

**Corporate Equality Plan 2008/9
Including the Race Equality Scheme**

Agenda Item 5a

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Background Papers:- Previous Corporate Equality Plans and Race Equality Scheme
Financial Implications:- None
Equalities and Legal Implications:- Compliance with current legislation
Options/Risks: Endorsement of the Plan and Race Equality Scheme ensures compliance with Equality legislation and the Equality Standard for Local Government

EXECUTIVE SUMMARY

The Corporate Equality Plan 08/09 (Appendix 1), incorporating the Race Equality Scheme (Appendix 2) has been updated to reflect current legislation and in line with the Council's Direction and Ambition. It gives Members information on the Council's duties in respect of the legislation and how this Council will address Equality and Diversity issues under the Equality Standard for Local Government. In particular, Members are asked to approve the two plans that are shown at the end of each appendix.

The Council is currently at level 2 of the Equality Standard for Local Government Standard and is committed to achieving level 3. Arrangements have been made for a Pre Peer Assessment to take place on 28th August and full 2 day Peer Assessment on 17th and 18th September.

DECISION

That the Cabinet endorse the Corporate Equality Plan 08/09 and Race Equality Scheme.

CORPORATE EQUALITY PLAN 08/09

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Introduction

This Corporate Equality Plan has been produced in line with current equalities legislation and, along with the Council's Race Equality and Disability Equality Schemes form the framework to move forward over the next four years to comply with the Equality Standard for Local Government (Levels 1 to 3). This will enable the Council to build on what is currently in place, strengthening commitment and endorsing the message that discrimination will not be tolerated in Braintree District.

The Council is committed to equality of opportunity both as a provider of services and an employer. It recognises that users/customers have different needs and aim to deliver services that are equally accessible to everyone. As an employer there are robust policies to ensure equality in the recruitment, selection and development of all employees.

1. Equality of opportunity

- Braintree District Council is committed to making equality of opportunity a reality both in the provision of services and in its role as an employer. The Council believes that everyone has a right to be treated fairly and with dignity.
- The Council's Equal Opportunity Policy underlines this commitment and gives all Members and employees a responsibility to play their part in implementing the Policy. This message is reinforced at all induction training sessions and in training programmes delivered through the organisation's HR team.
- The Council recognises that there are people living in Braintree District who are placed at a disadvantage or who are discriminated against. It will take action to make sure that these people are treated equally and fairly in anything it does and will value the contribution that all diverse communities make to the quality of life in the District.
- The Council recognises that equality does not always mean giving everyone the same service, nor is it about treating all people in exactly the same way. It is about adapting the service to meet the needs of different groups of people.
- The Council is committed to employing a workforce that is representative of the local community and seek to ensure that every applicant receives fair and equitable treatment. It seeks to recruit only on merit, and in line with the Council's corporate recruitment and selection process.
- The Council aims to provide a work environment that is free from harassment and discrimination and will intervene quickly and effectively if this occurs.
- The Council aims to improve its performance in relation to equality issues on a year on year basis and in line with the Equality Standard for Local Government (see Appendix 2 and 3) which is national Best Value Performance Indicator.

- The Council is committed to working with its partners and local communities to develop a shared vision for Braintree District.

2. The legal framework for equalities

The Council's commitment to securing genuine equality of opportunity is underpinned by the following legislation designed to eliminate unfair discrimination:

Equal Pay Act 1970

The purpose of this Act is to prevent discrimination between men and women in the terms of their contracts of employment, including pay.

Sex Discrimination Act 1975

It is illegal to discriminate directly or indirectly against men or women in selection for appointment, promotion or training.

Sex Discrimination Act Amendment 1999 - gender reassignment

It is illegal to discriminate against a person who is undergoing a gender reassignment in terms of employment and training.

Race Relations Act 1976

It is illegal to discriminate, directly or indirectly, on grounds of colour, race, ethnic or national origin.

Race Relations (Amendment) Act 2000

All public bodies, including local authorities, must eliminate unlawful racial discrimination; promote equality of opportunity; and promote good relations between people of different racial groups. Local authorities have the specific duties of publishing a *Race Equality Scheme* and monitoring recruitment and training procedures in terms of ethnicity.

Disability Discrimination Act 1995

It is illegal to discriminate against disabled people in employment, provision of goods and services and buying or renting land or property. Employers and service providers are required to make reasonable adjustments to overcome barriers. Local Authorities have specific duties of publishing a *Disability Equality Scheme* and monitoring recruitment and training procedures in terms of disability.

Human Rights Act 1998

Local authorities are legally required to consider the impact on people's human rights when setting policies and making decisions.

Freedom of Information Act

The Act introduces a general right of access to information held by a wide range of public bodies with the aim of ensuring that decision-making public organisations are open and accountable.

EU Directive on Employment (Article 13 Amsterdam Treaty)

UK Law was changed to give legal protection against discrimination on the grounds of religion and sexual orientation in employment and training by 2003, and age and disability by 2006.

3. The Corporate Equality Plan

- The Corporate Equality Plan (CEP)
 - a) supports the Equal Opportunities Policy
 - b) meets the requirements of the Equality Standard for Local Government
 - c) supports the Council's Race and Disability Equality Schemes, which sets out how the Council will meet its requirements under the general and specific duties of the legislation

It formulates the Council's approach to equality by identifying priorities for action and aims to integrate equality into all aspects of the Council's services.

- This Corporate Equality Action Plan commits the Council to specific equality objectives. It will be reviewed annually to align with the service planning process and objectives will be reviewed and revised over time.

4. The Council's equality priorities

- Ensure commitment to delivering the Council's equality agenda. Current targets are to meet Level 3 of the Equality Standard.
- Consider equality in everything the Council does
 - i) Service delivery and customer care
 - ii) Employment and Training

Involve service users by developing and promoting inclusive consultation and participation process

Develop effective equality planning and monitoring systems for both service delivery and employment

Ensure continuing progress on equalities by translating policy into action.

5. The framework for continuing to progress equality

- The Council will promote equality in line with the Equality Standard for Local Government. The Standard provides a systematic framework for addressing equality issues and improving performance over time.

