

REPORT TO:	CABINET 20th January 2014
AGENDA ITEM:	11
SUBJECT:	Equality Annual Report 2013
LEAD OFFICER:	Nathan Elvery Chief Executive
CABINET MEMBER:	<i>Councillor Vidhi Mohan Cabinet Member for Communities and Economic Regeneration</i>
WARDS:	All
CORPORATE PRIORITY/POLICY CONTEXT: The Council's Equality Strategy sets out the organisation's statutory equality policy objectives for the next four years. It is aligned with the Community Strategy and the Corporate Plan. The Equality Annual Report sets out the progress made in line with the statutory duty to publish information each year.	

FINANCIAL IMPACT The financial implications of the Council's plans for achieving its corporate equality objectives are contained within the Council's budget and Financial Strategy. Beyond the Plan's production costs, there are no direct financial implications arising from this report.

KEY DECISION REFERENCE NO.: NOT A KEY DECISION

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below

1. RECOMMENDATIONS

Cabinet are requested to agree:

- 1.1 The Equality Annual Report 2013 to comply with the Council's statutory duties.
- 1.2 Agree that the Chief Executive be given delegated authority, in consultation with the Cabinet Member for Communities to make any amendments to the Annual Equality Report considered necessary and to agree the report for publication by the 31 January 2014.

2. EXECUTIVE SUMMARY

- 2.1 The Equality Annual Report (the report) provides an update on the progress made in implementing the objectives found in the Council's Equality Strategy 2012-16 agreed by Cabinet in March 2012 (Minute.A33/12). The Equality Annual Report 2013-14 supports the Council to demonstrate compliance with the general and specific duties of the Equality Act 2010.
- 2.2 The information included in this report is drawn from a range of sources from across the Council, including work we deliver through the themed partnerships and our contractors. This includes collating six monthly monitoring reports on the annual equality action plan, review of updates on the corporate plan and departmental service plans 2013-15.
- 2.3 It has also involved identifying activities that demonstrate good practice on equality and working with activity leads to gather more detailed information on how these activities have delivered positive outcomes for customers, particularly those that are most vulnerable and experience exclusion. This information has been used to produce some good practice stories that describe the positive impact of some of the equality and inclusion initiatives that we have implemented during the year.
- 2.4 The Equality Annual Report 2013 -14 is structured around the four strategic themes of the Council's Equality Strategy:
- Stronger Communities
 - Children, Families and Learners
 - Social Care, Health and Housing
 - Workforce

Each section of the report sets out the equality objectives that have been agreed for the strategic theme and highlights the key activities and projects that the Council has focused on over the last year to deliver them.

It also contains good practice stories that aim to provide an overview of how the Council has worked in partnership with our statutory and community partners and engaged with our customers to deliver equality initiatives that support work on improving service outcomes for diverse communities in the borough.

- 2.5 Croydon's equality objectives and related Equality Strategy 2012 -16 (the Strategy), follows from the enactment of the Equality Act 2010 (Act), which includes the public sector equality duty (PSED), further details are set out in section 3 of this report.
- 2.6 The Strategy provides a framework for taking forward the Council's equality objectives and measures as well as equality analysis and service improvements. It covers all the Council's functions including everything it does in partnership or through contract.

3. BACKGROUND

- 3.1 The Equality Act 2010 (the Act) replaced previous anti-discrimination laws with a single Act. It simplified the law, removing inconsistencies and making it easier for people to understand and comply with. It also strengthened the law in important ways to help tackle discrimination and inequality.
- 3.2 The Public Sector Equality Duty (PSED) contained in section 149 of the Act came into force on 5 April 2011. The duty applies to public bodies and others carrying out public functions. Nine characteristics are protected in law and these include age, gender, disability, race, religion and/or belief, sexual orientation, pregnancy and maternity, marriage and civil partnership, and gender reassignment.
- 3.3 The Act and PSED support good decision-making by ensuring public bodies consider how different people will be affected by their activities, helping them to deliver policies and services which are efficient and effective; accessible to all; and which meet different people's needs.
- 3.4 The PSED is made up of a general equality duty which is supported by specific duties. The 'public sector equality duty' is the formal title of the duty, the 'general equality duty' is the overarching requirement or substance of the duty, and the 'specific duties' are intended to enable better performance of the general equality duty.
- 3.5 The general equality duty requires the Council, in the exercise of functions, to have due regard to the need to:
- Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.
 - Foster good relations between people who share a relevant protected characteristic and those who do not share it.
 - Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act.
- 3.6 The Council is also required to publish information to demonstrate their compliance with the general equality duty. In addition:
- All listed bodies (except schools and pupil referral units) must do this at least annually by 31 January;
 - Schools and pupil referral units must do this, at least annually by 6 April
- 3.7 This information must relate to people who are:
- the Council's employees
 - affected by its policies and practices (for example, service users).

