

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

**CORPORATE SCRUTINY COMMITTEE
THURSDAY, 29 AUGUST 2024**



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| Title of Report | EQUALITY, DIVERSITY, AND INCLUSION (E, D&I) | |
| Presented by | Mike Murphy Head of Human Resources and Organisation Development | |
| Background Papers | Equality Framework for Local Government (EFLG) 2021 Local Government Association Equality & Diversity Policy 2019-2022.docx (sharepoint.com) | Public Report: Yes |
| Financial Implications | There are not considered to be any financial implications as to the Equality Diverision and Inclusion (E, D&I) policy, and action plan at this stage. | |
| | Signed off by the Section 151 Officer: Yes | |
| Legal Implications | The legal implications from the Equality Act 2010 have been considered within the policy, and as such if any concerns or issues do arise, then they should be dealt with on a case-by-case basis. | |
| | Signed off by the Deputy Monitoring Officer: Yes | |
| Staffing and Corporate Implications | Staff training will need to be refreshed to take consideration of the E, D&I policy, and any impacts from the equality action plan will need to be picked up by the relevant departments, as the equality framework encourages departmental cross working. | |
| | Signed off by the Head of Paid Service: Yes | |
| Reason Agenda Item Submitted to Scrutiny Committee | To enable members of the Committee to comment on the revised E, D&I policy, as well as a new equality action plan that sets out the Council's equality objectives. | |
| Recommendations | THAT MEMBERS OF THE CORPORATE SCRUTINY COMMITTEE MAKE RECOMMENDATIONS FOR ANY AMENDMENTS OR CHANGES TO THE EQUALITY, | |

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| | DIVERSITY AND INCLUSION POLICY AND ACTION PLAN BEFORE THE DOCUMENTS ARE PRESENTED TO CABINET FOR APPROVAL. |
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1.0 BACKGROUND

- 1.1 This report proposes a revised and updated E, D&I policy. A detailed equality action plan to support the policy is also proposed – this has been based on the Local Government Association (LGA) Equality framework 2021. Together these documents will provide a solid foundation for the Council to demonstrate its continued commitment and resource towards equality related work.

2.0 SCOPE OF POLICY

- 2.1 The purpose of the policy is to provide equality, fairness, and respect for everyone who works in the Council, irrespective of their employment, whether temporary, part-time, or full-time, and otherwise. The policy extends to the Council's role as a service provider and community leader. The policy provides a framework to avoid incidents of unlawful discrimination when an individual may be protected under the Equality Act 2010. The Act has progressed in its scope and interpretation of the nine protected characteristics over time with developing case law in the employment and service sectors.
- 2.2 The nine protected characteristics enshrined in the Equality Act are as follows: -
- **Age:** The Act makes discrimination on the grounds of age in employment and education provision unlawful.
 - **Disability:** defined as having a physical or mental impairment that has a 'substantial' and 'long term' negative impact on your ability to do normal daily activities.
 - **Sex/Gender:** The Act makes discrimination on the grounds of sex in employment and education provision unlawful.
 - **Gender Reassignment:** a person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing, or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or attributes of sex. Therefore, the individual does not have to be going through with the process but may in fact identify with a particular gender.
 - **Marriage and Civil Partnership:** The Equality Act 2010 prohibits employers from discriminating against employees because they are legally married or in a civil partnership, Marriage and civil partnership can be between a man and a woman or between partners of the same sex.
 - **Pregnancy and Maternity:** pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In the

non-work context, protection against maternity discrimination is for 26 weeks after giving birth and this includes treating a woman unfavourably because she is breastfeeding.

- **Race/Ethnicity/Nationality** refers to a group of people defined by their race, colour, and nationality (including citizenship), ethnic or national origins.
- **Religion or Belief**: religion refers to any religion or lack of religion and belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). A belief should affect your life choices or the way you live for it to be included in the definition.
- **Sexual Orientation**: whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

- 2.3 At the meeting of Cabinet on the 23 July 2024, it was agreed that the Council will now treat care leavers as a protected characteristic. Care Leavers are people under the age of 25 who have been looked after by a Local Authority as a child. Care Leavers often face potential disadvantage and negative experiences, and Cabinet agreed this would be a positive development to help redress some of those adversities when accessing Council services, employment etc.

The protected characteristics specified within the Equality Act 2010 are enshrined within the law, however the Council does bear its legal corporate parenting responsibility seriously and will endeavour to put in place targeted support for this group of people.

The decision by Cabinet has now been incorporated into the updated version of the E, D, and I policy accordingly.

- 2.4 The equality action plan attached at Appendix 2 is a document that supports the measures needed for the Council to demonstrate in a time monitored manner how it is working towards and meeting its equality objectives. The action plan includes a set of three equality objectives that have been set in line with the top priorities of project work for the Council.

An example is where, the Council is proposing to commence ethnicity pay reporting in the period 2025/2026, and the action plan will be used as a live working document to record the steps and progress made towards such a target.

It is possible there may be further legislative or other requirements in the E, D and I field with the election of the new government. The policy and action plan will be kept under review in the event of such changes.

A number of the equality action plan objectives will require departmental cross working in line with the Council's approach to "One Team, one Council."

Policies and other considerations, as appropriate

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| Council Priorities: | <ul style="list-style-type: none"> - Planning and regeneration - Communities and housing - A well-run council |
| Policy Considerations: | All individuals and their departments that have been involved in drafting this E, D&I policy or action plan may need to update their specific and departmental policies. |
| Safeguarding: | It is not expected that there will be any safeguarding impacts due to E, D&I policy, or the equality action plan. |
| Equalities/Diversity: | E, D&I Training will be updated to include aspects of the policy and action plan. |
| Customer Impact: | Services will need to consider the impacts on customers through the completion of Equality impact assessments. |
| Economic and Social Impact: | The policy and action plan is expected to improve and reduce the gap between those individuals that have a protected characteristic and those that do not, in line with the Public Sector Equality Duty (PSED). |
| Environment, Climate Change and zero carbon: | None expected. |
| Consultation/Community Engagement: | Consultation will take place with the Council's recognised trade unions prior to Cabinet's consideration of the policy and action plan. |
| Risks: | There are potential legal and reputational risks to the Council of not considering E, D & I when delivering services and when preparing policies and procedures. If the policy is adopted by Cabinet subsequently the risks will be incorporated into the Councils risk registers. |
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