- The Equality Standard has been constructed to address gender, disability and race equality (areas currently covered by legislation) but the framework can be adapted to take account of other equality issues. Whilst working with the Standard the Council recognises its obligations in respect of other minority groups who are at a disadvantage in our communities.
- The Council recognises that barriers for specific groups will vary and each group may require special treatment through, for example, specific positive initiatives. It has statutory general and specific duties under the Race Relations (Amendment) Act 2000 and the Disability Discrimination Act.
- Equality legislation is still developing and changing. New legislation, such as that designed to protect people against discrimination on the grounds of religion and belief, age and sexual orientation will be integrated into this Plan as appropriate.

6. Measuring progress

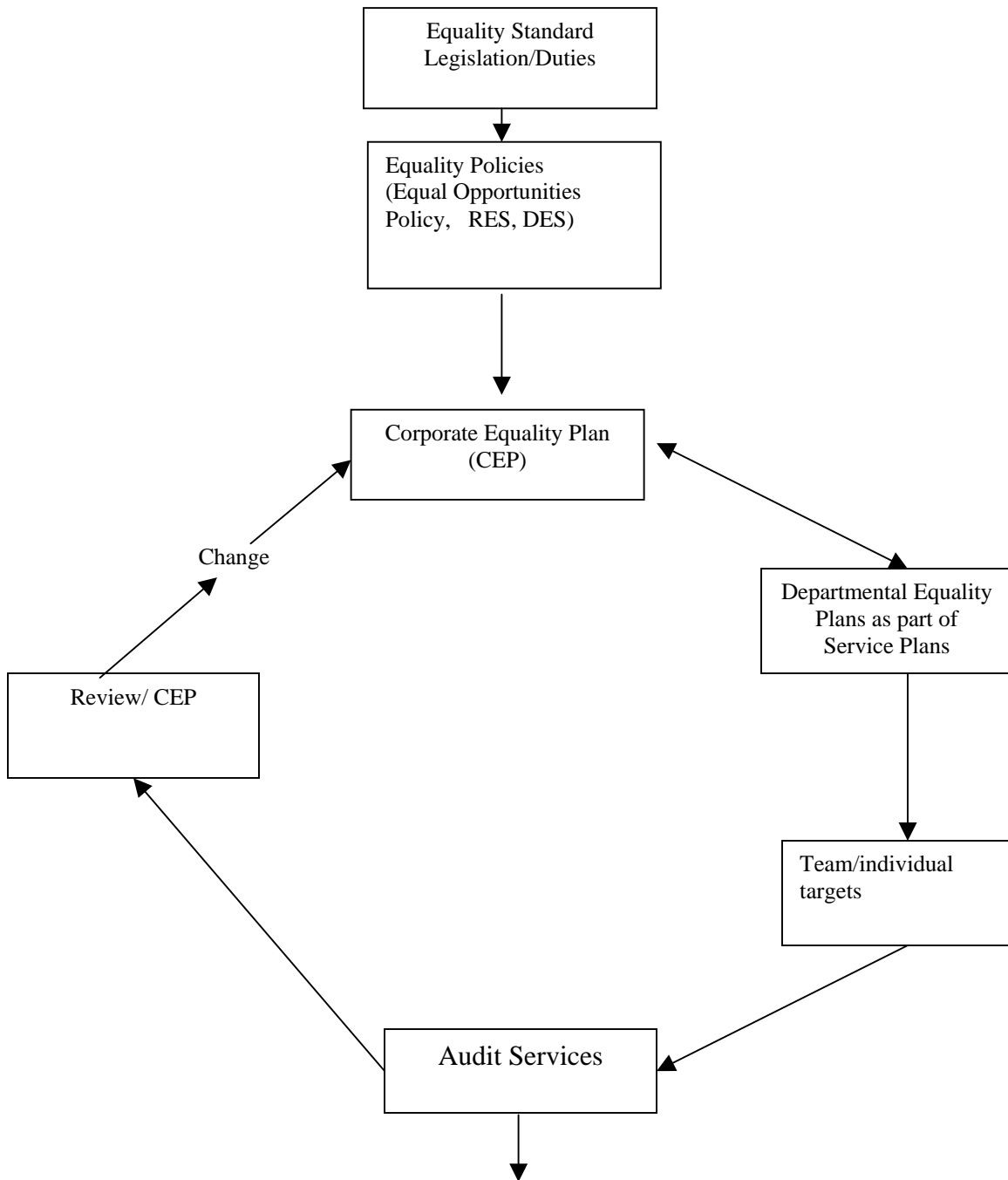
An Equalities Assessment Framework will be agreed and will be used to audit progress in the following

- Corporate Equality Plan, Race Equality and Disability Schemes
- The Equality Standard for Local Government
- Equality Audits
- Corporate Performance Plan
- Corporate Area Assessment (CAA)/peer review

7. Roles and responsibilities

- The Council, through the Cabinet is ultimately responsible for ensuring that equality and diversity principles are included in all functions of the Council. The Corporate Equalities Plan (CEP), Race Equality Scheme (RES) and Disability Equality Scheme (DES) have been agreed by the Cabinet who will monitor the progress through the Council's performance management process.
- The Corporate Management Board, supported by the Equity and Access Group and Heads of Service is responsible for implementing the CEP, RES and DES.
- Directors, through their Management Teams, are responsible for developing and implementing a departmental equalities action plan that describes how these plans will be implemented within their own service. The action plans will be monitored through the Equity and Access Group who will receive regular reports on progress.
- Each Head of Service and their Teams will review progress reports on a regular basis and report results through the normal performance monitoring channels.

Achieving the Equality Standard - Corporate Process



Appendix 2

The Equality Standard for Local Government – an overview

There are four specific areas of activity and achievement in the Standard

- **Leadership and Corporate Commitment**
- **Consultation and Community Development and Scrutiny**
- **Service Delivery and Customer Care**
- **Employment and Training**

Five levels of achievement are possible. Each level is an essential foundation for the next. The five levels of achievement and outcome are based around the following key ideas:

- **Commitment to a Comprehensive Equality Policy**
- **Assessment and Consultation**
- **Setting Equality Objectives and Targets**
- **Information Systems and Monitoring Against Targets**
- **Achieving and Reviewing Outcomes**

