

Equality Scheme

2012-15



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Equality Scheme 2012-15

1. Introduction

1.1 The equality scheme sets out Dudley Council's approach to advancing equality. There is no longer a legal requirement for public authorities to publish equality schemes. However, the council feels that it is important to set out the arrangements that have been put in place to make progress in advancing equality and to ensure that it continues to implement the requirements of the Equality Act 2010. This is so that:

- roles and responsibilities are clear to elected members, all our employees, our partners and other organisations, and members of the public,
- appropriate information about equality is available and signposted, and
- objectives are in place to work towards and against which progress can be judged.

1.2 The council has previously published race, disability and gender equality schemes in accordance with its legal requirements and published a scheme supplement to cover age, gender reassignment, religion or belief and sexual orientation. This scheme builds on the work which has been carried out in developing and implementing these documents.

2. The legislation

2.1 A wide range of separate equality legislation was brought together into the one Act in 2010 - the Equality Act 2010. This sets out the overall framework of protection against direct and indirect discrimination, harassment and victimisation for protected groups. Protected groups are those which share the following protected characteristics (although NB the extent of protection does vary between some of the groups e.g. marriage and civil partnership is covered in relation to employment but not delivering services):

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race (including ethnic or national origins, colour and nationality)

- religion or belief
- sex, and
- sexual orientation.

2.2 The council, as a public authority, is also covered by the general public sector equality duty in the Act. In summary, public authorities must, in the exercise of their functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act,
- advance equality of opportunity between people who share a protected characteristic and those who do not, and
- foster good relations between people who share a protected characteristic and those who do not.

2.3 The Act explains that having due regard for advancing equality involves:

- removing or minimising disadvantages suffered 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, and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

2.4 The Act states that meeting different needs involves taking steps to take account of disabled people's disabilities. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the duty may involve treating some people more favourably than others.

2.5 Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status. This means that the first arm of the duty applies to this characteristic but that the other arms (advancing equality and fostering good relations) do not apply.

2.6 Public authorities must also publish equality information each year, to demonstrate their compliance with the general public sector equality duty, and equality objectives at least every four years (the Equality Act 2010 (Specific Duties) Regulations 2011).

3. Protected groups and Dudley borough

- 3.1 Dudley Metropolitan Borough is situated to the west of the West Midlands conurbation. It consists of several townships including Dudley, Stourbridge, Halesowen and Brierley Hill. The borough's population is 307,400 (mid-year estimate 2010).
- 3.2 The council holds a wide range of information about the borough and its population. The primary source of data about the numbers of people from protected groups in the borough is the census. The latest available information is from the 2001 census. Data from the 2011 census will provide a more up to date picture of the borough's communities once this starts becoming available from late 2012. The census does not, however, provide data covering all protected groups, for which other data sources may be used. For some protected groups there is little reliable data available either locally or nationally.

Age

- 3.3 In common with national trends, the borough is seeing an increasingly ageing population which will have implications for future service provision. According to the most recent projections from the Office for National Statistics (ONS), the overall population of the borough is forecast to increase by 5.2% between 2008 and 2025. It predicts that the number of people in younger age groups will remain similar across the time period, but indicates a significant growth in both the number and proportion of older people in the borough. This amounts to a projected increase of 29% in people aged over 65, and a projected increase of 57.5% for those over 85 by 2025.

Disability

- 3.4 The 2001 census recorded that 19.1% of the borough's population (58,265 people) consider themselves to have a long-term illness, health problems or disability which limits their daily activities or the work that they can do. This is higher than the English average of 17.9%, but lower than the other three Black Country boroughs and Birmingham within the West Midlands county. The definition used in the census is different to the legal definition of a disability but the figure gives an idea of the number of people in the borough that are relevant in considering the council's duties.
- 3.5 The prevalence of disability increases with age so, with the ageing population structure of the borough, this will have some further impact on the planning of services in the long-term. The borough's sustainable community strategy identifies an increase in the numbers of children and young people with

additional needs and mental health issues who may need support. 10,113 children who attend the borough's schools provision have a disability or learning difficulty (22.5% of the total school population). Of these, 1,649 (3.7% of the total) have a statement of special educational need (School Census January 2011).

Gender reassignment

- 3.6 Transgender or trans are the terms now most commonly used in the UK as an umbrella term for people whose gender identity and/or gender expression differs from their birth sex. Legal protection extends to those who have the protected characteristic of 'gender reassignment'¹ which covers some trans people (usually referred to as transsexual people) but not all. At present, there are great inconsistencies in estimates of both transsexual people and of the trans community, and the 2011 census has not asked if people identify as trans. Part of the problem is the use of different definitions, and the legal definition was changed in the Equality Act 2010. A Home Office report in 2000 estimated around 1,500 – 2,500 transsexuals in the UK, Press for Change 5,000 post-operative transsexuals and GIRES (Gender Identity Research and Education Society) (2008) 6,200 transitioned via medical intervention.² GIRES has also estimated the number of trans people in the UK to be between 300,000 - 500,000, defined as 'a large reservoir of transgender people who experience some degree of gender variance' (Reed et al 2009). It is not known how many trans people, or people covered by the legal definition of gender reassignment, may live in the borough.

Marriage or civil partnership

- 3.7 According to the 2001 Census, 57.6% of the borough adult population is married, with 26.2% single and never married, 7.2% divorced and 8.9% widowed. Nationally, marriage rates have fallen considerably over the last three decades.
- 3.8 The Civil Partnership Act 2004 came into force on 5 December 2005 in the UK and the first day couples could form a partnership in England and Wales was 21 December 2005. Figures for 2006 show there were 36 civil partnership formations in the borough, then between 14 and 20 in subsequent years up to 2010. This must be viewed only as an indicative measure of the number of people in civil partnerships who live in the borough, as the statistics show area of formation not area of residence.

Pregnancy and maternity

- 3.9 The number of live births to mothers resident in the borough has been increasing in recent years, with 3,770 in 2010, a 13% increase on the number

of births in 2003. Maternities amongst young people can present particular health risks and support issues. There has been a decrease in the conception rate amongst under 18s in recent years, from 50.3 per 1000 in 2001 to 41.5 in 2009. Whilst this is marginally higher than the national rate of 38.2, it is below the regional figure and that of Birmingham and the neighbouring Black Country boroughs.

- 3.10 Future changes in birth patterns are always difficult to predict as they depend on the number and fertility rate of women, which are themselves influenced by socio-economic factors and demographic changes such as migration.

