

PERTH AND KINROSS COUNCIL

Strategic Policy and Resources Committee – 17 April 2013

EQUALITY OUTCOMES

Report by David Burke, Depute Chief Executive

Abstract

The Council and the Education Authority are both required to set and publish Equality Outcomes by 30 April 2013 to comply with the provisions of the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012.

This report outlines the process by which the draft Equality Outcomes have been obtained, and proposes Equality Outcomes for approval.

RECOMMENDATION

It is recommended that the Committee:

- a) Approves the draft Equality Outcomes.

1. BACKGROUND

- 1.1 The Scottish Government has exercised its rights under the Equality Act 2010 to make Specific Duty Regulations which apply to eligible public authorities in Scotland. The Regulations were published in May 2012 and, for the most part, take effect on 30 April 2013. The Council and the Education Authority are both named, eligible public authorities for the purpose of these Regulations.
- 1.2 The Council and the Education Authority are both required to set Equality Outcomes. These are to be set and published by 30 April 2013, and revised at four-yearly intervals. A report on progress on the Outcomes is to be published by the Council and the Education Authority no later than 30 April 2015, and every two years subsequently. The Equality and Human Rights Commission in Scotland (which is the enforcing body for the Regulations) has published lengthy guidance on complying with the Regulations.
- 1.3 In setting the Equality Outcomes, public authorities have a legal duty to consult and involve relevant stakeholders, as well as to make full use of information which may help it to produce the Outcomes. Different authorities have used differing processes to achieve this aim, but in Perth and Kinross the process of community engagement has been achieved by the active involvement of the Community Equality Advisory Group (CEAG) and through online public consultation.

2. GENERATING LOCAL EQUALITY OUTCOMES

- 2.1 The CEAG has existed for a number of years but has become more active and involved over the past year. It comprises around 60 invitees from a number of groups representing Equality stakeholders ('Protected Groups' in the language of the Equality Act 2010). The Groups is co-chaired by the Chair of the Equality and Diversity Member/Officer Working Group, Councillor MacLellan, and the local Police Divisional Commander.
- 2.2 During 2012/13, the CEAG has been actively working on producing draft Equality Outcomes. An initial survey was carried out with CEAG members and other Equality Groups such as Social Work 'Care Groups' in the summer of 2012, through which people were asked to prioritise from a number of cross cutting 'quality of life' outcomes.
- 2.3 As the CEAG is comprised of a diverse range of Equality Groups from across all Equality characteristics, the challenge has been to develop, agree and gain ownership of Equality Outcomes that are equally important to all Groups, hence the cross cutting nature of the draft Equality Outcomes.
- 2.4 A series of events have taken place which have generated and refined the issues for debate, and this has been reported back to the Equality and Diversity Member/ Officer Working Group. Work on the Equality Outcomes concluded at the February 2013 CEAG meeting, where a facilitated workshop ensured the CEAG worked together to prioritise and articulate the important issues. Elected Members were actively involved in the process, having received training on the Specific Duty Regulations the previous week.
- 2.5 A final set of draft Equality Outcomes have been produced in the light of the CEAG work, with reference to the Strategic Objectives from the Community and Corporate Plans and following a period of public consultation on the Council's website. The Objectives appear at Appendix 1. The Outcomes are informed (as required by law), by the General Duty of the Equality Act 2010. This has been a highly successful approach, and has generated very positive feedback from the communities involved.

3. EDUCATION AUTHORITY REQUIREMENTS

- 3.1 The Equality and Human Rights Commission in Scotland wrote to the Council on 15 February 2013 in its role as Education Authority, clarifying the need for the Education Authority to report separately on its Equality Outcomes (and all other aspects of the Specific Duties). Given the integrated nature of the Education function, it is not desirable to separate the Equality Outcomes for Education from those which apply to the rest of the Council.
- 3.2 For the avoidance of doubt, the Council and the Education Authority currently have identical draft Equality Outcomes. However, the Education Equality Outcomes (and the other statutory reporting for the Specific Duty Regulations) must be presented separately to the Lifelong Learning Committee, which

under the Council's Scheme of Administration exercises the powers of the Education Authority for the purposes of the Equality Act 2010.

4. NEXT STEPS

- 4.1 The Equality Outcomes will also be presented to the Executive Sub-Committee of the Lifelong Learning Committee on 24 April 2013. The final Outcomes will be published on the Council's website before 30 April 2013.

5. CONSULTATION

- 5.1 This report was prepared in consultation with the Community Equality Advisory Group, the Council Service Equality contacts, the Executive Officer Team and the Equality and Diversity Member/ Officer Working Group.

6. RESOURCE IMPLICATIONS

- 6.1 There are no immediate resource implications arising from this report.

7. COUNCIL CORPORATE PLAN OBJECTIVES 2013-18

- 7.1 This report lays out proposals for the publication of Equality Outcomes which are supportive of and consistent with the Council's Strategic Objectives for the Council's Corporate and Community Plans, and which have been developed via robust community engagement.

8. EQUALITIES IMPACT ASSESSMENT (EqIA)

- 8.1 The Council's Corporate Equalities Assessment Framework requires an equality impact assessment of functions, policies, procedures or strategies in relation to all relevant protected characteristics. This supports the Council's legal requirement to comply with the duty to assess and consult on relevant new and existing policies.