The Equality Standard for Local Government at a Glance

<p>Level 1 : Commitment to a Comprehensive Equality Policy</p>	<p>To achieve Level 1 of the Standard an authority must have adopted a Comprehensive Equality Policy that commits it to achieving equality in race, language, gender and disability through :</p> <ul style="list-style-type: none"> • Improving equality practice at both corporate and departmental level • Earmarking specific resources for improving equality practice • Equality action planning and equality target setting within all departments and service areas • Systematic consultation • A fair employment and equal pay policy • An impact and needs / requirements assessment • Progress monitoring • Audit and scrutiny
<p>Level 2 : Assessment and Consultation</p>	<p>To achieve Level 2 of the Standard an authority will need to demonstrate :</p> <ul style="list-style-type: none"> • That it has engaged in an impact and needs / requirements assessment • That it has engaged in consultation with designated community, employee and stakeholder groups • That is has engaged in the development of information and monitoring systems • That is has engaged in an equality action planning process for employment, pay and service delivery • That it is developing a system of self-assessment, scrutiny and audit
<p>Level 3 : Setting Equality Objectives and Targets</p>	<p>To achieve Level 3 of the Standard an authority will have to demonstrate :</p> <ul style="list-style-type: none"> • That is has completed a full and systematic consultation process with designated community, employee and stakeholder groups • That it has set equality objectives for employment, pay and service delivery based on impact and needs / requirements assessment and consultation • That equality objectives have been translated into action plans with specific targets • That it has established information and monitoring systems that allow it to assess progress in achieving targets • That action on targets has started

<p>Level 4 : Information Systems and Monitoring Against Targets</p>	<p>To achieve Level 4 of the Standard an authority will have to demonstrate :</p> <ul style="list-style-type: none"> • It has developed information and monitoring systems that allow it to assess progress in achieving targets • It is measuring progress against targets and effectively using its information and monitoring systems • Monitoring reports are being produced at specified intervals and circulated to designated consultation and scrutiny groups • Monitoring systems are providing useful information about progress towards specific targets
<p>Level 5 : Achieving and Reviewing Outcomes</p>	<p>To achieve Level 5 of the Standard an authority will have to demonstrate that it has made considerable progress in achieving equal employment and service provision with regard to race, language, gender and disability. It will need to show that :</p> <ul style="list-style-type: none"> • It has achieved the targets that it set at Level 3 • It has reviewed and revised targets, monitoring and consultation systems with designated community, employee and stakeholder groups • It has initiated a new round of action planning and target setting • Through its achievements it can be seen as an example of good practice for other local authorities and agencies

**Braintree District Council
Corporate Equality Action Plan 2008/9**

Strategic Objective 1 to meet Levels 1-3 of the Equality Standard for Local Government – Ensure Commitment in delivering the Council’s equality agenda				
Aims	Actions	By Whom	Target date	Success criteria
1. Ensure equal access to services and information	<ul style="list-style-type: none"> Implement the service delivery and customer care element of the Equality Standard for Local Government 	All services	<ul style="list-style-type: none"> September 08 and ongoing 	<ul style="list-style-type: none"> Level 3 completed
2. To implement the Race Equality Scheme (RES) in order to comply with the duties under the Race Relations (Amend) Act 2000	<ul style="list-style-type: none"> Review and Implement a revised the RES action plan 	Equity and Access Group	<ul style="list-style-type: none"> July 2008 (Cabinet) 	<ul style="list-style-type: none"> Action plan implemented Revised RES in place
3. To ensure the Corporate Equality Plan is actioned	<ul style="list-style-type: none"> CEP to be reviewed annually and progress reported to Corporate Management Board and Members. 	Equity and Access Group	<ul style="list-style-type: none"> March 2009 	<ul style="list-style-type: none"> CEP revised as necessary

Strategic Objective 1 (cont) to meet Levels 1-3 of the Equality Standard for Local Government – Ensure Commitment in delivering the Council’s equality agenda				
Aims	Actions	By Whom	Target date	Success criteria
4. To implement the Corporate Equality Plan (CEP)	<ul style="list-style-type: none"> The CEP will be reviewed in line with the RES and DES 	Equity and Access Group	<ul style="list-style-type: none"> May 2009 	<ul style="list-style-type: none"> Revised CEP published July 2008
5. To monitor the implementation of the CEP	<ul style="list-style-type: none"> Annual report to Members 	Chair of Equity and Access Group	<ul style="list-style-type: none"> May 09 	<ul style="list-style-type: none"> Members satisfied with progress made under CEP
6. Obtain Member commitment to the CEP	<ul style="list-style-type: none"> Member representation on E&A Group 	Equity and Access Group	<ul style="list-style-type: none"> April 08 ongoing 	<ul style="list-style-type: none"> Ongoing Member representation on E&A Group
7. Raise public awareness of the CEP	<ul style="list-style-type: none"> Publish articles and other information in “Making Contact” 	Equity and Access Group	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Article(s) published
	<ul style="list-style-type: none"> Put summary of CEP on the website 	Head of Community Services	<ul style="list-style-type: none"> July 2008 	<ul style="list-style-type: none"> Summary on website

Strategic Objective 1 (cont) to meet Levels 1-3 of the Equality Standard for Local Government – Ensure Commitment in delivering the Council’s equality agenda

Aims	Actions	By whom	Target date	Success criteria
8. Raise employees awareness of the CEP	<ul style="list-style-type: none"> • Reflected in induction/training • CEP placed on Intranet 	HR Head of Community Services	<ul style="list-style-type: none"> • Ongoing • July 2008 	<ul style="list-style-type: none"> • Included in programmes • Available on I connect
8. Raise awareness of the CEP with Members	<ul style="list-style-type: none"> • Take CEP to Cabinet for approval 	Head of Community Services	<ul style="list-style-type: none"> • July 2008 	<ul style="list-style-type: none"> • Cabinet – Committee minute

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Strategic Objective 2 to meet Levels 1-3 of the Equality Standard for Local Government – Integrate equality issues into the Council’s service delivery and customer care arrangements and policies				
Aims	Actions	By whom	Target date	Success criteria
1. Ensure equal access to service and information	<ul style="list-style-type: none"> • Implement the service delivery and customer care elements of the Equality Standard 	All services	<ul style="list-style-type: none"> • Sept 08 ongoing 	<ul style="list-style-type: none"> • Level 3 completed
2. Departments to deliver on their individual equality action plans	<ul style="list-style-type: none"> • Equality objectives integrated into service planning process, • Equality action plans are regularly monitored 	Heads of Service Equity and Access	<ul style="list-style-type: none"> • April 08 ongoing • Ongoing 	<ul style="list-style-type: none"> • Equality targets in individual service plans • Equity and Access minutes
3. Establish/recognise equalities expertise in each dept	<ul style="list-style-type: none"> • Nominate Diversity Champions for each dept 	Heads of Service	<ul style="list-style-type: none"> • July 08 	<ul style="list-style-type: none"> • Role formalised • Diversity champions nominated
4. Establish agreed equality auditing system	<ul style="list-style-type: none"> • Train auditors • Commence agreed audit programme 	Heads of Community Services and Corporate Policy	<ul style="list-style-type: none"> • April 08 ongoing 	<ul style="list-style-type: none"> • Training completed • Audit reports produced and influencing future action

