



# **CORPORATE EQUALITIES POLICY**

**Revised and Updated April 2017**

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### 1. Introduction

This Policy is an integral part of the Council's vision of a confident and ambitious Perth and Kinross, to which everyone can contribute and in which all can share. Through our strategic objectives we aim to maximise the opportunities available to our citizens to achieve their potential in life. The strategic objectives of the Council are:

1. Giving every child the best start in life
2. Developing educated, responsible and informed citizens
3. Promoting a prosperous, inclusive and sustainable economy
4. Supporting people to lead independent, healthy and active lives
5. Creating a safe and sustainable place for future generations



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### 2. Equalities Policy Statement

Perth & Kinross Council is committed to equality of opportunity both as a service provider and as an employer. The Council values the diversity of the communities in the area and endeavours to provide services which are inclusive and accessible. The Council recognises that social inclusion and promoting equality of opportunity and good relations between different groups is best achieved by incorporating equalities into the planning, implementation and monitoring processes for all our Council Services. This Council, with all other Scottish public authorities, is legally obliged by the Equality Act 2010 to pay 'due regard' to the need to eliminate unlawful discrimination, victimisation and harassment; to advance equality of opportunity and to foster good relations between those people who share a protected characteristic and those who do not.

By working in partnership to promote equality this Council believes that we will make better use of all available resources. This in turn can lead to increased satisfaction by service users and service providers.

We recognise that discrimination, victimisation and harassment is unlawful and unacceptable and we will take action to prevent this occurring. If this does occur, we will take agreed and appropriate action to deal with it.

This Council also recognises that, when used legally and appropriately, positive action strategies can help to counteract the adverse impact of past discrimination or other causes of disadvantage. We will therefore implement positive action strategies to make our services more inclusive. This is required by the Equality Act 2010 which require the Council to have due regards to the need to:

- remove or minimise disadvantage suffered by people due to their protected characteristics
- take steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- encourage people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

This policy has been revised following the introduction of the Equality Act 2010 and the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012. It remains compliant with predecessor legislation as unamended and takes account of the Public Sector Equality Duty, stemming from the Act and the Human Rights Act 1998.

The policy should be considered alongside other relevant Council policies, guidance and codes of practice where appropriate but in particular those relating to our duties as an employer.

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### **3. Scope of the document**

The purpose of this document is to set out the statutory requirements placed on this Council by the relevant and related legislation. This policy also identifies the strategies we will employ to meet these duties whether we are fulfilling our role as a service provider (or commissioner of services); an employer; a regulator; a planner or a strategic partner.

The policy applies to Elected Members, employees [and volunteers] including staff representatives. Trade Union representatives are encouraged to support and comply with this policy.

This policy will also inform members of the public and relevant regulatory bodies of the Council's commitment to equality of opportunity and set out its roles and responsibilities.

Partners, contractors and all those in the private, public and voluntary sector who carry out Council functions or work, including all those organisations and individuals who supply goods or services to, on behalf of, or in partnership with the Council - will be informed that the Council intends to work in line with the principles stated in this policy. It is intended that they also will adopt these principles as governing principles for the work they carry out with or on behalf of the Council. Compliance with equality of opportunity is compatible with our obligations under European Union rules and regulations, Best Value, Value for Money and other national or local policies and strategies.

This policy enables the Council to put a framework in place to manage the implementation of the policy and related strategies, review progress, monitor outcomes and report on progress. It will also enable the Council to respond to regulatory assessment, for example, from the Scottish Government, Audit Scotland, the Scottish Housing Regulator, Education Scotland, Care Inspectorate and other statutory bodies.

### **4. Equalities Policy Aims**

#### ***4.1 Principles***

The main aim of the policy is to enable the Council to comply with our legal duties, and to create a foundation for the management of equality of opportunity at a corporate and service level. Specifically, this includes the General Equality duty from the Equality Act 2010 'to have due regard to the need to':

- eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct

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- advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not.'

The 'protected characteristics' are:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Marriage/civil partnership
- Race
- Religion or belief
- Sex
- Sexual orientation

Additionally, the Council believes that our responsibility for equality goes beyond the protected characteristics. Issues such as health, income, gender identity, employment status or housing circumstance can impact on people's life chances and should be considered seeking to create fairness and equality of opportunity.

The Perth and Kinross Fairness Commission Report strengthens the focus on addressing inequalities in the area, and the accompanying recommendations will further support our equalities work.

### *4.2 Assessment of Impact*

All existing functions, policies, procedures and strategies that will affect people as service users, members of the public or employees, should be assessed for impact. Assessment for impact is to ensure that the Council understands how a policy will impact on the needs of the general equality duty. This ensures that policies are inclusive and do not cause detriment to people with protected characteristics.