Race

- 3.11 The picture from the 2001 Census showed that 93.68% of the borough's population were from white communities and 6.32% from black and minority ethnic (BME) communities, an increase from 4.5% in 1991. Ethnic group population estimates from 2009 (ONS) put this figure at 9.7%, so the proportion is continuing to rise.
- 3.12 BME populations are not evenly spread across the Borough, with the 2001 Census indicating the highest concentrations of people of Indian origin in and around Dudley town centre, the Pakistani population concentrated in three areas – to the south-east of Dudley town centre, to the north of Brierley Hill and around Lye town centre – and Caribbean, African and other Black groups concentrated largely to the south and west of Dudley town centre. The borough also has other communities which may be more transient or not fully reflected in the 2001 Census figures, including refugees, asylum seekers, travellers and gypsies.

Religion or belief

- 3.13 The 2001 Census was the first to ask people about their religion. Figures from this for the borough show that 77.7% of the population identified themselves as Christians, with the next largest groups as those having no religion at 10.7% and Muslims at 2.5%. However, a large number of people who identify themselves as affiliated in some sense to a religion (particularly Christianity) do not have religious beliefs or active involvement in any religious group, so the figures are likely to contain people with a loose (for example, merely cultural) affiliation to a religion. Other polls and surveys have shown much higher percentages for those with no religion or belief.

Table. Religion of Dudley Borough population (2001 Census)

Religion or belief	Number	Percent
Christian	237,207	77.74%
Muslim	7,489	2.45%
Sikh	2,682	0.88%
Hindu	1,677	0.55%
Buddhist	393	0.13%
Jewish	82	0.03%
All other religions	481	0.16%
No religion	32,621	10.69%
Not stated	22,519	7.38%
Total	305,151	

Sexual orientation

- 3.14 There is little reliable data about the size of the lesbian, gay and bisexual (LGB) population in the borough and indeed nationally. Questions have not been asked in the census. Various national estimates using different measures and sources range from 0.3 per cent to 10 per cent. None of these is considered to provide an adequate basis for estimating the true size of the LGB population of Great Britain (Aspinall 2009). The 2010 Integrated Household Survey (IHS) provided the biggest dataset on those people who are willing to identify as LGB in the context of the household. The IHS estimate of 1.4 per cent LGB is broadly consistent with other household surveys in the UK that asked questions about sexual identity. This estimate is lower than the most commonly used estimate of 5 to 7 per cent. This higher estimate should be treated with caution primarily because it is based on the findings of a number of studies utilising different methods of administration and conducted among differing sampling populations measuring different dimensions of sexual orientation (Betts, 2008)³.

4. The Council

- 4.1 Dudley Council is responsible for the full range of local government services, and delivers these through five directorates: Adult, Community and Housing Services; Chief Executive's; Children's Services; Corporate Resources; and Urban Environment.

- 4.2 On 1st April 2011, it employed approximately 15,000 employees, of which 6.2% are from BME communities, 2.0% have declared that they have a disability and 75.0% are women. Around 7,400 of these employees are employed directly by schools.
- 4.3 The borough is divided into 24 wards, which are represented by 72 councillors. The Council appoints a Leader and Cabinet annually and operates five scrutiny committees: children's services; community safety and community services; environment; health and adult social care; and regeneration, culture and adult education. The council also runs five area committees: Brierley Hill, Central Dudley, Halesowen, North Dudley and Stourbridge.
- 4.4 The Council sets out its priorities in the Council Plan, which is updated annually.
- 4.5 Further information about the Council can be found on the Council's website www.dudley.gov.uk.

5. The approach to advancing equality

- 5.1 The council's equality statement summarises the policy framework for advancing equality within the council covering employment, service delivery and its community leadership role (see Appendix A). It applies to all our employees (except for school employees – schools have their own policies in place) and our elected members.
- 5.2 The policy sets out the following overall objective:

“The overall objective of the Council's equality policy is to:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity; and
- foster good relations between people from different backgrounds.

This objective covers the council's employment policies and practices, and its services and public functions. The council will work with its partners and the Borough's communities in order to achieve this objective.

The objective applies to all groups protected under the Equality Act 2010. The Council will also make sure that it does not treat less favourably on any grounds that cannot be shown to be justified people protected by other

legislation, such as that covering trade union or political activities, social class, where a person lives or spent convictions.

While the Council is committed to meeting its duties under equality legislation, it also aims to follow the good practice set out in statutory codes of practice and guidance which accompany the legislation.”

5.3 A ten year vision sets out the council's long-term aspirations for equality. This was agreed by the Cabinet on 17 June 2009:

“Dudley Borough’s community strategy 2005-20 sets out the vision for promoting stronger communities throughout the borough. Over the next ten years the Council will contribute significantly to this vision through providing strong leadership on equality, diversity and community cohesion, working with partners and all the borough’s communities.

In ten years the Council will be one:

- which will be recognised nationally as a leading Council on equality and diversity
- which has improved its response to the needs of the borough’s communities
- whose services receive high satisfaction ratings from across all the borough’s communities
- whose workforce reflects the local community at all levels of the organisation and for which people from all backgrounds want to work, and
- which has improved its equality training and the skills of its employees in dealing with all customers.”

6. Roles and responsibilities

6.1 The council has put in place specific arrangements for planning and organising its equality work. However, equality is not just the role of a few employees and councillors who have been assigned specific tasks, but all employees and elected members have a responsibility for advancing equality. In particular, managers must ensure that their employees are fairly treated and that the services that they provide respond to the needs of people from different protected groups. The equality policy statement sets out the mechanisms that are in place for dealing with issues and complaints when things are felt not to have gone well.