4. PUBLISHING INFORMATION

- 4.1 The Council is required to publish information relevant to the three aims of the equality duty (paragraph 3.5 above) annually by 31 January. Schools should also publish information by 6 April annually.

- 4.2 The Council is using existing routes for publication rather than establishing new ones. This will involve making information available on its website (internal and external), and including information in reports for decision at cabinet and other Council committees.
- 4.3 The specific statutory duty to publish information involves different types of information including needs assessments, staff profiles, access to and the take-up of services, performance, satisfaction surveys, complaints and engagement. All information where available and appropriate to do so should be disaggregated or broken down by protected characteristics as well as make explicit reference to the aims of the public sector equality duty. It must be free and accessible to the public.
- 4.4 The Council already publishes information that is accessible to the public which includes the Joint Strategic Needs Assessment (JSNA); Crime Assessments, Children's Needs Analysis, Local Account of Social Care, an Economic bulletin, a Public Health Annual Report as well as data about the boroughs demographic and deprivation profiles on the Croydon's Observatory. The workforce profile and staff survey results are also published using existing communication channels.
- 4.5 The Council, like most public sector organisations, publishes an annual report setting out the progress it makes implementing the objectives and its arrangements for publishing information. At **appendix one** is the Council's Equality Annual Report 2013.

5. EQUALITY OBJECTIVES

- 5.1 The Council (including schools) are obliged to have set and published equality objectives by 6 April 2012, and further objectives must be published at least every four years. They must be specific and measurable, and they should set out how progress towards the objectives will be measured and reported.
- 5.2 Objectives should be developed on the basis of evidence of the key issues facing the people with different protected characteristics. The Council must publish details of the engagement undertaken in developing the equality objectives and the information it has used to determine objectives. The equality analysis that informed the setting of the Strategy was agreed at Cabinet in March 2012.
- 5.3 The Council's equality objectives should be challenging but achievable. When choosing priorities, all three aims of the duty should be considered across all of the Council's functions – looking at Council policy, employment functions, service delivery including any functions contracted out.
- 5.4 The purpose of the general duty is to bring about positive change. It is therefore important to focus on achieving real equality and good relations outcomes when developing equality objectives.

- 5.5 Objectives and the progress made towards them is an important piece of evidence to demonstrate the council's compliance with the general duty and to help the public assess our equality performance.
- 5.6 Senior management and Members have been involved in the choice of equality objectives and receive regular updates about the progress made towards them. This information will form part of the governance and leadership of the Council.

6 THE COUNCIL'S EQUALITY STRATEGY 2012 - 16

- 6.1 The Council's equality strategy focuses on encouraging stronger communities, improving services for children, families and learners, improving social care, health and housing services and developing a modern and diverse workforce that is valued and proud to serve its customers to improve outcomes for local people and communities. The strategy is based on a set of principles that local people and staff have said are their priorities and include transparency, accountability and fairness.
- 6.2 Croydon Council aims to be an excellent authority for all of its communities, working with partners in the public, business and voluntary sectors to deliver the highest standard of equalities practice in securing better outcomes for local people. As part of delivering this the Council wants Croydon to be a place that is cohesive, where all communities get on well together and everyone is able to access the opportunities and life chances on offer.
- 6.3 The Council also aims to be a leading authority for promoting equality in local services and an employer of choice, delivering services and solutions that reflect local need and an organisation that attracts the best talent in the employment market.
- 6.4 The equality objectives and measures can be found in a range of plans including the corporate plan, children and young people's plan, crime reduction plan and workforce strategy.
- 6.5 The Strategy is a living document that is supported by an annual action plan. Each department and partnership has a critical role to play in its development and delivery.
- 6.6 The Council's Communities and Equality Board reports on performance to Corporate Leadership Team (CLT) as well as scrutiny and cabinet. Performance information is published annually and can be found in the Equality Annual Report.