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Strategic Objective 2 (cont) to meet Levels 1-3 of the Equality Standard for Local Government – Integrate equality issues into the Council’s service delivery and customer care arrangements and policies				
Aims	Actions	By whom	Target date	Success criteria
5. Provide information in accessible formats	<ul style="list-style-type: none"> • Revise Access to Information policy • Provide guidelines for staff 	Equity and Access Group	<ul style="list-style-type: none"> • Dec 08 	<ul style="list-style-type: none"> • Policy and guidance produced
6. Establish monitoring systems	<ul style="list-style-type: none"> • Standard monitoring information agreed • Staff receive guidance 	Equity and Access Group	<ul style="list-style-type: none"> • April 2008 ongoing 	<ul style="list-style-type: none"> • Equity and Access minutes • Information is available and being used in service reviews
7. Monitor complaints of a racist/homophobic nature	<ul style="list-style-type: none"> • Review corporate system • Train staff as appropriate • Monitor 	Equity and Access Group HR Equity and Access Group	<ul style="list-style-type: none"> • Dec 08 • Mar 09 • Mar 09 	<ul style="list-style-type: none"> • System in operation • Training completed • Review completed
8. Ensure equality issues are built into contract compliance and partnership working	<ul style="list-style-type: none"> • Explore issues • Develop a standard 	Equity and Access Group	<ul style="list-style-type: none"> • Dec 08 • Mar 09 	<ul style="list-style-type: none"> • Report to Equity and Access • Standard agreed

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Strategic Objective 3 to meet Levels 1-3 of the Equality Standard for Local Government – Involve service users in developing and promoting inclusive consultation and participation processes.				
Aims	Actions	By whom	Target date	Success criteria
1. To build equality into the policy making process and make it clear, open and inclusive	<ul style="list-style-type: none"> • Implement consultation and community development elements of the Equality Standard 	Heads of Community Services and Corporate Policy	<ul style="list-style-type: none"> • March 08 ongoing 	<ul style="list-style-type: none"> • Level 3 achieved
2. To assess the likely impact of proposed policies on the promotion of (race and disability) equality	<ul style="list-style-type: none"> • Identify/develop the potential to work with key partners • Investigate with partners the potential for joint research 	Heads of Community Services and Corporate Policy	<ul style="list-style-type: none"> • March 09 	<ul style="list-style-type: none"> • Ongoing • Research results are available to identify existing/likely impact on equality
3. To aid assessment of the impact of current functions and policies on different (racial and disability) Groups	<ul style="list-style-type: none"> • Depts ensure that consultation mechanisms include minority groups Corporate programme for consulting with minority groups to be drawn up 	Heads of Service Heads of Community Services and Corporate Policy	<ul style="list-style-type: none"> • March 09 • Sept 08 	<ul style="list-style-type: none"> • Consultation with communities • Programme established and being implemented

Strategic Objective 3 (cont) to meet Levels 1-3 of the Equality Standard for Local Government – Involve service users in developing and promoting inclusive consultation and participation processes.				
Aims	Actions	By whom	Target date	Success criteria
4. To obtain the views of (ethnic) minority groups towards main services and policy/consultation and consultation methods/ to identify respondents willing to participate in further consultation developments to obtain the views of respondents	<ul style="list-style-type: none"> • Build up a profile of the District’s diverse population and disseminate information • Develop links with relevant community groups • Conduct consultation 	Heads of Community Services and Corporate Policy	<ul style="list-style-type: none"> • Mar 09 • Ongoing 	<ul style="list-style-type: none"> • Information available in updated Braintree trends • Representation achieved • Consultation conducted
5. To identify arrangements for publishing results of assessments, consultations and monitoring	<ul style="list-style-type: none"> • Publish summary reports using a variety of media/formats etc e.g. Making contact, special reports etc 	Heads of Community Services and Corporate Policy	<ul style="list-style-type: none"> • Ongoing 	<ul style="list-style-type: none"> • Information published

Strategic Objective 4 to meet Levels 1-3 of the Equality Standard for Local Government – To ensure that Members and employees have the skills and knowledge they need for the Council to meet its general duty to promote race equality				
Aims	Actions	By whom	Target date	Success criteria
1. To incorporate the principles of the CEP, RES and DES into the compulsory induction programme and current organisational training and development programme whenever appropriate	<ul style="list-style-type: none"> • Keep equalities section of the induction programme under review 	HR	<ul style="list-style-type: none"> • Ongoing 	<ul style="list-style-type: none"> • Induction programme can evidence input on equalities
	<ul style="list-style-type: none"> • Build equality issues into training and development programme 	HR	<ul style="list-style-type: none"> • Ongoing 	<ul style="list-style-type: none"> • Training programme can evidence input on equalities
2. To ensure that elected Members have the relevant information about the CEP, RES and DES	<ul style="list-style-type: none"> • Include awareness training in Member development programme 	HR	<ul style="list-style-type: none"> • Mar 09 	<ul style="list-style-type: none"> • Development programme delivered
3. Ensure that all staff have the relevant (race) equality training commensurate with their role	<ul style="list-style-type: none"> • Identify development needs through the performance appraisal process on personal development plans 	All managers	<ul style="list-style-type: none"> • Mar 08 ongoing 	<ul style="list-style-type: none"> • Staff have access to equalities development appropriate to their post • E learning resources are made available if appropriate

Strategic Objective 5 to meet Levels 1-3 of the Equality Standard for Local Government Integrating equality into the Council's employment practices				
Aims	Actions	By whom	Target date	Success criteria
1. To eliminate any possible discrimination in the recruitment and selection process	<ul style="list-style-type: none"> Implement the employment and training elements of the Equality Standard 	HR	<ul style="list-style-type: none"> March 08 ongoing 	<ul style="list-style-type: none"> Level 3 achieved
2. To ensure employment material is accurate and up to date	<ul style="list-style-type: none"> Ensure monitoring systems are in place to meet the specific duty in employment under the Race Relations (Amendment) Act 2000 and Disability Discrimination Act 	HR	<ul style="list-style-type: none"> Mar 08 	<ul style="list-style-type: none"> Results are available and are used to inform employment policy and practice. Areas that need action to meet the specific duty are identified

