different protected characteristics. The specific duties require public bodies to publish information to show they did this. This could include information we have considered relating to:
- (1) the number of people with different protected characteristics who access and use services in different ways;
 - (2) customer satisfaction levels and informal feedback from service users with different protected characteristics and results of consultations;
 - (3) complaints about discrimination and complaints from people with different protected characteristics;
 - (4) service outcomes for people with different protected characteristics.
- 7.2 Published information could also include details of policies and programmes that have been put in place to address equality concerns in service delivery.
- 7.3 The specific duties do not require us to ask service users about such issues as their age, sexual orientation, or religious beliefs. We should never do this if such information is available from other sources.

8. Issues to consider when publishing information

- 8.1 In common with most local authorities, we already publish some equality-related information about our workforce and service delivery. The aim should now be to ensure that that information demonstrates compliance with the Equality Duty. The information will need to show that the Council has properly considered how its activities – both as an employer and a service provider – affect people with different protected characteristics. It may include details of any analysis that we have done on the equality information we hold, such as the impact analysis done when considering a new policy or programme.
- 8.2 The Home Office guidance suggests that public bodies may also find it helpful to consider what equality information is published by other bodies, and whether there are topical equality issues – such as the gender pay gap – which are relevant to its activities and how these have been considered.
- 8.3 In complying with the Equality Duty, we should draw equality information available from external sources, such as census data; the electoral roll; ONS regional portraits; health survey results; Housing Needs and Homelessness statistics; data collected by local organisations such as Citizens Advice, and so on. We should not seek to collect data which is available elsewhere, nor re-publish this information.
- 8.4 The specific duties do not require public bodies to publish any more information than is necessary to demonstrate compliance with the Equality Duty.

- 8.5 Information should not be published if doing so would breach the Data Protection Act 1998. Information published must not identify individuals and good practice indicates that this means not publishing information about groups of fewer than 10 people.

9. The Specific Public Sector Equality Duty – setting equality objectives

- 9.1 The specific duties require public bodies to prepare and publish one or more specific and measurable equality objectives which will help them to further the three aims of the Equality Duty. All public bodies subject to the specific duties must publish their first equality objectives by 6 April 2012. Subsequent objectives must be published at least every four years.
- 9.2 It is for each public body to decide what equality objectives it should set and how many there should be. Objectives which are stretching, and focus on the biggest equality challenges facing the public body, will have the greatest impact in furthering the aims of the Equality Duty.
- 9.3 When deciding what equality objectives to set, a public body should take into account evidence of equality issues across all its functions; consider issues affecting people sharing each of the protected characteristics; and think about each of the three aims of the Equality Duty.
- 9.4 The number of objectives set should be proportionate to the public body's size; the extent to which its functions affect equality; and the evidence that such objectives are needed. In setting its objectives, it may be helpful to think about:
- (1) what evidence we could use to inform the objectives, from both internal and external sources;
 - (2) what types of equality issues are raised by our staff and customers;
 - (3) where the evidence indicates that equality performance is poor;
 - (4) what objectives could be set to stretch the organisation to perform better on equality issues in key areas;
 - (5) whether there is scope to benchmark equality information and objectives against similar local authorities;
 - (6) the people and organisations it would be useful to talk to in the process of setting objectives;
 - (7) whether to set short term, medium term or long term objectives in different areas;
 - (8) how progress against the objectives will be measured.

10. Accessibility of published information

- 10.1 Public bodies must ensure that the information they publish and the equality objectives they set are accessible to the public, free of charge. In addition to publishing them electronically on their website, they should consider making them available in other formats. They should also consider whether the information is

provided in a way which makes it easy for the public to understand and see, to enable public accountability.

- 10.2 The Public Sector Transparency Board's Public Data Principles outline general steps public bodies should take to ensure information is accessible and useful. In particular, such information should be easily found; published as quickly as possible after its collection; be as detailed as possible; and be freely available for reuse by the public.
- 10.3 Public bodies should also consider producing information in alternative formats for disabled people. The Act requires reasonable adjustments to be made for disabled people, and this includes ensuring information is provided in an accessible format⁵.
- 10.4 The specific duties do not require the production of a stand-alone annual equality report.
- 10.5 Equality information and equality objectives can be published as part of another document, such as the Council's Corporate Strategy. There is no need to produce a separate document.
- 10.6 The information published must show compliance with the Equality Duty, regardless of how or where it is published.
- 10.7 Public bodies should publish information in a place and format that is easy to access for both internal and external users. If some information is published periodically over the year, public bodies may want to consider how to link to all the relevant information together.

11. Enforcement

- 11.1 The Equality and Human Rights Commission is responsible for assessing compliance with the specific duties, and for their enforcement. As with the Equality Duty, it has powers to issue a compliance notice to a public body that it believes has failed to comply with the specific duties, and can apply to the courts for an order requiring compliance.
- 11.2 Unlike the Equality Duty, the specific duties cannot be enforced by judicial review.

