



**Corporate Policy and
Resources**

20th July 2023

**Subject: Annual Equality, Diversity and Inclusion Report and New
Equality, Diversity and Inclusion Policy**

Report by:

Katy Allen – Corporate Governance Officer

Contact Officer:

Katy Allen Corporate Governance Officer
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Purpose / Summary:

To consider the Annual Equality, Diversity and
Inclusion report and agree the new Equality,
Diversity and Inclusion Policy

RECOMMENDATION(S):

That Committee:

- 1. Note the Annual Equality, Diversity and Inclusion Report**
- 2. That Committee agree the new Equality, Diversity and Inclusion policy**
- 3. That Committee agree with the actions to take the agenda forward.**

IMPLICATIONS

Legal:

The Monitoring Officer is content with the report.

Financial: None

Staffing: None

(N.B.) Where there are staffing implications the report MUST have a HR Ref

Equality and Diversity including Human Rights:

West Lindsey District Council has a commitment to equality and diversity. It seeks to ensure that no one receives less favourable treatment than another on the grounds of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. This report is part of the work to ensure this is the case.

Data Protection Implications: None

Climate Related Risks and Opportunities: None

Section 17 Crime and Disorder Considerations: None

Health Implications: None

Title and Location of any Background Papers used in the preparation of this report:

None.

Risk Assessment:

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

☐

No

x

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

☐

No

x

1. Introduction

- 1.1. This Annual Equality, Diversity and Inclusion report is for Members, Management Team and Staff. This report provides Members with information on how our work around equalities is progressing within West Lindsey District Council and the next steps to be taken including adoption of the amended Equality, Diversity and Inclusion Policy.

2. Background

- 2.1. As a local authority, the Council has a responsibility to meet the Equality Duty which is set by law as part of the Equality Act 2010. The duty gives protection for all persons who might be discriminated against because of their age, race, sex, gender reassignment, disability, sexual orientation, religion or belief, pregnancy and maternity, marriage and civil partnership. These 9 areas of protection are called the protected characteristics. The duty requires us have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

These are also classed as the aims of the general equality duty. The specific duties placed on public bodies are to:

- Publish information to show our compliance with the Equality Duty – including information relating to employees who share protected characteristics and information relating to our service users.
- Set and publish equality objectives, at least every four years.

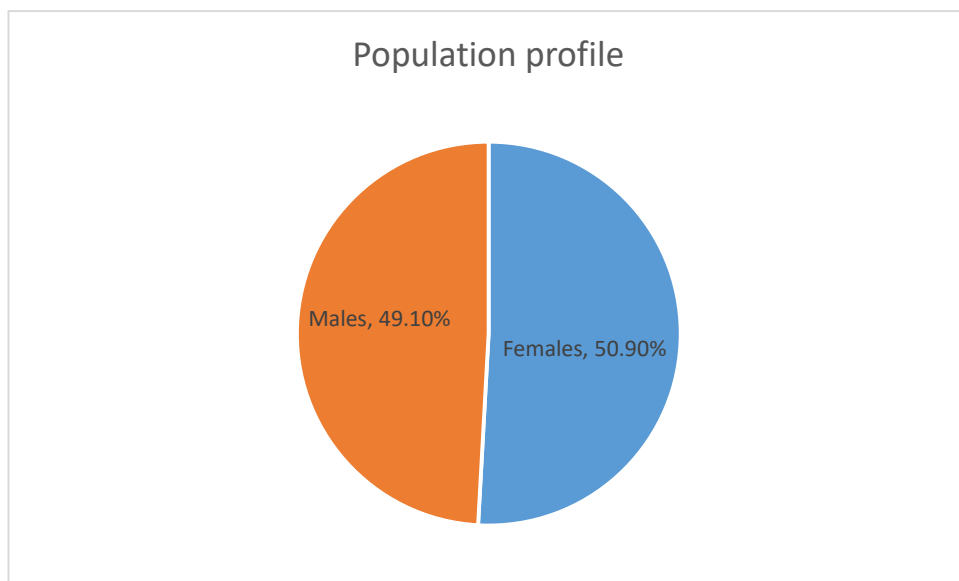
3. Equality data

3.1. Information is available on both the make-up of our district through the census 2021 data and on our staff through data submitted on appointment of a post. Work is being undertaken to ensure that staff can amend and update their equality information if there are any change during their employment at WLDC.

