

# **Corporate Equality Scheme**

**"Empowerment is not about giving people power, it's about giving up power".**

**(Equalities National Council)**

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## **Forward**

This updated Corporate Equality Scheme (CES) for Woking Borough Council builds on the Council's corporate commitment and work on the equalities agenda. It is one of the key Council documents which contribute to both its vision of **Towards Tomorrow Today** and values under the thematic areas of **People, Place and Us**.

What we seek for Woking is a vibrant, thriving community where *all* residents have the opportunity to fulfil their potential and where disadvantage and discrimination are challenged and rooted out.

We will not be able to achieve this on our own and recognise that we must work together with our residents, the community and voluntary sector, other public sector agencies and local business to achieve our vision.

This Corporate Equality Scheme will cover the nine strands outlined in the Equality Act 2010 – race, sex, sexual orientation, disability, religion or belief, being transsexual (called gender reassignment in law), pregnancy, age and marriage and civil partnerships (this applies only at work or if someone is being trained for work).

## **Introduction**

We believe that the Council's Vision and Values will only be realised if it truly encompasses all of Woking's residents. This is supported by our core values;

- We are one organisation
- We are in the public service
- We care about people and the borough

We believe that the diversity of our population and workforce is one of our greatest strengths. Equality of opportunity and freedom from discrimination is a fundamental right and this Council has a duty to exercise leadership to promote this right. We intend to promote equality and prevent discrimination through our roles as:

- Service provider
- Employer
- Community leader.

We will follow best practice in all equality areas and work to:

- Eliminate unlawful discrimination
- Eliminate harassment
- Promote equality of opportunity
- Promote good relations between different groups in the community
- Recognise and take account of people's differences.

## **Key equality themes**

The key equalities themes reflect the protected characteristics covered by The Equality Act 2010:

- **Race** – this refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. The Council will take all necessary measures to prevent and tackle racial discrimination and harassment and assist all people to live in freedom from discrimination and harassment.
- **Disability** - a person has a disability if he or she has a physical or mental impairment and the impairment has a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities.

Woking Borough Council is committed to the Social Model of Disability and aims to ensure that disabled people are able to participate fully and equally within the communities of Woking. This will be achieved by:

- creating a culture within the Council, amongst Members and Officers, to ensure that equality is at the core of all its activities.
  - making services relevant and accessible to present and future users
  - targeting resources, where necessary, to groups and communities who are most at risk of exclusion.
  - ensuring that the Council's involvement in the voluntary and community sector supports the empowerment and self-organisation of disability groups.
  - building a workforce that is representative of the diverse communities of the borough.
  - influencing others through good practice in service provision, employment and procurement.
- **Sex** - Woking Borough Council is committed to combating sex discrimination and sexism and promoting the equality of women and men. The Council recognise that society has stereotypes for both women and men and both women and men can loose out on opportunities because of these stereotypes. The Council will aim to:

Ensure that women and men are able to access services which are appropriate to their needs and participate fully and equally within the communities of Woking

Eliminate unlawful discrimination and harassment in employment practices and actively promote gender equality within the workforce.

- **Age** - Age equality means securing the equal participation in society of people of every age, securing a balance between equal citizenship, equality of opportunity, equality of outcome and respect for difference. The Council engages with all sectors of the communities of Woking and is committed to providing services for younger and older people.
- **Gender Reassignment** – refers to the process of transitioning from one gender to another.

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 other attributes of sex. The Council will aim to:

Ensure everyone is able to access services which are appropriate to their needs and participate fully and equally within the communities of Woking and eliminate unlawful discrimination and harassment in employment practices and actively promote equality within the workforce

- **Religion and Belief** - religion means any religion, including reference to a lack of religion. Belief means any religious or philosophical belief and includes a lack of belief.

The council is committed to eliminating illegal discrimination and exclusion on the basis of religion or belief. It recognises that a person's religion or belief may mean that they have different needs, demands and expectations, which require flexibility on the part of a service provider or employer.

- **Sexual Orientation** - sexual orientation means a person's sexual attraction towards persons of the same sex, persons of the opposite sex, or persons of either sex. Woking Borough Council is committed to combating the discrimination faced by lesbians, gay men and bisexual people. We want to ensure equality of opportunity for all people across services and employment.

We will respect the rights of individuals to be open about their sexual orientation, tackle homophobia, challenge stereotyping and improve knowledge about lesbian, gay men and bisexual communities, both internally and to the community as a whole.

- **Marriage and civil partnership** - Marriage is defined as a 'union between two people'. The Marriage (Same Sex Couples) Act 2013 allows same sex couples to marry in accordance with legal requirements in England and Wales. The council is committed to eliminating illegal discrimination and exclusion on the basis of marriage and civil partnership.