6.2 Specific roles and responsibilities for equality are set out below.

- **Lead director on equality**
 - chairs corporate equality and diversity leadership group
 - champions equality issues at corporate board, across the council and with partners

- **Lead member on equality**
 - champions equality issues amongst elected members
 - provides direction on equality issues

- **Corporate lead officer on equality**
 - draws up key policy, guidance and other corporate equality documents
 - provides advice and guidance on equality issues across the council
 - leads on various equality projects or initiatives
 - liaises with directorate lead officers
 - coordinates meetings of the corporate equality and diversity leadership group

- **Directorate lead officers on equality**
 - attend meetings of corporate equality and diversity leadership group
 - contribute to joint working on equality
 - provide advice and guidance on equality issues within the directorate's service areas
 - lead on various equality projects or initiatives within the directorate
 - develop directorate equality action plans and annual reports
 - arrange directorate equality group meetings

- **Corporate equality and diversity leadership group**
 - provides leadership in developing equality policies, addressing equality issues, providing advice and guidance and sharing good practice (terms of reference attached at Appendix c)
 - assesses progress with equality

- **Assistant directors group**
 - considers important equality issues raised by the corporate equality and diversity leadership group
 - an assistant director will provide a link between the corporate equality and diversity leadership group and the assistant directors group

- **Corporate board**
 - makes decisions on key issues and recommendations on equality from the corporate equality and diversity leadership group and the assistant directors group

- **Scrutiny committees**
 - comment on, scrutinise and make recommendations on relevant equality documents, reports or issues, such as the annual review of equality and directorate action plans

- **Cabinet**
 - makes decisions on key equality documents, reports or issues
 - monitors progress on equality

- **Directorate equality groups**
 - lead and coordinate equality within the directorate
 - link with the corporate equality and diversity leadership group
 - monitor progress with equality action plans

- **Employee support groups**
 - self-organised groups to provide support and advice to employees from particular protected groups and raise issues with the corporate equality and diversity leadership group and/or management

6.3 Appendix B summarises key officer and elected member responsibilities diagrammatically.

7. Links with community cohesion

7.1 There are links between work on equality and on community cohesion. One of the arms of the public sector equality duty is to foster good relations between people who share a protected characteristic and those who do not. The council's community cohesion strategy identifies 'vulnerable' communities in order to target resources. A number of activities included within the community cohesion action plan contribute to trying to address inequality. Identifying tensions at an early stage is also vital in order to prevent escalation, reduce conflict and avoid undermining community cohesion.

7.2 Roles and responsibilities

- **Community cohesion manager**

- - draws up and coordinates implementation of the community cohesion strategy
 - undertakes proactive management of community tensions, taking appropriate actions to avoid or diffuse any tensions
 - is a member of the corporate equality and diversity leadership group
 - provides a link between the community cohesion and tension monitoring executive and the corporate equality and diversity leadership group
- **Community cohesion and tension monitoring executive**
 - chaired by the director of adult, community and housing services
 - provides a strategic, multi-agency lead on community cohesion
 - maintains an understanding of and responds to tension levels in the borough.

8. Documents and information

8.1 The council produces a number of documents or information sets covering its plans and reporting on progress. These are set out below.

- The **equality policy statement** – this summarises the overall approach to advancing equality
- The **ten year vision** – this sets out the long term equality vision for the council
- The **equality scheme** – this covers the more detailed approach of the council and sets out three-year equality objectives
- The **annual review of equality and diversity** – this is produced each year for the lead select committee on corporate equality and diversity issues and the cabinet. It reports on progress with equality work, including the implementation of the equality scheme and covers employment monitoring information.
- **Directorate equality and diversity action plans and annual reports** – these are produced each year by each directorate to set out their plans for advancing equality related to their services areas and to report on progress
- **Annual publishing of equality information** – in addition to the information contained in the documents above, other information will be

published mainly through the council's website <http://www.dudley.gov.uk> which will respond to the specific public sector equality duty (see paragraph 2.6).

9. Processes and services

Training and information for employees

- 9.1 The council will support its employees and councillors to understand what is expected of them and what the law requires. A range of information and training will be provided.
- The equality matters intranet site provides advice, guidance and information
 - training and learning opportunities include
 - an e-learning programme is being provided for all employees and elected members
 - a range of corporate learning and development courses on equality are available
 - directorate equality contacts also provide advice, guidance and information.

Engagement and partnership working

- 9.2 The council works with partners in the statutory and voluntary and community sectors in organising engagement activity with protected groups which may be one-off opportunities or regular events such as:
- annual BME community engagement events
 - biennial physical and sensory disabilities conferences
 - older people's conference.
- 9.3 The council funds and/or works with a wide range of organisations which represent the interests of protected groups in the borough, such as
- Centre for Equality and Diversity
 - Action for Disabled People and Carers
 - LGBT forum
 - Dudley Forum for Older People
 - Dudley Interfaith network
 - Asian Women's Network

Equality impact assessments

- 9.4 The council has developed equality impact assessment guidance to be used as a way of making sure that it meets its public sector equality duties. All

heads of services must ensure that the services for which they are responsible respond to the requirements of the equality duties, that equality impact assessments are undertaken where appropriate, and that the plans, policies and procedures related to the services are equality proofed.

- 9.5 The council will continue to face the need to make savings in its budget over the next few years. When proposals are put forward for savings, these are assessed for their likely impact on protected groups where equality is relevant, and consultation undertaken with protected groups likely to be affected by the proposals. Elected members will take the equality impact and consultation feedback into account in their decision-making in line with the public sector equality duty.

Specific services

- 9.6 Some services provide support aimed particularly at advancing equality for certain protected groups. These are supported by a number of specific needs assessments and strategies and include:

- the Equality and Communications Service, based in the Directorate of Adult, Housing and Community Services, provides a council-wide translation and interpretation service and works with local communities to address needs and share information
- the Ethnic Minority Achievement Service (EMAS), based in the Directorate of Children's Services, provides support to pupils and their parents from communities who have underachieved at school
- services to support adults with physical, sensory and learning disabilities provided through the Adult Social Care Division of the Directorate of Adult, Community and Housing Services;
- the Children and Families Division of the Directorate of Children's Services includes social care services for disabled children and young people in transition to adult care services, plus education support services which ensure that children with additional needs have access to educational provision across mainstream, special schools and early years settings
- mental health services which are fully integrated between the local government and health sectors through Dudley and Walsall Mental Health Partnership NHS Trust which was set up on 1st October 2008.

Commissioning and procurement

- 9.7 The Council also has a responsibility to advance equality through its procurement and commissioning activities. It has developed guidelines on promoting equality in procurement for managers and project teams to support the principles incorporated in its standing orders and procurement strategy. A

model service level agreement, with appropriate clauses relating to equality, is also in place to cover funding arrangements with voluntary and community sector organisations as part of the commitments made in the Local Compact with the voluntary and community sector in the borough.

10. Monitoring and review

10.1 In order to ensure that the council is making progress with its objectives, progress will be monitored and reviewed on a regular basis. The way in which this will be done is set out below.

