

WEST DUNBARTONSHIRE COUNCIL

Report by the Interim Executive Director of Corporate Services

Community Participation Committee: 22nd February 2012

Subject: Setting Equality Outcomes – Involving the Community

1. Purpose

- 1.1** This report informs the committee about one of the specific duties of the Equality Act 2010 due to come into force in April 2012 to publish equality outcomes based on evidence and involvement of groups and communities and the steps planned to meet this duty.

2. Background

- 2.1** The general public sector equality duty came into force on 5 April 2011, it requires public authorities, in the exercise of their functions to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation
 - 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
- 2.2** The protected characteristics are – age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation (as well as marriage and civil partnership for which equality outcomes are not required).
- 2.3** The Equality Act 2010 explains that having due regard for advancing equality involves:
- removing or minimising disadvantages experienced 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 with protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

2.4 Scottish Ministers intend to make 'specific duties' to support the fulfilment of the general duties. They are expected to be finalised early 2012 and have been subject to extensive consultation with stakeholders. The proposed specific duties are:

- Publishing equality outcomes, based on evidence and involvement of equality groups and communities
- Reporting on 'mainstreaming'
- Assessment of the impact on equality of policies and practices, informed by evidence
- Gathering and publishing employment data
- Scottish Ministers' duty
- Publication duty

3. Main Issues

3.1 The specific duties are expected to require that each listed authority should **publish** a set of equality outcomes to help it to meet the public sector equality duty no later than 31st December 2012 and update these at least every 4 years.

3.2 Authorities must take reasonable steps to involve people with protected characteristics and people who appear to represent their interests and also consider relevant evidence about people with protected characteristics

3.3 Authorities should try to have outcomes which assist people from each of the protected characteristics. But if this is not possible, authorities should explain their reasons for not doing so – and publish this.

How we will set equality outcomes

3.4 Outcomes should be specific and measurable and should be published in a format which is accessible to the public. They must be based on evidence and should be linked in with the business planning process.

3.5 We have already started mapping out the evidence based on service and employment monitoring, results of Equality Impact Assessments (EIA), local and national research and other relevant sources of information and identifying gaps in information. Some initial work has been done on identifying key equality issues across the protected characteristics – see List of Possible Equality Outcome Areas at Appendix 1.

Community Engagement

3.6 The next stage is to engage with and involve individuals and groups by a variety of methods including:

- Engaging collectively with the Equalities Liaison Group – this includes representatives from departments and community groups
- Contacting individual organisations and other networks in West Dunbartonshire and nationally as appropriate
- Engaging with departments from across the Council
- Engaging collectively with the Equalities and Diversity Working group – this includes councillors and senior staff from departments
- Engaging with the Community Participation Committee – starting with this paper

3.7 We will also engage with Community Planning Partners to encourage partners to work together and engage with the community on this task. A session will be held in January to plan how partners can do this. The focus will be on how partners can work jointly in engaging with the community and agreeing outcomes which are meaningful, measurable and will make a difference to equality groups within the community.

3.8 After initial consultation and involvement draft Equality Outcomes will be produced and further consultation with stakeholder groups will take place.

Publishing the outcomes and reviewing the Council's Equality Scheme

3.9 While this process is underway, a review of the Council's Equality Scheme 2009-12 and Gypsy Traveller Strategy 2008-11 will also be carried out, updating the action plans and updating the scheme to include additional characteristics and meet the requirement of the 2010 Act.

3.10 The revised Equality Scheme will include a section on the equality outcomes. There is also a specific duty to require an authority to publish a report on mainstreaming equality. This will report on the actions taken and the progress made to ensure that the aims of the public duty are being taken into account in carrying out all function by 31 December 2012 and subsequently at two-yearly intervals.

4. People Implications

4.1 There are no specific personnel issues raised by the report.

5. Financial Implications

5.1 There are no specific financial issues raised by the report.

6. Risk Analysis

- 6.1** No formal risk analysis has been carried out. The report contributes to the Council's continuing compliance with its statutory equality duties.

7. Equalities Impact Assessment (EIA)

- 7.1** As this report is for information, there was no requirement to carry out an impact assessment. The subject of the report concerns meeting our duties under the Equality Act 2010.
- 7.2** An impact assessment will be carried out as part of the review of the Equality Scheme 2009-12 and Gypsy Traveller Strategy.

8. Strategic Assessment

- 8.1** The proposals within this report are in line with the Council's strategic priorities in terms of improving our services and ensuring that they are available to everyone.

9. Conclusions and Recommendations

- 9.1** Setting equality outcomes will require extensive engagement with the community, particularly with equality groups, also council departments and community planning partners. As well as meeting the public sector duty, this task should help focus attention on the priority equality issues and allow improvement in policy making, service delivery and employment.
- 9.2** This Committee is asked to note the progress so far with setting equality outcomes and how this is proposed to be taken forward. The Committee will be advised of further progress once the outcomes have been formulated and the Equality Scheme reviewed.

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Appendices: List of Possible Equality Outcome Areas

Background Papers: Equality Scheme 2009-12
Gypsy Traveller Strategy 2008-11

Wards Affected: All Wards