



**Equality and Diversity Framework
2010/11**

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Introduction and Background

The purpose of equality and diversity work is summed up in the following definition:

“An equal society protects and promotes equal, real freedom and substantive opportunity to live in the ways people value and would choose, so that everyone can flourish.

An equal society recognises people’s different needs, situations and goals, and removes the barriers that limit what people can do and can be.”

The Equalities Review’s Final Report, Fairness and Freedom:
Communities and Local Government publications, February 2007

This definition recognises:

- That we need to help disadvantaged individuals reach their goals, although this is only part of the story,
- That we all share some of the responsibility for setting the conditions in which we can improve our own life chances, and for making sure that we are all treated with equal dignity and worth.
- Different needs and identities, and provides for equal participation in society.
- Our diversity: equality does not mean sameness, nor should an equal society try to force everyone into the same mould. The pursuit of equality is about empowering people to fulfill their potential, to be themselves and to be different, if they wish.

The definition captures three important aspects of the approach, which are reflected in our equality and diversity framework:

- opportunity: supporting access to opportunities;
- agency: what degree of choice and control an individual has in achieving the valued activity; and
- process: whether discrimination (or some other barrier or process) causes or contributes to a particular inequality

Part 1: Equalities Policy

1. Policy and Commitment

Cherwell District Council's commitment to the equalities agenda is a key ingredient in building excellent people-centered services, promoting the general well-being of Cherwell's communities and its citizens and a diverse, competent workforce.

The approach lies at the very heart of everything we do in providing services to people and in shaping the place they live and work and employing people

This is encapsulated in the Council's Equality Vision:

'Cherwell District Council, working to ensure equality, access and fairness in all we do'

To deliver on this vision requires positive action and commitment; taking account of different needs and building participation of our staff, service users and communities. This will help us to:

- Improve the services the Council provides so they are more representative, relevant and efficient, whilst also improving satisfaction and trust
- Ensure that our policies and strategies deliver for everyone and improve our accountability to local people
- Meet our statutory equality duties and avoiding litigation as a consequence of discrimination.

Our equality framework reflects our Strategic Priorities, Corporate Plan and the Corporate Improvement Plan.

Our Equality Commitment

Cherwell District Council serves a diverse community, where people from a range of backgrounds and experiences enhance the life and development of the district. The Council has a responsibility to lead its communities, by creating an organisation that can embrace diversity and recognise equality.

The Council is therefore committed to:

Delivering equitable services which:

- Have competencies and confidence in all equality strands: race, age, disability, gender, religion/belief and sexual orientation.
- Prevent inequality, focusing on equitable and fair outcomes even if this means treating people differently
- Understand and meet the needs of customers
- Are accessible by local people and communities

Shaping the development of our district by:

- Addressing persistent inequality and deprivation
- Understanding local needs and preferences and making sure that the right services are provided to local people
- Including different contributions, perspectives and experiences of people in our community in shaping the district
- Building a strong and cohesive community where everyone is treated with respect

Building a diverse, competent workforce and Membership where:

- People from differing backgrounds are encouraged to introduce fresh ideas and perceptions
- Staff have rights as employees to work in a supportive, safe and harassment free environment and that staff have individual and collective responsibility to value and respect each other's contributions
- Standards of conduct are of the highest level and to ensure that no one is harassed, bullied or victimised
- The workforce is proportionately reflective of the community and compares well with other councils

Responsibility and Accountability

1. The Portfolio Holder for equality and diversity is the Leader of the Council.
2. The Resources and Performance Scrutiny Board has responsibility for scrutiny of equalities policy and performance.

3. It is the responsibility of the Corporate Management Team to make sure that actions are in place to deliver on this framework.
4. Heads of Services have an essential role in delivering this policy. They are to be pro-active in developing a service led approach to equalities development and to ensure that staff are adequately trained to meet the requirements of this policy.
5. The Equality and Diversity Steering Group supports the development of service specific action plans.
6. Every manager and employee has a role to play in implementing the plans.
7. The overall implementation of the Framework will be monitored by the Corporate Strategy, Performance and Partnerships team and supported by the Corporate Equalities Steering Group and Head of Services.

Policy Review

This Policy will be kept under annual review and be subject to amendments and changes in line with changes in society and legislation.

