

NORTH LINCOLNSHIRE COUNCIL

CABINET

THE EQUALITY BILL

1. OBJECT AND KEY POINTS IN THIS REPORT

Builds upon the report of the 17 September 2008, providing an update on:

- 1.1 The key proposals and progress of the Equality Bill.
- 1.2 The developing of a North Lincolnshire Local Strategic Partnership Equalities Network
- 1.3 The council's approach and progress on diversity developing a 3 year Single Equality Scheme and Diversity Action Plan.
- 1.4 The progress made working towards attainment of Investors in Diversity Award.

2. ISSUES FOR CONSIDERATION

Equality Bill

- 2.1 The Equality Bill will replace existing anti-discrimination legislation. It is anticipated to receive Royal Assent in this Parliament with the majority of the Bill now expected to come into force in autumn 2010.
- 2.2 The Equality Bill seeks to harmonise and in some cases extend existing discrimination law to include the 'protected characteristics' of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex [gender] and sexual orientation. The bill will harmonise provisions defining indirect discrimination.
- 2.3 A unified public sector duty will be created by this legislation, timetabled for enforcement in 2011. This duty will cover all 'characteristics' introducing a 'strategic' socio economic duty which will require public bodies to have due regard to how decisions may help reduce discrimination based on socio-economic inequalities.

- 2.4 Public procurement will be extended beyond the provisions currently in place to promote and improve equality outcomes
- 2.5 Positive action in employment is promoted to address underrepresentation. The bill includes the proposal to hire from an under represented group in a 'tie break' situation
- 2.6 Other key areas addressed by the bill include:
- providing powers to extend age discrimination protection outside of the workplace
 - clarifying protection against discrimination by association, for example in relation to a mother who cares for disabled child
 - Extending discrimination protection in terms of membership and benefits for private clubs and associations
 - Extending the period for which all-women shortlists may be used for parliamentary and other elections until 2030, allowing parties to reserve places on shortlists of candidates for people on the grounds of race or disability

The Council's approach and progress on diversity developing a 3 year Equality Scheme and Diversity Action Plan

- 2.7 Currently the council have a statutory duty to promote equality in relation to race, disability and gender and develop an equality scheme/s with three year plan. Previously dedicated schemes in relation to these areas have been developed and incorporated in to the council's Corporate Diversity Plan. The Single Equality Scheme with three-year Diversity Action Plan is being developed to supersede the Corporate Diversity Plan.
- 2.8 The key changes promoted by the new Equality Scheme include:
- Updating the strategic focus to take account of the changed equalities focus and legislation. The Scheme synchronises action planning across all equalities area.
 - Using the new Equality Framework for local government (which replaces the Equality Standard) as a framework for action planning to make performance management easier.

The developing of a North Lincolnshire Local Strategic Partnership (LSP) Equalities Network

- 2.9 To support national and local priorities, the council's diversity standards officer has lead on the pulling together of an LSP Equalities Network (hereafter referred to as the Network) for North Lincolnshire. Initial membership had included representation from 11 public sector organisations [attached appendix 1 Terms of Reference for the network] The aim of the network is to improve partnership working on the equalities agenda and develop areas of shared best practice. In November 2009, the Network hosted an Equalities Summit providing an opportunity to bring together stakeholders across from voluntary

and community sector and public sector. A key aim for the day was facilitating discussion and workshops to establish how stakeholders felt the Network should develop. Evaluation of the day will be incorporated into the Network's work plan for 2010.

Working towards the attainment of Investors in Diversity Standard

2.10 Investor in Diversity (IiD) is a standard developed by the National Centre for Diversity. The standard is recognised as a vehicle to develop evidence and embed equality and diversity in organisational practices. It assesses organisational competency against eighteen diversity 'destinations'. More than one hundred organisations across all sectors are working towards the IiD standard.