- Key equality objectives will be included in the council plan
- Quarterly performance reports are drawn up for the cabinet on progress with implementing the council plan
- The annual review of equality, summarising overall performance on equality, will be taken to the cabinet and circulated to the scrutiny committee with lead responsibility on equality
- Directorate equality action plans will be circulated to the appropriate scrutiny committee and approved by the relevant Cabinet member(s)
- Directorate equality action plans will be monitored by directorate equality groups and management teams and annual reports prepared for scrutiny committees
- the corporate equality and diversity leadership group will monitor overall progress with equality and be responsible for leading reviews of the scheme and making appropriate recommendations to the cabinet
- documents and other information will be published on the website for the public and other organisations to hold the council to account.

11. Equality big issues and challenges

11.1 The council is a large organisation providing a wide range of services and employing considerable numbers of staff. Whilst the aim of advancing equality is highly relevant to many of these service areas, there are some key equality issues which have a widespread impact or which are of particular importance. The Government's equality strategy issued in December 2010 and the Equality and Human Rights Commission's strategic plan consultation in October 2011 provide some pointers to what they regard as the main issues and challenges nationally. Many of these issues and challenges identified by

the Government and the Commission have some resonance in the borough and within the council.

Government equality strategy

11.2 The Government's equality strategy issued in December 2010 identified the following 'principles for change':

- creating equal opportunities for all
- devolving power to people
- transparency
- supporting local action
- embedding equality

11.3 The strategy sets out the following broad aims:

- early years, education and social mobility – tackle deprivation and inequalities relating to family background, and improve social mobility
- a fair and flexible labour market – work with business to develop a fairer and more flexible labour market that draws on the talents of all and builds a strong economy
- opening up public services and empowering individuals and communities – devolving power to local communities and promoting greater participation and inclusion in public, political and community life
- changing cultures and attitudes – building respect for all, tackling discrimination, hate crime and violence
- making it happen – the public sector will lead by example and empower citizens and communities with the information they need to hold services to account.

Equality and Human Rights Commission strategic plan

11.4 The Equality and Human Rights Commission (EHRC) strategic plan consultation in October 2011 identified three areas over the next few years which are most likely to raise opportunities and challenges for the Commission. These are identified as:

- the economic agenda: fairness, prosperity and employment - major issues include the gap in educational outcomes; low skills and lack of basic literacy in many communities; career and educational segregation; the gender and other pay gaps; unpaid work that millions of carers undertake and the resultant pay, health and other disbenefits.
- the public service agenda: access, equity and value - demographic change and, in particular, the growing number of older people who will require care in future; and the personalisation agenda, promoting choice in adult social care

- the respect and dignity agenda: identity, conflict and empowerment - bullying and harassment in the workplace or at school; reporting and responding to hate crime; increased diversity in representation at the top of our society and giving a voice to marginalised parts of our society.

Local issues and challenges

11.5 In response to the Government's and EHRC's issues and challenges, local analysis and engagement, areas which are felt to be of particular importance in the borough, and within the council in terms of employment, are outlined below. It is acknowledged that the role of the council in helping to resolve many of these issues may be limited as they are impacted on by national or international circumstances and responsibility is shared with many other agencies. Issues also overlap and have similar causes. Other equality issues are important as well and action will continue to be taken where these can be addressed. However, the following commentary helps to provide a contemporary context for this work.

The needs of an ageing population

11.6 As noted in paragraph 3.3, the borough's population alongside that of the nation is getting older. A joint strategy between the council, Age Concern and Dudley NHS primary care trust on age, 'Ageing well - a strategy for older people 2010 – 2013 has been drawn up. It should be noted too that the outlawing of discrimination in providing services to adults under the Equality Act 2010 is due to come into force in April 2012.

11.7 The ageing population has long term implications for many of the council's services, particularly adult social care and housing. One example of how the council is responding is in the development by 2015 of five extra care housing schemes in the borough to be run by registered social landlord Midland Heart, one in each township, with the first two schemes at Russells Hall, Dudley and in Coseley, well advanced. These schemes provide apartments for people over 55 to rent, buy or part-buy with access to extensive communal facilities on site and with care and support available to residents 24 hours a day and 365 days a year.

High and rising unemployment levels amongst young people.

11.8 The effect of the economic downturn has been widespread across the country, although it has impacted more on some protected groups than others. Particularly significant is the effect on the prospects for young people in seeking or maintaining employment. A greater percentage of 16-24 year

olds in the borough are claiming job seekers allowance than for the working age population as a whole. The percentage of claimants amongst 16-24 year olds is consistently higher than for any other age group and the gap has widened since early 2009. Compared to other areas there is a similar pattern over time, but with a difference in degree. The percentages for Dudley are higher than those for the West Midlands region and England as a whole, although lower than for the Black Country. In recent times JSA claimant levels have been similar to those seen for the West Midlands county (source: Office for National Statistics; latest figures November 2011).

- 11.9 Working to improve educational achievement is one way that the council can help to give young people in the borough the best opportunities to move into paid employment. The council also has 'corporate parenting responsibility' for looked after children (who cannot live with their own families and need somewhere else to live through fostering or in residential care). Like all parents, supporting looked after children's education is one of the most important contributions the council can make to their lives.

Child poverty and troubled families

- 11.10 The Child Poverty Act 2010 puts a duty on all local authorities and their partners to cooperate to tackle child poverty in their area, to prepare and publish a local needs assessment and a local child poverty strategy. Four challenging UK-wide targets are to be met by 2020 to reduce the proportion of children living in poverty and a national child poverty strategy was published in April 2011.
- 11.11 Dudley's child poverty needs assessment was published in March 2011. Figures quoted in the assessment show that in Dudley approximately 14,830 children live in relative poverty representing 22% of all children. This is just below the regional average, but just above the national average. In order to meet the Child Poverty Act target we will need to develop a strategy and actions that will lift 8,000 children out of relative poverty.
- 11.12 Government figures estimate that £9 billion is being spent annually on the 120,000 most troubled families, £8 billion on reacting to the troubles of these families and just £1 billion being spent trying to turn around their lives in a targeted, positive way. The Government has identified Dudley's "share" of troubled families is 740 with an estimated cost of £55.5 million spent across agencies in responding. A troubled family is defined as one that has serious problems - including parents not working, mental health problems, and children not in school - and causes serious problems, such as crime and anti-social behaviour. National research shows that children from families with

such problems experience the worse outcomes and make significant demands on a wide range of local services. The Government has offered some initial funding, with additional 40% matchfunding against 60% local investment payable by results to authorities signing up to work on the troubled families programme.