12. Recommendations

- 12.1 In implementing the Public Sector Equality Duty (see Para 4 above) the Council should;
 - (1) Oversee the Council's compliance with the Equality Duty and, in particular, the development of equality objectives.
 - (2) Continue to provide and monitor the uptake of mandatory training for all employees on equality and diversity. Ensure that the Public Sector Equality Duty is covered in the training.
 - (3) Continue to carry out impact assessments on all new and revised policies where these will have a differential impact on people with protected characteristics. The assessment should be integral to the decision-making process, and carried out before any final decision is taken.

- (4) Continue to keep a record of the impact assessment process in relation to its decisions and policy approvals.
- (5) Ensure that the Council gathers and holds sufficient information about the profile of its employees and service users, and the needs of different groups, to inform proper impact assessments.
- (6) Ensure that the Council's procurement processes require any third parties which exercise functions on its behalf comply with the Duty, and monitor that they do so in practice.

12.2 In implementing the specific duty to set equality objectives (see paragraph 9 above), the Council should;

- (1) Include a reference to its specific duties under the Equality Act within the 'putting people first' principle in the new Council Strategy.
- (2) Include specific equality objective(s) within the Council Strategy, after these have been discussed and agreed by the relevant group. The statutory deadline for publication (6th April) coincides with the publication of the Strategy.
- (3) Discontinue use of the existing Single Equality Scheme that was implemented in 2009, ensuring that any outstanding actions/objectives are incorporated into service action plans or the new Council Strategy as appropriate.
- (4) Update the Including Everyone Strategy to accommodate the requirements of 2010 Equality Act, its duties and compliance.
- (5) In implementing the specific duty to publish information on its employees (see paragraph 6 above), the Council should;
- (6) Publish an initial stand-alone report on employee equality data by the end of January 2012, on the equality pages of the Council's intranet. The report will be based on the suggestions in the Home Office guidance, and on data already held.
- (7) Publish employee equality data as part of the Annual Employment Report each summer.
- (8) Aim to improve the quality and quantity of equality data and analysis to help inform workforce planning and identify areas where actions may need to be taken to address equality issues.
- (9) Explore what the publication duty means with respect to its community schools. It is not clear at this stage whether the Council should be publishing data on schools with fewer than 150 employees. Community schools with 150 employees or more should publish their own data.

12.3 In implementing the specific duty to publish information on those using its services (see paragraph 7 above), the Council should;

- (1) Carry out an audit of data held across the organisation on people using its services, on customer feedback, complaints (including those about discrimination), and on service outcomes, analysed against protected characteristic data where available.
- (2) Collect information on policies and programmes that have been put in place across the Council to address equality concerns in service delivery.
- (3) Analyse and publish this information in a stand-alone report by the end of January 2012. (Note: Schools to publish equality information by 6 April 2012)
- (4) The equalities officer to publish equality data on the equalities web pages covering the impact of the Council's policies and services on an annual basis.

Appendices

Appendix A – Equality Impact Assessment – Stage 1.

Appendix B - General and specific duties – Work requirements and responsibilities.

Consultees

Local Stakeholders:

Officers Consulted: Leigh Hogan (Legal), Jason Teal (P&C), Jane Milone (HR)

Trade Union:

Appendix A. Equality Impact Assessment Template – Stage One

Name of item being assessed:	Public Sector Equality Duty
Version and release date of item (if applicable):	November 2011
Owner of item being assessed:	
Name of assessor:	David Baker
Date of assessment:	November 2011

1 What are the main aims of the item?

To inform Members and Officers of the general equality duty as set out in the Equality Act 2010. In summary, those subject to the equality duty must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

2 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.

The new duty covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex and sexual orientation. People with those characteristics are referred to as protected groups.

Group Affected	What might be the effect?	Information to support this.
All protected groups	<p>The Act helpfully explains that having due regard for advancing equality involves:</p> <ul style="list-style-type: none"> • Removing or minimising disadvantages suffered by people due to their protected characteristics. • Taking steps to meet the needs of people from protected groups where these are different from the needs of other people. • Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low. 	Equality Act 2010

Further Comments relating to the item:

The specific duties apply to all the public authorities that are listed in Schedule 1 to the regulations.

Publish information:

- Publish sufficient information to demonstrate its compliance with the general equality duty across its functions. This must be done by 31 January 2012; for Schools with a staffing of 150+ by 6 April 2012, and at least annually after that, from the first date of publication.