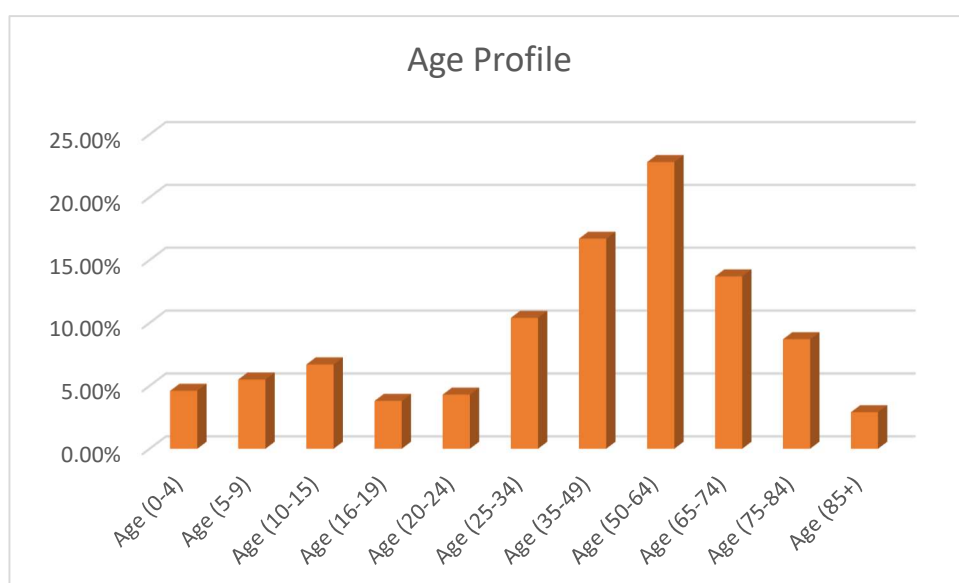
3.2. District information

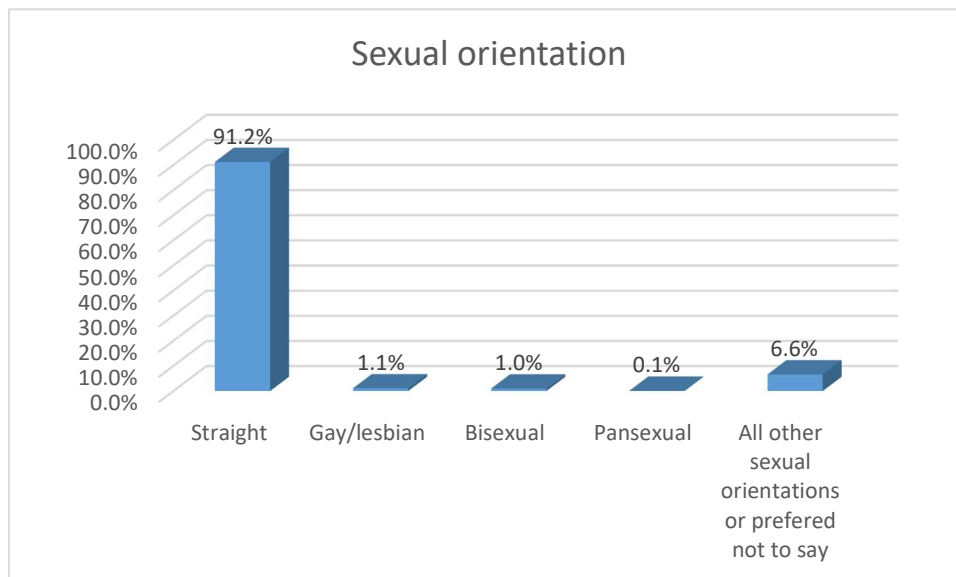
The following information has been taken from the last census undertaken in 2021.

Within West Lindsey the population, as per the census 2021, was 95,200.

