

Report to: Performance Scrutiny Committee

Date of Meeting: 15 March 2018

Lead Member/Officer: Lead Member for Corporate Standards/
Head of Business Improvement and Modernisation

Report Author: Strategic Planning Team

Title: Interim Strategic Equality Plan 2016 – 2018 Annual Report

1. What is the report about?

- 1.1 The Council is required to publish an annual report on its equality objectives and Strategic Equality Plan by 31 March each year. This report is about the Council's draft annual document, entitled "Interim Strategic Equality Plan 2016 – 2018 Report".

2. What is the reason for making this report?

- 2.1 A decision is required to support the draft Interim Strategic Equality Plan 2016 – 2018 Report, attached as **Appendix 1**.
- 2.2 Publication of an annual report upon performance for equality and diversity is a statutory requirement under the Public Sector Equality Duty (General Duties) of the Equality Act 2010.

3. What are the Recommendations?

- 3.1 It is recommended that, subject to any agreed changes, Members support the Interim Strategic Equality Plan 2016 – 2018 Report so that it may be translated and published by the required date.

4. Report details

- 4.1 Appendix 1 contains a narrative summary of performance against the Council's Interim Strategic Equality Plan which comes to an end in March. The law requires that we demonstrate "due regard" through our Public Sector Equality Duty in all our decision making. Legislation demands detailed and challenging requirements for authorities yet leaves authorities with greater freedom to produce distinctive local solutions and greater accountability to their communities. This is reflected within the draft report.
- 4.2 The draft report offers details of those services and activities which contribute to the equality and diversity agenda for the Council and which fulfil our statutory requirements under the Equality Act 2010. The Act provides the legislative framework to protect the rights of people with protected characteristics. Our work under the Equality Act 2010 requires us to:

- Remove or minimise disadvantages experienced by people due to their protected characteristics
- Take steps to meet the needs of people from protected characteristics where these are different from the needs of other people
- Encourage people with protected characteristics to participate in public life or in other activities.

4.3 The Interim Strategic Equality Plan commits us to meeting four objectives, based upon ensuring that our communities do not, nor will they, suffer unequal or unfair treatment on the basis of any protected characteristics. Those objectives are:

- Enhanced involvement of service users and better use of evidence
- A fairer and healthier Denbighshire
- A fairer, more prosperous Denbighshire
- A Denbighshire of safe, cohesive communities.

4.4 Specific Duties (Wales Regulations 2011) under the Equality Act 2010 requires us to make appropriate Engagement provisions, for example:

- Assessing Impact of relevant policies and plans
- All published information accessible
- Engagement and involvement with groups with “protected characteristics”
- Collection of Employment Information
- Addressing unfair Pay Differences
- Staff Training and Awareness
- Using Procurement practice to contribute to the delivery of equality objectives.

The draft report highlights where we have met the Specific Duties.

4.5 Agreement and authorisation of previous Strategic Equality Plans for the Council was given by the former Corporate Equality Group (which ceased March 2017). When that forum ceased, recommendation was made for the Performance Scrutiny Committee to be the appropriate benefactor for overseeing the equality and diversity agenda, mindful it would provide robust challenge to our commitments.

4.6 From the start of the 2018 – 2019 financial year we will be reporting upon our commitment and contribution to equality and diversity via our new Corporate Plan 2017 - 2022. Instead of having separate equality objectives and a separate plan, equality will be a principle running through all that we do, embedded fully in all our services and activities.

5. How does the decision contribute to the Corporate Priorities?

5.1 The Council is required to have a strategic equality plan and equality objectives under legislation within the Equality Act 2010. Furthermore, the Council is required to demonstrate ‘due regard’ through our Public Sector Equality Duty in all decision-making. Assessing the potential impact on equality of proposed changes to policies, procedures and practices is key to meeting our corporate priorities. Equality and diversity should be embedded throughout all our corporate priorities, benefitting our diverse communities.

6. What will it cost and how will it affect other services?

- 6.1 There is no cost associated with this decision, other than translation costs which are a corporate requirement. Upon agreement of the recommendation, the document will be made available online.

7. What are the main conclusions of the Well-being Impact Assessment?

- 7.1 A Wellbeing Impact Assessment is not required for this report. The report provides a retrospective evaluation of the Council's contributions towards equality and diversity. All content contributes towards impact upon people sharing protected characteristics. An Equality Impact Assessment on the Interim Strategic Equality Plan would have been undertaken when the Interim report was created early 2016.

8. What consultations have been carried out with Scrutiny and others?

- 8.1 The report has been developed by the Strategic Planning Team, in consultation with all Council services. The information within Appendix 1 has been provided by services, and shared with the Senior Leadership Team prior to being submitted to the Performance Scrutiny Committee for it to support it.

9. Chief Finance Officer Statement

- 9.1 There are no significant financial implications arising from the report.

10. What risks are there and is there anything we can do to reduce them?

- 10.1 Failure to publish the Interim Strategic Equality Plan 2016 – 2018 Report by 31 March deadline would be likely to result in statutory recommendations from the Equality and Human Rights Commission (the national body which oversees equality and diversity) and Wales Audit Office, with implications for the reputation of the Council and potential for High Court challenges, Judicial Reviews and decisions being deemed unlawful.

11. Power to make the Decision

- 11.1 The Council is required to publish an annual report to demonstrate “due regard” through its Public Sector Equality Duty under the General Duties of the Equality Act 2010.
- 11.2 Section 7.15.2 of the Council's Constitution stipulates that Performance Scrutiny Committee's terms of reference includes scrutinising the performance of the Council and the achievement of its objectives, including on equality matters.

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