



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Rural and Communities Overview and Scrutiny Committee


9 February 2023

Report of Councillor Annie Mason,
Cabinet Member for People and Safer
Communities

Equality, Diversity and Inclusion Annual Position Statement 2022

Report Author

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Purpose of Report

To consider the draft 2022 Equality, Diversity and Inclusion Annual Position Statement and provide a recommendation to Cabinet to publish the information.

Recommendations

In considering the draft 2022 Equality, Diversity and Inclusion Annual Position Statement, it is recommended the Rural and Communities Overview and Scrutiny Committee:

- 1. Suggest enhancements to the extent and clarity of the information produced to improve equality outcomes.**
- 2. Provide a recommendation to Cabinet to publish the information at the earliest opportunity.**

Decision Information

Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	High performing Council
Which wards are impacted?	All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

1.1 There are no direct financial implications arising from this report.

Completed by: Richard Wyles, Chief Finance Officer

Legal and Governance

1.2 The public sector Equality Duty (section 149 of the Equality Act 2010) came into force in 2011. The Equality Duty applies to public bodies and others carrying out public functions. It supports 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 accessible to all and which meet different people's needs.

1.3 The Equality Duty is supported by specific duties, set out in regulations. The specific duties require public bodies to publish relevant, proportionate information demonstrating their compliance with the Equality Duty and to set themselves specific, measurable equality objectives.

Completed by: Graham Watts, Assistant Director of Governance and Monitoring Officer

Diversity and Inclusion

1.4 The requirement to publish equality information must be met at least annually. This helps to ensure the information published is up-to-date and relevant. The benefits of collecting, using and publishing robust equality information includes:

- helping to identify greatest equality challenges so these inequalities can be addressed
- having relevant data to enable decision-makers to fully understand how their policies and decision impact on people with difference protect characteristics, including outcomes of individuals
- finding ways to mitigate any adverse impact identified
- maximising opportunities for advancing equality and fostering good relations
- enabling the setting of equality objectives based on robust evidence of the key challenges for staff and service users
- having baseline data available for measuring progress in delivering equality objectives, so improving outcomes for individuals with projected characteristics.

1.5 The benefits to employees and services users includes:

- greater transparency about the Council's equality performance regarding employment and service delivery
- Helping them to understand the rationale behind difficult decisions being taken by the Council
- Enabling them to hold the Council to account for its performance on equality.

1.6 Equality impact is identified through the production of this document. In producing this document, the Council is able to identify potential areas of workforce under representation and highlight good practice. The Annual Position Statement aims to improve awareness of equality responsibilities and further embed those responsibilities within the Council's working practices.

Completed by: Carol Drury, Community Engagement Manager

2. Background to the Report

- 2.1 Tackling inequality, challenging discrimination, promoting inclusion and celebrating diversity will help the Council achieve its vision to be the best district in which to live, work and visit. As highlighted in the Corporate Plan (2020-2023) the Council's commitment to equalities is about long-term continuous improvement. It is the responsibility of all Officers and Elected Members to implement the principles of equality, diversity and inclusion. The aim of these principals is to inform decision-making at every level within the Council, reflecting an ongoing commitment to the elimination of discrimination, the advancement of equality of opportunity for all, and to foster good relations between different communities.
- 2.2 Known as the three aims of the Equality Duty, Section 149 of the Equality Act 2010 places a duty on public sector organisations when exercising public functions to have due regard to:

- Eliminate discrimination, harassment and victimisation
 - Advance opportunities for people who share a protected characteristic and those who don't share it
 - Foster good relations between people who share a protected characteristic and those who don't share it.
- 2.3 Two further specific duties are placed on public sector organisations, which are to:
- Publish information to show compliance with the Equality Duty, at least annually, and
 - Set and publish equality objectives, at least every four years.
- 2.4 As a public body with more than 150 employees, the publication must include information to show the Council has consciously considered the three aims of the Equality Duty, including details relating to employees who share protected characteristics and people who are affected by the public body's policies and practices who share protected characteristics (e.g. service users, tenants).
- 2.5 Demographic information is taken from available Census data. Between Census' the Office for National Statistics provides Mid-Year Population Estimates. Most data collected in the 2021 Census is yet to be released.
- 2.6 The purpose of the Annual Position Statement is to share this information and provide an overview of how the Council has complied with the three aims of the Equality Duty during 2021/2022. The document is for publication to the general public and once approved, will be made available on the Council's website. Alternative formats are available if requested.
- 2.7 The law does not prescribe a required format for this document. The Council can present information in any way chosen and determine content beyond those listed above.
- 2.8 The 2022 Annual Position Statement includes the Council's Equality Objectives for the period 2020-2024 and highlights actions and functions that support compliance with the Equality Duty.

3. Key Considerations

- 3.1 If the Council does not publish equality information as required by the specific duty regulations, there is a risk of being subjected to legal challenge, as well as potential reputational damage.
- 3.2 With a view to increasing transparency and making informed decisions, Members of the Rural and Communities Committee are asked to consider where it would be proportionate to improve equality data collection, and over what timescale.
- 3.3 In acknowledging meeting the duty is not an end in itself, instead a means to improve performance on the general equality duty, it is proposed Members provide

a recommendation to Cabinet to publish the 2022 Equality, Diversity and Inclusion Annual Position Statement on the Council's website.

4. Other Options Considered

- 4.1 The option to do nothing was discounted as the publication of the 2022 Equality, Diversity and Inclusion Annual Position Statement is a statutory responsibility.

5. Reasons for the Recommendations

- 5.1 Proactive publication of equality information ensures compliance with the legal requirements. Gathering equality information and using it to inform decision-making, helps the Council achieve greater value for money through better targeting of services.

6. Appendices

- 6.1 Appendix A: Draft Equality, Diversity and Inclusion Annual Position Statement 2022.