



## **North Devon Council**

Report Date: Monday, 6 November 2023

Topic: Equality Strategy 2023-2027

Report by: Head of Governance

### **1. INTRODUCTION**

- 1.1. North Devon Council is committed to achieving equality of opportunity both as an employer of people and as a provider of services.
- 1.2. Strategy and Resources Committee previously approved the Equality Strategy for 2019-2023 at its meeting on 1 July 2019.

### **2. RECOMMENDATIONS**

- 2.1. That Members adopt the Equality Strategy for 2023-2027.

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1. To ensure that the Council has an up-to-date Strategy in place to meet its duty under the Equality Act 2010.

### **4. REPORT**

- 4.1. As an employer and deliverer of services, North Devon Council is committed to eliminating unlawful discrimination, promoting equal opportunities and fostering good relations between people from all communities.
- 4.2. The Equality Act 2010 came into force in October 2010 and legally protects people from discrimination in the workplace and in wider society. It replaced previous anti-discrimination laws with a single Act.
- 4.3. The Act covers nine protected characteristics and these are the grounds upon which discrimination is unlawful. The characteristics are: age, disability, gender reassignment, marriage or civil partnership (in employment only), pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 4.4. As part of the Act, public authorities must comply with the public sector equality duty ("the equality duty"). This duty replaced the previous race, disability and gender equality duties and was developed to extend across all the protected characteristics. It consists of a general equality duty, supported by specific duties and requires public authorities to consider or think about how their policies or decisions affect people who are protected under the Act.
- 4.5. Public authorities must publish information to show their compliance with the equality duty as part of the decision making process and decision makers must have due regard to:
  - 4.5.1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
  - 4.5.2. Advance equality of opportunity between people who share a protected characteristic and those who do not.

- 4.5.3. Foster good relations between people who share a protected characteristic and those who do not.
- 4.6. Public Authorities must also:
  - 4.6.1. Publish equality information at least once a year to show how they've complied with the equality duty.
  - 4.6.2. Prepare and publish equality objectives at least every four years.
- 4.7. A revised Equality Strategy is attached as Appendix A to the report. The publication of the Equality Strategy will support the Council in meeting the general and specific duties as part of the Act.
- 4.8. The Strategy outlines the Council's equality objectives and how the Council will fulfil its moral, social and legal obligations and what we will do to make North Devon a place where people get along with each other and treat each other with dignity and respect.
- 4.9. Public consultation has been undertaken on the draft strategy for 6 weeks between 1 June 2023 and 31 July 2023. 19 consultation responses have been received and are detailed in Appendix C to the report. The consultation responses together with a response to the comments made or action taken, where appropriate, will be published on the Council's website.
- 4.10. We are not legally required to undertake an equality impact assessment, however we are legally required to demonstrate that the decision makers have given 'due regard' to eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations.
- 4.11. Decision makers i.e. Strategy and Resources Committee have legal responsibility under the Equality Act to have given "due regard" as part of its decision making process.
- 4.12. Therefore, to strengthen our processes and to demonstrate compliance that equality considerations have been taken into account as part of the decision making process, EIA's will be completed to provide this evidence, which will become published with the committee reports as an appendix and a summary will be provided in the committee report. If the proposal has no relevance to protected characteristics, the reasons for not completing an EIA will be included within the committee report. An example of a completed EIA is attached as Appendix B of this report.
- 4.13. An EIA is a working tool designed to ensure that decision makers have due regard to the equality impacts as part of their decision making. It also provides evidence and a record of the impacts that have been considered. It supports the Council to identify possible issues and take appropriate actions such as removing or mitigating any negative impacts and maximising any potential for positive impact. An EIA ensures that the impact is assessed in a structured and robust way, which can be provided as evidence if challenged. Managers will be provided with guidance and training on the completion of the new evidence based EIA template.

- 4.14. Within the life of this strategy the EIA will become more evidence based rather than a desk top exercise which is the current practice. We will ensure that all appropriate data is presented to decision makers prior to taking a decision, which will include the results of any consultations breaking down the protected characteristics and demographics for North Devon.
- 4.15. We will monitor equality and diversity data to help identify current and future needs, possible inequalities including problems accessing or using services and information. We will also use this data to check that a cross-section of people have been reached and given their views.
- 4.16. We will seek to actively encourage involvement from all communities in North Devon, including those from traditionally 'hard-to-reach' groups so that everyone has a chance to represent their viewpoints on issues relevant to them. We will do this by developing positive relationships with community groups that support all members of the community to ensure that the Council is engaging with citizens and other stakeholders from all backgrounds with diverse perspectives and different experiences of living in North Devon to make sure that our proposals do not inadvertently disadvantage some people.
- 4.17. To understand our community, we publish Basic facts about North Devon on our website, which includes statistics from the 2021 Census and we will also publish further Census 2021 data for the other protected characteristics. We will also look to publish additional data so that we can have a better understanding of our communities.
- 4.18. The Council is currently in the process of reviewing its Community Engagement strategy which will be presented to a future meeting of the Strategy and Resources Committee for consideration which will be linked to the Equality Strategy.
- 4.19. Equality and Diversity mandatory Training has been provided to all Councillors following their Election in May 2023. Mandatory training is also in the process of being provided to all members of staff.

## 5. RESOURCE IMPLICATIONS

- 5.1. Accommodated within existing staff resources and budgets.

## 6. EQUALITIES ASSESSMENT

- 6.1. A completed equality impact assessment is attached in Appendix B of the report. Public consultation has been undertaken on the strategy for 6 weeks between 1 June 2023 and 31 July 2023. 19 consultation responses have been received and are detailed in Appendix C.



## 7. ENVIRONMENTAL ASSESSMENT

7.1. There are no environmental implications arising from this proposal.

## 8. CORPORATE PRIORITIES

8.1. What impact, positive or negative, does the subject of this report have on:

8.1.1. The commercialisation agenda: Not applicable

8.1.2. Improving customer focus and/or: Positive

8.1.3. Regeneration or economic development: Not applicable

## 9. CONSTITUTIONAL CONTEXT

9.1. The decision in respect of the recommendations in this report can be made by this Committee pursuant to delegated powers provided in Part 3 Annexe 1 paragraph 1.

## 10. STATEMENT OF CONFIDENTIALITY

This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

## 11. BACKGROUND PAPERS

The following background papers were used in the preparation of this report:

Equality Act 2010

Equality Strategy 2019-2023

Consultation responses

(The background papers are available for inspection and kept by the author of the report).

## 12. STATEMENT OF INTERNAL ADVICE

The author (below) confirms that advice has been taken from all appropriate Councillors and Officers: Head of Governance, Senior Management Team, Senior Solicitor and Monitoring Officer.