Strategic Objective 5 (cont) to meet Levels 1-3 of the Equality Standard for Local Government Integrating equality into the Council's employment practices				
Aims	Actions	By whom	Target date	Success criteria
3. Ensure that the workforce reflects the local population profile	<ul style="list-style-type: none"> Determine how representative current levels are in relation to population and set targets for improvement if appropriate 	HR	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Up to date workforce profile available
	<ul style="list-style-type: none"> Circulate staff questionnaire 	HR	<ul style="list-style-type: none"> Dec 08 	<ul style="list-style-type: none"> Up to date information is available
	<ul style="list-style-type: none"> Attract people from (ethnic) minority groups into the recruitment process 	HR	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Levels of job applications from minority groups are increased
4. To have the ability to address employees' need for more flexible working arrangements in line with service demands	<ul style="list-style-type: none"> Continue to offer/develop work life balance options 	HR	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Policy is reviewed/revised as necessary

Strategic Objective 5 (cont) to meet Levels 1-3 of the Equality Standard for Local Government Integrating equality into the Council's employment practices				
Aims	Actions	By whom	Target date	Success criteria
5. Staff are able to identify and deal effectively with issues of harassment and bullying	<ul style="list-style-type: none"> Review current Harassment/Bullying Policy and Harassment Advisor Role. Ensure that Policy includes clear statements regarding incidents arising from interaction with the public 	HR	<ul style="list-style-type: none"> Dec 08 	<ul style="list-style-type: none"> Policy is revised in light of current best practice

Race Equality Scheme 2008 - 2012

This document can be made available in large print, on tape, Braille, CD Rom and alternative languages by contacting 01376 552525 ext 2740 or by e mail at csc@braintree.gov.uk

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1. Introduction

This is Braintree District Council's second Race Equality Scheme and summarises the Council's approach to race equality and our corporate race equality objectives. It says how the Authority will meet its duties under the Race Relations (Amendment) Act 2000, including arrangements for assessing, consulting, monitoring and training.

This Race Equality Scheme has been developed in conjunction with the Essex Race Equality Council and other minority community organisations.

2. Population

At the 2001 Census the population of Braintree District was 132,179 and the percentage of residents who said they were from an ethnic minority background was 4%, with 2.4% of these residents born outside the EU. These statistics differed very little from those in the 1991 Census which was surprising as there was a general perception that the figures would be higher in 2001 (**See Appendix 1**).

Since May 2004, when ten more countries joined the European Union, there has been an increase in the number of migrant workers registering for work in the UK. Research has shown that Essex's migrant population has been growing faster than that of the UK as a whole and that Braintree had the highest percentage of registered migrant workers (19%) in the county between May 2004 to December 2006. During this period Braintree received the highest number of registrations in the county (1105) from Polish migrant workers, who are the dominant group. Economic migrants tend to be young adults aged between 18 and 24 or between 25 and 34. Only a small minority (7%) declared that they had dependents living with them and Polish migrants are the dominant group in the county. Data on Essex's migrant workers suggests that they are most likely to work in the hospitality, agricultural and health sectors.

3. Race Equality Legislation

The Race Relations (Amendment) Act 2000 came into force on 2 April 2002 and amended the Race Relations Act 1976. The purpose of this was to strengthen its application to public authorities in several important ways.

- It broadened the definition of "public authority" to include any organisation which provides a service that is "of a public nature"
- It extended the scope of the 1976 Act to cover areas that were previously excluded (e.g. Environmental Health, Licensing, investigation of benefit fraud etc) and made it unlawful for public authorities to discriminate on racial grounds when carrying out any of their functions. It placed a general statutory duty on a wide range of public authorities to promote racial equality and prevent racial discrimination
- It provided for the Home Secretary to impose specific enforceable duties for public authorities to promote race equality
- It gave the Commission for Racial Equality powers of enforcement and authority to issue statutory codes of practice, providing practical

guidance to public authorities on how to fulfil their general and specific duties to promote race equality

4. The General Duty

Under the terms of the Race Relations Amendment Act 2000, public authorities need, in carrying out their functions, to have due regard to the need to

- eliminate unlawful racial discrimination
- promote equality of opportunity
- promote good relations between people of different racial groups

- **What does the General Duty mean in Practice?**

The aim of the general duty is to “mainstream” the elimination of discrimination and to promote equality of opportunity and good race relations, by making these an integral part of the way public functions are carried out.

- **“To have due regard”**

By phrasing the general duty in this way, it is clear that public authorities do not have the option to decide whether they will do anything about discrimination and race equality – it is now mandatory. Each public authority should therefore assess where, and how, racial equality is relevant, or potentially relevant to the way they carry out their various functions.

- **Complying with the General Duty**

To have 'due regard' means that the weight given to racial equality should be proportionate to the relevance of the authorities' functions and policies. For all public authorities, regardless of their specific functions, racial equality will always be relevant to all aspects of employment – recruitment, selection, training, promotion, discipline and dismissal. To comply with the general duty, therefore, all authorities should "equality proof" their employment policies, procedures and practice, and take all necessary steps to prevent discrimination.

Public authorities are responsible for ensuring the general duty is an integral part of any function where racial equality is relevant. The authority has to define its functions and then assess the impact on racial equality of what it is currently doing and what it is proposing to do. Where current or proposed policies conflict with the elimination of racial discrimination or the promotion of racial equality and good race relations, a public authority is expected to consider the changes needed to comply with the general duty, and then make those changes.

5. Partnerships, Private, Voluntary Organisations and the General Duty

When a public authority (the Council) has a contract or other arrangements with private company or voluntary organisations to carry out any of its functions, it is the public authority that is responsible for meeting the general duty. In terms of procurement, public authorities must comply with existing laws but must also take appropriate measures to promote racial equality in setting criteria and deciding who should be awarded contracts or grants.

The general duty applies to the way a public authority carries out its functions within the partnership. In partnerships where other members are private or voluntary organisations, the public authority should ensure that, where relevant, the activities of the partnership comply with the general duty.

Where other members of the partnership are public authorities, the general duty will then apply fully to all deliberations, decisions and action by the partnership.

