

<b>Item No.</b> 11.	<b>Classification:</b> Open	<b>Date:</b> 17 April 2012	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Southwark Council's Equality Objectives	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Abdul Mohamed, Equalities and Community Engagement	

## **FOREWORD - COUNCILLOR ABDUL MOHAMED, CABINET MEMBER FOR EQUALITIES AND COMMUNITY ENGAGEMENT**

Equality is central to our commitment to delivering a fairer future for all across Southwark. The diversity of our community is one of our most valued assets. Strong communities will thrive and prosper if individuals and groups are treated fairly, with respect, and given access to the services they need. We understand that for equality to be achieved it must be something that residents, businesses, community organisations and all other stakeholders and the council are all committed to.

At Southwark equality is central to the day to day delivery of our services. Whether it's delivering services to vulnerable people, to making our democracy more accessible or working to ensure that our young people benefit from the regeneration of the borough, equality is at the heart of what we do.

Southwark Council's approach to equality goes beyond the statutory duty. Through it, we have already agreed a number of overarching equality objectives that are linked to the strategic priorities of the council and are underpinned by a series of equality objectives within our council plan.

As part of our commitment to achieving a fairer future for all we have gone further and identified a number of additional equality objectives which focus on a set of specific issues. These will be added to the cabinet portfolio performance schedules in our council plan, underlining our commitment to mainstream equality into all that we do.

In setting these equality objectives the council is guided by a number of our fairer future principles, seeking to understand and protect the needs of our most vulnerable residents, helping people to lead independent and fulfilling lives and treating people just as we would members of our own family.

### **RECOMMENDATION**

That cabinet

1. Agrees to the addition of the proposed equality objectives to those already in the council plan (see Appendix A).

### **BACKGROUND**

2. There have been a number of changes to the legislative requirements for the council in respect to equality. In October 2010 the majority of the new Equality Act ("the Act") came into force. This consolidated the numerous acts and

regulations that form the basis of anti-discrimination law, all in one single act. The Act introduced nine protected characteristics - age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

3. As part of the Act the public sector Equality Duty (PSED) (section 149 of the Equality Act) came into force in April 2011. The PSED requires public bodies to consider all individuals when carrying out their day to day work – in shaping policy, in delivering services and in relation to their own employees. Under the PSED, a public authority must, in the exercise of its functions, have due regard to the need to;
  - Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
4. Section 153 of the Act gives the government a power to impose “specific duties” on certain public bodies to help them perform the Equality Duty more effectively. The specific duties came into effect on the 10 September 2011. The specific duties require public bodies to publish:
  - Information to demonstrate their compliance with the Equality Duty – including information relating to their employees (for authorities with 150 or more staff) and others affected by their policies and practices, such as service users by 31 January 2012 and then at least annually, and
  - Equality objectives, by 6 April 2012 and then at least every four years.
5. In December 2011 the cabinet agreed Southwark’s Approach to Equality. This sets out what people can expect from the council around equality, what the government expects of the council and what the council is committed to doing. It explains our approach to advance equality of opportunity in the borough by making equality part of our day to day business. The Equality and Human Rights Commission (EHRC) has produced guidance, for public sector organisations for setting equality objectives. The proposed objectives have been developed in line with the guidance.
6. Under the Approach to Equality “Setting Equality Objectives” the council agreed to set equality objectives as part of its business planning processes, including setting equality objectives as part of the council plan. Furthermore, the Approach to Equality stated that the equality objectives the council sets through the council plan will be measurable and specific and published on our website, so that the public can hold us to account on our progress.

## **KEY ISSUES FOR CONSIDERATION**

7. Equality is at the heart of our fairer future vision. The council will create a fairer future for all in Southwark by: protecting the most vulnerable; by looking after every penny as if it was our own; by working with local people, communities and businesses to innovate, improve and transform public services; and standing up for everyone's rights. As a central London borough, our mission is to enhance the things that make Southwark special - its immense diversity and vast depths of

untapped potential. Helping to unlock those talents, with nobody left behind, is what we are about as a council.

8. A number of equality objectives were agreed as part of the council plan that was agreed by council assembly in July 2011. These are listed below in Appendix A in bold.
9. Following this the council agreed its Approach to Equality in December 2011. As part of the Approach to Equality four overarching equality objectives were agreed. These are to:

- *Improve the quality of life for Southwark's people through better access to services and creating sustainable mixed communities with opportunities for local people.*
- *Improve social cohesion by promoting positive relationships and a sense of community and belonging, by reducing fear and tensions, and encouraging civic responsibility so that contributions of individuals and groups to their communities are properly valued.*
- *Promote people's rights and responsibilities. We will do this by ensuring that the Council does all it should in providing leadership and by encouraging its partners to do likewise. We will act to protect the rights of those who live in Southwark by ensuring that abuse; mistreatment or discrimination is identified and dealt with.*
- *Ensure we have a workforce that understands and is committed to achieving these goals and retains the confidence of our local communities.*

