

**CABINET**  
**7 MARCH 2023**

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**EQUALITY POLICY AND OBJECTIVE REFRESH**

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**Responsible Cabinet Member -  
Councillor Mike Renton, Stronger Communities Portfolio**

**Responsible Director -  
Elizabeth Davison – Group Director of Operations**

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**SUMMARY REPORT**

**Purpose of the Report**

1. The purpose of the report is for Cabinet to review and approve the changes to the Equality Policy and the Equality Objective.

**Summary**

2. Historically the council has chosen to have an Equality Policy in order to maintain a clear and structured approach that demonstrates how it aims to meet its responsibilities under the Equality Act 2010.
3. The current policy expires in 2023 and is therefore in need of a refresh. There have been no changes to the Equality Act that have required changes to our policy, so the main amendment to the policy relates to the objective.
4. Under the Equality Act 2010, we have specific duties to publish one or more equality objectives and equality information to communicate how we meet our statutory requirements. The objective must be updated every four years. Our previous objective expired at the end of 2022/23, and it is therefore required to be updated this year.
5. The Equality Policy [**Appendix 1**] has been reviewed and updated to reflect the current council plan. The previous objective has been reviewed, and a new objective drafted. This was taken to consultation, both internally via Scrutiny Committee and the Joint Consultative Committee, and externally with relevant groups.
6. In light of the consultation some minor changes were made to the wording of the policy itself. The suggested new objective for 2023-2027 is: *To provide ongoing training and support for staff and members to help them meet their duties under the Equality Act of 2010, raise awareness of the Equality Policy and ensure residents of Darlington are treated with dignity and respect, and continue to report on progress.*

## Recommendation

7. It is recommended that:
- (a) The refreshed Equality Policy be approved
  - (b) The new Objective for 2023-2027 be approved

## Reasons

8. The recommendations are supported by the following reasons :-
- (a) The policy and objective have been through external consultation, Joint Consultative Committee and Economy and Resources Scrutiny Committee
  - (b) Changes requested in these stages have been made to make the policy and objective as inclusive as possible

**Elizabeth Davison**  
**Group Director of Operations**

## Background Papers

### Equality Policy

Eleanor Walker: Extension 6054

S17 Crime and Disorder	Not relevant to this report
Health and Wellbeing	Being treated fairly and with dignity and respect is likely to increase wellbeing of residents
Carbon Impact and Climate Change	Not relevant to this report
Diversity	This policy and objective relates to ensuring the council meets the needs of Darlington's diverse communities
Wards Affected	The policy affects protected characteristic groups in all wards
Groups Affected	Groups with protected characteristics
Budget and Policy Framework	This decision does not represent a change to the budget and policy framework
Key Decision	This report is not a key decision
Urgent Decision	This report is not an urgent decision
Council Plan	The Equality Policy supports the aims of the Council Plan
Efficiency	The Equality Policy ensures that the council complies with Equality legislation, reducing the likelihood of legal challenges which may impact the Council's budget
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

## MAIN REPORT

### Background

9. The current Equality Policy and Objective expire at the end of 2022/23, meaning the policy needs to be refreshed, and a new Objective(s) agreed. The refreshed policy will run until 2027.
10. The policy details the way that the council will work to meet our Equality and Diversity obligations, according to the Equality Act 2010. It also highlights the importance of Equality and Diversity for creating an inclusive borough.
11. The previous Objective, which ran from 2018 – 2022/3 was *“To remind all Members and staff of their duties under the Equality Act 2010, demonstrate how the council has done this via training and engagement with services users and support organisations, and publicise the differences that this work has made.”*
12. This objective led to the recruitment of an Equality and Diversity trainer, 1344 people, representing 76.2% of current council staff and 75% of councillors have attended training. The sessions have been well received, 61% of attendees said they will change the way they approach Equality and Diversity as a result.
13. The Equality Advisor Group and Equality Reference Group continue to meet quarterly, as detailed in the policy, and work from these groups has led to targeted pieces of work on women in the workplace and the start of an LGBT+ network. A report is taken to Chief Officers Board on a quarterly basis to keep Assistant Directors apprised of activities, seek approval for considered recommendations, and to take direction back to the Equality Advisor Group when required.

### The Policy

14. The Equality Policy [Appendix 1] itself is in need of a minor refresh. The legislation has not changed since the policy was first published, the primary changes have been updating references to other council policies and objectives which are referenced throughout the document.
15. In the refreshed policy all references to ‘One Darlington Perfectly Placed’ have been removed, reference is now made to the Council Plan.
16. The Equality Impact Assessment has been updated to include the new council logo.

### The Objective

17. The Objective for 2018-2022 was:

*“To remind all Members and staff of their duties under the Equality Act 2010, demonstrate how the council has done this via training and engagement with services users and support organisations, and publicise the differences that this work has made”*

18. The proposed new objective that went out for consultation was: *To provide ongoing training and support for staff and members to help them meet their duties under the Equality Act of 2010 and continue to report on progress.*

## **Consultation**

19. The consultation on the policy and objective was promoted via the council's social media channels and circulated to relevant groups and organisations via Council networks.
20. The consultation on the policy and the objective was open to the public between the 31 October 2021 and the 16 December, with specific meetings offered to relevant organisations. 5 people responded to the online consultation, a mix of representatives of protected characteristic groups and members of the public. A separate meeting was held with Darlington Association on Disability.
21. Respondents were asked if they agreed to the proposed new Objective.
22. 4 out of 5 respondents agreed with the proposed objective. The person who disagreed said that it did not go far enough and the council should be ensuring staff meet their duties. Further comments from the consultation can be found at **Appendix 2**.
23. Suggestions for further objectives were around going further than the legislation on LGBTQ+ and disability inclusion; support for non-binary staff and service users; increasing communication around the policy itself; ensuring people are treated with dignity and respect and ongoing work around staff networks.
24. Some comments on the policy itself were around the wording used, which has been changed where relevant, e.g. gendered language and old policies referred to.
25. A request was made for signposting where people who suddenly find themselves with a protected characteristic such as a disability can access support, however this will be picked up as a separate piece of work to ensure staff and service users know where to access any support required.
26. Joint Consultative Committee requested that the wording around the Protected Characteristic of Gender Reassignment be made gender neutral.
27. The report went to Economy and Resources Scrutiny Committee on the 2 February and the report was endorsed for referral to Cabinet.

## **Changes in light of Consultation**

28. A comment was made with regard to ensuring staff are treating service users with dignity and respect. The need for members of staff to treat each other and service users with dignity, respect and fairness is covered in the employee Code of Conduct and as such is not appropriate to be included as an objective.
29. A clarification that the onus is on the council to disprove that a reasonable adjustment is reasonable where a request has been made and the Council disagrees that an adjustment

would be reasonable.

30. Removing some of the gendered language from the definitions of the Protected Characteristics to make the language more inclusive.
31. An additional paragraph regarding ongoing communication about Equality, Diversity and Inclusion related work added to the section on 'Communicating the Equality Policy'.
32. Removing reference to the Equality 'Scheme' and referring to the Equality Policy.
33. A suggested change to the proposed objective to [change in bold]: *To provide ongoing training and support for staff and members to help them meet their duties under the Equality Act of 2010, **raise awareness of the Equality Policy and ensure residents of Darlington are treated with dignity and respect, and continue to report on progress.***