- 11.13 Work associated with taking these initiatives forward is expected to be of considerable benefit to children and families across a range of protected characteristics within the borough.

Impact of welfare reforms

- 11.14 The Government is aiming to reform the benefit system to make it fairer, more affordable and better able to tackle poverty, worklessness and welfare dependency. In February 2011 the Welfare Reform Bill was introduced to Parliament. The bill proposes changes, such as replacing a range of different benefits with 'universal credit', to make the benefits and tax credits system fairer and simpler, and is currently (February 2012) being debated by the Lords. Welfare reforms will have an impact on the council's housing and council tax benefits service and potentially will impact on the lives of many disabled people whose eligibility for benefits may change. The council's engagement with disabled people has demonstrated that this is an area of great concern to them and that they would continue to value advice and support services in this area.

Health inequalities

- 11.15 Overall health for Dudley residents has improved and life expectancy has increased over a number of years. Notable successes with the borough's health inequalities strategy for 2005-2010 have been in tobacco control, with the introduction of the smoking ban in public places and with local quit smoking services. Educational attainment, which has clear links with people's health, has improved in the last five years with 76% of pupils achieving grades A to C in 2010 compared with 56% in 2006. Improvements to housing, reducing fuel poverty and the regeneration of deprived neighbourhoods have also contributed to the reduction of health inequalities.
- 11.16 However, the rate of progress has not been the same for all communities. There is a gap between those with the best health and those with the poorest and this gap is has only narrowed slightly over the last twenty years. A new health inequalities strategy was published in 2011. Within this there are some very specific actions which are the primary responsibility of the local health trusts, but the council can contribute more broadly in a number of ways

including through its work on continuing to address the gap in educational attainment.

The impact of the Localism Act and the development of ‘Our Society in Dudley’

11.17 The local strategic partnership, Dudley Community Partnership, has set up an ‘Our Society steering group’ to oversee work in response to the Localism Act 2011 and to the Government’s Big Society agenda. Groups have also been set up within the council to plan a range of relevant activity and actions identified include:

- raising awareness among communities of the new community rights in the Act through a “community rights made real” project led by the national charity Urban Forum;
- mapping of public and community facilities and premises in order to rationalise their use, and identify opportunities either for transfer out of public agency ownership, or for joint use with community groups;
- supporting the Government’s Community First programme - nine wards in the borough are eligible to draw down funding to support projects within the context of local priorities;
- supporting, where possible, the work to be carried out in communities by the independent Community Organisers (being managed through the Centre for Equality and Diversity in Dudley)
- drawing up a schedule of “assets of community value” and developing an equitable process that allows potential assets to be identified;
- a review of forms of neighbourhood engagement.

11.18 The issue here in terms of equality is in trying to ensure that the opportunities and benefits presented by the Act and the development of initiatives under the “our society in Dudley” banner are available to all communities and protected groups and not just those with the most influence and best access to resources. Initiatives must also have the effect of fostering good relations between different groups and not dividing communities.

Respect and dignity – hate crime, harassment and domestic abuse

11.19 The Government and the EHRC both identified tackling hate crime as a priority. The EHRC’s recent report ‘Hidden in plain sight – an inquiry into disability-related harassment’ uncovers that harassment is a commonplace experience for disabled people, but a culture of disbelief and systemic institutional failures are preventing it from being tackled effectively. Locally, the council published a hate crime strategy for the borough in 2010 and is holding a multi-agency stakeholder event on hate crime in March 2012.

11.20 A domestic abuse service improvement review was carried out in 2011 led by Safe and Sound (Dudley's Community Safety Partnership) in collaboration with the Dudley safeguarding children and adults boards. The review covered domestic abuse arrangements across the borough to map provision; identify gaps and associated risks; inform future commissioning; review the role of the domestic abuse forum; and inform the update of the domestic abuse strategy. An action plan has been put together to address the gaps identified in the report. One key action refers to 'hard to reach groups' such as some racial groups and the LGBT community, that have been less likely to report domestic abuse and to access services compared to others.

Council employment issues

11.21 The council's human resources strategy identifies a range of issues which face the organisation over the next few years. Key drivers it identifies include reduced funding for the council, "transformation" proposals that may require different ways of working, changes to the demographics of the local population, changing demands from customers and legislative requirements, and the local impact of economic conditions in terms of both increased service demand and reduced revenue.

11.22 In equality terms, particular issues are implementing equal pay arrangements, equipping employees with the skills and knowledge needed in a modern, changing environment, dealing with an ageing workforce and tackling underrepresentation of particular groups.

11.23 The council is involved in a number of projects to transform how it operates, including an office accommodation strategy to modernise central offices and dispose of surplus sites, going together with more flexibility in the way employees work. Accompanying organisational change is the need to undertake further development of leadership and management skills, update management and employee competencies, and develop or improve skills and knowledge in key areas such as equality. It is important that our employees have an up-to-date, working knowledge of equality legislation and an understanding of what is expected of them. Traditional training methods are expensive and take a long time to cover all employees, so a mixture of online learning for all employees, resources for advice, guidance and information and more targeted additional training is seen as more effective.

11.24 The council has completed a grading and pay review and has designed a new grading structure and other pay related terms and conditions for council employees which are felt to be fair and equitable and fully compliant with the requirements of equality legislation, particularly that on equal pay for men and

women. Local trades union have accepted the new structure and it will begin to be implemented with effect from 1 April 2012.

11.25 On the need to deal with an ageing workforce, the council will be taking part in a regional pilot for workforce planning which will look at this amongst other issues. The possibilities for extending the range of apprenticeship programmes currently being offered are being investigated. Improving recruitment and retention of disabled employees has been identified as a priority for some time in achieving an increasingly diverse workforce. This has proved difficult to achieve with little recruitment and the need to reduce the size of the workforce to achieve considerable budget savings. However, a number of actions have been taken and the council has an active employees with disabilities group which is involved in identifying improvements that can be made.

12. Objectives

12.1 The Equality Act 2010 (Specific Duties) Regulations 2011 require public bodies to publish equality objectives, at least every four years. Not all of the issues and challenges which have been identified can easily be translated into objectives at this time and, as noted, external influences which may be regional, national or international can have a profound effect on the ability to find local solutions. An initial selection of objectives has, however, been made which should contribute to addressing a number of the issues and challenges raised. They will also contribute towards meeting the longer term equality vision for the council in helping to meet changing needs, improving services, addressing workforce diversity and improving equality competencies of council employees.

