



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**



Rural and Communities Overview and Scrutiny Committee

11 October 2023

Report of Councillor Rhea Rayside,
Cabinet Member for People and
Communities

Equality, Diversity and Inclusion Annual Position Statement 2023

Report Author

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Purpose of Report

The purpose of this report is to outline the requirements placed upon the Council in relation to the publication of equality information and to offer Members the opportunity to consider the draft 2023 Equality, Diversity and Inclusion Annual Position Statement.

Recommendations

That the Committee:

- 1. Notes the 2023 draft Equality, Diversity and Inclusion Annual Position Statement and offers comment on the content.**
- 2. Recommends to the Cabinet Member for People and Communities that the information is published at the earliest opportunity.**

Decision Information

Does the report contain any No
exempt or confidential
information not for publication?

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 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 is these principals 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 Section 149 of the Equality Act 2010 imposes 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 These are known as the three aims of the Equality Duty.

2.4 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.

2.5 The publication must include information to show that the Council has consciously thought about the three aims of the Equality Duty and it must also include information relating to employees who share protected characteristics (for public bodies with 150 or more employees) and information relating to people who are affected by the public body's policies and practices who share protected characteristics – the residents of South Kesteven.

2.6 The purpose of the Equality, Diversity and Inclusion Annual Position Statement is, therefore, to share this information and provide an overview of how this Council has complied with the three aims of the Duty during 2022/23.

2.7 The Equality, Diversity and Inclusion Annual Position Statement is for publication to the general public for information purposes. It is presented to Committee today in draft form to allow for Members to make comment on the content.

2.8 The law does not prescribe a required format for this document. Organisations can present information in any way they choose. They can also determine content beyond that listed above. Once the Committee's comments have been addressed the document will be put through the design process and published on the Council's website.

2.9 The 2023 Annual Position Statement includes the Council's current Equality Objectives which cover the period 2020-2024. The document also contains a snapshot of the actions taken against these objectives to provide Members with an overview of achievements.

2.10 Going forward, these objectives will be reviewed by the Council's Equality, Diversity and Inclusion Group and a new action plan will be developed to ensure continued delivery within this important area of responsibility for the Council.

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.

4. Other Options Considered

- 4.1 The publication of the 2023 Equality, Diversity and Inclusion Annual Position Statement is a statutory responsibility therefore, no other options were available for consideration.

5. Reasons for the Recommendations

- 5.1 To inform Members of action taken to ensure the Council complies with the law on equality and to assure Members of this Council's commitment to the equitability of its services and their delivery.

6. Appendices

- 6.1 Appendix A: Draft Equality, Diversity and Inclusion Annual Position Statement 2023.