

STOCKTON-ON-TEES BOROUGH COUNCIL

CABINET RECOMMENDATIONS

PROFORMA

Cabinet Meeting30th November 2006

1. Title of Item/Report

Single Equality Scheme 2007 - 10

2. Record of the Decision

Cabinet considered a report that outlined the Council's Single Equality Scheme and Disability Equality Action Plan.

It was explained that the Equality legislation, that public authorities had a duty to comply with was large and complex. Public authorities had had a duty to "promote race equality" since 2002. In 2005 the Disability Discrimination Act was extended to place a duty on public authorities to "promote disability equality", and the Equality Act 2006 required councils and other public bodies to "promote gender equality". Each of these three key pieces of legislation required the Council to publish an equality scheme.

Stockton Council first published its Race Equality Scheme in 2002 and revised it in 2005 to meet the requirement to review at least every three years. The deadline for publishing a Disability Equality Scheme was 4th December 2006 and the deadline for a Gender Equality Scheme was April 2007.

Cabinet agreed that it was vital that the Council had a joined up, proportionate and workable approach to meeting its duties in these three areas and one which was flexible enough to accommodate any future requirements to publish schemes on the other equality strands (religion/belief, age, sexual orientation). To achieve this aim a Single Equality Scheme had been under development.

It was considered that the Single Equality Scheme approach placed the Council in a strong position to respond to the new legislation. The Scheme set out how the Council would meet the general and specific duties placed upon it in one document with a suite of linked action plans on each strand. Developing such a scheme was a big undertaking, particularly, as despite the April deadline for producing a Gender Equality Scheme, the Statutory Code of Practice had yet to be published. The Scheme presented to Cabinet was therefore, a "first edition" and focused

on the Council's duties to Promote Disability Equality, as this was the most immediate deadline. A "second edition" would be presented to Cabinet for approval ahead of the April deadline on gender equality and would also encompass a review of our Race Equality Scheme.

Cabinet considered the specific duties placed on Councils. The first was a general duty and required the Council to:-

- Promote equality of opportunity between disabled persons and other persons.
- Eliminate discrimination that is unlawful under the Act.
- Eliminate harassment of disabled persons that is related to their disabilities.
- Promote positive attitudes towards disabled persons.
- Encourage participation by disabled persons in public life; and
- Take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons.

The second duty that applied to councils was to publish a Disability Equality Scheme which must include a statement of:

- The way in which disabled people had been involved in developing the scheme.
- The authority's methods for impact assessment.
- Steps which the authority would take towards fulfilling its general duty (the action plan)
- The authority's arrangements for gathering information in relation to employment
- The authority's arrangements for putting the information to use, in particular in reviewing the effectiveness of its action plan and in preparing subsequent Disability Equality Schemes

In addition the Council was required to, within three years of the scheme being published, take the steps outlined in the action plan and put into place arrangements for gathering and making use of information. The Council was required to publish a report containing a summary of the steps taken under the action plan, the results of information gathering and the use to which that information had been put.

A copy of the Council's Equality Scheme was provided to Members, which set out the overall framework for Equality in Stockton. The Disability Action Plan was also considered and Members noted some of the key issues:

- The scheme had been developed collaboratively with disabled

people. A key action was to introduce a Disability Advisory Group to work with services to implement the action plan, to “mystery shop” any improvements, to test their effectiveness and to consult in future.

- Equality Objectives linking to the Community Strategy and Council Plan had been developed and the action plan had been developed around those so that progress in achieving the objectives could be monitored and publicly reported.

- Impact assessments would need to be carried out on existing policy and practice and on decisions. A proportionate methodology for carrying out assessments would be developed and implemented in April 2007 with a programme to be agreed by the Corporate Management Team.

- An equality and diversity training programme for officers and members would be developed and implemented.

- Although remedial work to improve the accessibility of Council facilities for disabled people had previously been carried out, a second audit would be completed to ensure the Council continued to provide services from accessible facilities. The audit would be carried out in partnership with the Disability Advisory Group.

- Equality related employment policies and codes of practice would be reviewed and their application across the authority monitored.

RESOLVED that

1. the first edition of the Council's Single Equality Scheme be approved
2. the Disability Equality Action Plan be approved.
3. authority to make any necessary amendments to the draft scheme be delegated to the Assistant Chief Executive in conjunction with the Cabinet Member for Social Inclusion and Neighbourhoods.
4. delegated authority be given to the Director of Law and Democracy to embed equality impact assessments into the decision making process from the beginning of the 2007/08 municipal year.
5. agreement of the impact assessment programme be delegated to the Corporate Management Team.

RECOMMENDED, to Council, that the necessary amendments to the Council's Constitution be made, to reflect the requirements of the equalities legislation referred to in this report, scheme and action plan.

3. Reasons for the Decision

The Disability Discrimination Act 2005 places a specific duty on public bodies, including councils to publish a Disability Equality Scheme by December 4th 2006. The scheme required the approval of Cabinet.

4. Alternative Options Considered and Rejected

None

5. Declared (Cabinet Member) Conflicts of Interest

None

6. Details of any Dispensations

None

7. Date and Time by which Call In must be executed

By no later than midnight on Friday 8th December 2006 in respect of resolutions 1 to 5 only.

Proper Officer
05 June 2006