6. Enforcement by the Commission for Racial Equality (CRE) and the Courts

An individual or an organisation, including the CRE, can apply to the High Courts for a judicial review of a public authority's alleged failure to comply with its general duty. The CRE has powers of enforcement to take legal action against a public authority for not fulfilling its general and specific race equality duties.

7. Specific Duties

A key feature of the Race Relations (Amendment) Act 2000 (Section 71(2)-(3)) is the introduction of specific race equality duties on all public authorities that require them to publish a Race Equality Scheme to set out how the authority intends to meet its obligation under the general duty.

8. Race Equality Scheme - What does this mean?

A Race Equality Scheme is a framework document that summarises the Council's approach to race equality and links this to its corporate objectives. The Scheme outlines how the Council plans to meet each part of the general duty: that is, the arrangements for assessing, consulting, monitoring and training.

9. Arrangements for assessment of functions for relevance under the Race Relations Amendment Act

The Council will carry out an assessment of its policies and functions for their relevance to the general duty. This will be guided by the following: -

- The underlying principles and the criteria adopted by the Council for the assessments
- The model used for the assessment

9a. Underlying principles

In respect of service delivery, the likelihood of unlawful discrimination is potentially greater in services where the following characteristics are greatest:

- i. The service is frontline, provided directly to the user and not primarily for use within the organisation
- ii. The service users are individually identifiable and are not "the public"

- iii. By virtue of i and ii above, users can potentially be monitored by their ethnicity, disability, gender, age, religion and belief and sexual orientation

The above characteristics form the criteria for assessments and have been built into the model used for carrying out the assessments. The model will rank functions according to how they score on the criteria:

Top priority: These are those functions where all the three criteria outlined above apply, and by implication, the potential for unlawful racial discrimination is greatest. For these functions, actions impact on the three aspects of the General Duty, namely to eliminate unlawful racial discrimination, promote equal opportunity and promote good community relations.

Medium Priority: These are those functions where only some of the three criteria apply and the potential for unlawful discrimination is not quite as great. For these functions the impact of working with the General Duty will not be as great.

Low Priority: There are functions where none of the criteria apply and the potential for unlawful discrimination will not be as great. The impact of working with the General Duty will correspondingly low.

9b. The Assessment Model

The model consists of two elements, a simple questionnaire designed to extract information about the service and whom it primarily serves and a scoring mechanism that enables functions to be ranked.

The questionnaire is in five brief parts. Part A calls for a brief description of the service, specifically in terms of what it aims to do. Parts B, C and D seek to identify the service focus, its main client groups and their characteristics. Part E seeks to draw from the outcomes of existing systems used to discharge the assessment.

9c. Scoring/Ranking

In order to be able to rank the functions, points are awarded on each of the four criteria used for the assessment (**See Appendix 2**) The scoring is either 0 or 5 points, giving a possible maximum total of 20 points, awarded as follows:

Criteria	Points
The service is provided primarily to the public	5
Service users are identifiable, for example as individuals, households, or groups	5
Service users can potentially be monitored by their ethnicity, gender, disability, age, religion or sexuality	5
Data from ethnic monitoring, recent surveys,	5

consultations, reviews etc indicate that some racial groups are significantly underrepresented in the use of the service	
--	--

Based on this scoring arrangement, functions are then award points and ranked as follows:

Score/Points	Priority/Ranking
15-20	High
10	Med
5	Low

9d. What ranking will mean for a service

It must be noted that just because a service ranks medium or low priority, it does not mean that the service can ignore its race equality duty. The Act makes it clear that the duty on a public authority is to promote race equality in everything it does. However, consistent with the Act, it was recognised that, in terms of their actual or potential impact on race equality, some activities of the Council would be more relevant than others.

10. Arrangements for monitoring existing policies for their adverse impact on the general duty

Monitoring is a function of the Equity and Access Group. The internal auditing process will also identify any equalities gaps or issues to be addressed.

**11. Use of equalities performance indicators
(See Appendix 3)**

12. Use of Equal Opportunities Monitoring Form

In common with other public authorities, Braintree District Council collects information about the users of its services and those who seek employment or contract with it. The information collected is used to guide planning to meet the needs of the community and ensure equality of opportunity.

The established method of collecting the information is usually through standard service, employment and tendering application forms. As part of the Council’s arrangement for this aspect of the specific duty, it will continue to require that questions relating to equal opportunities monitoring remain an integral part of these forms. The Council will continue to develop its systems for equality monitoring in the procurement function, in line with guidance and best practice.

The Council will make use of IT based systems for equality monitoring and ensure that the design, format and style of the systems include fields so that no application process should be completed without the equal opportunities entries.

12a. Collecting and using baseline data

Baseline data used for equalities monitoring in Braintree is based on the age, ethnic, gender and disability profile of the District's population. The principal sources of these are the national census and the General Residents Survey, Service Satisfaction Surveys and Staff Surveys in respect of employment.

The Council will continue to use these and other relevant sources to obtain the necessary baseline data on which to plan and improve its performance on equality opportunities.

12b. Using Best Value and Community Participation in monitoring

The Council will engage with its diverse population and be informed by them in deciding on priorities, objectives, targets and in evaluating their performance.

12c. Arrangements for monitoring access to services

Access to services will be monitored by service providers where it is possible to identify households, groups of people or individuals.

13. Commitment

In order to demonstrate its commitment the Council will aim to engage all sections of the community, providing access to services for all and ensuring that people from ethnic minority groups know about our services, are confident about using them and do not experience barriers to accessing them.

13a. Equity and Access Group

In conjunction with other areas of the organisation, the Council's Equity and Access Group has a role in raising awareness, promoting equal opportunities, monitoring and training across the Council. This Group will lead on integrating equality and diversity issues into the business of the Council.

13b. Community Engagement

Sustainable engagement with ethnic minority groups needs to be based around a real relationship with the groups, which can best be facilitated by those already working closely with them. Time will be taken to develop links and understanding with the ethnic minority community through Essex Racial Equality Council, special projects such as the Migrant Workers Project, work in association with partner organisations, events and day-to-day community development and capacity building work. Building links will increase the confidence of the members of the ethnic minority community in contacting and working with the Council and participating fully in the wider community.