This Council has put in place an easily accessible recording system for its assessments of impact, consultations and monitoring and of any changes made to policies as a result of assessment and consultation.

Our Integrated Impact Assessment Tool continues to allow all aspects of Impact Assessment to be readily considered using an online approach. This integrated approach offers an accessible, digital tool which allows an assessment of impact at the point that policies are being considered for introduction, and encourages equality impact to be measured at the same time as other areas being considered. Consideration is being given as to how best to incorporate a Human Rights assessment to this process, in line with the introduction of a new socio-economic duty on public bodies. It is anticipated that this will be introduced later in 2017 – this

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emerged as a recommendation in the Fairer Scotland Action Plan published in October 2016. on public bodies planned for 2017 recommended in the Fairer Scotland Action Plan published in October 2016.

### 5. Management of this Policy

#### 5.1 Implementation of the Policy

The Corporate Equalities Policy will be published and made available for the public, Elected Members, employees, volunteers, partners and those who carry out work, or supply goods and services for or on behalf of the Council.

Statutory Equality Outcomes have been prepared and published, which will set corporate targets for how the statutory equality measures will be achieved. Equality outcomes were first published by April 2013 and have been regularly reviewed thereafter.

Mainstreaming is part of our legal requirements. This means integrating the work on equality into the Council's day-to-day work. A revised mainstreaming report has been produced alongside this revised policy to strengthen our approach to integrating equalities in all business activities.

#### 5.2 Roles and Responsibilities

Everyone working for or with Perth & Kinross Council has responsibilities in relation to promoting equality of opportunity. We are committed to addressing inequalities locally, and will take every opportunity to raise issues nationally where appropriate. We will do this in our day-to-day service delivery, our strategic planning, our service support or our partnership work.

Continued successful implementation of the Equalities Policy requires ongoing partnership between the Council and the community and should involve:

a) **Elected Members** - to comply with the Equalities Policy and to provide leadership and support; to engage with the local community and to provide a scrutiny role. As part of their Scrutiny role for equalities, Elected Members have responsibility for ensuring that reports before Committee identify any relevant equalities implications and clearly indicate how the equalities implications will be addressed.

Briefings/development opportunities will continue to be provided for Elected Members to enable them to provide leadership and support to encourage compliance with the Corporate Equalities Policy and enable them to develop their engagement with all groups in the local community.

b) **Executive Officer Team/ Directors** - to reinforce and promote the Equalities Policy; to provide leadership and development opportunities to staff and support to Members, and to enable Services to comply with the Equalities Policy; to oversee and monitor compliance. The Executive Officer Team (EOT) has lead responsibility

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for ensuring the equalities policy, legislation and related duties are compliant in both service delivery and employment matters. Directors have responsibility to ensure that the Equalities Policy and related strategies are effectively implemented throughout their Service.

c) **Employees, Staff Representatives, Contractors and Volunteers** - to understand and apply the Equalities Policy, to undertake learning and development opportunities where appropriate, to respectfully challenge unhelpful cultures and traditions and to engage effectively with the community in all business dealings. All employees have responsibilities as well as rights in relation to implementing the Corporate Equalities Policy. A range of development opportunities will be provided for employees, together with guidance and information to enable everyone to positively promote equality of opportunity and good relations between different groups.

d) **Partners, Contractors and Suppliers** - We will work with partners to ensure good equalities practice is shared and that they adopt the principles of equality to enable them to comply with the law. This will include organisations in receipt of Council funding.

### *5.3 Communication and Consultation*

#### Communication

All internal and external communication media should comply with the commitments expressed in the Corporate Equalities policy. We will communicate the outcomes we are working towards and progress made to achieve those outcomes. This will include publishing monitoring and mainstreaming information and data as required by law.

#### Consultation

Consultation will be carried out with the public and employees including Trade Unions as relevant, including in relation to the likely impact of proposed policies. Consultation mechanisms will continue to be monitored to ensure that our arrangements for ensuring access to information and services are effective.

### *5.4 Learning and Development*

Regular assessments will be carried out to ensure everyone who requires it will receive appropriate levels of briefing/training to enable them to carry out their roles effectively and deliver their legal responsibilities in relation to equality. Specific learning opportunities in relation to equalities will consider different methods of training delivery.

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### **6. Policy Review**

The Corporate Equalities Policy will be reviewed annually to ensure it reflects changes to legislation and case law and as otherwise required ensuring it reflects good equalities practice.

DRAFT FOR APPROVAL