- **Pregnancy and maternity** - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, which in the employment context refers to maternity leave. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth. This includes treating a woman unfavourably because she is breastfeeding. The council is committed to eliminating illegal discrimination and exclusion on the basis of pregnancy and maternity.

### **Legal responsibilities**

On 1 October 2010 the Equality Act 2010 came in to force, simplifying previous equality laws and bringing them together under one piece of legislation.

The act protects people from discrimination on the basis of the 'protected characteristics': age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (this includes ethnic or national origins, colour and nationality), religion or belief, sex, and sexual orientation.

What the law prohibits:

#### **Direct discrimination**

Direct discrimination in services and public functions happens when someone is treated less favourably than another person because of a protected characteristic.

Direct discrimination can also occur when a person is treated less favourably because of a protected characteristic even though that person does not have the characteristic. For example, it includes a person being treated less favourably because they are linked or associated with someone who has a protected characteristic.

Direct discrimination also includes discrimination because a person is wrongly thought to have a particular protected characteristic or is treated as if they do.

#### **Indirect discrimination**

Indirect discrimination happens when there is a rule, a policy or even a practice that applies to everyone but which particularly disadvantages people who share a particular protected characteristic.

#### **Harassment**

Harassment is unwanted conduct which has the purpose or effect of violating someone's dignity or which is hostile, degrading, humiliating or offensive to someone with a protected characteristic.

#### **Victimisation**

Victimisation occurs when someone is treated badly because they have done something in relation to the Equality Act, such as making or supporting a complaint or raising a grievance about discrimination, or because it is suspected

that they have done or may do these things. A person is not protected from victimisation if they have maliciously made or supported an untrue complaint.

### **Public sector Equality Duty**

A key part of the Act is the public sector Equality Duty, which came into force on 5th April 2011. The Equality Duty is a duty on public bodies and others carrying out public functions. It ensures that they consider the needs of all individuals in their day to day work – in shaping policy, in delivering services and in relation to their own employees.

The new Equality Duty supports good decision-making – it encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of their activities on different people and how inclusive public services can support and open up people's opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

The Equality Duty has three aims. It requires public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- foster good relations between people who share a protected characteristic and people who do not share it.

Having due regard means consciously thinking about the three aims of the Equality Duty as part of the process of decision-making. This means that consideration of equality issues must influence the decisions reached by public bodies – such as how they act as employers, how they develop, evaluate and review policy, how they design, deliver and evaluate services and how they commission and procure from others.

Having due regard to the need to advance equality of opportunity involves considering the need to:

- remove or minimise disadvantages suffered by people due to their protected characteristics;
- meet the needs of people with protected characteristics; and
- encourage people with protected characteristics to participate in public life or in other activities where their participation is low.

Fostering good relations involves tackling prejudice and promoting understanding between people who share a protected characteristic and others.

Two specific duties within the Public Sector Equality Duty require all public bodies to:

- Publish information that shows how they have complied with the Equality Duty. This is done annually on the Council's website.
- Set equality objectives for the organisation.

## **Human Rights**

In addition to the specific requirements set out above, six Articles of the European Convention on Human Rights (as described in the Human Rights Act 1998) also have implications for the provision of public services and function.

Article 2: Everyone has the right to life.

Article 3 No one shall be subjected to ... degrading treatment

Article 5 Everyone has the right to ... security of person

Article 8 Everyone has the right to respect for their private and family life, home and correspondence

Article 9 Everyone has the right to freedom of thought, conscience and religion ... subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, public order, health, morals, or the freedoms of others

Article 10 Everyone has the right to freedom of expression (subject to the same requirements as Article 9), but the exercise of those freedoms carries duties and responsibilities to the rights of others.

Article 14 Prohibition on Discrimination. The enjoyment of the rights and freedoms set forth in the convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

## **Managing equalities within Woking Borough Council**

### **Consultation and engagement**

Consultation and engagement with communities and service users are major elements of designing services that are able to deliver the equality of outcomes that people need. Improving the Council's performance cannot be done in isolation from those it seeks to serve. Involving stakeholders is crucial in order to hear their views about current services and how these can be improved to meet current and emerging needs. The Stakeholder Engagement team provides a uniform and robust approach to consultation and engagement across the Council, including the citizen's panel, surveys and focus groups. Surrey provides a comprehensive breakdown of the local population, including social, economic and educational data. Ward profiles have been compiled for all wards in Woking.

Information from all of these activities is used to help the Council shape its service plans each year. Links with organisations representing the equality strands have been established.