2. Appendix to the Policy - Legislation

There are a number of Acts of Parliament which are designed to protect and promote rights and responsibilities. Depending on the area of work, there are likely to be requirements under at least one of these Acts. Below are a selection of the main Acts that place duties upon the Council and give rights to staff, residents and service users.

Race Relations Act 1976 & Race Relations (Amendment) Act 2000

The Race Relations Act 1976 (Amendment) Regulations 2003

Sex Discrimination Act (SDA) 1975

Sex Discrimination Act (SDA) 1975 (Amendment) Regulations 2003

The Sex Discrimination (Gender Reassignment) Regulations 1999

Gender Recognition Act 2004

Equal Pay Act (EPA) 1970 (as amended)

Equal Pay Act (EPA) 1970 (Amendment) Regulations 2003

Disability Discrimination Act (DDA) 1995

Employment Equality (Sexual Orientation) Regulations 2003

The Equality Act (Sexual Orientation) Regulations 2007

Civil Partnership Act 2004

Employment Equality (Religion or Belief) Regulations 2003

Employment Equality (Age) Regulations 2006

Equality Act 2006

Human Rights Act (HRA) 1998

Children Act 2004

There are also Statutory Codes of Practice for the Specific Equality Duties, in the areas of Housing and Work with Children and Young People

Part 2: The Equality Scheme

3. The Equalities Scheme

Our approach to delivering on our vision and commitment is outlined in this scheme. In summary it is:

1) A Comprehensive Scheme

The mandatory Race, Disability and Gender Equality Schemes are widened out to include other strands.

In considering Age equality there is an opportunity to use the process of the Equality scheme to monitor and evaluate the impact of services on Children and Young People and how they enable children and young people in the district to have optimum life chances and to enter adulthood successfully.

2) A Scheme Based on a Clear and Robust Business Process

The outline below describes how the processes combine to produce a systematic scheme which is effective and robust.

- Evidence Based
- Uses local knowledge and an understanding of the Cherwell community
- Corporate and Cross Cutting

The scheme operates at both service and corporate levels so that our approach is based on evidence, knowledge and understanding of the local community. Focusing on our equalities at a corporate level ensures performance against our objectives and is fed by processes in each service.

1) A Comprehensive Scheme

There are various components to the Equality Scheme.

1. Equality Strands

Equality strands can be defined as groups of people who experience particular forms of discrimination, whether or not the discrimination is intentional.

This can be in terms of:

- Age
- Race

- Marital Status
- Sex
- Disability
- Gender
- Sexual Orientation
- Religion and belief
- Deprivation

Each area has different legislative foundations and set of core requirements. The Council is striving to take the highest standards from each strand and apply these to all the areas of equality.

2. Partnerships

Working with partners in the statutory, voluntary and business sector is a feature of our business. It is also an essential part of promoting the general well-being of Cherwell's communities and its citizens.

In the Council's first Equality Scheme, we highlighted how we intended to work with our partners to develop our approach to equality. The Council has a number of key partnerships and as a part of these the Council will:

- Act as an equality champion
- Ensure that partnerships have considered equality matters as a matter of course
- Ensure that the partnership performance management framework assesses whether outcomes to address inequalities are included
- Ensure Partnerships are able to engage fully with local people taking due account of differing viewpoints

3. Procurement

A number of Acts contain various prohibitions on discrimination on the grounds of race, sex and disability in the provision of goods, facilities and services, and as such the Council expects its business partners to comply with all the relevant legislation, incorporating these as a requirement within all its contracts.

The Council will take into account within its tender evaluation and contracting processes, a potential contractor's approach to equalities in terms of its employment practices and service delivery, which will also be monitored and managed during the life of each contract.

The Council will check a contractor's compliance with equality and diversity issues in two ways:

- Prior to Contract Award - by asking equalities questions either prior to or during the tender process. If following evaluation the response does not satisfy the Council's criteria, the firm may not be shortlist or awarded a contract.
- After Contract Award - by including contract conditions on equality in Council contracts and by monitoring a contractor's performance and compliance with those conditions.

4. Training

Diversity training is designed to increase the cultural awareness, knowledge, and skills of our staff, with the specific intention to increase the capability of the council to be able to recognise and meet the needs of different identity groups, and to promote better teamwork through understanding and valuing difference.