The issues raised in this report have been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome: this proposal has been assessed as relevant and seeks to support all aspects of Equalities implementation by ensuring compliance with the Specific Duties (Scotland) Regulations 2012 of the Equality Act 2010.

9. STRATEGIC ENVIRONMENTAL ASSESSMENT

- 9.1 Strategic Environmental Assessment (SEA) is a legal requirement under the Environmental Assessment (Scotland) Act 2005 that applies to all qualifying plans, programmes and strategies, including policies (PPS). However, no action is required as the Act does not apply to the matters presented in this report.

10. CONCLUSION

- 10.1 Whilst the Equality Act 2010 has proved more difficult and complex to implement than was originally anticipated, the production of these draft Equality Outcomes have presented a very positive experience for the Council. The engagement achieved across a diverse range of community groups as a result of this work has been considerable, and it is known that other agencies are now seeking to emulate the Council's success in this respect.

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Appendices:
Appendix 1 Draft Equality Outcomes

Perth and Kinross Council Draft Equality Outcomes 2013

Following a process of community consultation with voluntary groups in Perth and Kinross during 2012-13, three draft Equality Outcomes have been produced for further public consultation.

The Council is required to produce and publish Equality Outcomes by law no later than 30 April 2013. These Outcomes also feature within the Strategic Objectives of Perth and Kinross Council's Corporate Plan. The Equality Outcomes, by law, must satisfy at least one of the aspects of the General Equality Duty:

- ***Eliminate discrimination, or***
- ***Advance equality of opportunity, or***
- ***Foster good relations between communities***

Your comments are therefore invited no later than 10 April 2013 on the following three draft Outcomes. Responses should be entitled 'Draft Equality Outcomes' and be addressed to: Nicola Maxwell, Organisational Development Co-ordinator, Council Buildings, 2 High Street, Perth, PH1 5PH or email NMaxwell@pkc.gov.uk

Outcome 1 - Knowing where to get help from the Council

The Council has a Strategic Objective in its Corporate Plan to 'Develop educated, responsible and informed citizens'. From our customer contact systems and our community consultation we recognise that many people do not know how to get help from the Council. We realise that many people do not know which services the Council provides, or whether those services are available for them. This is especially true if they live in rural areas where transport may be more difficult or where Internet provision may be less well-developed.

We also recognise that communities or individuals may be reluctant to seek help if they believe that information will not be available in relevant formats (for people with disabilities) or in community languages. Recent migration to Perth and Kinross has considerably increased the number of people in the Council area who speak a wide variety of languages, and who may not speak English fluently.

As part of this Equality Outcome, we will therefore work across the Council to ensure that:

- a) more accessible information is more widely provided. This means ensuring that websites are regularly updated; our telephone advice services are continually improved and that we continue to provide the option for information to be available in a wide variety of formats;
- b) Translation and interpreting systems are improved.

This Equality Outcome satisfies all three aspects of the General Equality Duty.

Outcome 2 – Providing Opportunities to influence Council decisions

The Council has a Strategic Objective to ‘Promote a prosperous, inclusive and sustainable economy’. We recognise from our engagement with communities that many individuals and communities are under-represented in different parts of the economy and their voice is therefore less well-heard or may be differently understood when Council decisions are taken.

The Council wishes to play its part in encouraging a thriving, expanding economy with employment opportunities for all, including self-employment and business growth. Improved economic outcomes will mean that currently marginalised communities will feel more able to confidently articulate their needs, and be more able to contribute to wider community life.

As part of this Equality Outcome, we will therefore work across the Council to:

- a) Improve the number of people assisted into employment through our Employability and Skills programmes;
- b) Ensure that a wider range of community groups understand how to influence Council decisions through consulting on the development of specific strategies and plans with those directly affected. This will mean education and outreach; taking steps under our Equality Policy to counter discrimination and continuing to open up our decision-making to public scrutiny.
- c) Monitor, report and continue to improve the proportion of people from different communities who are represented in our workforce to ensure that Council employment is genuinely open to all. This will include our Modern Apprenticeship and Graduate Trainee programme.

This Outcome satisfies the first two aspects of the General Equality Duty.

Outcome 3 - Enhancing community involvement and inclusion

The Council has a Strategic Objective to ‘Create a safe and sustainable place for future generations’. We recognise that improved community involvement arises when communities feel that they are safe, that their needs are understood and that their participation in community life is welcomed.

Significant numbers of new migrants have arrived in Perth and Kinross over the past ten years with a variety of differing needs. At the same time, there are larger numbers of older citizens than ever before, and the structure and nature of the local population is changing. The challenge of managing the needs of all individuals within these communities should not be under-estimated.

There is a real need to encourage all communities (including those regarded as Protected Groups by the Equality Act 2010) to participate actively in community consultation; and for the Council to encourage all communities to understand and appreciate the value of the wide variety of traditions now represented in the Council area.

As part of this Equality Outcome, we will therefore work across the Council area to:

- a) Improve the understanding of a wider variety of cultural traditions. This will include the promotion to all communities of a wide variety of cultural, community and faith events to which all will be invited.
- b) Improve the representation of community groups on the thriving Community Equality Advisory Group (CEAG).

This Outcome satisfies the final aspect of the General Equality Duty.