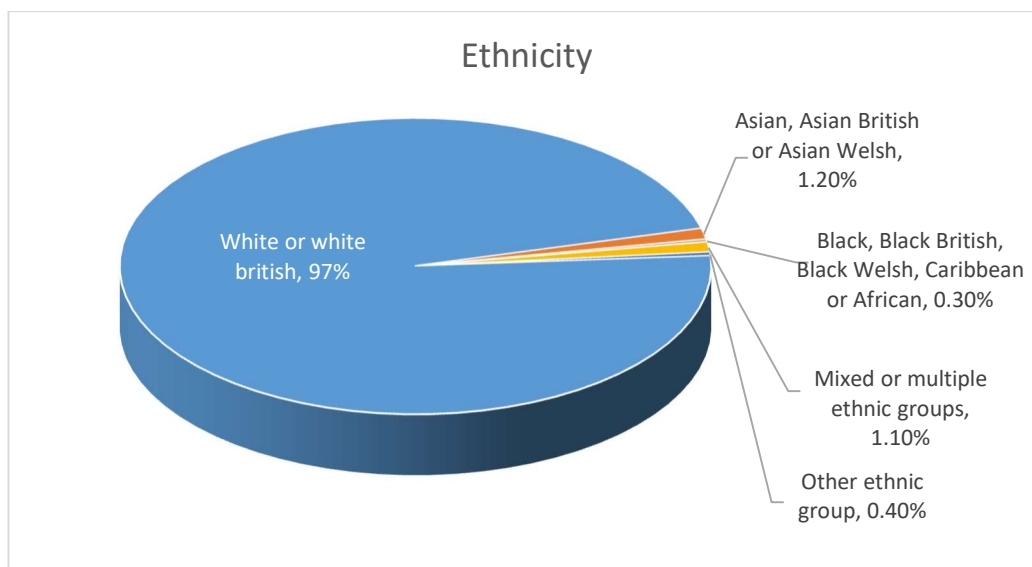


From this census 28.8% of the population said that they were disabled or had a long-term health condition.





Out of the population of West Lindsey 94.9% have the gender identity which they were registered with at birth whilst 0.1% have a different gender but did not specify, 0.1% are Trans-women and 0.1% are Trans-men.

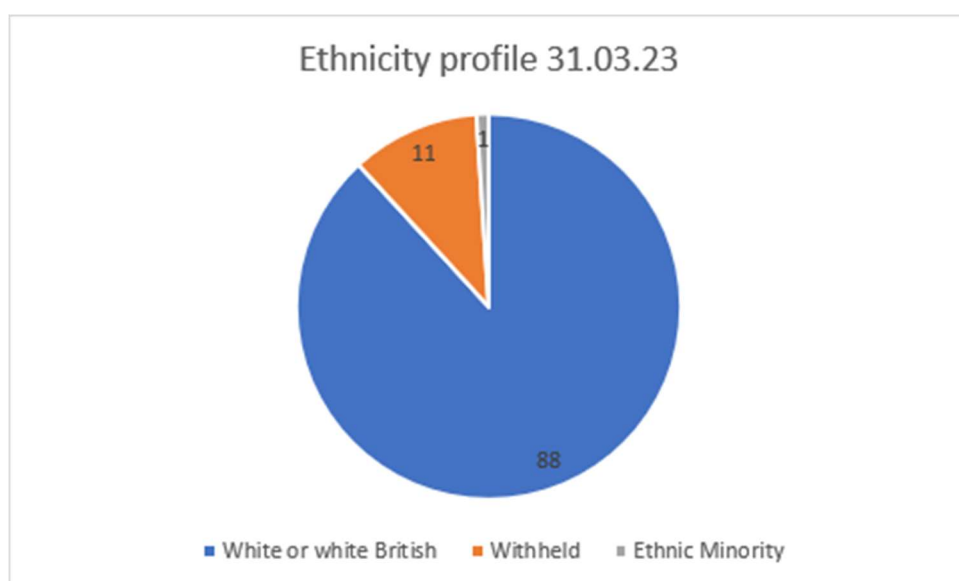


3.3. Staff information

As at 31st March 2023, WLDC had 299 members of staff. It is worth noting that this is members of staff and not roles as some do have more than 1 role and therefore other reports if looking at roles may have a different figure.



Just over half (56%) of our staff are female and 38% of them work part time (less than 37 hours) whilst the male members of staff only 11% of those work part time.



4. Current Position

4.1. Currently WLDC have a number of documents in place for the Equality agenda. These are the Strategy, the Statement, EIA templates, Embedded within the Code of Conduct for Members and training for new staff.

4.2. WLDC Equality Strategy 2020-24

The Equality Strategy currently in place runs from 2020 to 2024. Work is beginning on developing the Equality objectives for the next strategy which will cover 2025-2029. As part of this work, consultation will take place with residents and members and then a strategy will be presented to JSCC and Prosperous Communities Committee.