The Council seeks to provide development and training to employees when the opportunity arises but specifically on the following occasions:

- New staff induction
- Special programs regarding disability awareness and other areas
- Corporate Training to all members of staff
- To managers as part of their competency training
- To members through their specific training programme

5. Consultation, Engagement and Community Knowledge

Key to all these process is the strategic and management information used to inform decision making. A knowledgeable service can deliver a tailored service to its customers

The Council is committed to consultation and engagement that improve the accessibility and quality of our services.

To achieve this effective engagement with local people is vital. Engagement is part of the process of actively involving people in the delivery of the developments and services. To support this engagement each service should:

- Ensure it listens and responds to its community needs
- Follow principles and objectives for effective consultation and engagement

The strategic objectives outlined In the Consultation and Engagement Strategy are to:

1. Demonstrate a clear commitment to consultation and community engagement
2. Have a coordinated but flexible approach to consultation that meets the needs of all our services and ensures a consistent approach across the council
3. Work in partnership with others to ensure joined up consultation
4. Undertake consultation in line with clear standards and good practice
5. Ensure our consultation is open, accessible and inclusive
6. Demonstrate how the results of our consultation influences outcomes

6. Equality Impact Assessments

The Council will assess the Impact of Its work as follows:

- Assess the likely impact of policies and strategies
- Assess the impact of its services

2) A Scheme Based on a Clear and Robust Business Process

The comprehensive approach to the equalities scheme is used to build a clear and robust business process:

1. The Council maintains its commitment by:

The Council's motivation comes from its equalities policy and commitment. In addition there is an annual business process which includes an update of the corporate equalities action plan, an annual performance review, a review of the policy and scheme and an approach to service and financial planning that includes equalities actions. This business process:

- Ensures the Council understands and acts upon the needs of the communities it serves, promotes equality and tackles inequalities and develops priorities that are genuinely shaped through a real understanding of the needs of its communities
- Ensures that the Council integrates its equality priorities within mainstream decision making and performance management processes
- Provides a systematic framework for mainstreaming equality leading to the continuous improvement of outcomes
- Helps the Council meet its obligations under the law

2. What are our Equalities Goals and Objectives?

The Corporate Equalities Action Plan has 5 objectives, each underpinned by targets and actions:

1. Ensuring Fair Access and Customer Satisfaction
2. Tackling Inequality and Deprivation
3. Building Strong and Cohesive Communities
4. Promoting Positive Engagement and Understanding
5. Demonstrating Our Commitment to Equality

3. Assessing the impact of Council services

a) How does the Council assess and consult on the likely impact of Proposed Policies and Strategies?

A self-auditing process is used to ensure that the Council is consulting and assessing the likely impact. This process is monitored by the Equality and Diversity Officer and the Corporate Equality Steering Group so as to ensure that basic equality questions and actions are built into policy, project, programme and strategic development.

This will increase the Council's understanding of people's needs and concerns within policy and strategy process. Needs that might have otherwise been overlooked or ignored will be recognised.

b) How does the Council monitor the impact of existing Policies and Strategies?

The strategic plan for impact assessments identified the council functions: as relevant to the promotion of equality. The 3 year timetable reveals when services will be assessed. Each service area will then carry out the following four stage assessment. The assessments will be carried out by a team which includes an Equality Officer and a member of the service.

Stage 1—Scope of the assessment

The Scope of the assessment comes from a definition the service and its policies and in discussion with an Equality Officer the scope of the assessment is agreed. It is possible to carry out an impact assessment on any aspect of the local Council's work. There is a choice in the approach taken. The focus may be Policy; Strategy; Service; Major project or a group of services/policies

Stage 2—Identify potential equality issues and factors

In most cases the assessment will rely on existing data sources. Additional data may be collected as part of the assessment and additional consultation

may be carried out. The decision will depend on the judgement of the team. There are likely to be data gaps at this stage but the collection of new data could be one of the 'equality objectives' emerging from the assessment. This would then be included in an action plan. Actions include:

- Decide what data and management information is needed. Use both quantitative or qualitative data
- Ensure there is information that allows all perspectives to be taken into account
- Identify and document any gaps in data. Explain how these gaps will be addressed. The team may have to generate primary data.
- Identify all current and relevant data sources

Stage 3—Analysis and Action plan

The purpose of carrying out an Impact Assessment is to provide the basis for creating Equality Objectives and Performance Indicators that will drive improvement and change in delivering equalities. There may provide a number of possible outcomes.

