

<b>Committee(s)</b>	<b>Dated:</b>
Community and Children's Services – For Information Establishment Committee – For Information Port Health and Environmental Services Committee – For Information	21112017
<b>Subject:</b> Public Sector Equality Duty presentation	<b>Public</b>
<b>Report of:</b> Director of Community and Children's Services	<b>For Information</b>
<b>Report author:</b> Moushumi Bhadra, Project and Equalities Manager	

### Summary

This report provides Members with a brief overview of the City of London Corporation's requirements under the Public Sector Equality Duty, which falls under Section 149 of the Equality Act 2010, and how this applies to our local authority and port health functions.

A brief presentation attached as an Appendix to this report summarises the purpose of the Public Sector Equality Duty (known as the Equality Duty), as well as how Members and Officers demonstrate 'due regard' to the Equality Duty.

### Recommendation(s)

Members are asked to:

- Note the report.

### Main Report

#### Background

1. An Equality Duty briefing session was delivered by Officers from the Equality and Inclusion Board as part of the Member Development Programme in June 2017. This session was designed to raise awareness among Members of the City of London Corporation's requirements to pay 'due regard' to the Equality Duty in relation to its local authority and port health functions.
2. Following this, the Equality and Inclusion Board agreed that Officers from the Equality and Inclusion (E&I) Board should provide a report summarising the contents of this briefing session to Establishment Committee; Community and Children's Services Committee; and Port Health and Environmental Services Committee in order to raise awareness among committees that oversee decisions relating to local authority and port health functions.

#### Current Position

#### Public Sector Equality Duty

3. In 2011, the Public Sector Equality Duty (known as the Equality Duty) came into force. The Equality Duty requires public authorities, in carrying out their local authority and port health functions, to have due regard to the need to:
  - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010.
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
4. These are known as the three 'aims' of the Equality Duty. Under the Equality Duty, there are nine protected characteristics whose protected status was enhanced within the Equality Act 2010:
  - Race and ethnicity
  - Disability
  - Religion or belief
  - Age
  - Sexual orientation
  - Gender
  - Gender reassignment
  - Pregnancy and maternity
  - Marriage and civil partnership
5. The Equality Duty requires public authorities to pay due regard to the Equality Duty for all services, including policy making, employment, planning and procurement. It also applies to any private bodies or voluntary organisations that carry out public functions on our behalf, such as any commissioned services.

#### Governance arrangements for equality and inclusion

6. The Equality and Inclusion (E&I) Board, chaired by the Town Clerk and co-chaired by the Director for Human Resources and the Director for Community and Children's Services, is the officer-led governing body for equality and inclusion in the City of London Corporation. The Equality and Inclusion Board reports on a quarterly basis to Summit Group and to Establishment Committee. The E&I Board also produce an annual report which summarises how the organisation is meeting the aims of the Equality Duty.

#### How do Officers demonstrate due regard to the Equality Duty?

7. Officers must demonstrate due regard to the Equality Duty when developing proposals and designing services that will have an impact on people (i.e. City residents, service users, workers, tourists and any other City of London customers) in relation to local authority or port health functions.

8. Officers are required to disclose whether there are any implications relating to equality and inclusion under the 'Corporate Implications' heading in Committee reports.
9. Officers can complete an Equality Analysis, an in-depth analytical tool to assess the equalities implications of a proposal on service users. An Equality Analysis will pay particular consideration to the needs of individuals who fall under the protected characteristics of the Equality Duty.

#### How do Members demonstrate due regard to the Equality Duty?

10. In the 'Equality Act 2010: Technical Guidance on the Public Sector Equality Duty in England', the Equality Duty applies to the "Common Council of the City of London in its capacity as a local authority or port health authority". This therefore places a requirement upon Members to scrutinise equalities implications of proposals that relate to local authority or port health functions.
11. If an Equality Analysis has been completed, it should:
  - Be disclosed in the committee report and attached as an appendix to the report
  - Be signed off by the relevant senior officer
  - Be evidence-based to analyse the significance of any positive, negative or a combination of impacts on service users
  - Identify any potential negative impacts and includes meaningful justification for why the proposal should go ahead
  - Include a robust action plan to mitigate any negative impacts and enhance positive impacts if possible.

#### **Proposals**

12. It is advised that Members note the legal requirements outlined in the Equality Duty and scrutinise any Equality Analysis proposals that are submitted as part of Committee reports.

#### **Corporate & Strategic Implications**

13. The requirement for Officers and Members to pay due regard to the Equality Duty is outlined in the Equality Act 2010, so it is a legal requirement. It is also outlined in the Corporate Plan, as well as the Departmental Business Plan.

#### **Conclusion**

14. In ensuring that Officers and Members pay due regard to the Equality Duty, the City of London Corporation meets the requirements of the Equality Act 2010 and:
  - Delivers cost-effective and customer-focused services
  - Places the needs of service users at the heart of policy development
  - Advances equal opportunities and fosters good relations within our communities
  - Meets its commitment to be a leader in equality, diversity and inclusion.

## **Appendices**

- Appendix 1 – Public Sector Equality Duty presentation for Members

### **Moushumi Bhadra**

Project and Equalities Manager

T: 020 7332 1324

E: [moushumi.bhadra@cityoflondon.gov.uk](mailto:moushumi.bhadra@cityoflondon.gov.uk)