

WEST DUNBARTONSHIRE COUNCIL

Report by Chief Executive

Corporate & Efficient Governance Committee : 29 October 2008

Subject: Draft Race Equality Scheme 2008-11

1. Purpose

- 1.1** The purpose of this report is to present the Draft Race Equality Scheme 2008-11 (RES) for approval by Members, in response to our duties as per the Race Relations Act 1976, as amended.

2. Background

- 2.1** The general duty requires public authorities to have due regard to the need to eliminate unlawful racial discrimination, promote equal opportunities and promote good relations between people from different racial groups.
- 2.2** The legislation also requires all public authorities subject to the specific duty to publish a scheme, and to review their list of functions, policies and proposed policies for relevance to the general statutory duty every 3 years. Whilst there is no specific requirement to publish a new scheme, this is seen as integral to the review of functions and policies and presents an opportunity to review the scheme as part of ongoing monitoring and revision. There is no equivalent statutory requirement on Education establishments to conduct a review every 3 years, however they do have a responsibility to prepare and maintain a race Equality policy, which includes reviewing progress. This is included within the RES.
- 2.3** The Race Equality Scheme 2008-2011 replaces the 2005-2008 Scheme. However, (as per the Council decision on 27th August 2008) a Single Equality Scheme will be developed in 2009, and the RES will be incorporated into this along with the Disability and Gender Equality Schemes, Equality and Diversity Strategy and Gypsy/Traveller Strategy. This is in line with the move towards single schemes and expected legislation in 2010-2011. The remaining equalities strands will also be included, namely age, sexual orientation and religion and belief.
- 2.4** The Draft Race Equality Scheme was developed in consultation with staff, service users and trade unions, and also includes a detailed Action Plan for 2008-2011.

3. Main Issues

- 3.1** The Council must ensure that it meets the General Duty and the specific requirements under the duty. The Equality and Human Rights Commission has taken over the former role of the Council for Racial Equality in monitoring compliance with the Legislation. Systems have now been put in place to ensure compliance in terms of equalities monitoring in employment and access to training. Other areas are currently being worked on including equalities monitoring of services and rolling out Integrated Impact Assessment throughout Council departments.
- 3.2** The former Race and Gender Equality Working Group and Positive Employment forum have now been combined into an overall Equalities Liaison Group (ELG) which will take forward implementation of the RES. This will include developing departmental Action Plans as appropriate and linking in the list of priorities and functions with the timetable for impact assessment within departments. The ELG includes some representatives from Black and Minority Ethnic (BME) and disabled communities.
- 3.3** Consultation with staff and service users has taken place as part of the review of the scheme – including consulting partner organisations, Housing Associations, existing BME groups, Citizens Panel, Community Participation Committee and setting up a focus group. These and other methods of consulting and involving BME communities will continue to be developed as part of the implementation of the scheme.
- 3.4** An integrated impact assessment of this policy has been carried out with the report available as a background paper. This process highlighted some positive impacts on disability, gender and religion/belief equality to be expected from developing engagement with BME community, and through training for staff and community representatives. However, there were some areas requiring further work, including developing engagement with BME communities, focusing on service delivery and developing links between existing equalities groups where appropriate.

4. Personnel Issues

- 4.1** The Corporate Human Resources (HR) service is currently monitoring the workforce, covering all equal opportunities monitoring information, including gender and disability. This information will be fed into the HR management system.
- 4.2** At present there are no BME employee groups and due to the staff numbers involved this has proved difficult to set up. New employees are advised regarding the Equalities Liaison group.
- 4.3** Staff training for new and existing staff in equalities covers the legal duties for race, disability and gender.

5. Financial Implications

5.1 There are no specific financial implications associated with this scheme.

6. Risk Analysis

6.1 If the Council fails to meet the General Duty it may find itself subject to enforcement action, carried out by Equality and Human Rights Commission, There are two methods of enforcement, a judicial review or the serving of a non-compliance notice.

7. Conclusions

7.1 The Council is required to meet its duties under the Race Relations Act 1976, as amended, ensuring that it is striving to eliminate unlawful racial discrimination, promoting equal opportunities and good relations between people from different racial groups.

8. Recommendations

8.1 It is recommended that Committee agree:-

- to continue to work towards the elimination of racial discrimination and harassment, promote equal opportunity and good relations between people from different racial groups
- to approve the Draft Race Equality Scheme and support the work of the Policy Unit, and all Directorates in implementing the Scheme
- to continue to participate in the Equality and Diversity Working Group
- to support ongoing work within departments to implement the scheme and achieve the targets set out in the Action Plan, co-ordinated and monitored via the Equality Liaison Group
- that work continues to involve staff and service users in the operation and further development of the scheme
- that annual reporting on progress with the race, disability and gender schemes continues in November of each year
- that the RES is included within the development of a Single Equality Scheme in November 2009, also incorporating the Gender and Disability Schemes, Equality & Diversity Strategy, Gypsy/Traveller Strategy and also including the remaining equality strands.

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Date: 14 October 2008

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Appendix: Draft Race Equality Scheme

Background paper : Integrated Impact Assessment of RES

Wards Affected: All