

# WIRRAL COUNCIL

## CABINET

12 JANUARY 2012

<b>SUBJECT:</b>	<b>FORMAL ADOPTION OF EQUALITY IMPACT ASSESSMENTS</b>
<b>WARD/S AFFECTED</b>	<b>ALL</b>
<b>REPORT OF:</b>	<b>CHIEF EXECUTIVE</b>
<b>RESPONSIBLE PORTFOLIO HOLDER</b>	<b>COUNCILLOR JEAN STAPLETON</b>
<b>KEY DECISION:</b>	<b>NO</b>

### 1.0 EXECUTIVE SUMMARY

- 1.1 As part of the Equality Duty 2010, which came into full force in April 2011, the Council has a legal requirement to give due regard to the impact of its policies and decisions on people who share protected characteristics (race, gender, disability, sexual orientation, age, religion / belief, gender re-assignment, marriage / civil partnership, pregnancy / maternity).
- 1.2 As part of the Independent Corporate Governance Review report, AKA highlighted 'shortfalls in the way the Council evaluates the impact of its policies both prior to execution and in response to evidence about the impact'. Subsequently the report identified 'Equalities' as an area for improvement.

### 2.0 RECOMMENDATIONS

- 2.1 That Cabinet considers the formal adoption of Equality Impact Assessments as the Council's process for giving due regard to the impact of its policies and decisions.
- 2.2 That all Chief Officers, Heads of Service and Departmental Managers receive mandatory Equality Impact Assessment training.
- 2.3 That all Committee reports include a hyperlink to completed equality impact assessments on the Council website.
- 2.4 That all completed Equality Impact Assessments are signed off by the appropriate Head of Service prior to publishing.

### 3.0 REASON FOR RECOMMENDATION

- 3.1 To ensure the Council meets its legal requirement contained within the Equality Duty 2010.
- 3.2 To address equality issues identified within the Independent Corporate Governance Review report.

#### **4.0 BACKGROUND AND KEY ISSUES**

- 4.1 The Council has been completing Equality Impact Assessments since 2008 as best practice to achieve the different levels of the Equality Framework for Local Government.
- 4.2 All completed Equality Impact Assessments are published on the Council's website for transparency purposes: <http://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments>
- 4.3 Following the introduction of the Equality Duty 2010, the Council has a legal requirement to give due regard to the impact of its policies and decisions on people who share protected characteristics (race, gender, disability, sexual orientation, age, religion / belief, gender re-assignment, marriage / civil partnership, pregnancy / maternity). The Council must also publish the outcomes of giving such 'due regard'.
- 4.4 During November 2011, a meeting of the North West Employers Organisation Equality Network agreed that Equality Impact Assessments are currently viewed as best practice for giving due regard to the impact of policies and decisions. The meeting was attended by the report author and by the North West representative of the Equality and Human Rights Commission (Angus Cleary). Angus Cleary also stated the one thing all 'Excellent Level - Equality' Councils have in common is that Equality Impact Assessments are fully embedded across the organisations.
- 4.5 The North West Employers Organisation has also asked Wirral Council to be a case study in Equality Impact Assessments, as the Council was one of the first in the region to redesign its toolkit following the introduction of the Equality Duty 2010.
- 4.6 It is essential that the Council's Equality Impact Assessment process is more robust in terms of completion, quality assurance, scrutiny and transparency.

#### **5.0 RELEVANT RISKS**

- 5.1 The Council failing to meet legal requirements.
- 5.2 The Council open to reputational risk.
- 5.3 The Council open to legal challenge from staff, customers, residents.

#### **6.0 OTHER OPTIONS CONSIDERED**

- 6.1 During November 2011, a meeting of the North West Employers Organisation Equality Network agreed that Equality Impact Assessments are currently viewed as best practice for giving due regard to the impact of policies and decisions. The meeting was attended by the report author and by the North West representative of the Equality and Human Rights Commission (Angus Cleary). Angus Cleary also stated the one thing all 'Excellent Level - Equality' Councils have in common is that Equality Impact Assessments are fully embedded across the organisations

## **7.0 CONSULTATION**

- 7.1 A more robust approach to Equality Impact Assessments will be implemented and overseen by the Corporate Equality Group (Chaired by the Chief Executive) and Departmental Equality Groups (Chaired by Heads of Service).

## **8.0 RESOURCE IMPLICATIONS: FINANCIAL; STAFFING; ASSETS**

- 8.1 There are no resource implications contained within this report.

## **9.0 LEGAL IMPLICATIONS**

- 9.1 By not formally adopting Equality Impact Assessments as the Council's process for giving due regard to the impact of its policies and decisions, the Council is open to legal challenge from staff, customers and residents.

## **10.0 EQUALITIES IMPLICATIONS**

- 10.1 As part of the Equality Duty 2010, which came into full force in April 2011, the Council has a legal requirement to give due regard to the impact of its policies and decisions on people who share protected characteristics (race, gender, disability, sexual orientation, age, religion / belief, gender re-assignment, marriage / civil partnership, pregnancy / maternity).

## **11.0 CARBON REDUCTION IMPLICATIONS**

- 11.1 There are no implications contained within this report.

## **12.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

- 12.1 Equality Impact Assessments can and should inform planning and community safety policies and decisions.

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**SUBJECT HISTORY (last three years)**

<b>Council Meeting</b>	<b>Date</b>
Cabinet	15 April 2010
Council Excellence Overview and Scrutiny Committee	21 September 2010
Scrutiny Programme Board	2 March 2011
Economy and Regeneration Overview and Scrutiny Committee	14 March 2011
Council Excellence Overview and Scrutiny Committee	16 March 2011
Children and Young People Overview and Scrutiny Committee	1 June 2011
Sustainable Communities Overview and Scrutiny Committee	7 June 2011
Health and Well Being Overview and Scrutiny Committee	20 June 2011
Council Excellence Overview and Scrutiny Committee	12 July 2011