

Report for:	Shadow Executive
Meeting Date:	31 March 2020

Title of Report:	Considerations for Equality & Inclusion
Shadow Portfolio Holder	Councillor Martin Tett
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Recommendations:	The Shadow Executive is asked to <ul style="list-style-type: none"> • Agree the draft Equality Policy (Appendix 1) • Agree to continue using the Equality Impact Assessment template and guidance developed for the shadow authority (rebranded versions provided in Appendices 2 & 3) • Note the requirement to publish workforce monitoring and gender pay gap data annually • Note the approach to memberships and accreditations
Corporate Implications:	The Equality Policy and Equality Impact Assessments guidance apply across all service areas.
Options: (If any)	N/A. The key recommendations are a 'Must Have' based on legal requirements. Some additional considerations are included for post vesting day.
Reason:	The Public Sector Equality Duty (PSED) sets out how local authorities should show due regard to equalities throughout decision making. This is a legal obligation and would have implications on the Council if there is not sufficient evidence available to demonstrate compliance.

1. Purpose of Report

1.1 This report provides a suggested approach to equalities for the new authority, including the legal 'must have' of an Equality Policy by vesting day, as well as some additional considerations for a later date.



2. Executive Summary

2.1 To meet the legal obligations of equality, diversity and inclusion, set out in the Public Sector Equality Duty, **the new council must:**

- Show due regard toward equalities prior to any decisions being made that would have an impact to any of the nine protected characteristic groups. The recommended approach is to complete Equality Impact Assessments: templates and guidance already in place for transition can continue into the new Council.
- Have a policy/strategy with agreed equality objectives in place from day one; a draft Equality Policy is included for approval.
- Publish Gender Pay Gap and Workforce Monitoring data on an annual basis, starting from March 2021.

3. Content of Report

Equality Policy / framework

3.1 It is a legal requirement to have published equality objectives. A draft Equality Policy for the new Council has been developed, primarily based on the Wycombe District Council Equality Framework, with other good practice built in from the existing councils.

3.2 A copy of the draft policy is attached at Appendix 1 for agreement.

Equality Impact Assessments (EqIAs) and corporate oversight

3.3 An Equality Impact Assessment (EqIA) template and guidance have been developed and approved as an interim approach for the shadow authority (see background papers).

3.4 The recommendation is for Buckinghamshire Council to adopt these going forward as they are robust and demonstrate best practice. Rebranded versions are attached in appendices 2 & 3 which also include minor changes to the format to meet new accessibility legislation.

Workforce Monitoring and Gender Pay Gap

3.5 Councils are also required to publish Equalities Workforce Monitoring Reports and Gender Pay Gap Reports annually. The deadline for reporting is 30 March each year; therefore the first reports for the new authority will not be required until March 2021. The current five councils will publish individual reports in March 2020 relating to the 2019-20 year. A combined report will be produced (but not published) to provide an indication of the new Council's position on these metrics.

3.6 The Shadow Executive is asked to note that the new authority will need to continue to publish workforce monitoring and gender pay gap data on an annual basis.

Accreditations:

3.7 It is recommended that we continue with current memberships and accreditations and review these during the first year of the new council:



- Membership of the Employers Network for Equality & Inclusion (enei) was renewed in January 2020 by the County Council - this membership will transfer into the new council, giving opportunity to review arrangements over the summer in advance of the next annual renewal date.
- All five councils are members of the Disability Confident scheme. It is possible for the new authority to retain one of these existing memberships (the scheme owners have confirmed that this accreditation can be transferred across as and when required with no cost implications).

3.8 The Shadow Executive is asked to note the approach to memberships and accreditations.

Considerations post-vesting day

3.9 Post vesting-day considerations could include:

- Staff Equality Forums and/or consideration of external forums with partners to aid with consultation.
- Training opportunities, for example for officers involved with service change/commissioning and with a responsibility to undertake Equality Analysis or to make decisions where 'due regard' is needed.
- Additional documentation: BCC and WDC have internal documents (an Equality Statement) which provide staff with an overview of how the council values Equality, Diversity and Inclusion as well as being useful as a single point of referral to relevant policies and procedures.

4. Financial Implications

4.1 Costs associated with the current enei membership can be met within the existing budgets transferring into the new authority. The usual discounted rate for local authorities of this size is £3,600 + VAT per annum. BCC have recently enjoyed a further discount bringing the current membership fee to £2,900 + VAT for 2020. Thereafter, the published local authority rates (£3,600 + VAT) will apply.

5. Legal Implications

5.1 As set out in the report, the legal requirements for the new authority are to:

- Show due regard toward equalities prior to any decisions being made that would have an impact to any of the nine protected characteristic groups. The recommended approach is to complete Equality Impact Assessments: templates and guidance already in place for transition can continue into the new Council.
- Have a policy/strategy with agreed equality objectives in place from day one; a draft Equality Policy is included for approval.
- Publish Gender Pay Gap and Workforce Monitoring data on an annual basis, starting from March 2021.

6. Other Key Risks - Not Applicable

7. Dependencies



7.1 **Comms:** The Communications Workstream are aware of equalities requirements for consultations. They will be leading on the work to update staff/residents on any changes prior to and post 1 April 2020.

7.2 **Website:** The new Buckinghamshire Council Website must be developed to meet the Public Sector Bodies (Website and mobile) Accessibility Regulations 2018. This means that the technology platform and content on the website need to be designed in a way that is accessible for all of our users. All content published to the new website will go through a design process to make sure it meets the accessibility guidance where possible. For example, as a part of this process we will be reducing the number of PDF documents published to the web as the PDF format makes content harder to find, use and maintain.

7.3 **Procurement:** The Equalities working group have liaised with the procurement workstream to ensure that contract and procurement processes in the new authority incorporate relevant equality impact screening questions.

8. Consultation - Not Applicable.

9. Communications Plan - Not Applicable.

10. Equalities Implications

10.1 The approach to be taken by Buckinghamshire Council will have overarching implications as detailed within the body of this report.

11. Data Implications – Not Applicable

12. Next Steps

11.1 Following approval of the new policy and post vesting day, an action plan will need to be developed to monitor progress based on the objectives and to produce required reporting.

Background Papers	Appendix 1: Draft Equality Policy Appendices 2 & 3: Equalities Impact Assessment Template and Guidance
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