

Initial screening EqIA template: Corporate Equality Scheme 2012-2015

1. Which group (s) of people has been identified as being disadvantaged by your proposals? What are the equality impacts?

The last external Audit Commission report on the Council's equalities work in 2009 stated that:

"The Council has achieved real improvements for vulnerable communities over the last five years, with a range of physical, economic and social projects. Leadership is effective in promoting equalities and diversity externally. It provides long term financial support to voluntary groups to build capacity and there are positive examples of engagement with the local community which work well. The Council promotes community cohesion and gives commitment and support to events in the City which help the understanding and engagement of differing sectors of the community."

The 2012-2015 Corporate Equality Scheme will continue and expand on this work and explicitly recognises that Oxford has some unique challenges:

- Ethnically and culturally diverse with the third highest minority non white ethnic population in the south east at approximately 19.6% and an estimated 8% of white non-British residents
- 19.3% residents were born outside the UK
- Experienced population growth of 13.4% over the last decade
- House prices are more than 10 times average earnings
- 12 of its 85 "super output areas" are among the 20% most deprived areas in England
- Nearly one-quarter of Oxford's children (5,000) live in poverty, 3,000 people of pensionable age and 9,000 people of working age
- Has the highest proportion of students at 26% (32,000 full time students) of the working age population
- Although only 1:10 16-24 year olds are not in education, education or training (amongst the lowest in the country) 1:5 are unemployed (close to the national average)

The CES puts actions to the ambition of the Council to reduce the extent of inequality and to improve the lives of the most vulnerable members of our community. It also sets out a firm commitment to improving the diversity of our workforce and to equipping all staff with the knowledge to promote equality and diversity to ensure that services are fully accessible to all community groups. The scheme is designed to make a positive impact across all protected characteristics and was scoped to target the most vulnerable community groups, particularly socio economically. The scheme takes into account the following equalities duties when framing the Council's equalities objectives:

Prohibited Conduct under The Equality Act 2010 including:

Direct discrimination (including by association and perception e.g. carers); Indirect discrimination; Pregnancy and maternity discrimination; Harassment; third party harassment; discrimination arising from disability.

Public Sector Duties (Section 149) of the Equality Act 2010 for OCC and services provided on its behalf: (due to be effective from 4 April 2011)

OCC and services providing public functions must in providing services have due regard to the need to: **eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between different groups.** 'Positive action' permits proportionate action to overcome disadvantage, meet needs and tackle under-representation.

Rights apply to people in terms of their "Protected Characteristics":

Age; Gender; Gender Assignment; Sexual Orientation; Disability; Race; Religion and Belief; Pregnancy; Maternity. Note that Marriage and Civil Partnership do not apply to the public sector duties.

Duty to "advance equality of opportunity":

The need, when reviewing, planning or providing services/policies/practices to assess the impacts of services on people in relation to their 'protected characteristics', take steps to remove/minimise any negative impacts identified and help everyone to participate in our services and public life.

Equality Impact Assessments remain best practice to be used. Sometimes **people have particular needs** e.g. due to gender, race, faith or disability that need to be addressed, not ignored. OCC must have due regard to the **duty to make reasonable adjustments** for people with disabilities. OCC must **encourage people who share a protected characteristic to participate in public life** or any other activity in which their participation is too low.

Duty to 'foster good relations between people'

This means having due regard to the need to **tackle prejudice** (e.g. where people are picked on or stereotyped by customers or colleagues because of their ethnicity, disability, sexual orientation, etc) and **promote understanding**.

Lawful Exceptions to general rules: can happen where action is proportionate to achieve a legitimate aim and not otherwise prohibited by anything under the Equality Act 2010. There are some special situations (see Ch 12 and 13 of the Equality Act 2010 Statutory Code of Practice – Services, Public Functions and Associations).

Human Rights include:

Rights under the European Convention include not to be subjected to degrading treatment; right to a fair trial (civil and criminal issues); right to privacy (subject to certain exceptions e.g. national security/public safety, or certain other specific situations); freedom of conscience (including religion and belief and rights to manifest these limited only by law and as necessary

for public safety, public order, protection of rights of others and other specified situations); freedom of expression (subject to certain exceptions); freedom of peaceful assembly and to join trade unions (subject to certain exceptions); right not to be subject to unlawful discrimination (e.g. sex, race, colour, language, religion, political opinion, national or social origin); right to peaceful enjoyment of own possessions (subject to certain exceptions e.g. to secure payment of taxes or other contributions or penalties); right to an education; right to hold free elections by secret ballot. The European Convention is given effect in UK law by the Human Rights Act 1998

2. In brief, what changes are you planning to make to your current or proposed new or changed policy, strategy, procedure, project or service to minimise or eliminate the adverse equality impacts?

Please provide further details of the proposed actions, timetable for making the changes and the person(s) responsible for making the changes on the resultant action plan

The Corporate Equality Scheme 2012-2015 follows on from a review of the 2008-2011 scheme and sets out the Council's key corporate equalities objectives for this new period.

The 10 primary equality objectives will be reviewed on an annual basis and have the flexibility to respond and change to meet any significant movements in local demographics and customer needs. The CES directly supports the Council's vision to invest in Oxford and make it a "world-class city for everyone" and underpins the Corporate Plan 2011-2015 priorities of a vibrant, sustainable economy, meeting housing needs, strong, active communities, a cleaner, greener Oxford, and an efficient, effective council. It further supports individual service plans and assists workforce planning and recruitment as part of the Council 2012 programme.

The aims of the CES and its ensuing action plan will therefore reinforce our duty as a public sector service provider to:

- Promote equality of opportunity;
- Eliminate discrimination, harassment and victimisation;
- Promote good community relations;
- Promote positive attitudes towards people with protected characteristics; and
- Encourage participation of people with protected characteristics

The key material change in the 2012-2015 CES is an annual review against the action plan and core objectives grouped around equality of access to services from which there will inevitably be other work streams/ projects.

