

**MAIDSTONE BOROUGH COUNCIL**  
**CORPORATE SERVICES**  
**OVERVIEW & SCRUTINY COMMITTEE**

**30 APRIL 2013**

**REPORT OF HEAD OF CHANGE & SCRUTINY**

**Report prepared by Clare Wood**

**1. EQUALITIES POLICY**

1.1 Key Issue for Decision

1.1.1 To consider the revised equalities policy.

1.2 Recommendation of the Head of Change & Scrutiny

1.2.1 It is recommended that the Corporate Services Overview & Scrutiny Committee:

- a) Agree the revised policy at Appendix A (attached) and accompanying Equalities Impact Assessment at Appendix B (attached) for submission to the Cabinet Member; and
- b) Note the equality profile for Maidstone for publishing to the internet at Appendix C (attached).

1.3 Reasons for Recommendation

1.3.1 The Equality Policy was last updated in 2009, since then the Equality Act 2010 has been enacted. The Act brought together all previous legislation into one Act, making it easier to understand. In order to ensure that our policy was in line with the current legislation the policy has been reviewed and revised.

1.3.2 As a Local Authority we aim to provide services that are open and responsive to the needs of all our residents, service users and people visiting the town. As an employer it is important that we endeavour to ensure that we effectively utilise the skills of all our staff and create further opportunities. As a community leader it is important that every resident, irrespective of their background, enjoys the same opportunity to develop and contribute to the strategic direction of the borough.

1.3.3 Under the Equalities Act 2010 the Council has a legal duty to:

- a) Eliminate discrimination, harassment, victimisation and any other prohibited conduct.
- b) Advance equality of opportunity
- c) Foster good relations between people
- d) Publish objectives to show how we are meeting (a-c above)

#### 1.4 Equalities Policy 2013 Review

1.4.1 The Equalities Policy sets out the Council's commitment to equalities and has been written in accordance with the updated legislation. It covers the roles that the Council plays with regard to equalities and the corresponding responsibilities and mechanisms for monitoring this. The policy also sets out the council's expectation of contractors, suppliers and consultants.

1.4.2 The Policy has also been reviewed by key Council Officers. Amendments made as a result of this consultation include:

- Making it clear that equalities is part of the evaluation process in awarding and monitoring contracts
- Changing the frequency of the equality profile from every year to every two years as there is little meaningful data released annually
- Inclusion of a reference to the Council's zero tolerance to behaviour from officers that is inconsistent with the organisational values.

1.4.3 Overall, respondents to the consultation agreed that the policy was easy to read and understand. One said they thought it was a bit longer than they would have liked but they couldn't see where it could be cut.

1.4.4 The first edition of the equality profile for the borough, which is part of the monitoring actions for the policy, is included for consideration at Appendix C. This profile brings together the available data for the nine protected characteristics identified in the act.

#### 1.5 Alternative Action and why not Recommended

1.5.1 It is important that the Council has a policy that sets out our commitment to equalities. Not having a policy would be against the values of the Council, which upholds the promotion of equality, could impact on the council's reputation.

#### 1.6 Impact on Corporate Objectives

1.6.1 The promotion of equalities features in the Strategic Plan 2011-15 under the priority for Maidstone to be a decent place to live and

directly relates to the outcome ` that residents are not disadvantaged because of where they live or who they are, vulnerable people are assisted and the level of deprivation is reduced.

## 1.7 Risk Management

- 1.7.1 There is a risk that without an up to date policy the Council could make a change to its services or policies that discriminates against someone with a protected characteristic.

## 1.8 Other Implications

### 1.8.1

1. Financial
2. Staffing
3. Legal
4. Equality Impact Needs Assessment
5. Environmental/Sustainable Development
6. Community Safety
7. Human Rights Act
8. Procurement
9. Asset Management

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## **Equality Impact Needs Assessment**

- 1.8.2 As this is a policy change an equalities impact assessment has been undertaken and included at Appendix B.

## **Community Safety**

- 1.8.3 The requirement to eliminate discrimination, harassment, victimization links to Community Safety under the general duty under Section 17 Crime and Disorder Act.

## **Procurement**

- 1.8.4 The Policy includes a section on contractors and suppliers which states that equalities will be part of the evaluation for service and supplier contracts.

## 1.9 Relevant Documents

- Equalities Act 2010

### 1.9.1 Appendices

- Appendix A – Equalities Policy
- Appendix B – Equality Impact Assessment for Equality Policy
- Appendix C – Equality Profile for Maidstone

#### **IS THIS A KEY DECISION REPORT?**

Yes

☐

No

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If yes, this is a Key Decision because: .....

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Wards/Parishes affected: .....

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#### **How to Comment**

Should you have any comments on the issue that is being considered please contact either the relevant Officer or the Member of the Executive who will be taking the decision.

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