4.3. WLDC Equality Statement 2022

The Equality Statement for 2022 has been published on the website in line with our legislative requirements. This report will in place of the Statement for 2023.

4.4. Equality Impact Assessments (EIA)

As a council we have a duty to have due regard to the aims of the general equality duty when making decisions and setting policies. To show this we use the EIA. All committee reports have a section to show whether equality and diversity has an implication to the report. To find this implication then a EIA is undertaken. Since April 2022 several EIAs have been undertaken including:

- Digital ICT Strategy
- Budget Report 2023/4 – Proposed Council Tax increase
- Zivver project
- UK Shared Prosperity Fund
- T24 – Customer Contact Centre
- Close Personal Relationships Policy
- Disciplinary Policy
- Retirement Policy

4.5. Code of Conduct

All Councillors sign up to the Member Code of Conduct. As part of this the 'standards of councillor conduct' includes a section on bullying, harassment and discrimination. This sections outlines:

As a councillor:

- I do not bully any person.
- I do not harass any person.
- I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

5. Way forward

- 5.1. A number of actions are currently in place to ensure this area of work is moving forward. These are training for Officers and Members, continuation of the action plan attached to the Strategy, an audit by Internal Audit and work on the website.

- 5.2. New WLDC Equality, Diversity and Inclusion Policy

The current WLDC Equality Policy was adopted by JSCC and CP&R in 2018. This Policy has been updated to include Diversity and Inclusion and how these are important to West Lindsey. The New Policy is attached as Appendix A for Management Team to review and accept.

- 5.3. Action Plan

An updated action plan for 2023/24 has been attached as Appendix B. Once agreed at this committee this will be updated on the West Lindsey District Council website.

- 5.4. Officer Equality, Diversity, Inclusion and Belief Training

As part of our staff induction process, all new starters receive Equality training within the first month. A new Equality, Diversity, Inclusion and Belief Training module has been set up on the Learning Platform and all staff will complete this during June and July 2023.

- 5.5. New EIA process

To refresh the work we undertake on Equality Impact Assessments, it is recommended that the EIA documentation is reviewed and updated and then all of Wider Management Team and Management Team undertake EIA training to ensure they are able to undertake the assessments. Once this training has taken place then a timescale of reviews will be developed to ensure our Services and policies are compliant with the legislation.

- 5.6. Member Training

All members will receive Equality, Diversity and Inclusion training on the Learning Platform during 2023.

5.7. Website update

Work was undertaken during 2022/23 to ensure that our equalities page on the website is updated and this work will continue during 2023/24. Once the EIA training has taken place then all new EIAs undertaken will be added onto Minerva.

5.8. Accessibility Wording

The Census data identifies the top 10 languages other than English which have been accessed and this has been used to update the accessibility wording for the end of WLDC documents. These are:

Polish
Lithuanian
Romanian
Russian
Spanish
All Other Chinese
Bulgarian
Latvian
Arabic
Portuguese

The Equality, Diversity and Inclusion Policy has the updated wording attached at Appendix A as well as the large print details.

5.9. Equality Audit

An Audit on Equality for West Lindsey District Council has been agreed to be undertaken as part of the Audit Plan for 2023/24 by Governance and Audit Committee. A copy of the draft scope of this audit is included as Appendix C.

6. Recommendations

- 6.1. That Committee note the Annual Equality, Diversity and Inclusion Report
- 6.2. That Committee agree the new Equality, Diversity and Inclusion Policy
- 6.3. That Committee agree with the actions to take the agenda forward.



Equality, Diversity and Inclusion Policy

JSCC Approved: 00/00/0000
CP&R Approved: 00/00/0000

Policy Statement

West Lindsey District Council values all of its employees, councillors and residents and recognises the importance of equality, diversity and inclusion. It aims to achieve this by ensuring equality of opportunity and valuing the strength of diversity.

The council will promote equal treatment in accordance with legislation and will strive to provide an environment free of prejudice and unlawful discrimination. Senior management will be responsible for ensuring that this is understood and adhered to by all employees of the council.