12.2 The initial objectives set in this scheme will be for a maximum period of three years but will be reviewed annually, as work on the issues identified above continues to develop or new priorities become apparent. Progress will be monitored and reported on through the quarterly performance management arrangements attached to the council plan and through the annual review of equality. Other action will continue to be identified through directorate equality action plans

Key objectives 2012-15 (with lead director):

1. Narrow the gap in educational achievement between underachieving protected groups of children and young people and the borough average (Director of Children's Services)
2. Narrow the gap in educational achievement between looked after children and the borough average (Director of Children's Services)
3. Develop affordable housing provision such as extra care housing to meet needs of an ageing population (Director of Adult, Community and Housing Services)
4. Develop a financial inclusion strategy by March 2013 which identifies initiatives and actions to support protected groups (Director of the Urban Environment)
5. Ensure that the actions of the council and its partners in response to the community rights in the Localism Act and in developing our society in Dudley advance equality of opportunity and foster good relations (Chief Executive)
6. Improve awareness and reporting of, and responses to, hate crime (Chief Executive)
7. Improve awareness of domestic abuse amongst those communities which have low reporting rates with the aim of increasing reporting (Chief Executive)
8. Improve the levels of recruitment and retention of disabled employees and other underrepresented groups in the council's workforce (Director of Corporate Resources)
9. Implement the new pay and grading structure within the council from 1 April 2012, addressing equal pay and other issues (Director of Corporate Resources)
10. Improve the equality related knowledge and skills of employees (Director of Corporate Resources)
11. Develop and implement a clear and transparent framework for employees that identifies the development needed for current and future leaders and managers working at all levels (Director of Corporate Resources/Director of Adult, Community and Housing Services)

13. Further Information

The council publishes equality information on its equality and diversity pages on its website: <http://www.dudley.gov.uk/community-and-living/equality-diversity/>

Council employees and elected members will find a wide range of advice and guidance on its equality matters intranet site: <http://idudley/idudley/council-resources/equality-matters/>

For employees and elected members, human resources policies and procedures can be found on the people matters intranet site: <http://idudley/idudley/people-matters/>

For enquiries about the scheme, or copies of relevant documents, contact the Corporate Policy and Research Team, Chief Executive's Directorate, Council House, Dudley DY1 1HF; email (*insert group mail box*).

For advice, information and copies of relevant external documents e.g. details of legislation and statutory codes of practice, useful websites include:

- Government equalities office: <http://homeoffice.gov.uk/equalities/>
- Equality and human rights commission: <http://www.equalityhumanrights.com/>

Notes

¹A person has the protected characteristic of gender reassignment under the Equality Act 2010 if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.

² Trans data position paper - Office for National Statistics (2009)

³ Research summarised in Measuring Sexual Identity: An Evaluation Report, September 2010 - Office for National Statistics – provides in-depth analysis

Appendix A

Dudley Metropolitan Borough Council equality policy statement

1. Introduction

Dudley Metropolitan Borough Council's equality policy provides the overall framework for meeting its commitment to advancing equality. The council recognises the importance of tackling discrimination and advancing equality between different groups in the community, whilst also addressing the diverse needs of individuals. The policy covers the council's own employment policies and practices, the provision of services and public functions, and its wider community leadership role.

The equality policy responds to and is supported by a range of other documents.

- The overall strategy for the borough, the community strategy for 2005-20, has as its vision the promotion of stronger communities throughout the borough. A primary aim throughout the strategy is to promote greater equality so that all people are able to make a full contribution to society.
- The council plan sets out the council's three year priorities and its contribution to achieving the aims of the community strategy.
- The equality scheme sets out the detailed approach to advancing equality over a three year period.
- Directorates' annual action plans set out the details about their own service areas
- A number of other policies and procedures, advice and guidance documents cover various equality and human resources issues.

While the policy is not driven just by legislation, it recognises the importance of ensuring that the Council can meet its statutory duties. These are mainly set out in the Equality Act 2010.

2. Overall objective of the policy

The overall objective of the Council's equality and diversity policy is to:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity; and
- foster good relations between people from different backgrounds.

This objective covers the council's employment policies and practices, and its services and public functions. The council will lead by example and will work with its partner organisations and the Borough's communities in order to achieve this objective.

The objective applies to all groups protected under the Equality Act 2010. The Council will also make sure that it does not treat less favourably on any grounds that cannot be shown to be justified people protected by other legislation, such as that covering trade union or political activities, social class, where a person lives or spent convictions.

While the Council is committed to meeting its duties under equality legislation, it also aims to follow the good practice set out in statutory codes of practice and guidance which accompany the legislation.

3. Aims of the policy

In meeting the overall objective of the policy, a number of more detailed aims have been identified covering general aims, services and employment.

General aims

The council aims:

- to provide community leadership on equality issues and to work with its partner organisations and the community to make the borough a place to live, work and visit free from discrimination and harassment;
- to incorporate equality principles from the start in all its policies, plans and strategies;
- to assess the equality impact of its policies, services and decisions, and to determine the needs of its employees, customers and citizens;
- to identify the equality and diversity outcomes it wants to achieve for its employees, customers and communities;
- to reflect the diversity of the borough in its publications, events and other marketing and communications activities;
- to follow the social model of disability;
- to apply the principles of this policy in its commissioning and procurement activities and in services commissioned through other organisations.

Service provision aims

The Council aims:

- to provide appropriate, accessible and effective services and facilities to all sections of the community without discrimination or prejudice;
- to provide clear information about our services in appropriate formats which meet people's needs;
- to monitor our services to ensure that all sections of the community are receiving fair access and outcomes and take action to address any inequalities that are apparent;
- to engage with people from different backgrounds in identifying needs and in decisions about services;
- to respond promptly and fairly to any complaints that we receive about our services or employees including those of discrimination.

Employment aims

The Council aims:

- to ensure that its employment policies and procedures do not discriminate directly or indirectly against any group or individual on any unjustifiable grounds;
- to make the profile of its workforce at all levels as representative of the borough's population as possible;
- to monitor its employment processes by relevant protected characteristics and take action to address inequalities that are apparent;
- to promote a culture of fairness and respect in all its employment policies, procedures and practices;
- to provide appropriate training for employees on equality issues;
- to protect its employees from harassment and investigate all claims of harassment that are made;
- to respond appropriately to the particular needs of employees, including those relating to religion or culture.