2.11 In September 2009, the allocated advisor met with the Diversity Standards Officer to review the council's position to achieve the IiD standard. Action required to achieve IiD standard have been incorporated into the 3 year Diversity Action Plan, part of the draft Equality Scheme. The council have been assessed as in a strong position to achieve the standard. Formal assessment for the award is taking place February / March 2010. Promotion of IiD Standard and action required has been communicated via the Diversity Steering Group and council communication mechanisms.

3. RESOURCE AND OTHER IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

3.1 Resources will be met from existing budgets

3.2 Staff time and commitment are needed if the cultural aspirations and statutory requirements of equalities legislation are to be met.

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

4.1 An impact assessment is being undertaken in the development of the scheme.

4. OUTCOMES OF CONSULTATION

4.1 Equality Scheme and Diversity Action Plan. The Scheme has been developed involving the Diversity Steering Group and Diversity Staff Advisory Forum who support the single integrated approach.

4.2 Wider consultation has taken place with community groups and organisations through the activity of the LSP Equalities Network and LSP Equalities Network's Summit. Draft versions have been shared on the website for consultation. A key aim of the Network is more effective shared consultation and the nature of developing a Scheme at this time, anticipating new legislation will require continuing communication,

involvement and development of the Scheme to ensure content promotes compliance.

5. **RECOMMENDATIONS**

It is recommended that Cabinet Members:

- 5.1 Note the progress on diversity
- 5.2 Receive further reports on implementation

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Background Papers used in the preparation of this report – Equality Bill

Appendix 1



North Lincolnshire Equalities Network Terms of Reference

Date agreed 28 May 2009	
To be reviewed January 2010	

Aim

To ensure the Equalities agenda is consistently mainstreamed across North Lincolnshire promoting best practice and local needs and priorities.

Defining Equalities

By equalities we mean work across the seven strands of the national framework, Race; Disability; Gender; Gender Identity; Sexual Orientation; Religion and Belief and Age. Working across the equalities, focuses the Network on wider issues of Equality, Diversity, Community Cohesion and Human Rights.

Objectives

1. Identify and monitor key equality outcomes for North Lincolnshire [which feed into the action planning priorities of the organisations]
2. Strategically develop and monitor a work plan for the network, evaluating outcomes and reviewing focus at least annually or as work is completed. [Reference Work plan 09/10 document]
3. Undertake bench marking across the (public sector) organisations and promote best practice
4. Develop better joined up working on engagement, involvement and action planning
5. Promote peer support and learning through network activity and structure

Membership [Core group 1]

Core group 1 targets Equality and Diversity leads / Community Cohesion leads working in the public sector in North Lincolnshire [Reference members list May 2009]

Appropriate and proportionate representation from:

North Lincolnshire Council; NHS North Lincolnshire; Northern Lincolnshire and Goole Hospitals NHS Foundation Trust; Rotherham, Doncaster and South

Humber Mental Health NHS Trust (RDASH); North Lincolnshire Homes;
Humberside Police; Humberside Fire and Rescue; North Lincolnshire Homes

A representative from VANL has been invited to this core group until the wider structure of the network is agreed upon (following the evaluation of the Equalities Summit)

Relevant to the agenda of the meeting, the core leads will nominate a representative from their organisations relevant to particular specialisms e.g. Human Resources or Engagement.

[Wider network membership]

Wider network membership and involvement will be communicated after the Equalities Summit event enabling fuller involvement and engagement on the structure to have taken place.

Accountability

The Network [Core Membership Group 1] is agreed as a sub group of the Local Strategic Partnership and will be accountable to the LSP Structure and Board. Members will have responsibility for appropriately cascading information in their own organisations to ensure appropriate representation.

Meetings

Frequency of meeting will be flexible. Not less than bi-monthly.

To be chaired and hosted on rotation as agreed.

Each organisation should ensure appropriate representation at each meeting, this promotes consistent and inclusive decision-making on priorities and work identified and overseen by the Network Core Membership.