

NORTH LINCOLNSHIRE COUNCIL

CABINET

FRAMEWORK FOR A FAIRER FUTURE -THE EQUALITY BILL 2008

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To provide an outline of the Equalities Bill 2008. The Bill will be introduced in the next parliamentary session (December or early 2009).
- 1.2 The Equality Bill aims to declutter, simplify and strengthen the law relating to equalities. For public authorities the Bill will provide for a new public sector equality duty, which will bring together the three existing duties (race, disability and gender) extending the new duty to include gender reassignment, age, sexual orientation and religion and belief. It will also provide for annual reporting on rates of pay by gender and employment of people from ethnic minorities and disabled people.
- 1.3 The Bill will enable the phasing in of laws prohibiting age discrimination in access to public and private sector goods, facilities and services; broaden the scope of positive action and strengthen enforcement.
- 1.4 This report summarises the recent framework and response to consultation documentation that have been published.

2 BACKGROUND INFORMATION

- 2.1 In February 2007 the Fairness and Freedom Report – The Final Report of the Equalities Review was published. It made practical recommendations on key policy priorities for the public and other sectors and aimed to inform the modernisation of equality legislation including a move towards a Single Equality Act.
- 2.2 The Green Paper, Discrimination Law Review: A Framework for Fairness: Proposals for a Single Equality Bill for Great Britain was published in June 2007.
- 2.3 The Government published its Framework for a Fairer Future – The Equality Bill in June 2008 followed by a detailed paper The Response to Consultation – The Equality Bill, this document set out the Government's response to the Framework and Discrimination Law Consultation.

- 2.4 A Government working group is still considering implementation and further guidance on meeting the new equality duty will be produced.
- 2.5 The Council's current Corporate Diversity Plan (under review) ensures the council meets its current legal duties.
- 2.6 In 2008, the Council committed to achieving the National Investors in Diversity Standard. Working towards the Standard will ensure that appropriate action is taken to prepare for and meet the new equality duty. It is expected that the Standard will be achieved within an eighteen-month period.

3. OPTIONS FOR CONSIDERATION

- 3.1 The Council will be required to implement the new public sector equality duty and wider measures when the Bill becomes legislation. With the timetable given, the implementation of the new duty will occur in 2010 – 2011 at the earliest, after the three reviews of the disability and gender duties have been completed.
- 3.2 There will be further consultation on the design of the legislation in relation to age discrimination and a transition period before the new legal protections from age discrimination are implemented.

4 RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

- 4.1 The wider scope of the Equality Bill will impact upon the mainstreaming of diversity in the council. The implementation of the new requirements will involve greater emphasis on equality (diversity) outcomes. As such the equality duty and wider measures will have implications for diversity in the workforce, procurement and partnership working.
- 4.2 The council will need to build on the work so far achieved on diversity to ensure equality and diversity outcomes are appropriately reflected in corporate, strategic and service planning. Budgets will need to reflect the wider scope and requirements of the new equality duty.

5. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)

- 5.1 The Bill has far reaching implications for diversity, addressing disadvantage and community cohesion. It is planned that the Council's existing Corporate Diversity Plans and Equality Schemes, will be updated and replaced by a new Single Equality Scheme 2008 / 2011 for the council. (A diversity impact assessment will be undertaken on the document). This transitional document will ensure that the council is in the best position to meet the new requirements and priorities.

6. OUTCOMES OF CONSULTATION

6.1 The Diversity Steering Group has been consulted on the report. Further consultation will take place as Government guidance is produced.

7. RECOMMENDATIONS

It is recommended that:

7.1 The Contents of this paper are noted

7.2 Briefings be available to elected members and senior officers as and when

- i) further guidance becomes available
- ii) The Bill becomes legislation

7.3 Further reports are submitted to cabinet on key areas affecting implementation

CHIEF EXECUTIVE

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Background Papers used in the preparation of this report

The Equality Bill - Government Consultation on the Response – published July 2008
A Framework for a Fairer Future – The Equality Bill – June 2008
Green Paper, Discrimination Law Review: A Framework for Fairness: Proposals for a Single Equality Bill for Great Britain – June 2007
Fairness and Freedom Report – The Equalities Review – published February 2007