We work to the following principles:

- We recognise nine main equality strands as recognised in UK law, giving all equal importance. These are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- We will recognise and treat people with the protected characteristic of gender reassignment according to the gender in which they present unless it is necessary, in exceptional circumstances, to use the services and employment exceptions as a proportionate means to achieve a legitimate aim in line with the Equality Act 2010.
- We aim to eliminate unlawful discrimination and to promote equality of opportunity and good relations between people of different and diverse communities.
- We support the progressive approach of promoting good relations between different groups in order to tackle prejudice and end discrimination and apply this to all equality strands.
- We are committed to developing and promoting an anti-discriminatory environment within the Council and City as a whole and will reflect this in our policies and practices.
- We are committed to improving our equalities practice at corporate, departmental, service and individual levels throughout the council and want to maintain a positive and inclusive workplace culture that values all employees equally.
- We aim to identify and eliminate barriers in our own systems and procedures, training staff and managers to enable them to help make this happen.
- We will actively engage with the local community through communication and consultation to ensure that our services meet the needs of and are fully accessible to our diverse population.
- We recognise the value of an energetic and creative voluntary/community sector and will work with groups, individuals and organisations to provide culturally specific services, with equalities firmly embedded in those relationships and projects.

- We will ensure a commitment to equalities and diversity in our commissioning and procurement arrangements and expect suppliers and contractors to fully comply with this equalities and diversity policy.
- We encourage real participation in local democracy and representation on various bodies and in our processes, from people who may normally feel excluded from decision-making processes.
- We will comply with all our legal obligations and follow best practice guidance.

Scope of Policy

All Councillors, employees and others who work on behalf of the council are expected to carry out their responsibilities under this policy and to follow relevant policies and procedures. All employees have a role to play in ensuring fairness towards colleagues and to all sectors of the community we serve.

This policy applies to all aspects of the Council's functions including:

- Provision of services
- Commissioning and purchasing of goods and services
- Recruitment, employment, training and development of staff
- Grants to voluntary and community organisations
- Landlord functions in respect of housing and other property
- Exercise of statutory powers and responsibilities
- Partnerships with other organisations
- Community involvement
- Consultation with local people
- Promotion and publicity

Any breach of this policy by employees may result in action being taken under the Disciplinary Policy. Volunteers and contractors may be excluded from further involvement with provision of council services.

Valuing our Employees – As an Employer

The Council aims to provide a safe and accessible working environment for existing and potential employees, one that is free from harassment and discrimination, where individuals' values, beliefs, identities and cultures are respected. All Council employees are responsible for complying with this policy and must follow it as part of their conditions of service.

Council staff must not discriminate against anyone, persuade another employee to discriminate, tolerate or condone discriminatory practices, harass or abuse other employees or members of the public – for any reason. In return we expect our staff to be treated with respect and we will not tolerate discriminatory or abusive behaviour towards our staff from members of the public.

The Working Environment:

- We aspire to being an employer for whom local people will want to work.
- We have a staff code of conduct in order to ensure we act professionally and treat others with dignity and respect.
- We run equality and diversity training for staff, including as part of our induction training for all new starters.
- We ensure that we consider individuals' needs and make reasonable adjustments where appropriate in order to remove barriers for disabled people and resolve issues relating to disability.
- We will implement and review our policies to support the health and wellbeing of our staff.
- We take action to protect employees who are at risk of violence while carrying out their duties.
- We are committed to safeguarding and promoting the welfare of children, young people and adults. Staff are aware that safeguarding is everyone's responsibility.
- We have a domestic abuse policy to ensure that every employee who is experiencing or has experienced domestic abuse has the right to raise the issue with their employer in the knowledge that we will treat the matter effectively, sympathetically and confidentially.
- Where there is demand for them, we facilitate and support staff networks for those from minority groups or those who face disadvantage or discrimination in society.

Recruitment practices and career development:

- We aim to eliminate any unfair or unlawful bias in our pay systems and practice that impact on pay. We believe that all employees should receive equal pay for the same or broadly similar work, for work rated as equivalent and for work of equal value.
- We aim to make sure that advertised jobs with the council are accessible to all sections of the community, and that our recruitment policies and practices do not indirectly discriminate against any equality groups.
- We promote opportunities to ensure that not only is the Council's workforce representative of the local community, but that this representation is also reflected across all levels and grades.
- We are a Disability Confident employer and are committed to recruiting, retaining and supporting disabled employees. The Council aims to remove barriers, resolve issues relating to disability and consider individual needs. This includes taking positive steps towards promoting equality of opportunity, inclusion for all and promoting positive attitudes towards disabled people.

