

EQUALITY & INCLUSION STRATEGY 2020-2024

**CABINET MEMBER FOR FINANCE, MODERNISATION &
PERFORMANCE (COUNCILLOR CHRIS WEAVER)**

AGENDA ITEM: 9

Reason for this Report

1. The Public Sector Equality Duty includes a requirement for public authorities to develop and publish Strategic Equality Objectives every four years.
2. An Equality and Inclusion Strategy for 2020-2024 has been developed in consultation with residents, Council officers and partners, containing four Strategic Equality Objectives detailing a number of actions for their delivery over a four year period.
3. Progress against these Objectives will be detailed in an Annual Report.
4. The Equality and Inclusion Strategy 2020-2024 can be found in Appendix 1 and the strategy's consultation report at Appendix 2.

Background

5. The Council's current Strategic Equality Plan 2016-2020 was approved in March 2016.
6. The Strategic Equality Objectives detailed in the 2016-2020 plan have been revised and updated for 2020-2024 to reflect best practice and provide an ambitious vision for equality in Cardiff over the next four years.
7. The Strategic Equality Objectives for 2020-2024 and actions identified to deliver each Objective are detailed in the Equality and Inclusion Strategy 2020-2024 (Appendix 1) and this document constitutes the Council's Strategic Equality Plan.
8. The Equality and Inclusion Strategy 2020-2024 details how the Council will meet the legal obligations as found within the Equality Act 2010 and Public Sector Equality Duty.

9. The Equality Act 2010 brings together and replaces the previous anti-discrimination laws with a single Act. It simplifies and strengthens equalities legislation and introduced a Public Sector Equality Duty (the 'general duty'), which replaced the separate duties on race, disability and gender equality.
10. The general duty covers the following protected characteristics:
 - i) Age
 - ii) Disability
 - iii) Gender Reassignment
 - iv) Marriage and Civil Partnership
 - v) Pregnancy and Maternity
 - vi) Race – including ethnic or national origin, colour or nationality
 - vii) Religion or belief – including lack of belief
 - viii) Sex (Gender)
 - ix) Sexual orientation
11. The aim of the general duty is to ensure that public authorities and those carrying out a public function consider how they can positively contribute to a fairer society through advancing equality and good relations in their day-to-day activities. The duty ensures that equality considerations are built into the design of policies and the delivery of services.
12. When making decisions and delivering services public authorities must have due regard to the need to:
 - i) Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act.
 - ii) Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
 - iii) Foster good relations between people who share a protected characteristic and those who do not.
13. In advancing equality of opportunity between people who share a protected characteristic and those who don't the Council must also ensure that we:
 - i) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic and are connected to that characteristic.
 - ii) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation is disproportionately low.
 - iii) Meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.

Specific duties in Wales

14. There are specific statutory duties placed upon the Council which set out what actions the Council must take to comply. The broad purpose of the specific duties in Wales is to help listed bodies in their performance of the general duty and to aid transparency. The specific duties in Wales came were published by Welsh Government in April 2011.
15. A listed body in Wales must:
 - i) Publish objectives to meet the general duty.
 - ii) Publish a statement setting out the steps it has taken or intends to take to meet the objectives and how long it expects to take to meet each objective.
 - iii) Make appropriate arrangements to monitor progress towards meeting its objectives and to monitor the effectiveness of its approach.
 - iv) Give appropriate consideration to relevant equality information it holds when considering what its equality objectives should be.
16. As part of this requirement listed bodies must also:
 - i) Have due regard to the need to have objectives to address the causes of any pay differences that seem reasonably likely to be related to any of the protected characteristics.
 - ii) Publish an equality objective to address any gender pay gap identified or else publish reasons why it has not done so.
17. Objective 4: To build an Inclusive and Representative Workforce, lists a number of actions the Council is taking to address the gender and ethnicity pay gap and our commitment to publish and monitor this data.

Socioeconomic Duty

18. The Welsh Government has detailed their intention to commence the Socio-economic Duty in Wales. In summary, the statutory requirement of the duty places a legal responsibility on relevant bodies when they are taking strategic decisions to have due regard to the need to reduce the inequalities of outcome resulting from socio-economic disadvantage.
19. The Welsh Government guidance regarding the Socioeconomic Duty notes that its commencement will be a key mechanism for supporting the most vulnerable in our society, particularly within the context of Covid-19 recovery.
20. The Socioeconomic Duty has been considered throughout our Equality and Inclusion Strategy 2020-2024 in preparation for the introduction of the Duty.