### **Understanding service use and access**

In order to ensure fairness is built into all it does, when policies, services and projects are developed or revised, Equality Impact Assessments are carried out. The purpose of Equality Impact Assessments is to improve the work of the Council by making sure it does not discriminate against any individual or group and that, where possible, it promotes equality. Once customer needs are known and any inequalities that exist highlighted, the Council needs to make sure that those most in need and at a disadvantage can access services to improve their situation.

Access to services is about service availability, service location (physical and virtual) and potential barriers. With increasing budgetary pressures and constraints, the Council needs to consider how best to utilise its resources and those of partners to ensure the maximum benefit of those most in need.

### **Performance Management and Service Planning**

Performance management is a key element of delivering good outcomes for communities and the council's approach is to ensure it goes beyond minimum compliance. The Council adopted The Equality Framework for Local Government when it was launched in 2009. The framework provides a way for the organisation to mainstream equalities into all that it does and is constructed around five areas of change management:

- Knowing your community and equality mapping
- Place shaping, leadership, partnership and organisational commitment
- Community engagement and satisfaction
- Responsive services and customer care
- A modern and diverse workforce.

The Council was successfully audited in 2012 as an 'Achieving' authority by The Local Government Association.

Council Service Plans will, during the annual service planning process, undertake equality impact assessments and all services are required to comment on the equality aspects of their service as part of the service planning process. Service Plans describe the priorities for each year and where equality performance improvements are required the targets set will be stated and details of how these improvements will be made included in a Corporate Equality Action Plan. All annual Service Plans are signed off by Management Team and approved by the Executive Committee.

Performance issues, including equality performance, are monitored throughout the year by the Council's Business Improvement team with quarterly reports submitted to the Executive Committee. Management Team will hold managers accountable for ensuring there is evidence of improved performance and equality of outcomes.

An annual report is produced for the Executive every year outlining performance on the equality agenda over the year, workforce profiling and areas for development over the coming year.

The Corporate Equality Group consists of officers from each Business area of the organisation, as well as a Unison representative and the Chief Executive Officer as the Equality Champion. In addition there is a Member Equality Champion and an equality lead for the opposition party. An Equality Task Group, consisting of members from both parties, scrutinise EIA's and the organisations progress on the equality agenda.

### **Meeting employment and training responsibilities**

Workforce monitoring information is collated and published annually. Areas covered include workforce profile, recruitment, training, promotion and discipline and grievance issues. These are broken down according to race, gender, disability, age, sexuality and religion and belief. The aim of the organisation is to be reflective of the communities it serves.

An introduction to equality and diversity and the Council's expectation of staff in delivering on this agenda is included in the induction programme for all new employees. This is followed by a requirement for all new staff to attend a half day Equality & Diversity course run by Surrey Learn, a Surrey-wide training programme or complete the on-line training module. This covers legislation, service delivery and Equality Impact Assessments. A briefing paper on equalities is provided in all packs for new councillors. Campaigns on a variety of equality issues are run throughout the year, including displays information on the website and intranet.

### **Procurement and Commissioning**

Equality & Diversity questions are included in the pre-qualifying questionnaire completed by all suppliers. Specific equality requirements are written into contracts and monitoring requirements if applicable.

### **Equality Objectives**

Overarching objectives that have been developed for this CES which are relevant to each of the nine equality groups covered by the Equality Act, relate back to the General Duty and are designed to ensure a holistic approach to tackling inequality and promoting equality through the organisation. The overarching objectives are to:

### **Tackle victimisation, harassment and discrimination**

Take reasonable steps to ensure that residents, service users and employees are not unlawfully discriminated against and take appropriate action to prevent & tackle victimisation and harassment.

**Improve access to services**

Take reasonable steps to ensure that services are inclusive; responsive to risk; physically accessible and provided through the most efficient and effective channels available.

**Close the gap in outcomes for citizens**

Take reasonable steps to improve life chances for citizens by reducing outcome gaps that may exist within the borough as well as those that may exist between the borough and elsewhere.

**Increase understanding and mutual respect between communities**

Take reasonable steps to build stronger communities and promote good relations, both within and between communities.

**Increase participation and engagement**

Take reasonable steps to remove barriers that may exist to engagement and help residents (especially those who are under-represented) to participate in local decision making and influence local decisions.

**Ensure equitable employment policies and practices**

Provide equality of opportunity for all its staff by ensuring its employment policies and practices, (concerning recruitment, retention, promotion, training and discipline), are designed to reflect and attract the communities that Woking serves.

The objectives will be reviewed, updated and published annually.