Valuing our Customers - Delivering Services

It is our aim that:

- Service users receive fair, sensitive and equal treatment when accessing services, and are treated with dignity and respect.
- Services are relevant and responsive to the changing and diverse needs of our local population, and are delivered without discrimination, prejudice or bias.
- Services, buildings and information are fully accessible, particularly to those groups or individuals who face disadvantage or discrimination.
- We provide clear and understandable information about services and policies in accessible formats and languages.
- All external contracts comply with the council's equality policy.
- Service users are aware of their rights and entitlements when receiving services.
- We will ensure that all job applicants, employees and service users have access to this policy.

Training, Communications and Resources

We provide equality and diversity training for staff and managers including mandatory equalities training within induction programmes for new staff.

Consultation and Involvement

The Council undertakes regular consultation with service users to ensure that the views of all communities are heard.

Equality Impact Assessments (EIAs)

EIAs are a mechanism to equality check council functions and policies to ensure they do not discriminate or cause any adverse impact relating to equalities and diversity. The Council will undertake EIAs on all relevant policies and functions.

Monitoring

Monitoring is an essential and integral element of the Council's equalities performance and is a requirement of the revised Equality Standard. We also monitor our services to meet the specific duties as set out in The Equality Act 2010 (Specific Duties) Regulations 2011, which support the general equality duty of the PSED.

Legislation

We are committed to complying fully with our legal obligations under equality laws and guidance, and to responding to these speedily and thoroughly. The main UK law relating to equality and diversity is the Equality Act 2010.

Equality Act 2010

The Equality Act brought together all the previously existing strands of equality and discrimination legislation, with the aim of clarifying existing law and extending it to cover some anomalies in existing discrimination law.

The nine main pieces of legislation that have merged are:

- The Equal Pay Act 1970
- The Sex Discrimination Act 1975
- The Race Relations Act 1976
- The Disability Discrimination Act 1995
- The Employment Equality (Religion or Belief) Regulations 2003
- The Employment Equality (Sexual Orientation) Regulations 2003
- The Employment Equality (Age) Regulations 2006
- The Equality Act 2006, Part 2
- The Equality Act (Sexual Orientation) Regulations 2007

For full information on the Equality Act see:

www.legislation.gov.uk/ukpga/2010/15/contents

The Public Sector Equality Duty (Section 149 of the Equality Act 2010)

The broad purpose of the equality duty is to integrate consideration of equality and good relations into the day-to-day business of public authorities. Those subject to the equality duty must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

These are sometimes referred to as the three aims or arms of the general equality duty. The Act explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people. Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

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Braille or in another language, please call 01427 676676**

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Appendix B: Action Plan 2023-24

Key Outcome	Actions Required	Performance Measures	Target Date	Lead Officer
E1	Update of internal equalities page for staff	Minerva equalities page updated	April 2023	Corporate Governance Officer
E2	Update of external equalities webpage	Website equalities page updated	April 2023	Corporate Governance Officer
E3	Review of Equality Policy	Equality Policy confirmed at Management Team, JSCC and CP&R	July 2023	Corporate Governance Officer
E4	All Members to sign up to Code of Conduct	100% of Members achieved	June 2023	Committee Admin
E5	Update of Equalities Statement for 2023	Equalities Statement published on website	July 2023	Corporate Governance Officer
E6	All Members to undertake Equality Training	100% of Members achieved	September 2023	Committee Admin
E7	Awareness raising of equalities for all staff through Learning Platform	100% of staff achieved	August 2023	Corporate Governance Officer
E8	Raise awareness of internal equalities page through use of Minerva	Information available to through different sources for all staff	March 2024	Corporate Governance Officer
E9	Additional Equality Training for all Team Leaders and Management Team through Learning Platform	100% of team leaders and Management Team achieved	March 2024	Corporate Governance Officer

Key Outcome	Actions Required	Performance Measures	Target Date	Lead Officer
E10	For all external documents to have the accessibility wording on	100% of relevant documents to have the accessibility wording included	July 2023	Corporate Governance Officer with support from the Communications Team



For All Your Assurance Needs



Internal Audit Terms of Reference Equality Impact Assessments

Date: June 2023



Background



The Equality Act of 2010 brought together various anti-discrimination laws into one single act. Section 149 of the Equality Act 2010 requires that public authorities have due regard to several equality considerations when exercising their functions. This is referred to as the Public Sector Equality Duty (PSED). Public bodies subject to the Act must assess the likely impacts of proposed policies or practices or proposed changes to existing policies or practices on their ability to meet the PSED. In doing so, they must comply with specific requirements to engage with groups likely to be impacted and monitor actual impacts.