4. Responsibility for the policy

Responsibility for the policy rests with the council's cabinet. The cabinet will nominate an elected member with lead responsibility for equality and for ensuring

that appropriate arrangements are in place for effective implementation, monitoring and review of the policy.

All directors are responsible for implementing the policy within their directorates. The corporate board of directors will identify a lead director on equality who will act as a champion for promoting equality and chair meetings of the corporate equality and diversity leadership group.

All elected members and employees of the council have an individual responsibility to comply with the requirements of this policy in all dealings with elected members, employees, job applicants, residents, service users and other members of the public, and with other organisations.

5. Rights under the policy

The policy assigns rights alongside responsibilities.

Any customer who feels that they have been unfairly treated is entitled to submit a complaint to the council which will be dealt with through the council's customer feedback procedure.

Job applicants who feel that they may have grounds for complaint should refer to the 'Fair Deal for Job Applicants' and contact the Assistant Director HR and Organisational Development.

Hate crime incidents can be reported to the police or the council's crime reduction officer with a portfolio for hate crime.

Employees who believe that they are suffering from harassment or bullying, or have other complaints related to this policy arising from their employment, can raise the matter through the council's grievance policy and procedure.

Any serious concerns that an employee may have arising from this policy about any aspect of service provision or the conduct of officers or members of the council, or others acting on behalf of the council, not covered by the above, can be reported under the confidential reporting policy.

The council will seek to protect individuals from any form of victimisation arising from their taking action in relation to their rights in law or making any complaint through the council's procedures arising from this policy.

6. Implementation of the Policy

All directors identify officers at a senior level to take a lead on implementing the policy within their directorates. These lead officers will meet on a regular basis as the corporate equality and diversity leadership group, with representation from relevant employee groups or outside bodies.

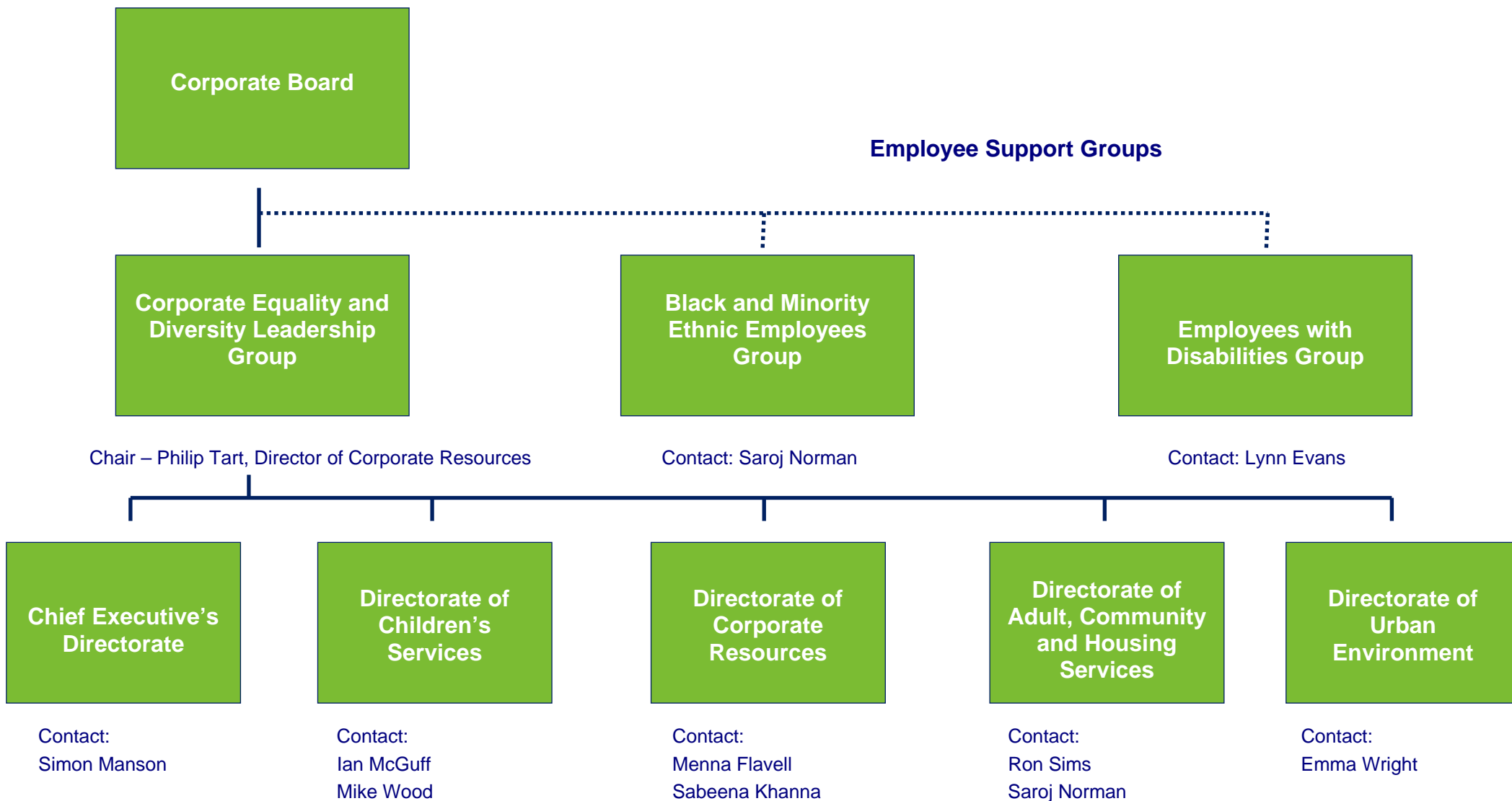
The council will publish an equality scheme or strategy to set out in more detail its approach to advancing equality and which will contain its overall equality objectives. It will be reviewed at least every three years. These equality objectives will be included in the council plan and monitored through the council's quarterly performance arrangements to the cabinet.

An annual review of equality and diversity will be drawn up each year to report on progress with advancing equality across the council which will be submitted to the cabinet.

