

REPORT TO: POLICY COMMITTEE ON 30TH APRIL 2008

SUBJECT: EQUALITIES LEGISLATION: PROGRESS UPDATE

BY: CHIEF EXECUTIVE

1. REASON FOR REPORT

- 1.1 The Policy Committee is asked to review performance against the equalities agenda to enable the meeting to gain an understanding of the scope of the requirements in order to set priorities for a revised Equality Strategy.
- 1.2 This report is submitted to Committee in terms of Section A (35) of the Council's Administrative Scheme relating to the implementation of and review as necessary of the policies and practices of the Council in relation to its arrangements for equal opportunities as defined in Schedule 5 to the Scotland Act 1998.

2. RECOMMENDATIONS

- 2.1 **The Policy Committee is asked to review performance against the equalities legislation and consider how a revised Equality Strategy can be developed.**
- 2.2 **It is proposed that a Working Group led by Elected Members is established to develop the Equality Strategy.**

3. BACKGROUND

- 3.1 A report was submitted to this Committee on 19th December 2007 (para 16 of the minute refers) highlighting progress with regard to meeting equalities legislation. Following scrutiny of progress to date, it was suggested that a further report be submitted highlighting some of the difficulties in meeting the deadlines.
- 3.2 In order to meet legislative requirements a number of tasks have been carried out. These include:-
- Schemes' have been written/reviewed for the Race, Disability and Gender duties.
 - An audit of equalities work within departments has been completed.
 - The Happy to Translate Logo initiative has been launched within all services offering interpretation and translation services. The uptake of these services are recorded and monitored.
 - Guidance to staff on equality issues has been written and distributed to managers.
 - Leaflets highlighting legislative requirements and facts on equality issues have been distributed to managers.
 - Training staff in equality issues began last year and will continue in 2008

- Impact assessment guidance has been created, however limited impact assessment have been carried out. High impact assessments which are mainly relevant to front-line services now require to be progressed.
- Performance indicators for recording progress against impact assessments and general equalities measures will be ready for recording as of April 2008.
- Consultation with specific (but not all) minority groups has been carried out. Groups have now been identified for consultation purposes.
- Monitoring of policies and functions is being conducted via Racial Incidents Monitoring Forms and the Grievance and Complaints Procedures.
- Annual progress reports are being published as and when required.
- All equalities materials has been amalgamated onto one website www.moray.gov.uk/moray_standard/page_53787.html

4. CURRENT POSITION

- 4.1 The Council needs to consider the future strategic direction for the equalities agenda in Moray.
- 4.2 Requirements for the Race, Disability and Gender Duties which need to be addressed imminently are to:-
- Complete, consult and publish the results of the equality impact assessments.
 - Create an Equalities Forum with partner organisations
 - Populate, analyse and report existing and additional monitoring data
- 4.3 Carrying out impact assessments is a huge piece of work, with all existing, new and revised policies and functions having to be assessed. Front-line services will have the greatest workload associated with impact assessments as this is where there will be most impact on minorities. Consultation is needed to inform these assessments and once completed collation of all recommendations to eliminate discriminatory practice is required and must then be implemented within services. Impact assessments need to be published, and progress in implementation of recommendations monitored.
- 4.4 The current position in relation to the impact assessments is:-
- The Chief Executive's Office and Estates Services have carried out all of their impact assessments to date and have created action plans
 - Finance & ICT and Legal Services have prioritised all their policies and functions and have only a few to complete.
 - Within Environmental Services, Direct Services have prioritised all their policies and functions and are at early stages of assessment. Development Services have started to carry out assessments however further work still needs to be prioritised.
 - Housing have prioritised all their policies and functions and are at early stages of assessment, with a few complete.

- Personnel have completed all high impact assessments and have prioritised all policies of medium relevance.
- Children, Families & Criminal Justice have started to carry out impact assessments however further work still needs to be prioritised.
- Educational Services have restructured their framework for existing policies and have prioritised existing policies with regard to relevance for equality issues. Training for Senior Officers and Head of Establishments will be carried out before the end of June after which assessments will commence.
- Community care have completed training for impact assessments and Head of Services have begun to prioritise their policies and activities.

4.5 Although consultations have been carried out with equalities groups this has been for specific projects rather than the requirement for consultation on impact assessments.

5. **ACTIONS PROPOSED**

5.1 It is proposed that an Equalities Forum is set up with minority organisations. The forum will enable equalities groups to bring issues of concern to the Partnership in order to plan joint action. The forum will also provide a resource that the Partnership can call upon to ensure an equalities perspective is included in the development of policies, strategies or services. A meeting is scheduled with organisations in May 2008 to discuss the best way forward.

5.2 Our monitoring data needs to be updated and additional monitoring data created. Work planned or undertaken by Personnel includes:-

- Implementing updated ethnic categories of all staff on the HR system
- Gathering of employee data, which should be completed in May
- Enhance procedures in place to monitor applicants for employment and the number of employees receiving training

5.3 Performance indicators for monitoring progress against impact assessments and general equalities information will be set up within the Performance Management system by May 2008. Analysis of statistics will be carried out to identify any gaps within our services.

5.4 The legislative requirement creates huge additional demands on all those involved. Most departments have reported limited capacity to cope with the extra work due to competing priorities and already overstretched workloads, which has delayed carrying out this work. The Equal Opportunities Officer is also reaching capacity due to the increasing equalities legislation.

5.5 A revised strategy needs to be developed to assist the Council to set priorities and timescales. This strategy will consider:-

- a clearer statement on the Council's strategy to progress equalities and meet legislation
- priorities and needs identified using available local information
- identification of who is responsible for addressing priorities

- 5.6 To progress the establishment of the strategic direction for equalities work it is proposed that a Working Group lead by Elected Members is established.

6 SUMMARY OF IMPLICATIONS

(a) Corporate Development Plan/Community Plan/Service Improvement Plan

The Council has made a commitment to develop a culture, which encourages both equal opportunities and the observance of equal opportunities. It will also seek to improve access to services by all sectors of the community.

(b) Policy and Legal

The Council has a legal duty to address equality issues. The risk of not meeting our duties is prosecution for non-compliance.

(c) Resources (Financial, Risks, Staffing and Property)

The requirements to meet our duties is creating additional work pressures on all those involved. Most departments have reported restricted capacity due to competing priorities and already overstretched workloads, which has delayed carrying out this work. The Equal Opportunities Officer is also reaching capacity due to the increasing equalities legislation.

(d) Consultations

All departments have been consulted on this report.

7 CONCLUSION

- 7.1 The Moray Council is asked to review performance against the equalities legislation to date and consider the way forward.**

Author of Report: Fiona Simpson, Equal Opportunities Officer
Background Papers:
Ref: