

Draft Equality Scheme 2007-10

Contents

Section 1. The Equality Scheme (attached)

Section 2. Race Equality

Section 3. Disability Equality (attached)

Section 4. Gender Equality

Section 5. Action Plan (extract attached)

Section 6. Review

Appendices

- A. Equality and Diversity Policy (attached)
- B. Equality and Diversity Responsibilities (attached)
- C. Best Value Performance Indicators (attached)
- D. Functions and Policy Areas assessed as relevant to race equality
- E. Glossary

1. The Equality Scheme

Introduction

- 1.1 The Equality Scheme sets out Dudley Metropolitan Borough Council's approach to promoting equality and diversity. The Scheme responds to the statutory duties relating to disability, gender and race equality which require the publication of disability, gender and race equality schemes. While this Scheme meets these legislative requirements, the Council has long recognised the importance of ensuring that its policies and services are effective in tackling discrimination, and promoting equality and good relations between people of different backgrounds, and has had in place an Equality and Diversity Policy for many years.
- 1.2 The Council published its first Race Equality Scheme in May 2002 and this was updated in May 2005. This document incorporates a revised Race Equality Scheme and meets the commitment in that document to develop a combined Scheme.
- 1.3 This document sets out:
 - background information about the Borough and the Council;
 - the Council's overall approach to promoting equality and diversity;
 - specific sections on race equality, disability equality and gender equality; and
 - action plans incorporating overall equality targets across the three areas and targets relating specifically to each of the three areas.

The Legislation

- 1.4 A wide range of equality legislation is in place which places duties on public authorities, and other bodies, to promote equality and tackle discrimination. Race, disability and gender equality schemes are required by specific duties arising from the Race Relations (Amendment) Act 2000, the Disability Discrimination Act 2005 and the Equality Act 2006 respectively. More detail about the relevant legislation is included in the particular sections on race, disability and gender.
- 1.5 There is a range of other equality legislation which places duties upon the Council although there is no requirement to publish related schemes in these areas. The Council has included these other areas within its equality and diversity policy and will be working to integrate fully its approach to promoting equality in the areas of age, religion or belief and sexual orientation into the scheme by April 2009.

- 1.6 The Equality Scheme sets out in detail how the Council intends to meet its statutory duties. It is effectively a strategy and action plan which summarises the Council's approach to equality and diversity across all its services and in employment with the Council.

Dudley Borough

- 1.7 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 304,500 (mid-year estimate 2004).
- 1.8 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. The proportion of the population from BME communities has grown from 4.5% in 1991. The BME population of the Borough is far from evenly spread around the Borough with, for example, 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.
- 1.9 The 2001 Census recorded that 19.1% of the borough's population 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 England 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.
- 1.10 The Council holds a wide range of other information, from the Census and many other sources, about the Borough and its population. More details can be obtained from the Strategic Research and Intelligence Unit. The information is used to identify needs and to design policies and services which seek to promote equality and tackle disadvantage or discrimination that may be experienced by any of the Borough's communities.

The Council

- 1.11 Dudley Metropolitan Borough Council controls a gross revenue budget of £562.9m (2006/07). It manages the full range of local government services,

including education, environmental services, housing, leisure, planning, roads and social services, split into six directorates: Adult, Community and Housing Services; Chief Executive's; Children's Services; Finance, ICT and Procurement; Law and Property; and Urban Environment. It employs approximately 14,000 employees, of which 4.64% are from BME communities, 0.82% have declared that they have a disability and 74.6% are women (April 2006). Around 6,100 employees are employed directly by schools – taking these out of the figures, 5.6% of the workforce are from BME communities, 1.39% have declared that they have a disability and 66.42% are women (April 2006). 61.5% of the female workforce and 16% of the male workforce work part-time (including schools).

- 1.12 The borough is divided into 24 wards, which are represented by 72 councillors. The Council adopted a Leader and Cabinet model with effect from 1st May 2002 and operates five select 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.
- 1.13 The overall strategic direction for the Council, with its partners, is provided by the Dudley Borough Challenge - the Borough's Community Strategy for 2005-20, developed through Dudley Community Partnership, the local strategic partnership for the borough. This 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. This aim is integrated into its six priority areas:
- creating a prosperous borough
 - promoting a sense of well-being and good health for everyone
 - celebrating our heritage and local cultural life
 - safeguarding and improving the environment
 - promoting individual and community learning
 - making Dudley a safe and peaceful place in which to live
- 1.14 The Council's priorities for delivering the strategy are outlined in the Dudley Council Plan, which is updated annually. The Council Plan lists the Council's values and governs all of its functions and policies. The 2006/07 Council Plan vision identifies that the Council "is committed to making sure that local people get the best possible quality public services and are given every opportunity to realise their potential. We recognise and value the diversity of backgrounds, skills and needs within the borough and work hard to respond to

these. We aim to serve the people of Dudley borough fairly and efficiently so we can improve the quality of life for everyone.”

- 1.15 The Council's commitment to equality and diversity is detailed in its Equality and Diversity Policy (see Appendix A). The policy embraces both service delivery and employment.
- 1.16 Further information about the Council, including the Community Strategy and the Council Plan, can be accessed via the Council's website www.dudley.gov.uk.

The approach to promoting equality

- 1.17 The Council's Equality and Diversity Policy sets out the policy framework for delivering equality and diversity within the Council covering employment, service delivery and its community leadership role (see Appendix A). The policy sets out the following overall objective:

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

- eliminate unlawful discrimination and harassment;
- promote equality of opportunity; and
- promote good relations and positive attitudes between people of diverse backgrounds

in its employment policies and practices, in its services, and in its engagement with partners and with the communities of the Borough.

The Council aims to ensure that no job applicants, employees, residents or service users receive less favourable treatment on any grounds which cannot be shown to be justified. This covers race, colour, nationality, ethnic or national origin, religion or belief, gender, marital status, responsibility for children or other dependants, disability, sexual orientation, gender reassignment, age, trade union or political activities, social class, where the person lives or spent convictions.

The Council recognises that:

- discrimination may occur on more than one ground at the same time
- equality of opportunity cannot be achieved by always treating all people alike

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

1.18 The Council's planning and organisational arrangements for equality and diversity work are as follows (Appendix B shows officer and Member responsibilities diagrammatically):

- The Equality and Diversity Policy sets out the overall policy framework, is reviewed regularly and approved by the Cabinet.
- The Equality Scheme sets out the Council's approach to promoting equality, responding to legislative requirements, and establishes priorities and actions for three years – this will be updated at least every three years.
- The Cabinet identifies a Member with lead responsibility for equality whose role is to ensure that appropriate arrangements are in place for effective implementation, monitoring and review of the policy.
- An annual review of equality and diversity is produced each year for the lead select committee on corporate equality and diversity issues and the Cabinet, which reports on progress with equality work, including the implementation of the Equality Scheme and statutory and other employment monitoring information.
- Each directorate within the Council produces an annual equality and diversity action plan and annual report which set out how the policy and the scheme are being implemented in their services areas.
- Scrutiny of action plans and annual reports is undertaken by the Council's select committees.
- The Corporate Board of Directors has identified the Director of Law and Property as its equality champion.
- Each directorate has nominated officers to lead on equality and diversity issues.
- Lead officers on equality and diversity meet monthly, as the Equality and Diversity Advisory Group which is chaired by the Director of Law and Property and includes nominees from employee support groups and a representative of the Centre for Equality and Diversity (formerly Dudley Racial Equality Council). The group reports to Corporate Board and links with individual directorate equality and diversity groups or directorate management teams.

1.19 While the Council has specific arrangements to ensure that equality is promoted throughout the organisation, it is the responsibility of all employees and Members to promote equality and this is integral to its leadership values and codes of conduct. Alongside the training already in place, the Council is

aiming to improve the equality and diversity competencies of its employees to help to ensure that equality and diversity can be 'mainstreamed' throughout the organisation.

- 1.20 The Council acknowledges that it has a key leadership role and recognises the need to work with its partners, particularly through the Dudley Community Partnership, in promoting equality and community cohesion in the Borough. For example, a partnership evaluation tool is used to assess key partnerships for their effectiveness and includes measures on the promotion of equality.
- 1.21 The Council also has a responsibility to promote 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.

Measuring Progress

- 1.22 The Council has adopted the Equality Standard for Local Government and uses this both to assess its progress and to plan improvements. The annual review of equality and diversity provides a range of information including the Council's performance against relevant Audit Commission best value performance indicators (see Appendix C) which are compared to previous years' figures and other authorities in order to track the Council's progress. The annual review will be the main vehicle for reporting progress on the implementation of this scheme. Directorates also produce annual reports to report on progress with implementing their equality and diversity action plans.
- 1.23 The Council uses a range of mechanisms to engage, consult with and obtain feedback from its customers and the borough's residents. Specific mechanisms are in place in order to reach particular communities. The Council also undertakes equality impact assessments to assess the impact of its policies and services. More detail is given in the sections that follow.
- 1.24 The Council uses its performance management system to monitor and report on key equality indicators and processes on a quarterly basis through the Corporate Board, Select Committees and the Cabinet.
- 1.25 The Council has received some external recognition of its work on promoting equality and diversity. Recent examples are:

- shortlisting as a Beacon Council in 2005 for “Getting Closer to Communities”
- recognition by Jobcentre Plus as a ‘Positive about Disabled People’ employer
- the ‘Disability Sportszone’ at Crystal leisure centre being awarded the first Mencap me2 kitemark in 2005 for inclusive sport and play
- the 2004 Midlands Excellence Award for Best Equal Opportunities Employer for the Financial Services Division of the Finance Directorate
- the BEST employer of the year 2005 and 2006 for Housing Services.

1.26 The Council has undertaken a wide range of initiatives to promote equality over many years. Examples of this work relating to race, disability and gender equality are found in the specific sections of the scheme for each equality area. General equality examples include:

- An ongoing Customer Access to Services programme to improve access by all communities to services and information through accessible customer service centres, information kiosks and other means – the first customer services centre opened in Dudley town centre in May 2005.
- Widespread community engagement in the development of the borough’s community strategy during 2004 and 2005 through community facilitated ‘visioning’ and consultation events involving a wide range of different groups and a leaflet for every household
- A dedicated equality and diversity site for employees and elected Members on the Council’s intranet
- A ‘people management strategy’ to assist the Council in ensuring it can deliver its priorities
- Mandatory training for all employees involved in recruitment and selection and a range of other equality training for employees
- A combating harassment and bullying policy for employees, supported by trained harassment support contacts
- Improvements to marketing material and official publications to ensure that they reflect the diversity of the borough’s population and the Council’s workforce
- A community representatives panel to input into equality plans and policies.

1.27 The Council also recognises the importance of addressing discrimination or promoting equality on more than one ground at the same time and for example:

- provides women-only swimming sessions to meet the needs particularly of women from some ethnic backgrounds who would not otherwise use the facilities
- has established, with partners, a BME Learning Disability sub-group of the Learning Disability Partnership Board
- provides funding for the Asian Women's Centre in Dudley.

Future Priorities

- 1.28 While the Council has achieved a great deal, it acknowledges that there is much more to be done to promote equality in the borough and will use the Equality Scheme to help drive its work forward.
- 1.29 The Council recognises that it has finite resources and will be unable to achieve all the desired changes at once. The duties under the various Acts are proportionate in that the weight given to equality should be proportionate to its relevance to a particular function. In practice, this means that the Council will need to continue to give greatest consideration and resources to those functions that could have the most effect on different racial groups, disabled people and/or either gender.
- 1.30 The Corporate Board has held sessions with the Equality and Diversity Advisory Group during 2005/06 to review the Council's achievements and where it needed to go in developing equality and diversity work. Five areas were highlighted for further development and to form a framework for the Scheme. These covered:
- developing clearer targets
 - focusing on outcomes rather than policies and plans
 - improving communications around what we do and why, externally and internally; celebrating success
 - improving approaches to consultation
 - identifying required equality and diversity competencies for managers and employees.
- 1.31 Specific actions relating to these five areas are included in the Scheme's action plan.

3. Disability Equality

Introduction

- 3.1 Section 1 of the Council's Equality Scheme explains the context to this specific section on promoting disability equality and sets out the Council's overall approach to promoting equality. The Council is committed to promoting disability equality and to meeting the requirements of the relevant legislation. It provides a number of services specifically for disabled people and has also taken a wide range of action over many years in order to fulfil this commitment across its other services and in its employment policies and practices. The Council has adopted the 'social model' of disability.
- 3.2 The Disability Discrimination Act 2005 places a duty on all public authorities, when carrying out their functions, to have due regard to the need to:
- promote equality of opportunity between disabled persons and other persons
 - eliminate discrimination that is unlawful under the Act
 - eliminate harassment of disabled persons that is related to their disabilities
 - promote positive attitudes towards disabled persons
 - encourage participation by disabled persons in public life; and
 - take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons.
- 3.3 The Disability Discrimination (Public Authorities) (Statutory Duties) Regulations 2005 require authorities to produce and publish a Disability Equality Scheme, demonstrating how the Council is meeting the requirements of the Disability Discrimination Act 2005, to implement certain aspects of the Scheme and to report on it. In summary:
- a public authority should publish a Disability Equality Scheme demonstrating how it intends to fulfil its general and specific duties
 - a public authority should involve disabled people in the development of the Scheme
 - the Scheme should include a statement of:
 - the way in which disabled people have been involved in the development of the Scheme
 - the authority's methods for impact assessment
 - steps which the authority will take towards fulfilling its general duty (the 'action plan')

- the authority's arrangements for gathering information in relation to employment, and, where appropriate, its delivery of education and its functions
 - the authority's arrangements for putting the information gathered to use, in particular in reviewing the effectiveness of its action plan and in preparing subsequent Disability Equality Schemes
- a public authority must, within three years of the Scheme being published, take the steps set out in its action plan (unless it is unreasonable or impracticable for it to do so) and put into effect the arrangements for gathering and making use of information
- a public authority must publish a report containing a summary of the steps taken under the action plan, the results of its information gathering and the use to which it has put the information.

Approach to promoting disability equality

3.4 Alongside the overall arrangements for promoting equality outlined in Section 1 of the document, the Council has in place specific organisational arrangements in relation to promoting disability equality. These include:

- a wide range of services provided specifically to meet the needs of disabled people, some of these integrated with the Primary Care Trust (PCT) (mental health services are fully integrated and managed within the PCT)
- a number of strategies which set out the direction for these services including 'Mapping the Future of Mental Health Services ' – A Joint Mental Health Strategy for Dudley Health and Social Care Economy 2005-2010; the Learning Disability Strategy 2005-08; 'Giving every child the opportunity to succeed ' – the Special Educational Needs Strategy and action plan (2005-09); along with major elements of the Supporting People Five Year Strategy and the Older People's Strategy
- a corporate property group which coordinates a programme of building improvements
- in-house staff trained to undertake disability access audits and to advise on and design access improvements
- disabled access information recorded on the corporate land and property management system
- a range of consultative and engagement processes for disabled people (see paragraphs 3.9 to 3.10)
- the employment of an Access Officer to advise clients, developers and builders on the design and appropriateness of access facilities for new construction works

- use of its building control powers to ensure that new construction work complies with the Building Regulations: Access to and use of buildings and the Approved document Part M and encouraging disability access best practice amongst developers, designers and builders
- use of its planning powers to ensure that access for all people is made a material consideration in the planning process

Previous work on disability equality

3.5 The Council has taken a wide range of action to date to promote disability equality. Examples of the action that has already taken or which is in progress include:

- the Customer Access to Services programme to improve access to services for all customers, which has included the opening of the first Dudley Council Plus centre in Dudley town centre in May 2005 designed with the involvement of 'Access in Dudley', a local voluntary group
- the publishing of a Disability Access Strategy in 2004 (now incorporated in the Disability Equality Scheme)
- full access audits for all 112 schools together with around 80 other key Council buildings which have identified where access improvements are required
- a continuing programme of improvements of access to buildings demonstrated by the improving score against the Best Value Performance Indicator on access to buildings for disabled people
- major refurbishment of and improvements to particular buildings and facilities, for example, to Dudley leisure centre which has greatly improved the accessibility of the swimming pool
- funding of and joint working with Action for Disabled People and Carers (ADC) and a supporting network of groups of disabled people and carers involved in consultation and service development (see paragraphs 3.9 and 3.10 for more details and other examples of involvement)
- the production of a Dudley Carers strategy 2006-11, a carers' network, regular newsletter, and information and advice bulletins
- provision of the 'Home Call' service providing 24 hour support through remote technology to elderly or disabled people in their homes which will be extended through the receipt of Preventative Assistive Technology Grant to extend the implementation of this 'Telecare' over the next few years
- a review of wheelchair services for adults in the Borough carried out by the Select Committee on Health and Adult Social Care during 2005/06
- a joint agency review of services for children with disabilities during 2006

- the development between Mencap and the Council's Early Years and Childcare Team of the me2 award funded through the Big Lottery Fund to promote inclusive sport and play for disabled children - the first ever kitemark was awarded in October 2005 to the Disability Sportszone, an inclusive play scheme for disabled and non-disabled young people at the Crystal Leisure Centre, Stourbridge, during school holidays
- a programme of disability awareness training for all taxi drivers in the borough
- improvements to the Council's website so it is designed to meet the World Wide Web Consortium's (W3C) guidelines on accessibility to a minimum double A standard

Future priorities

3.6 While progress has undoubtedly been made, the Council is committed to taking further action to promote disability equality. Feedback from disabled people has indicated that the Council has improved substantially in the way in which its services meet the needs of disabled people. However, continuing priorities for disabled people remain around improving disability awareness for employees, improving access to buildings and information, availability of transport and support to disabled people taking part in consultation and engagement processes.

3.7 Particular challenges include:

- continuing to develop the customer access to services programme, opening more access centres and transferring further services to Dudley Council Plus
- implementing the specific strategic documents to improve services for disabled people
- completing the review of services for children with disabilities and implementing the recommendations
- developing a strategy for physical and sensory disability services
- increasing the proportion of disabled people in the Council's workforce
- identifying relevant competencies and improving disability awareness amongst our employees
- assessing how our relevant services impact on disabled people, improving the range and quality of data we collect and improving the identification of the outcomes we wish to achieve.

Involving Disabled People

- 3.8 The Council involves disabled people in a number of ways and across a wide range of service areas.
- 3.9 The Council, together with Dudley Primary Care Trust, funds Dudley Council for Voluntary Service to run Action for Disabled People and Carers (ADC) and a supporting network of groups of disabled people and carers. The project is jointly managed through a stakeholders' group. The project has been in place for more than a decade but was comprehensively reviewed and revised in 2001/02. The project has been involved in a wide range of issues and initiatives over the years. It has been specifically involved in developing the Disability Equality Scheme through prioritising services, sharing experiences and identifying barriers from the point of view of disabled people and carers. This has helped to identify both particular issues and overall priorities for services to undergo impact assessments as part of the 'screening' process used by the Council (see paragraph 3.12). Members of the ADC network of groups are also involved on other forums and provide links into and feedback from these.
- 3.10 Other examples of how disabled people are involved include:
- The Council's Directorate of the Urban Environment's Disability Consultation Group which has been engaged in a range of service improvements including highway design and services at the Borough's crematoria
 - 'Access in Dudley' meets regularly with Council officers, is funded to comment on planning applications and has been commissioned to undertake access audits of various premises, parks and open spaces and a 'street clutter' audit
 - The me2 award is judged by a panel of young people, including those with physical and learning disabilities, who receive training to help them to judge play and sports facilities against a range of criteria to ensure all children can be included in the activities on offer. A number of borough facilities have now received the award.
 - The Learning Disabilities Partnership Board includes service user and parent/carer representatives
 - The mental health strategy was developed in consultation with users, carers and agencies who are represented on the Mental Health Local Implementation Team
 - The select committee wheelchair services review project team included wheelchair users
 - The Benefits Customer Focus Group includes disabled service users

- A Council-wide employees with disabilities group meets regularly.

Methods for Impact Assessment

- 3.11 At the start of each year the Council will identify in its directorate strategic plans which policies are proposed to be developed during the year, whether they are relevant to promoting equality and whether therefore an equality impact assessment will be undertaken.
- 3.12 The Council has undertaken an initial screening of its services and policies for relevance to promoting disability equality and uses this to assist in the identification of priorities for undertaking impact assessments.
- 3.13 The Council has produced a guide for its staff on how to carry out equality impact assessments. This considers all aspects of equality together but can be applied specifically to assessing the impact of policies or services on disabled people if this is the particular area of concern. The Council's general approach, however, will be to look at all relevant aspects of equality together to avoid duplication.
- 3.14 All new policies, while they are being developed, will need to consider their impact on promoting equality. All committee reports include a paragraph on 'equality impact' where report authors are required to report on details of the likely impact of the report's proposals on different racial groups, disabled people, both genders and other relevant groups.

Gathering Information

- 3.15 The Council collects a wide range of information about its services and employment policies and practices. In relation to employment the Council has collected and published, together with analysis, in its annual review of equality and diversity, data on recruitment (at application, shortlisting and appointment stages) and the make up of the workforce broken down by directorate and grade showing those who have indicated that they have a disability. Best value performance indicators on equality are also being used to monitor progress and make comparisons with other authorities.
- 3.16 Race relations legislation requires a wider range of employment data to be published covering:
- (a) the numbers of –
- employees in post, and
 - applicants for employment, training and promotion, from each group;

- (b) the numbers of employees from each group who –
- receive training;
 - benefit or suffer detriment as a result of its performance assessment procedures;
 - are involved in grievance procedures;
 - are the subject of disciplinary procedures; or
 - cease employment with the Council

From 2006/07 the Council will also gather and publish the full range of this data related to disability.

- 3.17 The categories used for gathering employment data relating to disability to date by the Council have been restricted to 'disabled' and 'not disabled'. The Council is carrying out a comprehensive personal data re-audit of its entire workforce. This will ask employees for the first time to indicate the type of impairment that they may have. During the lifetime of the scheme the Council will review the appropriateness and usefulness of the 'disability' categories to be used for employment monitoring in the future. The Council's disabled employees will be involved in this review.
- 3.18 In order to encourage as many disabled employees as possible to indicate that they have a disability so that the Council has the best possible picture of the make-up of its workforce and can identify and undertake appropriate action in response, the audit form explains why the data is being collected and encloses a leaflet about the definition of a disability.
- 3.19 The Council has purchased a new personnel system which is being implemented in phases. During 2006/07, modules on training and recruitment will be implemented to replace existing, outdated systems.
- 3.20 The Council also carries out an employees survey, currently on a biennial basis. This covers a wide range of questions and, from 2005, includes ones on experience of discrimination within the organisation. An overall summary of responses from disabled employees is prepared so that this can be compared with the results for all employees.
- 3.21 A wide range of information is also gathered in relation to services. Again where questions are asked about disability this usually allows a respondent to indicate whether or not they consider themselves to be disabled rather than what type of impairment they have. Obvious exceptions to this are where disabled people receive specific targeted services related to their impairments.

3.22 In schools, a wide range of data is collected related to special educational needs and some related to pupils with other disabilities. The legal definition of a disability is wider than that used for special educational needs and there is therefore a need to expand the coverage of the data collected by the Directorate of Childrens Services and in individual schools. The Directorate has worked with schools to help them to develop their own Disability Equality Schemes – secondary schools were required to publish their schemes by 4th December 2006 and primary and special schools by 3rd December 2007 – and to meet their wider statutory responsibilities in relation to disabled pupils.

3.23 Again during the lifetime of the scheme the approach to service monitoring by disability will be reviewed, bearing in mind the usefulness of this data and data protection implications.

3.24 The Council uses a wide range of mechanisms to collect information. These include:

Employment:

- recruitment monitoring
- workforce personal data audit
- employees survey
- employees with disabilities group

Services:

- building access audits
- customer surveys
- citizens panel
- focus groups
- service specific forums
- carers groups
- representative forums
- impairment specific forums
- research projects

3.25 The specific strategies on services to disabled people also contain more detail of how information is gathered in relation to the areas covered by those strategies.

Using the information

3.26 The Council will use the information it gathers about employment to establish a baseline in areas where it does not already collect this information and

trends where information already exists. This information will be analysed on a regular basis and best value performance indicators will be used to compare the Council's position with other local authorities. Where the information indicates that the Council compares poorly with other authorities, or where negative trends or barriers to disabled people are apparent, the Council will examine ways to address the situation.