7. CONSULTATION

The Council's programme of equality analysis for 2013-14 is set out in the **Equality Annual Report** at appendix one. The Council expects officers responsible for an activity in the programme to ensure robust consultation has taken place that supports the equality analysis

8. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 8.1 The Council's Equality Annual Report 2013-14 incorporates the council's public sector equality duties as well as the national equality service improvement framework. It demonstrates the Council's compliance with the current legal framework.
- 8.2 Failure to implement and annually report on the Council's Equality Strategy objectives and actions will expose the Council to risk of claims for breach of statutory duty. Failing to implement actions identified in the equality analysis conducted to support decision-making or compliance with the public sector equality duties will also expose the Council to risk.
- 8.3 The Equality Annual Report is published in an electronic format and does not incur a publication cost to the Council. The number of hard copies produced will be the minimum required to reduce cost.
- 8.3 Publication of the Equality Annual Report will incur a production costs. The Annual report must be accessible and therefore made available in different formats, in summary and electronically - on the Council's website and intranet. Provision for this is available from existing budgets available to the Chief Executive's Department.

1 Revenue and Capital consequences of report recommendations

The budgets for delivering the equality objectives found in the Strategy and reported in the Annual report arise from departmental budgets across all services.

2 The effect of the decision

The approval of the Annual Report will have no effect on the current financial situation. Action has been delivered in accordance with the risk management process. Equality analysis (impact assessments) that relate to Council activity including that delivered by themed partnerships has been incorporated into the risk management register for the Local Strategic Partnership.

3 Risks

The approval of the Annual Report will have no effect on the current financial situation.

4 Options

Delivery of activity found in the action plan is subject to financial resources. Decisions to change or stop a function or activity will be subject to equality

analysis of its impact. A cut in funding could risk the deliver of the strategy and its objectives.

5 Future savings/efficiencies

There are no savings or efficiencies associated with the approval of this strategy.

(Approved by: Helen Sach, Head of Corporate Finance, Chief Executive's Department)

9. COMMENTS OF THE COUNCIL SOLICITOR AND MONITORING OFFICER

9.1 The Council Solicitor and Monitoring Officer comments that this Equality Annual Report will contribute to the fulfilment of the Council's statutory duties to advance equalities within the functions that we provide in the borough and to our workforce. There are no additional legal considerations beyond those detailed in the body of the report.

9.2 (Approved by: Gabriel MacGregor on behalf of the Council Solicitor & Monitoring Officer)

10. HUMAN RESOURCES IMPACT

10.1 An equality objective and related measures in this strategy is aligned to the Council's People Strategy. Equality is integral to everything the council does as an organisation and in partnership with others including becoming an employer of choice.

10.2 (Approved by: Gloria Lau, on behalf of Director of Workforce)

11. EQUALITIES IMPACT

11.1 The equality impact analysis that supports the strategy was published in March 2012. The information included in this annual report provides an update on activities that the Council agreed to implement to address the findings of the equality analysis.

12. ENVIRONMENTAL IMPACT

None specifically identified.

13. CRIME AND DISORDER REDUCTION IMPACT

13.1 Equality objectives, measures and actions related to community safety are identified in the Strategy and aligned with the Crime Reduction Strategy.

14. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

14.1 To support the Council demonstrate transparency and fairness in its operations as well as compliance with its public sector equality general duty and specific duties as defined by the Equality Act 2010.

15. OPTIONS CONSIDERED AND REJECTED

15.1 None.

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BACKGROUND PAPERS - LOCAL GOVERNMENT ACT 1972:

None

APPENDIX: printed separately