There will be a closer link with the Annual Workplace Equalities Report and a stricter ongoing quarterly challenge against the progress of each objective. Objectives will not be static or finite and changes are anticipated as a result of reviews and external scrutiny processes.

3. Please provide details of whom you will consult on the proposed changes and if you do not plan to consult, please provide the rationale behind that decision.

Please note that you are required to involve disabled people in decisions that impact on them

Will there be/has there been consultation with all interested parties?

There will be significant internal discussion and consultation according to the Council's democratic processes. All equality objectives have been discussed with and agreed by Heads of Service:

- 3 November - latest date by which report author submits report for Legal and Finance clearance
- 14 November - CMT - final corporate clearance, following which report is adjusted where appropriate and sent to Board member
- 21 November - last date for Board member clearance
- 22 November - Board member cleared report for Labour Group
- 24 November - Labour Group
- 7 December 2011 – City Executive Board
- December 2011/ January 2012 public consultation

All phases of the consultation will cover the following key questions:

Are the proposed actions necessary and proportionate to the desired outcomes?

Where appropriate, will there be scope for prompt, independent reviews and appeals against decisions arising from the proposed policy/equality objective?

Does the proposed policy/equality objective have the ability to be tailored to fit different individual circumstances?

Where appropriate, can the policy/equality objective exceed the minimum legal equality and human rights requirements, rather than merely complying with them?

Note: consultation will be via E-consult online consultation and other forms such as Talkback (Oxford Citizens Panel)

Note: the list of interested community groups will be drawn up in conjunction

with recommendations from Heads of Service, Policy, Communications & Culture and People & Equalities. A list of disability contacts has already been established (see below).

Disability Groups – suggested consultation contacts:

Age UK Oxfordshire

Dedicated to promoting the well-being of older people. Many local groups so will be able to contact a local Oxford group through these contact details.

Tel: 01235 849400

admin@ageukoxfordshire.org.uk

Deaf Direct

Offer a range of services to Deaf and Hard of Hearing people at all ages.

St Ebbe's

Oxford OX1 1RL

Tel: 01865 243447

SMS: 01865 722209

oxford@deafdirect.org.uk

Mencap

Provides support and recreational activities for children and adults with learning difficulties in the Oxford area

Tel: 01865 557489

Katie.hollier@yahoo.co.uk

My Life My Choice

A self advocacy group run by and for people with learning difficulties in Oxford.

Tel: 01865 204214

office@mylifemychoice.org.uk

Oxford Association for the Blind

Provide support for people who are visually impaired, partially sighted or blind.

Tel: 01865 725595

admin@oxeyes.org.uk

Oxfordshire Unlimited

A user led group for people with physical difficulties whose aim is to ensure equality of opportunity by providing advice, information and campaigning.

Deputy Chair, Oxfordshire Unlimited

5 Hids Copse Road

Oxford

OX2 9JJ

Tel: 0845 121 4112

gwynneth@glpedler.f9.co.uk

4. Can the adverse impacts you identified during the initial screening be justified without making any adjustments to the existing or new policy, strategy, procedure, project or service?

Please set out the basis on which you justify making no adjustments

At this stage there are no adverse impacts anticipated. There is an acknowledgement that the CES will be adequately resourced and that the Corporate Management Team and elected members will have the responsibility for ensuring that resources are regularly monitored.

5. You are legally required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts.

Please provide details of how you will monitor/evaluate or review your proposals and when the review will take place

The equality objectives and CES were developed using the following data sources: Index of Multiple Deprivation, workforce data, population statistics (Oxfordshire Data Observatory and national statistics), any relevant service reports, customer surveys, and equality monitoring data for the service area.

Where there are any significant gaps in the known evidence base the respective equalities objectives set out specific customer consultation/ survey feedback and the revalidation of existing data sets on both customers and service satisfaction levels.

The CES Action Plan will be subject to an annual review and scrutiny from elected members via the scrutiny committee processes. There will be an Annual Workplace Equalities Report published (see notes below) to measure progress towards increasing the diversity of the Council's workforce and equalities issues relating to all HR management (including equality of access to training)

Note:

Following recent consultation the Government has said that the following

information must be published no later than 31 January 2012 and, thereafter, at least annually.

d. The information that the Council publishes must include:

- The equality profile of its employees to show any significant and long standing inequalities such as the gender pay gap and the proportion and distribution of disabled employees and employees from the ethnic minority communities. Also, where proportionate, similar information on employment matters such as the success rates of job applicants, take-up of training opportunities, grievance and discipline, dismissals, flexible work applications and success rates, length of service and time on pay grade and pay gap information.
- Evidence of equality analysis undertaken. The Council will need to show that it understands how its policies and practices will affect equality for all of the protected groups and do this early enough to influence how things are done.
- Evidence of equality analysis undertaken to establish whether its policies and practices would further, or have furthered, the three aims of the equality duty.

Further, the Council must publish, by no later than 6 April 2012, equality objectives that are specific and measurable and that will help it further the aims of the general duties. These must be based on the equality evidence and analysis as identified above and at subsequent intervals of no greater than four years beginning with the date of the last publication

Lead officer responsible for signing off the EqIA:

Role: Jarlath Brine (Equalities & Diversity Business Partner)

Date: 03 November 2011

Note, please consider & include the following areas:

- Summary of the impacts of any individual policies
- Specific impact tests (e.g. statutory equality duties, socio-economic, social, regeneration and sustainability)
- Post implementation review plan (consider the basis for the review, objectives and how these will be measured, impacts and outcomes including the “unknown”)
- Potential data sources

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