

**Meeting of the Cabinet – 17th June 2009**

**Report of the Interim Director of Law and Property**

**Equality Scheme**

**Purpose of Report**

1. To approve a supplement to the Council's Equality Scheme, including a ten-year equality 'vision' for the Council, a copy of which is available in the Members' room and electronically on the Council's committee management information system (CMIS).

**Background**

2. The publishing of race, disability and gender equality schemes by public authorities is required by various pieces of equality legislation. The Council's schemes were merged into one combined three year scheme in April 2007. Within this was a commitment to extend the scheme to cover other equality strands in 2009. An initial one year supplement has therefore been prepared (see Appendix A which is available in the Member's room and electronically on the Council's committee management information system (CMIS)), which will be extended and fully incorporated as part of the wider scheme by April next year when a new scheme is due to be produced.
3. The Government published at the end of April its long awaited Equality Bill which is intended to streamline the existing complexity of equality law, which contains nine major pieces of legislation as well as around 100 statutory instruments, to strengthen the law and introduce new measures. Major features of the Bill include proposals for:
  - a new public sector duty to consider reducing socio-economic inequalities
  - a new public sector duty bringing age, religion or belief, sexual orientation, gender reassignment, and pregnancy and maternity in line with existing duties for disability, gender and race

- the outlawing of age discrimination when providing services or carrying out public functions.
4. It is anticipated that the Bill, subject to the approval of both Houses, will receive Royal Assent in spring 2010 with the majority of it coming into force in autumn 2010, but other aspects phased in from spring 2011 onwards. It is not clear at this stage whether it will require public authorities to produce an equality scheme covering all the 'protected characteristics' identified in the Bill but this would appear to be likely.
  5. The 'Equality Framework for Local Government' replaced the 'Equality Standard for Local Government', the national equality assessment and improvement tool for local authorities produced by the IDeA, in April 2009 and this requires local authorities to set objectives and make progress across all equality strands. It is essential therefore that the council's equality scheme covers all equality areas if progress is to be made against the framework.
  6. The annual review of equality approved by the Cabinet in October 2008 flagged up the findings of two external reviews of the council's approach to promoting aspects of equality which indicated that it needed to be more ambitious in its approach, with a revised vision for promoting equality to be drawn up. This is included (Appendix B) with the equality scheme supplement in the Members' room and electronically on CMIS, and will be incorporated into the council's equality scheme.

### **Finance**

7. Any costs which are associated with responding to the issues raised in the report which cannot be met from within existing budgets will need to be assessed in due course.

### **Law**

8. The range of relevant equality legislation includes:  
The Race Relations (Amendment) Act 2000 replaces Section 71 of the Race Relations Act 1976 with a general duty on public authorities to work towards the elimination of unlawful discrimination and promote equality of opportunity and good relations between persons of different racial groups.
9. The Disability Discrimination Act 1995 makes it unlawful to discriminate against disabled people in connection with employment, the provision of goods, facilities and services and the disposal or management of premises. The

Disability Discrimination Act 2005 extended this Act with a duty on public authorities to promote disability equality.

10. The Sex Discrimination Act 1975 renders unlawful certain kinds of sex discrimination. A duty on public authorities to promote gender equality under the Equality Act 2006 came into force on 6<sup>th</sup> April 2007.
11. The law relating to age, religion or belief, sexual orientation and gender reassignment discrimination is set out in the equality scheme supplement.
12. Under Section 111 of the Local Government Act 1972 the Council is empowered to do anything which is calculated to facilitate, or is conducive to, or incidental to the discharge of its functions.

### **Equality Impact**

13. The Equality Scheme sets out in detail the council's arrangements for promoting equality and undertaking equality impact assessments.

### **Recommendation**

14. It is recommended that the Cabinet approves the supplement to the Council's Equality Scheme, including a ten-year equality 'vision' for the Council.



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