10. An additional process has been undertaken to identify a series of further issues that will support the council in meeting its overarching equality objectives. These have been developed for each portfolio area in the council plan (see Appendix A).
11. The commitment to develop further objectives for each portfolio area means that baselines for objectives in some areas are in the process of being developed. In addition some targets will be developed in line with the council's business planning timeframes.
12. These objectives will form part of the council plan Annual Performance Report along side future target setting. The report and supporting portfolio performance schedules will be published on the Southwark Council website.
13. By aligning with the business and performance management processes, equality objectives will be considered at the same time as other performance measures, and form part of the council's regular performance review cycle.

### **Community impact statement**

14. We are acting in accordance with best practice and guidance from the Equalities & Human Rights Commission around the setting of equality objectives. We continue to incorporate consideration of the impact our policies and decisions have on the protected characteristics (race, sex, disability, age, religion or belief,

sexual orientation, pregnancy & maternity, gender reassignment and marriage & civil partnership) into our processes.

## **Consultation**

15. Consultation has been undertaken on the proposed approach to setting equality objectives through an on-line questionnaire on the council's website, through workshops with FEHRS, meetings with staff interest groups and departmental policy leads.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Strategic Director of Communities, Law & Governance**

16. The strategic director of communities, law & governance (acting through the employment section) notes the content of the report.
17. The report seeks cabinet agreement to the addition of a number of equality objectives to those already set out in the council plan.
18. The council plan (formerly the corporate plan) is a matter reserved for council assembly under paragraph 10 of Part 3A of our constitution. Cabinet may agree to recommend that these additions to the council plan be ratified at the council assembly following cabinet's agreement.
19. The legal duties are set out in the main body of the report. The relevant legislation, under the Equality Act 2010, is set out in paragraphs 2 to 4. The Equality Act 2010 introduced a single public sector equality duty (section 149). This duty requires us to have due regard in our decision making processes to the need to:
  - i. Eliminate discrimination, harassment, victimization or other prohibited conduct;
  - ii. Advance of equality of opportunity between persons who share a relevant protected characteristic and those who do not share it;
  - iii. Foster good relations between those who share a relevant characteristic and those that do not share it.
20. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. It also applies to marriage and civil partnership, but only in relation to (a) above.
21. The council is required to act in accordance with the equality duty and have due regard to the duty when carrying out its functions, which includes making decisions in the current context.
22. The Equality Act 2010 (Specific Duties) Regulations 2011 came in to force on the 10 September 2011. Section 3 of the regulations requires the council to prepare and publish one or more objectives, no later than 6 April 2012 and subsequently at intervals no greater than four years from the date of the last publication.
23. The objective(s) which the council is required to prepare and publish must be specific and measurable. The proposal goes beyond the statutory minimum requirement: the council is setting a number of specific objectives for each portfolio area in the council plan as set out in the Table at Appendix A.

24. It is recognised that for some of the objectives the baselines will be specified as further objectives for each portfolio area are developed and their targets set in line with the council's business planning timeframes. The objectives as proposed should help the council to improve our performance in meeting the requirements of the general duty set out at (a) to (c) in paragraph (19) above.

**Finance Director**

25. The finance director notes the proposals within this report. The equalities objectives will be met within the existing resources available to each of the services.

**Head of Human Resources**

26. The council has a workforce that is made up of people from many different communities and diverse profiles, staff monitoring data is published on the Southwark website through the Workforce Report. All employees have a personal responsibility not to discriminate against others and to do whatever is reasonable and appropriate to promote equality of opportunity.
27. By using the council's employee performance management procedures, these agreed objectives will be included in section and employee work plans with achievement monitored. As part of this process, training needs at an individual and service level will be identified and discussions held with organisational development on the use of appropriate learning and development solutions.

**BACKGROUND DOCUMENTS**

Background Papers	Held At	Contact
Southwark Council's Approach to Equality	<a href="http://www.southwark.gov.uk/info/200041/equality_and_diversity">http://www.southwark.gov.uk/info/200041/equality_and_diversity</a>	Alex Irvine 020 7525 3672

**APPENDICES**

No.	Title
Appendix A	Equality Objectives

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Abdul Mohamed, Cabinet Member for Equalities and Community Engagement	
<b>Lead Officer</b>	Eleanor Kelly, Deputy Chief Executive	
<b>Co Report Authors</b>	Claire Webb, Head of Policy & Alex Irvine, Principal Strategy Officer	
<b>Version</b>	Final	
<b>Dated</b>	4 April 2012	
<b>Key decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
Head of Human Resources	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional/Community Council/Scrutiny Team</b>	4 April 2012	