This information must include:

- Information on the effect that its policies and practices have had on people who share a relevant protected characteristic, to demonstrate the extent to which it furthered the aims of the general equality duty for its employees and for others with an interest in the way it performs its functions.
- Evidence of analysis that they have undertaken to establish whether their policies and practices have (or would) further the aims of the general equality duty.
- Details of the information that they considered in carrying out this analysis.
- Details of engagement that they undertook with people whom they consider to have an interest in furthering the aims of the general equality duty.

Prepare and publish equality objectives by 6 April 2012:

- Objectives that it reasonably thinks it should achieve to meet one or more aims of the general equality duty.
- Details of the engagement that it undertook, in developing its objectives, with people whom it considers to have an interest in furthering the aims of the general equality duty.

It must also:

- Consider the information that it published before preparing its objectives.
- Ensure the objectives are specific and measurable.
- Set out how progress will be measured.
- The information on equality objectives must be published at least every four years.

Key dates for the equality duty

- 6 April 2011 general and specific duties come into force;
- 31 January 2012 to publish equality information;
- 6 April 2012 Schools to publish equality information;
- 6 April 2012 listed bodies (including schools) to publish objectives.

3.	Result (please tick by clicking on relevant box)
<input checked="" type="checkbox"/>	High Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/>	Medium Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/>	Low Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/>	No Relevance - This does not need to undergo a Stage 2 Equality Impact Assessment

For items requiring a Stage 2 equality impact assessment, begin the planning of this now, referring to the equality impact assessment guidance and Stage 2 template.

4. Identify next steps as appropriate:	
Stage Two required	Yes
Owner of Stage Two assessment:	TBA
Timescale for Stage Two assessment:	TBA
Stage Two not required:	

Name:

Date:

Appendix B

General and specific duties

General Equality Duty – Work requirements	Responsibility
<p>All service functions have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act. • Advance equality of opportunity between people who share a protected characteristic and those who do not. • Foster good relations between people who share a protected characteristic and those who do not. 	<p>All Council Members, staff and contractors</p>
<p>All service functions have due regard for advancing equality:</p> <ul style="list-style-type: none"> • Removing or minimising disadvantages suffered by people due to their protected characteristics. • Taking steps to meet the needs of people from protected groups where these are different from the needs of other people. • Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low. 	<p>All Council Members, staff and contractors</p>
<p>All service functions have to positively contribute to the advancement of equality and good relations</p> <ul style="list-style-type: none"> • Equality considerations to be reflected into the design and development of policies and the delivery of services, including internal policies, and for these issues to be kept under review. 	<p>Policy officers, service managers and decision makers</p>
<p>A local authority must ensure that:</p> <ul style="list-style-type: none"> • Those who exercise its functions (staff and leadership) are aware of the duty's requirements. This means that decision-makers must be fully aware of the implications of the duty when making decisions about their policies and practices. • The duty is complied with before and at the time that a particular policy is under consideration and a decision is taken. • Consideration of the need to advance equality forms an integral part of the decision-making process. The duty must be exercised in such a way that it influences the final decision. • Regard is given to the need to advance equality when a policy is implemented and reviewed. <p>Note: A public authority cannot satisfy the duty by justifying a decision after it has been taken</p>	<p>Equality & diversity training programme updated to reflect general and specific duties requirements</p> <p>Policy officers, service managers and decision makers</p>
<p>Commissioning and Procurement</p> <ul style="list-style-type: none"> • The duty applies to procurement and commissioning by public authorities. The requirement to comply with the general duty applies to all contracts, regardless of the value. 	<p>Finance & Commissioning Services</p>

Specific Equality Duties – Work requirements	Responsibility
<p>Update the Including Everyone Strategy to accommodate the 2010 Equality Act duties and compliance including:</p> <ul style="list-style-type: none"> • Data collection requirements and standards • Replace the Single Equality Scheme action plan into a clear set of objectives addressing all nine protected areas by Apr 2012 • Publish objectives every 4 years and monitor progress 	TBC
<p>Lead the Council’s implementation and compliance against the general and specific equality duties, monitor progress and ensure required information is collected, analysed and published</p>	TBC
<p>Data Collection - This information must include:</p> <ul style="list-style-type: none"> • Information on the effect that policies and practices have had on people who share a relevant protected characteristic, to demonstrate the extent to which it furthered the aims of the general equality duty for its employees and for others with an interest in the way it performs its functions. • Evidence of analysis that have been undertaken to establish whether their policies and practices have (or would) further the aims of the general equality duty. • Details of the information considered in carrying out this analysis. • Details of engagement undertaken with people whom are considered to have an interest in furthering the aims of the general equality duty. 	<p>HR for staff and contractors & Schools & Front line service providers</p>
<p>Data Analysis and Publication of information</p> <ul style="list-style-type: none"> • Publish sufficient information to demonstrate compliance with the general equality duty across its functions by 31 January 2012 (for Schools to publish equality information by 6 April 2012), and at least annually after that, from the first date of publication. 	<p>Policy and Communication & Schools</p>