Whilst not a legal requirement of the act, Equality Impact Assessments (EIAs) are an important part in helping public authorities meet their responsibilities. They can provide evidence that the authority has met the PSED and can also support good policy and decision making by confirming that decisions, which impact protected groups, are done in a fair way and in a transparent manner.

Purpose and Scope



The review will provide independent assurance that, following corporate Policy and Process, equality impact assessments are understood and undertaken by the Council and that equality impact assessment documentation is completed and submitted to support decision making so that due consideration is given to the impacts of decisions on those with protected characteristics.



Key Risks



The Key Risks identified at this early stage of the process are listed below:

- A lack of understanding of Equality and Diversity and the Corporate Policy can lead to behaviour outside of the expected standard.
- Decisions taken without consideration of an effective EIA by the Council may adversely impact one or more protected groups.
- Decisions that may affect one or more protected groups, and the equality considerations that support them, are not transparent.



Approach



Considering the risks highlighted, this audit will;

- Review whether a corporate policy is in place to manage equality and diversity in the workplace including the requirement to complete EIAs.
- Review a sample of equality and diversity training, for both staff and members of the Council, that informs the completion and consideration of EIAs.
- Review a sample of decisions taken by Council and Officers to ensure that EIAs have been undertaken, EIA documentation has been completed and that these have been considered when making the decisions.

Our approach to completing this audit to meet the objectives above will include;

- Meeting with appropriate officers to obtain all appropriate documents
- Agreeing a sample of decisions to assess the completion of EIAs.
- Agreeing a sample of training records to assess the awareness and training of equality and diversity and the completion of EIAs
- Meeting with appropriate officers to discuss and test the samples selected.
- Preparing a findings report with various progress meetings throughout.
- Discussing recommendations in draft stages before final reports are issued
- Conduct closure meeting with all appropriate stakeholders

Following a closure meeting we will issue a final report.

Any agreed actions contained in the report will be monitored for implementation.



Management Comments



Documentation request



To meet the audit objectives the following information will be required by the senior auditor at the outset of the audit;

- A copy of the corporate equality and diversity policy
- A copy of any associated policy or processes for EIAs
- A copy of the EIA template
- Corporate training material or access to training modules, that inform both staff and members or the E&D policy and, in the completion, and consideration of EIAs.

As the audit progresses the senior auditor will require access to data sets from which to select a sample for testing. We anticipate that this will include:

- Officer and member training records
- Officer and council decisions

For this audit to be successful and maintain an effective timescale we also require the primary contact of this audit to communicate internally at the outset of the audit to all expected stakeholders so that senior auditors can schedule meetings with those who are aware of the scope of the audit and expected outcomes.



Key Contacts



Assurance Lincolnshire

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 Jeanette McGarry – Interim AD & Monitoring Officer – jeanette.mcgarry@west-lindsey.gov.uk
 Emma Foy – Director of Corporate Services – emma.foy@west-lindsey.gov.uk

Proposed timetable



The dates provided below are indicative and will be confirmed in more detail by the senior auditor as part of the planning stage. The outcome of the audit will form part of the next most appropriate progress report and audit committee.

Audit Stage	Date
Commence Fieldwork	16 th June 2023
Planned date for receipt of Management responses	Tbc – w/c 24 th July 2023
Planned date for issue of final report	4 th August 2023
Planned Audit Committee date for presentation of report	26 th September 2023
Number of days planned	9 days

Sign off



On Behalf of Client	On Behalf of Assurance Lincolnshire
Name:	Name:
Date:	Date:



Assumptions



Initial research has provided us with a lot of information that has helped inform this scope, but there are a number of assumptions we have made in order to deliver the proposed timetable.

Availability of your staff for key meetings. We have assumed that all relevant management and staff are aware of the scope and timing of the audit prior to our fieldwork commencing.

Timely assistance to requests for information. It is important to achieving the proposed timeline that where information or assistance is needed this is provided on a timely basis.