13c. Community Engagement/Local Compact

In line with the Braintree District Local Compact's Code of Practice for Black and Minority Ethnic (BME) Voluntary and Community Groups, statutory agencies will:

- Encourage the development of BME communities that represent the diverse communities in Braintree District

- Seek and value the contribution the BME communities can make in helping them achieve their objectives.
- Recognise and support the independence of the BME communities, their uniqueness and diversity.
- Operate effective and transparent equal opportunity policies with monitoring and evaluation systems to ensure that the BME communities are treated fairly and with respect in all their interactions with statutory agencies.
- Support and advise BME communities to have access to grants and funding opportunities administered by local statutory agencies and government funded programmes, particularly those that impact significantly on BME communities.
- Seek the views and encourage the active involvement and participation of the BME communities in PACT, the development of community plans/strategies and the Braintree District Local Compact.

14. Complaints

The Council positively welcomes feedback and comments on the way the Council is implementing both the specific and general duties under Race Relations legislation. The Council has an agreed procedure for dealing with complaints and a copy of its Guide to Making a Complaint is available on request or on the website. The Council's objective in having a complaints procedure is to ensure that all residents concerns are addressed and that all residents have confidence in the responsiveness of the Council. The Council works with its partners to establish and develop links with ethnic minority groups in the community so that complaints can be resolved at the most appropriate level and that direct links can be made with local black and minority ethnic groups.

Complaints that allege that service delivery or policies are in some way discriminatory will be considered by the relevant Head of Service who will investigate and report back to the complainant. Recommendations for action in the case of substantiated complaints may include amendments to a policy or procedure as appropriate. The complainant will be kept informed of the results of their complaint and advised of their right to take their complaint to the Local Government Ombudsman. The complaint will also be considered when reviewing the appropriate function.

15. Arrangements for publishing the results of Assessments

The results of all assessments and monitoring will be available to anyone on request and a summary will be published on the Council's website at www.braintree.gov.uk

15a. Assessments

The Council will publish the following

- Description and explanation of the policies we propose to introduce/review or the services we are reviewing, a brief account of how we assessed the likely effects, including any consultation carried out at this stage
- A summary of the results of our assessment
- Technical reports and how to obtain them
- Review of our options in the light of the assessment
- Statement of what we plan to do next

15b. Monitoring

We will publish the following

- An explanation of monitoring and why it is important
- Monitoring systems and methods we use

Such a monitoring report will identify the proportion of users of a service or those affected by a policy by ethnic group, using the Census groupings. Where it has not been possible to secure the views of minority ethnic communities, efforts will be made to secure representative views from those with structured links such as the Essex Racial Equality Council and the Braintree District Voluntary Support Agency.

16. Arrangements for Training

The Council will continue to train and coach its staff and members with the objective of: -

- Raising awareness of issues of race
- Eliminating discrimination in service delivery
- Raising awareness of the application of the Councils Race Equality Scheme and the obligations of the Council under the General and Specific Duties

Front line staff will continue to receive training appropriate to their role within the Council and as part of their customer care training.

Managers at all levels and Members will continue to receive training on

- The understanding and management of issues of race equality as they affect public authorities, including the concept of “institutional racism”
- The General and Specific duties under the Race Relations (Amendment) Act 2000, and their implications
- An understanding of the concept of a “Race Equality Scheme” and how to put its principles into action
- Conducting assessments, consultation and monitoring and publishing results

17. Delivering the Race Equality Scheme

There are a number of initiatives and programmes within Braintree District Council aimed at supporting and promoting racial diversity. Some of these include

- Corporate Performance Plan – a comprehensive report which reviews and measures the Council’s performance and progress on a wide range of all its activities. It provides detailed monitoring information and a breakdown of its services in the Council as well as set targets and action plans for future development. At the heart of the Council’s Plan is its Core Values, underpinned by its commitment towards equal opportunities.
- Corporate Equality Plan – an annual Plan to improve all equality and diversity issues for the Council and its services.
- Monitoring Diversity in the Workforce – the Council will continue to make sure that its workforce reflects the diversity in the local population. Job vacancies will continue to be circulated directly to the minority communities within the District to make sure that they have access to information about applying for job vacancies within the Council.
- The work of the Equity and Access Group – this Group has a remit to deliver on the Equality Standard for Local Government. This framework document is based around mainstreaming six equality strands, including race equality.
- The Migrant Workers Project – this is a partnership project with Uttlesford and East Hertfordshire District Council, funded by Building Capacity East. The project aims to train and educate Migrant Communities in each District so they can mentor and coach others to be self-supporting in the community and engage with public services on their needs.
- The “Being Safe” project – a Community Safety Partnership project aimed at secondary school students to raise and address diversity issues in schools and the community
- The Racial and Homophobic Incidents Panel – this is a multi agency Panel that works within the Community Safety framework to recognise and identify the needs of minority and vulnerable groups and individuals to ensure that a partnership approach is taken to support victims and to target perpetrators.
- Equal Opportunities and Job Responsibilities – all employees have a responsibility for promoting and implementing the Council’s policy on Equal Opportunities. Performance on equal opportunities will form part of individual work reviews, objective setting, targets and employee development plans.

18. Areas of Priority

The 3 areas to be developed in the next 4 years are shown below. The first annual plan for 08/09 (**See Appendix 4**) is produced to work towards these priorities.

18a. Challenging Racism and Racial Discrimination

- The Council will make sure that its policies; practices and procedures do not unwittingly disadvantage anyone. It will develop systems to monitor and review the impact of our approach to service delivery on all sections of the community in line with the requirements of the Race Relations (Amendment) Act 2000. It will work in partnership with other agencies to expand and develop our hate crime (racial) incident recording system and support it with a robust mechanism to review incidents and identify repeat victims.

In respect of service delivery the Council will

- Actively seek the views and opinions of our ethnic minority residents in decisions on service planning and service development
- Ensure that services are delivered in a way that is accessible to all sections of the community by monitoring the take up of services where this is possible
- Take action to remove the cultural and linguistic barriers that can confront people whose first language is not English

In respect of Consultation, Communication and Partnership the Council will: -

- Promote community cohesion and cultural awareness
- Through creative and innovative ways, promote and encourage active participation in the democratic process amongst our ethnic minority population
- Forge positive links with schools and colleges to promote Positive Citizenship
- Continue to develop links with our local ethnic minority groups and organisations that support them, such as Essex Racial Equality Council, faith groups and Braintree District Voluntary Support Agency

In respect of employment the Council will: -

- Monitor its recruitment and selection procedures to make sure that fair treatment and equal opportunities is always paramount
- Set and regularly monitor targets for the employment of staff from different ethnic minority backgrounds to make sure that the make up of the workforce is representative of the local workforce
- Monitor training and career development opportunities being made available to ethnic minority employees