- 3.27 Headline data related to disability and employment will be monitored on a quarterly basis with a workforce profile by directorate produced at the end of each quarter for the Corporate Board. The full range of data will be published, together with an analysis and proposals for further action within the Council's annual review of equality and diversity.
- 3.28 The Council will use information collected in relation to disabled people's use of and views on services to judge how well the services are performing in meeting the needs of disabled people, particularly as part of wider impact assessments, and in identifying any further action required to improve disability equality.

Review of the scheme

- 3.29 Progress with implementing the scheme will be reviewed on an annual basis and reported in the Council's annual review of equality and diversity. The scheme will be revised at least every three years and will form part of the Council's overall Equality Scheme. Individual directorates within the Council will also include details in their equality and diversity annual reports of how they are implementing the scheme in relation to their own service areas.

5. Action plan 2007-10

- 5.1 The Council will aim to build on the progress that has been made in promoting equality. In particular, it will look to build on the assessments of policies and functions undertaken under the previous Race Equality Schemes and to undertake wider equality impact assessments of policies and services over the next three years.
- 5.2 The action plan is arranged so that there are sections on general equality actions together with specific actions identified for race, disability and gender equality.
- 5.3 Individual Directors will be responsible for ensuring that the impact assessments for their directorates are completed in accordance with the timetable set out in the action plan. Actions arising from impact assessments will be incorporated in directorates' annual equality and diversity action plans. Responsibility for other actions is set out in the action plan.

1. All Equality Areas

- 1.1 Progress work through the Equality and Diversity Advisory Group in response to the equality and diversity priority areas identified by Corporate Board to ensure there are clear action plans in place for each of these during 2007/08:
- developing clearer targets and desired outcomes
 - improving communications around what we do and why, externally and internally, and celebrating success
 - improving approaches to consultation
 - identifying the equality and diversity competencies required for managers and employees
- 1.2 Implement the new approach to equality impact assessments across the Council from April 2007 using the agreed guidelines for undertaking these assessments.
- 1.3 Undertake full equality impact assessments of the following services/policies during 2007/08 (to be completed):
- (a) Adult, Community and Housing Services
 - (b) Chief Executive's
 - (c) Children's Services
 - (d) Finance
 - (e) Law and Property

(f) Urban Environment

- 1.4 Develop annual programmes of equality impact assessments for each directorate for future years to be published in strategic/annual equality and diversity action plans.
- 1.5 Review the approach to equality impact assessments in March/April 2008.
- 1.6 Produce the Annual review of equality and diversity for the lead Select Committee on corporate equality issues and the Cabinet by September each year to report on progress with implementing the Scheme.
- 1.7 Produce annual directorate equality and diversity reports for June/July select committee meetings and action plans for February/March select committee meetings each year to cover directorate contributions to the Scheme.
- 1.8 Develop equality and diversity web pages on the Council's website by the end of April 2007 to promote accessibility of reports and information related to the Council's approach and progress.
- 1.9 Undertake development work through the Equality and Diversity Advisory Group to integrate other equality strands within the Equality Scheme by April 2009 and meet the requirements of the Equality Standard for Local Government in this regard.
- 1.10 Continue to progress work against the Equality Standard for Local Government and to establish action plans to achieve subsequent levels of the revised standard.
- 1.11 Continue the transfer of further services to Dudley Council Plus in accordance with the customer access to services programme and develop a second customer access centre in 2007.
- 1.12 Review and revise the recruitment policy and procedure during 2007/08.
- 1.13 Implement the remaining elements of the People Management Strategy 2006-08 relevant to promoting equality by March 2008
- 1.14 Complete the updating of employee personal data and enter it on to the personnel system by July 2007.
- 1.15 Complete the introduction of the remaining elements of the Council's new personnel system by 2007/08.

- 1.16 Introduce an e-diversity training package for employees during 2007/08.
- 1.17 Undertake training on promoting equality through procurement for employees and project teams involved in procurement during 2007.
- 1.18 Review support to community representatives and others who are engaged in equality policy development and scrutiny processes as part of implementation of the Local Compact code of practice on volunteering

3. Disability Equality

- 3.1 Continue work to implement the range of strategies in place in relation to specific services to disabled people:
 - the Learning Disability Strategy 2005-08
 - 'Mapping the Future of Mental Health Services ' – A Joint Mental Health Strategy for Dudley Health and Social Care Economy 2005-2010
 - 'Giving every child the opportunity to succeed ' – the Special Educational Needs Strategy and action plan (2005-09)
 - Inclusion strategy
- 3.2 Complete the review of services for children with a disability and produce strategy by 2007.
- 3.3 Develop a physical and sensory disabilities strategy by September 2007.
- 3.4 Discuss with Access for Disabled People and Carers and the employees with disabilities group how they wish to be involved in reviewing the scheme and in carrying out impact assessments by July 2007.
- 3.5 Maintain an access improvement programme for the Council's buildings and continue to improve the score against Best Value Performance Indicator 156 on disabled access subject to available resources
- 3.6 Examine the options for and feasibility of updating or revising the Council's series of access guides to buildings across the borough during 2007/08.
- 3.7 Update the Council's guide to services for disabled people published in response to the Disability Discrimination Act 1995 by March 2008.
- 3.8 Examine the feasibility of a programme of improvements to signage during 2007/08.

- 3.9 Provide 900 households with an extended Telecare service over next two years (2007/8-2008/9)
- 3.10 Publish comprehensive employment monitoring data for disability equality to match race equality requirements from 2006/07.
- 3.11 Identify and implement actions to increase the percentage of the Council's workforce who are disabled from the April 2006 baseline.
- 3.12 Complete the employee personal data audit and review its effectiveness with the employees with disabilities group by March 2008.
- 3.13 Retain the JobCentre Plus's positive about disabled people status for the Council and undertake a further awareness raising campaign during 2007/08 to ensure managers and employees are fully aware of the commitments involved.
- 3.14 Improve the accessibility of the Council's intranet site for employees during 2007/08.
- 3.15 Review the appropriateness and usefulness of the 'disability' categories to be used for employment and service monitoring.
- 3.16 Review and improve the data collected in and from schools about disabled pupils.
- 3.17 Work with primary and special schools to assist them in developing their Disability Equality Schemes by December 2007.
- 3.18 Ensure that the needs of disabled employees are supported in efforts to promote volunteering amongst the Council's workforce during 2007/08 and to work with partners to identify opportunities to promote disabled people's involvement in public life.

6. Review

Reviewing the action plan

- 6.1 The Equality Scheme will be monitored and reviewed through existing mechanisms, namely:

- directors and their directorate management teams, which will be responsible for monitoring and reviewing the directorate contributions to the Scheme
- the Equality and Diversity Advisory Group, which will monitor the Scheme's action plan on a six-monthly basis and be responsible for leading any review of the scheme
- Corporate Board, which will undertake quarterly monitoring of key performance indicators
- the Cabinet, which will receive quarterly performance monitoring reports referred by Corporate Board and the annual review of equality, which will include progress against the Scheme
- the lead select committee on corporate equality and diversity issues will scrutinise the annual review of equality and diversity
- Select Committees, which will scrutinise individual directorates' equality and diversity action plans and annual reports.

Dealing with complaints

- 6.2 The Council's Equality and Diversity Policy sets out how complaints relating to the Scheme will be dealt with (see Appendix 1, section 5).

Publication of the Scheme

- 6.3 The Equality Scheme is available in print form on request from Simon Manson, Chief Executive's Directorate, Dudley MBC, Council House, Priory Road, Dudley DY1 1HF, (tel 01384 814713; email simon.manson@dudley.gov.uk) and on the Council's website at www.dudley.gov.uk. Copies of the Scheme will also be available in public libraries in the Borough and from the Centre for Equality and Diversity in Dudley.
- 6.4 A summary of the Scheme will also be available in Arabic, Bengali, Chinese, Gujarati, Punjabi and Urdu, in large print and other formats on request.

Appendix A. Dudley Metropolitan Borough Council

Equality and Diversity Policy

1. Introduction

Dudley Metropolitan Borough Council's equality and diversity policy provides the overall framework for meeting its commitment to promoting equality and diversity. The Council recognises the need to tackle discrimination and to promote 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 its wider community leadership role.

The Equality and Diversity Policy responds to and is supported by a wide range of other documents.

- The overall strategy for the Borough – the Dudley Borough Challenge, 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 contribution to achieving the aims of the Community Strategy. It states that: "Dudley Council is committed to making sure that local people get the best possible quality public services and are given every opportunity to realise their potential. We recognise and value the diversity of backgrounds, skills and needs within the borough and work hard to respond to these. We aim to serve the people of Dudley borough fairly and efficiently so we can improve the quality of life for everyone."
- The Equality and Diversity Policy provides the overall framework for statutory equality documents – the Race Equality Scheme, the Disability Equality Scheme and the Gender Equality Scheme. These are brought together as the Council's Equality Scheme.
- This policy is also reflected in the wide range of other policies, plans and documents of importance to promoting equality and diversity.

There is an increasing range of equality legislation which the Council needs to respond to in its employment policies and practices, its provision of services and in its community leadership role. While the policy is not driven solely by legislation, it recognises the importance of ensuring that the Council can meet its statutory duties.

Relevant legislation includes:

- Equal Pay Act 1970
- Sex Discrimination Act 1975
- Race Relations Act 1976 (as amended)
- Race Relations (Amendment) Act 2000
- Disability Discrimination Act 1995 (as amended)
- Disability Discrimination Act 2005
- Human Rights Act 1998
- Equality Act 2006
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Sex Discrimination) Regulations 2005
- Employment Equality (Age) Regulations 2006

2. Overall Objective of the Policy

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

- eliminate unlawful discrimination and harassment;
- promote equality of opportunity; and
- promote good relations and positive attitudes between people of diverse backgrounds

in its employment policies and practices, in its services, and in its engagement with partners and with the communities of the Borough.

The Council aims to ensure that no job applicants, employees, residents or service users receive less favourable treatment on any grounds which cannot be shown to be justified. This covers race, colour, nationality, ethnic or national origin, religion or belief, gender, marital status, responsibility for children or other dependants, disability, sexual orientation, gender reassignment, age, trade union or political activities, social class, where the person lives or spent convictions.

The Council recognises that:

- discrimination may occur on more than one ground at the same time
- equality of opportunity cannot be achieved by always treating all people alike

The Council is committed to meeting its duties under equality legislation and aims to follow the good practice set out in the statutory codes of practice 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 and diversity 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 and diversity principles from the start in all its policies, plans and strategies;
- to undertake equality impact assessments to judge the impact of its policies and services 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;
- in accepting the definition of institutional racism set out in the Macpherson Report, to seek to address institutional racism and other forms of discrimination;
- in accepting the definition of a racist incident set out in the Macpherson Report, to deal with such incidents with due seriousness;
- to follow the social model of disability;
- to apply the principles of this policy in its procurement activities and in services commissioned through other organisations;
- to work towards achieving level 5 of the Equality Standard for Local Government and to undertake self-assessment, scrutiny and audit of its progress.

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 or languages 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 consult with and involve all sections of the community in identifying needs and in decisions about services;
- to respond promptly and fairly to any complaints that we receive about our services 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 age group, disability, gender, racial group and religion or belief and take action to address any 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 and diversity issues;

- to make use of the Race Relations 1976, Sex Discrimination Act 1975, and Disability Discrimination Act 1995, and subsequent legislation, which allow for initiatives to encourage under-represented groups to apply for posts or access specific training where appropriate;
- to review its pay structures to ensure all employees are rewarded fairly;
- to protect its employees from harassment and investigate all claims of harassment that are made;
- to respond 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 Controlling Group will nominate a Cabinet Member with lead responsibility for equality and diversity and for ensuring that appropriate arrangements are in place for effective implementation, monitoring and review of the policy.

The Cabinet Member, in consultation with other Members, officers and communities as appropriate, will identify a number of key issues to be the focus for particular action for equality and diversity work during each year or other appropriate time period.

All Directors are responsible for implementing the policy within their directorates. Corporate Board will identify a lead director on equality and diversity who will act as a champion for promoting equality and diversity and chair meetings of the Equality and Diversity Advisory 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 Head of Personnel and Support Services, Chief Executive's Directorate.

Hate crime incidents can be reported to the Council's Anti-Social Behaviour (Hate Crime) Coordinator, or to other identified reporting centres across the Borough, and action will be taken through the Dudley Race/Hate Incidents Group.

Employees who believe that they are suffering from harassment or bullying can raise the matter through the Council's combating harassment and bullying procedure or approach the Council's trained harassment support contacts. For other complaints related to this policy and arising from an employee's employment, the employee should 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 Equality and Diversity Advisory Group, with representation from relevant employee groups or outside bodies.

The Council will publish an Equality Scheme, incorporating the Race, Disability and Gender Equality Schemes required by legislation, to set out in more detail its approach to promoting equality in these areas. The Equality Scheme will be reviewed at least every three years.

An annual review of equality and diversity will be drawn up each year to report on progress with equality and diversity across the Council. This will be the main vehicle for undertaking the statutory reporting in relation to employment and on progress with the Race, Disability and Gender Equality Schemes required by equality legislation.

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. Common guidelines will be used in the production of the action plans and annual reports to promote consistency and comparability. Action plans and annual reports will be scrutinised by a select committee. Action plans will be approved by the relevant Cabinet Member(s) for the services concerned.

A select committee will take the lead role on scrutinising corporate equality and diversity issues including the annual review of equality and diversity. Responsibility for scrutiny of individual directorate action plans and annual reports will be allocated across the select committees.

A community representatives panel, consisting of representatives nominated by the Borough's ethnic minority communities, disabled people and women, the Centre for Equality and Diversity and any other bodies or communities identified by the Cabinet, will meet regularly with the Cabinet Member or his/her nominee. Its role will be to raise issues of concern from communities and provide advice or comment to the Cabinet Member and directorates on plans and procedures for implementing the policy.

7. Review

The policy will be reviewed at least every three years in line with the requirements to review the Race, Disability and Gender Equality Schemes.

Revised policy approved by Dudley Metropolitan Borough Council
2006

Further Information

A number of the relevant Dudley MBC documents referred to in the policy are available on the Council's website <http://www.dudley.gov.uk> .

Council employees will find a wide range of information on its Equality and Diversity intranet site.

For enquiries about the policy, or copies of relevant documents, contact the Corporate Policy and Research Team or Corporate Personnel, Chief Executive's Directorate.

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

Commission for Racial Equality <http://www.cre.gov.uk>

Disability Rights Commission <http://www.drc-gb.org>

Equal Opportunities Commission <http://www.eoc.org.uk>

Age Positive (Department of Work and Pensions)
<http://www.agepositive.gov.uk/index.cfm>

Department of Communities and Local Government <http://www.communities.gov.uk>

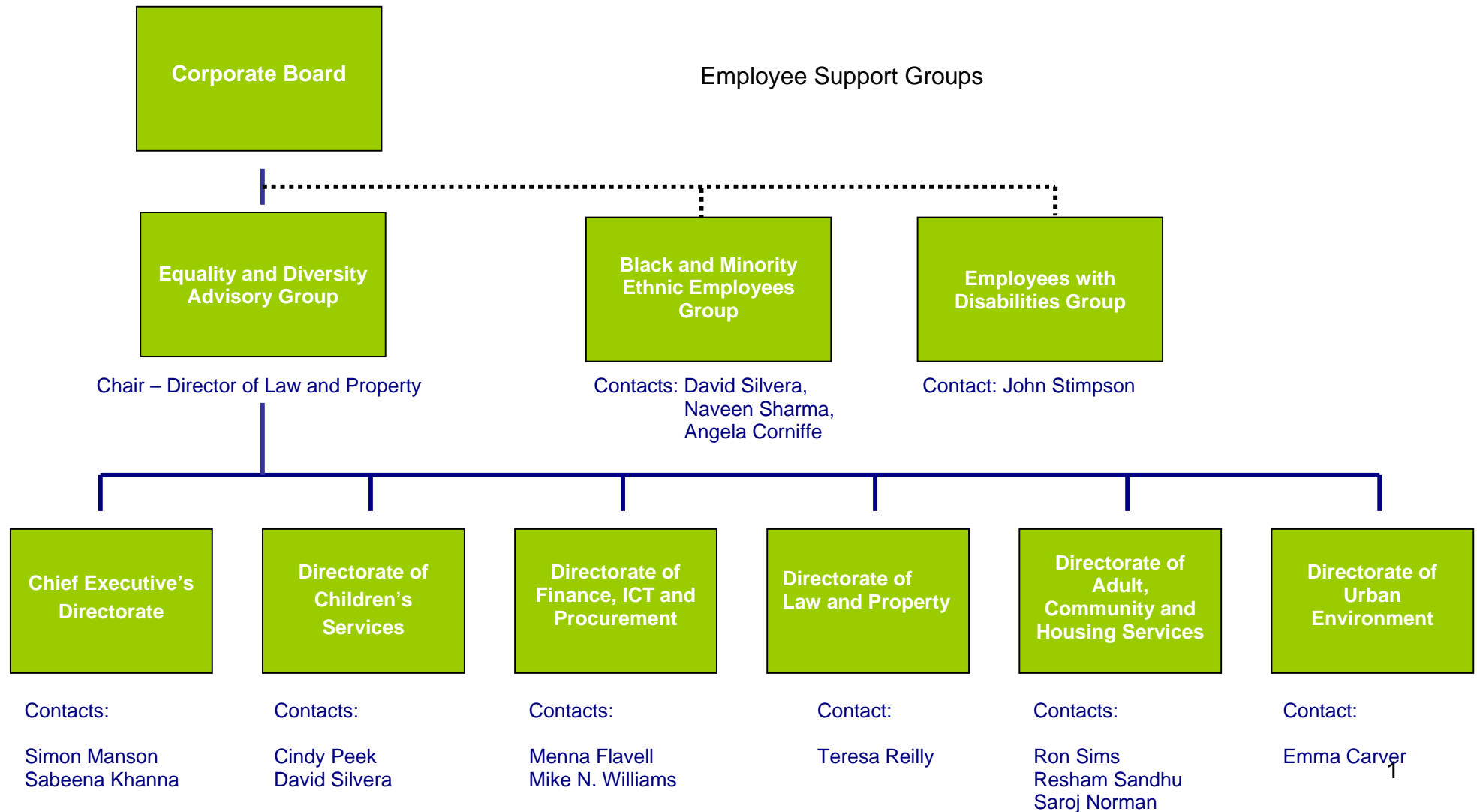
Improvement and Development Agency <http://www.idea-knowledge.gov.uk>

Stonewall <http://www.stonewall.org.uk>

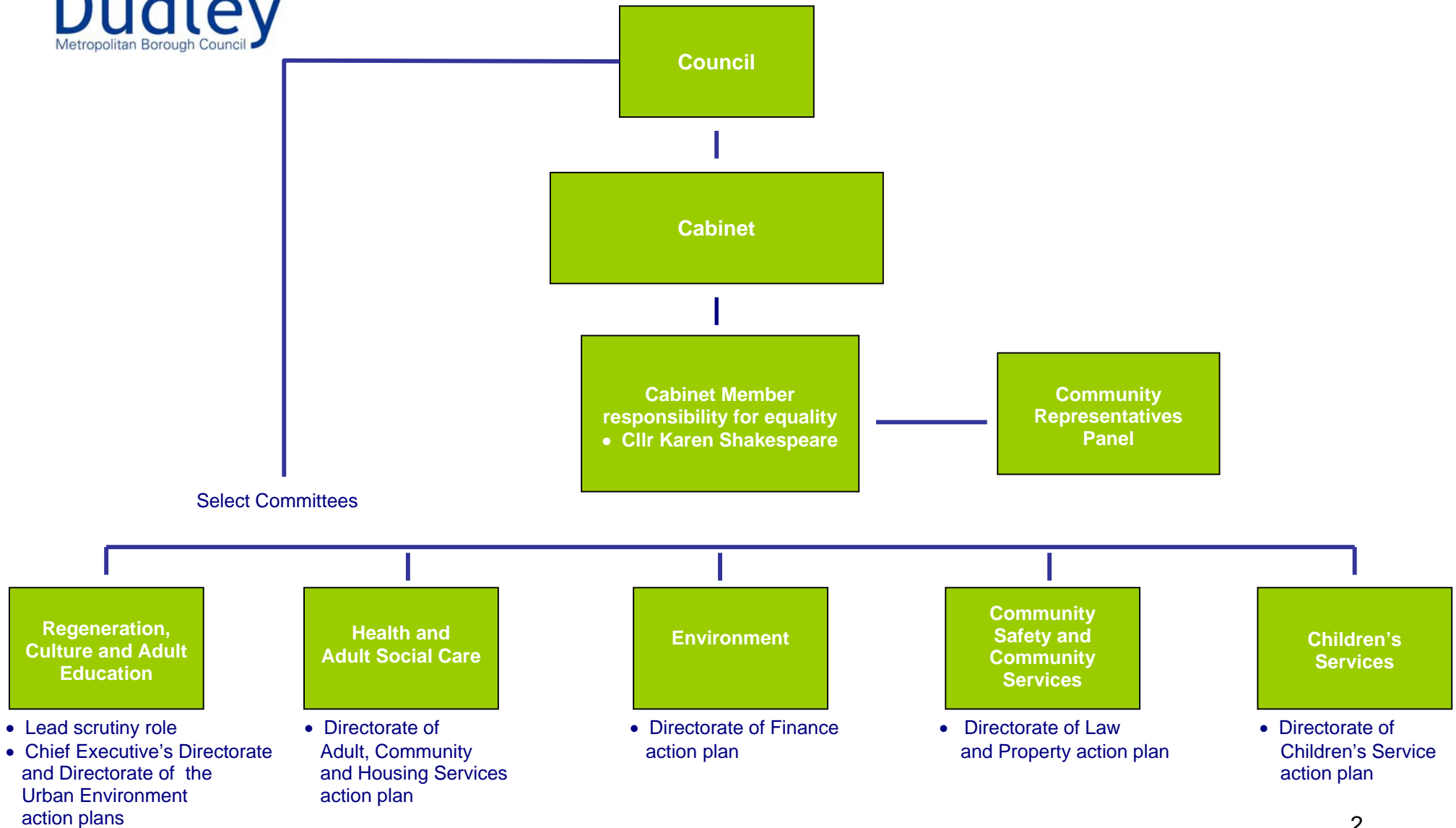
Notes

This document is available on request in large print, on audiotape and in community languages.

Appendix B(i). Equality and Diversity - Officer Responsibilities



Appendix B(ii). Equality and Diversity – Member and Committee Responsibilities



Appendix C.

Best value performance indicators for 2006/07 relevant to equality

BV2a The level of the Equality Standard for Local Government to which the authority conforms in respect of gender, race and disability

BV2b The quality of an Authority's Race Equality Scheme (RES) and the improvements resulting from its application

BV11a % of the top-paid 5% of staff who are women (not including schools)

BV11b The percentage of the top-paid 5% of Local Authority staff who are from an ethnic minority (not including schools)

BV11c the percentage of the top paid 5% of staff who have a disability (excluding maintained schools)

BV16a % of employees with a disability

BV17a The percentage of local authority employees from ethnic minority communities

BV17b The percentage of the economically active (persons aged 18-65) population from ethnic minority communities in the local authority area

BV043a Percentage of proposed statements of special educational need issued by the authority in a financial year and prepared within 18 weeks excluding 'exceptions' set out in the Education (Special Educational Needs) (England) (Consolidation) Regulations

BV043b Percentage of proposed statements of special educational need issued by the authority in a financial year and prepared within 18 weeks including exceptions under the Education (Special Educational Needs) (England) (Consolidation) Regulations 2001

BV74b Satisfaction of ethnic minority local authority tenants (excluding white minority tenants) with the overall service provided by their landlord

BV74c Satisfaction of non-ethnic minority local authority tenants with the overall service provided by their landlord

BV75b Satisfaction of ethnic minority council housing tenants (excluding white minority tenants) with their opportunities for participation in management and decision-making in relation to housing services provided by their landlord

BV75c Satisfaction of non-ethnic minority council housing tenants with their opportunities for participation in management and decision-making in relation to housing services provided by their landlord

BV156 % of local authority buildings open to the public in which all public areas are suitable and accessible to disabled people

BV165 % of pedestrian crossings with facilities for disabled people, as a proportion of all crossings in the local authority area

BV164 Does the authority follow the Commission for Racial Equality's code of practice in rented housing and follow the Good Practice Standards for social landlords on tackling harassment included in the Code of Practice for Social Landlords: Tackling Racial Harassment?

BV174 The number of racial incidents reported to the Local Authority, and subsequently recorded, per 100,000 population

BV175 The percentage of racial incidents reported to the Local Authority that resulted in further action

BV225 Actions against domestic violence – the % of questions from a checklist to which a local authority can answer 'yes'