- Demonstrated an adverse impact or impacts in one or more areas
- Systemic issues are likely to cause an adverse impact across one or more areas
- No differential impact in employment practices or service delivery
- There is insufficient evidence to judge whether there is differential impact
- There is unmet need across one or more groups

If an assessment demonstrates adverse impact then the service should be taking immediate action to remedy the situation and objectives would be set accordingly.

However, where outcome of the assessment falls into one of the other categories set out above there will be also be a need to set objectives. The purpose of these objectives will be to:

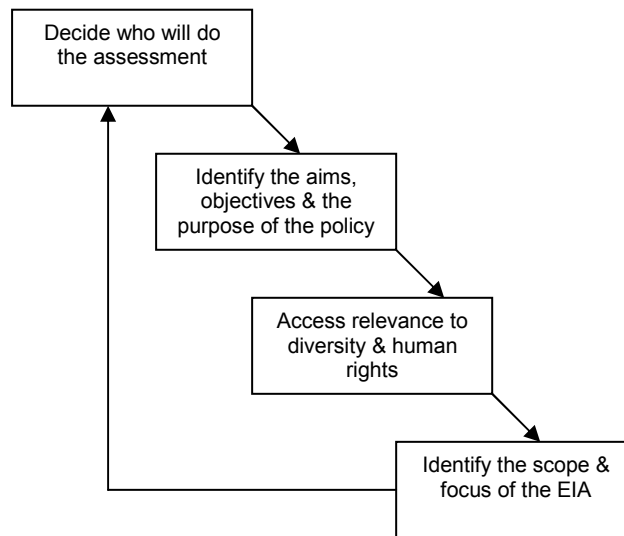
- Improve the quality of data/research so that there is a clearer understanding of impact
- Develop good equality practice.
- Deliver against the Corporate Equality Goals

Stage 4—Monitoring

Monitoring of these assessments will form a part of the Equality Monitoring and Evaluation Scheme in Section 4

Equality Impact Assessments Flow Diagram

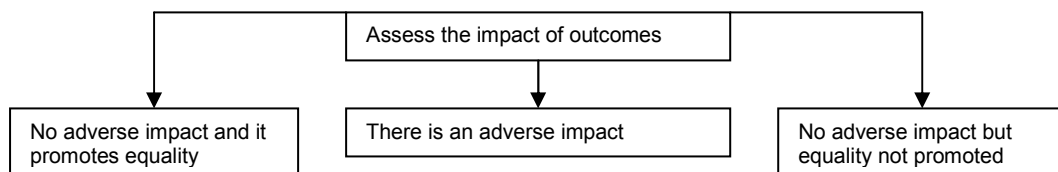
Stage 1 Scope



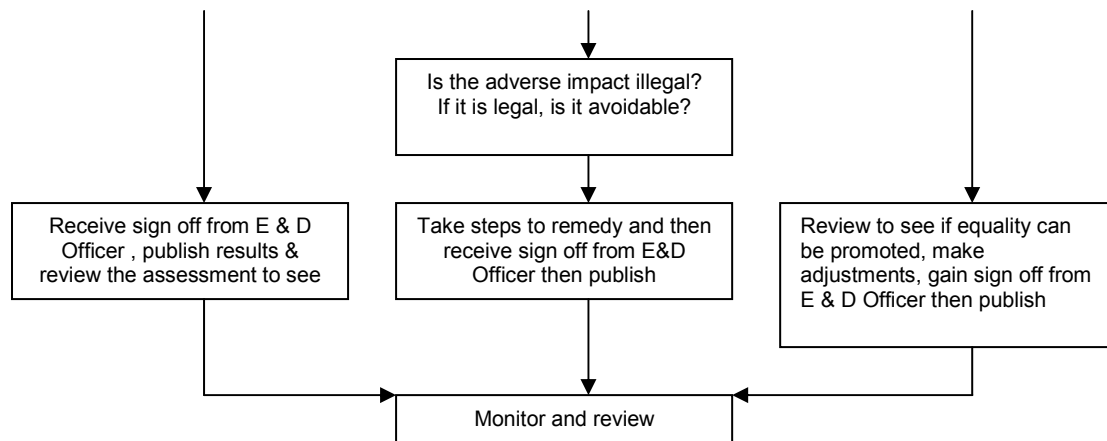
Section 2 Intelligence Gathering



Section 3 Judgment



Section 4 Sign Off, Publication and Review



For a full overview of the equality impact assessment process see the supporting guidance and three year programme of planned equality impact assessments.