- Monitor and review the progress of ethnic minority employees and develop and implement measures to address any disparities

18b. Projecting a Positive Public Image in the Community

The Council will: -

- Take opportunities to promote itself as an equal opportunities and diversity conscious organisation and an employer of choice in the community
- Disseminate information and promote good practice on equal opportunities and racial diversity at work among employers in the District using the Local Strategic Partnership (PACT)
- Publicise its achievements on diversity widely within the District

18c. Delivering Outcomes

- An increased awareness in the Council of the added value of a multi racial, multi ethnic and multi lingual workforce
- A workforce that is consistently representative of the make up of the local community
- An understanding of the value of addressing the needs of a diverse community within service planning and delivery
- Identifiable improvements to accessing services for all sections of the community, including the black and ethnic minority community
- An inclusive work environment that encourages creativity through diversity
- To have a positive image for equal opportunities and a diverse workforce within the Braintree District
- To achieve Level 3 of the Equality Standard for Local Government.

19. Monitoring and Reviewing the Race Equality Scheme

This scheme will be regularly monitored to ensure that the objectives of the Scheme are being achieved.

20. The future

The arrangements set out in this document are working arrangements and as such will continue to be reviewed and adapted in the light of changing circumstances, both nationally in terms of legal frameworks and locally in terms of the District's demographic trends.

Appendix 1

Demographic data for Braintree District from the 2001 Census

Census category	Persons	Male	Female
White British	126,750	62,540	64,210
White Irish	1,077	468	609
White other	1,954	880	1,084
Mixed White and Asian	305	145	160
Mixed White and Black African	91	49	42
Mixed White and Black Caribbean	294	151	143
Mixed Other	275	144	131
Asian or Asian British Indian	310	149	161
Asian or Asian British Pakistani	68	42	26
Asian or Asian British Other Asian	171	88	83
Asian or Asian British Black Caribbean	200	108	92
Black or Black British African	118	58	60
Black or Black British Bangladeshi	112	61	26
Mixed White or Black African	91	58	51
Chinese or Other Ethnic Group Chinese	219	100	119
Chinese or Other Ethnic Group	177	58	119
Total	32,222	65,099	67,116

Appendix 2

Pro forma for Assessment of Functions for Relevance to the duty to promote race equality

1. Service description

Service ----- Service unit ----- Directorate -----

2, What does the service do? A short description of main functions)

3. Who are the main users of your service? Please tick as appropriate

Other Council Depts
Members
The Public

4. Service User Profile

Assessment criteria	Yes/No	Points Yes =5, No = 0
3.1 The service is provided primarily to the public?		
3.2 Service users are identifiable e.g. as individuals, households or groups		
3.3 Service users can be readily monitored by their race, disability, and gender?		

3.4 Data from ethnic monitoring, recent surveys, reviews etc indicate that same racial groups are significantly under/over represented in the use of the service in terms of their population size?		
You have answered yes to 1, 2 and 3 but ethnic data is not available (5 points if stats are available and 0 if available)		
		Total =

5. Ranking

15 – 20 High
10 – 15 Medium
Less than 10 points Low

Score/Points – enter total points scored	Ranking/Priority – High, Medium or Low

Signed Designation

Appendix 3
Performance Indicators

Performance Indicator reference	Definition	Performance 2007/08	Target 2008/09
Best Value Performance Indicator BV2a	The level of the Commission for Racial Equality's Standard to which the authority conforms	Currently reporting at Level 2	Target to achieve Level 3 by the end of March 2008
Best Value Performance Indicator No 2b,	Level of compliance with the duty to promote race equality	Currently reporting at 84%	84%
Best Value Performance Indicator BV17	The percentage of local authority employees from minority ethnic communities (a) compared with the percentage of minority ethnic community population (b)		The authority aims to have a workforce that is representative of the community it serves.

RACE EQUALITY ACTION PLAN – 08/09

Appendix 4

1 AIM	2 ACTION	3 BY WHOM	4 TARGET DATE	5 SUCCESS CRITERIA
<p>1. To work in partnership to make Braintree District even safer for those deemed to be at risk from hate crime</p>	<ul style="list-style-type: none"> • Raise awareness of hate crime in the wider community. • Monitor incidents of hate crime and take co-ordinated action where appropriate. • Develop effective support networks for victims. • Identify methods to prevent hate crime, repeat victimisation and the fear of victimisation. • Promote a culture of open dialogue, trust and confidence between the community and services. • To promote policies, procedures and training • Increase reporting and third party reporting of hate crimes 	<p>Head of Community Services/Community Safety and Development Manager/Hate Crime Panel</p>	<p>From April 08 ongoing</p>	<p>Increase in Reporting Reduction in Hate Crime</p>
<p>2. Raise awareness and understanding of how cultures relate to and influence each other</p>	<ul style="list-style-type: none"> • Conduct events associated lectures and workshops, working with the local community, as appropriate. • One week of children’s summer 	<p>Head of Community Services/Migrant Workers Dvt Officer Cultural Services</p>	<p>Mar 09 Sept 08</p>	<p>Events and workshops have been staged Themed week of activities</p>

	activities to be devoted to cultural and diversity issues.			has been delivered.
3. To meet the accommodation needs of gypsies and travellers.	<ul style="list-style-type: none"> Implement the recommendations of the Regional Spatial Strategy on Gypsy and Traveller Housing Needs 	Development Services/Housing	Ongoing	Sites provided to meet assessed need.
4. Raise and address diversity issues in schools and the community	<ul style="list-style-type: none"> Carry out the "Being Safe" project in schools with partners 	Community Safety and Development Manager	Dec 08	Minimum of 4 schools participating in the project
5. Ensure effective co-ordinated consultation with "Hard to Reach" groups	<ul style="list-style-type: none"> Establish links with minority communities Review consultation 	Head of Community Services/Migrant Workers Dvt Officer/Head of Corporate Policy	Mar 09 and ongoing	Effective consultation planned and conducted Outcome of Migrant Workers project
6. To have due regard to the Council's duty to promote race equality	<ul style="list-style-type: none"> Produce Race Equality Scheme Establish a four year rolling programme of assessment of policies and functions for relevance to the general duty 	Head of Community Services/Head of Corporate Policy	July 08 Mar 09 - 2012	RES Approved by Cabinet (July) Policies and functions assessed in first year of 4 yr rolling programme