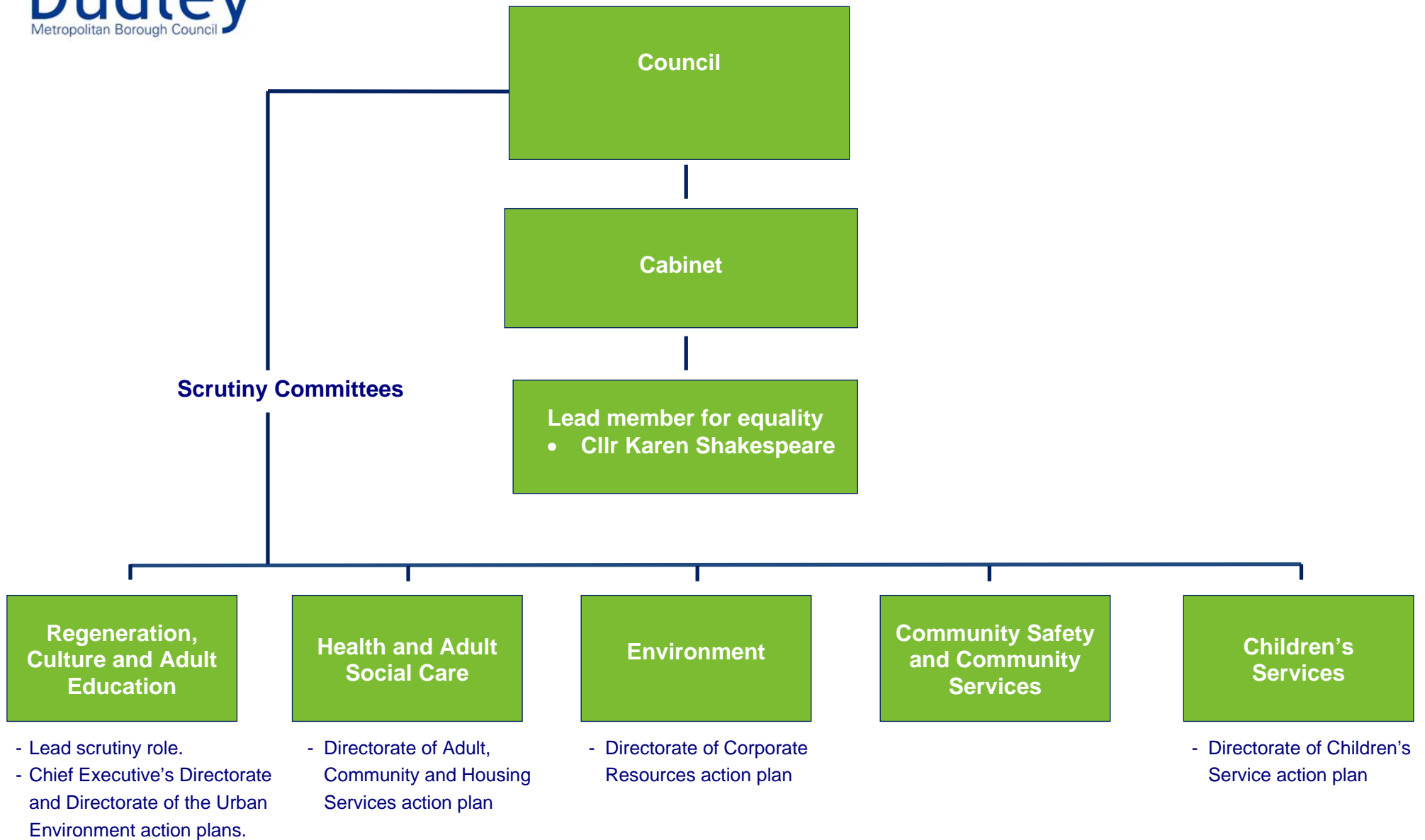
All directorates will prepare annual equality and diversity action plans which will be linked with their annual strategic plans and respond to the contents of the equality scheme and the annual reviews. Progress in achieving the action plans will be reported in directorate annual reports. Action plans and annual reports will be circulated to a scrutiny committee. Action plans will be approved by the relevant cabinet member(s) for the services concerned.

Approved by
2012

Appendix B(i). Equality and diversity – officer responsibility



Appendix B(ii). Equality and diversity – committee responsibility



Appendix C

Corporate equality and diversity leadership group

Terms of reference

Overall purpose: to provide leadership for the council on equality and diversity matters

Membership: the group will be chaired by a director and consist of nominated officers with lead equality and diversity responsibilities from all directorates, an assistant director or head of service from the three main service directorates, a representative from each council-wide employee support groups, a representative of the Centre for Equality and Diversity, and other officers or representatives as considered appropriate. All directorates will commit to ensuring regular attendance by its representatives. The group will establish ad hoc sub-groups for particular purposes as appropriate.

Frequency of meetings: monthly

Role of group:

- champion equality and diversity initiatives across the council and its wider partners
- improve how the council deals with equality and diversity issues by ensuring that equality and diversity is seen as an integral part of development, planning, delivery, monitoring and review both in employment and service provision
- review on a regular basis and revise key council equality and diversity documents including the equality policy statement and equality scheme
- provide a key proactive role in the development of other documents of importance to promoting equality and diversity, such as human resources strategies and policies
- consider the implications for the council of new legislation relating to equality and diversity, develop recommendations for its response and oversee the implementation
- ensure the council achieves continued improvement with its equality and diversity performance, particularly progress with achieving the ten-year equality vision

- oversee progress with equality impact assessments, sharing good practice and regularly reviewing the council's approach
- provide a framework for the production of directorates' equality and diversity action plans and annual reports
- establish and maintain an open channel of communication with the work being undertaken on community cohesion to ensure greater integration
- develop an integrated approach to equality and diversity work in partnership across agencies
- facilitate the engagement of representatives from the whole community to ensure that there is meaningful involvement in setting plans and priorities, particularly with under-represented groups
- drive the provision of advice and support on good equality and diversity practice in employment and service provision
- advise on the development, provision and content of equality and diversity related training.

Reporting arrangements: the group will report to Corporate Board and liaise with the Assistant Directors' Group as appropriate; directorate representatives will report back to their directorates, particularly through the directorate equality groups, on issues arising from the group's meetings. Directorate representatives will also report to the group issues and good practice from their directorates.

Representatives from council-wide employee support groups will report back to their respective groups on issues arising from CEDLG meetings including taking items for consultation back to them as part of the consultation framework. Representatives will also report to CEDLG issues arising from their respective groups. The group will establish and maintain links with other corporate or partnership groups as appropriate, particularly those dealing with community cohesion.

The chair and the corporate lead on equality will brief the lead member for equality as appropriate on the group's business.

18th November 2011