4. The Corporate Equality Action Plan

The Corporate Equality Plan sets out how the Council will meet its Equality responsibilities and objectives.

1. Ensuring Fair Access and Customer Satisfaction
2. Tackling Inequality and Deprivation
3. Building Strong and Cohesive Communities
4. Promoting Positive Engagement and Understanding
5. Demonstrating Our Commitment to Equality

The Plan is updated annually and contains an overview of the work undertaken in the previous twelve months and the work programme going forward.

The plan reflects a number of equalities principles:

Equality as Quality excellent services recognise the importance of equality of access to employment opportunities and services. Councils have a duty to provide services that are appropriate to the user in both content and in the ways in which they are delivered. Rather than assuming that customers should fit with existing service provision structures, services should be built around a robust analysis and understanding of diverse needs, against the context of diverse localities.

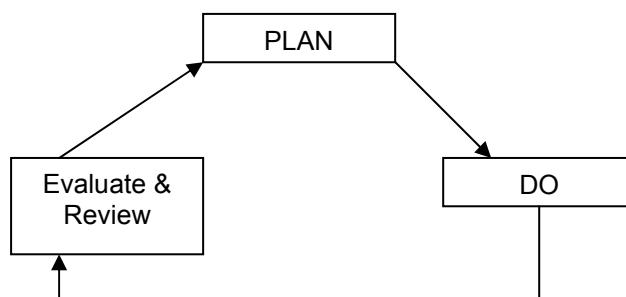
Developing positive outcomes while the Equality Framework is designed to embed *systems* for equality improvement, the ultimate objective is to deliver positive *outcomes*: real, measurable improvements in the delivery of services and employment that must be determined by services, according to need and context.

The new positive duties require this scheme to develop and identify the improvements that councils will make towards eliminating discriminatory barriers. The processes put in place by the Framework will enable the council to evidence its progress and mainstream equality through robust performance management.

Working corporately in the management of equalities a corporate approach to the implementation of equal opportunity issues is essential to ensure that the Equalities Policy for the Council and the processes involved in the Equality Framework are systematically applied. This approach will promote a shared understanding of equality within the Council, promote the sharing of 'best' practice and provide a set of comparable systems for performance management and self-assessment.

5. Monitoring and Evaluation

We will performance manage our equalities work by following the 'Plan, Do and Review' model. This includes an annual review process, quarterly performance monitoring through the corporate performance management framework and an annual update of the action plan.



Evaluation

Evaluation is about using monitoring and other information collected to make a judgement about services equality standard. It is also about using the information to make changes and improvements.

Evaluation aims to answer agreed questions and to make a judgement against specific criteria. Like other research, for a good evaluation, data must be collected and analysed systematically, and its interpretation considered carefully. The results of an evaluation are intended to be used.

The general questions asked are:

- What are the key issues that have been/need to be addressed?
- What have we achieved/achieving?
- Why are we doing it?

Specific questions will help you to think about what you want to focus on.

- Are there any persistent inequalities that still need addressing?
- How do different users experience the service?
- What changes or benefits have met the needs of particular service users?

Each service considers these questions as part of the service planning process.

Equality Steering Group

The steering equality group will meet to:

- Review equality Impact assessments completed by managers

- Identify the service processes/actions that need to be in place to deliver the equality goals
- Agree how the services can contribute to the Corporate Equality Goals
- Review and update the Equalities Action Plan

Performance Review

Based on the Impact Assessments, Action Plan, Service Plans and Health checks a performance review will be produced which will be published annually.

A summary of all achievements, issues and plans will form a part of the Annual Equalities Report published as an information sheet in June and open to scrutiny. Key equality statistics will also be published as these become available.

6. Additional Sources of Information

Documents that support this scheme include:

- The Corporate Equalities Action Plan
- The Equalities Impact Assessment Guidance
- The Equalities Impact Assessment Three Year Rolling Plan
- Specific Equalities Policies
- The Corporate Equalities Training Programme

All are available on the equalities pages of the Cherwell District Council website. www.cherwell.gov.uk

7. Contact

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