Equality & Inclusion Strategy 2020-2024

21. The Public Sector Equality Duty requires public sector bodies to review their Strategic Equality Objectives at least every four years.
22. The Council consulted with the workforce, public and community groups during a 6 months consultation and development period (11th September 2019 to 16th March 2020). Appendix 2. Equality & Inclusion Strategy: Consultation Report, details the extensive consultation delivered regarding the content of the Strategy. This Appendix also details how feedback received during the consultation period shaped the Objectives and actions.
23. The four Strategic Equality Objectives for 2020-2024 are:
 - i) **To develop and deliver services which are responsive to Cardiff's inequality gap:** We will deliver inclusive services and partnerships which actively address inequality and exclusion and enable all of Cardiff's residents to realise their potential and live safely.
 - ii) **To lead the way on equality and inclusion in Wales and beyond:** We will demonstrate leadership on equality and inclusion in Wales, holding ourselves to a high standard so others will look to us as a source of good practice.
 - iii) **Cardiff is accessible to everyone who is living, visiting or working in the city:** We will apply inclusive design principles to create city infrastructure that provides an inclusive and barrier-free environment for our residents and wider region. This will enable everyone to participate equally, confidently and independently in city life.
 - iv) **To build an inclusive and representative organisation:** We will implement actions to ensure the Council workforce better reflects the diversity of the city we serve, and be a workplace where colleagues feel confident about being themselves at work.
24. Throughout the Equality and Inclusion Strategy 2020-2024, we detail specific actions we will deliver to meet each of these Strategic Equality Objectives.
25. Progress on delivering these Equality Objectives is reported as part of the Council's Annual Equality Report that is considered and approved by Cabinet. The Annual Report will be publicly available on the Council website.
26. The Strategy was revised to reflect the new environment emerging from Covid-19 and the commencement of the Socioeconomic Duty in Wales from 31st March 2021. The statutory deadline for the publication of the Strategic Equality Objectives is October 2020.

Scrutiny Consideration

27. The Policy Review & Performance Scrutiny Committee is due to consider this item on 15 September. Any comments received will be circulated at the Cabinet meeting.

Reason for Recommendations

28. To obtain Cabinet authority to publish the Equality & Inclusion Strategy 2020-2024.

Financial Implications

29. There are no direct financial implications arising from this report. Targets, objectives and actions to meet them need to be consistent with the budget framework and medium term financial plan. Proposals should be subject to detailed reports accompanied by a robust business case where relevant and should include sufficient financial detail in order to set out the full and robust financial implications as well as be fully informed of associated risks.

Legal Implications

30. Within this report the general legal implications that have been raised are covered in the following legal advice that includes general legal considerations, the Well Being of Future Generations (Wales) Act 2015, the Equalities Act 2010, Human Rights and the Council's Public Sector Equality Duty & Socioeconomic Duty.
31. All decisions taken by or on behalf of the Council must :
- (a) be within the legal powers of the Council;
 - (b) comply with any procedural requirement imposed by law;
 - (c) be within the powers of the body or person exercising powers on behalf of the Council;
 - (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. standing orders and financial regulations;
 - (e) be fully and properly informed;
 - (f) be properly motivated;
 - (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and
 - (h) be reasonable and proper in all the circumstances.

Well Being of Future Generations (Wales) Act 2015

32. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible. The Council have taken into account the impact of the report recommendations on people living their lives in Wales in the future, having regard to:

- Looking to the long term
 - Focusing on prevention by understanding the root causes of problems
 - Delivering an integrated approach to achieving the 7 national well-being goals
 - Working in collaboration with others to find shared sustainable solutions
 - Involving people from all sections of the community in the decisions which affect them
33. The Council is satisfied that the proposed recommendations accord with the above principles.

Equality Duty

34. The Council has to satisfy its duties under the Equalities Act 2010 (including the specific Welsh public sector duties from the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011/1064). Pursuant to these legal duties Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics
35. As such (1) the decision on the recommendations in this report must be within the proposed policy framework which is proposed and will need to be made in the context of the Council's its equality act public sector duties, as per the basis of this report.
36. This will include undertaking an equality impact assessment in each instance to ensure that the Council has understood the potential impacts of each decision in terms of equality so that it can ensure that it is making proportionate and rational decisions having due regard to the public sector equality duty .
37. The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011/1064 requires authorities to publish:
- (a) Equality Objectives which must be reviewed every four years (Regs 3 & 4). Henceforth the reasoning behind this report.
 - (b) A Strategic Equality Plan (Regs 14 & 15) which must include the Equality Objectives, how the Authority intends to fulfil the objectives and timescales.
 - (c) The required employment information by the 31 March each year. (Reg 9).

Human Rights

38. In making each decision the Council also has to consider any impacts on the Human Rights of any person affected by the decision and its duty to respect those rights in exercise of its functions.

HR Implications

39. The Council's Equality and Inclusion Strategy 2020-2024 contains a number of objectives and actions that the Council is taking forward to address the gender and ethnicity pay gap, and includes a commitment to monitor and publish data. One of the four Strategic Equality Objectives is specifically focussed on the workforce by aiming to build an inclusive and representative organisation. Actions to ensure the workforce better reflects the diversity of the city we serve, and to be a workplace where colleagues feel confident about being themselves at work are set out. Overall, these objectives and actions align to the Council's Workforce Strategy.

RECOMMENDATIONS

Cabinet is recommend to approve the publication of the Equality and Inclusion Strategy 2020-2024.

SENIOR RESPONSIBLE OFFICER	Sarah McGill Corporate Director People & Communities
	11 September 2020

The following appendices are attached:

Appendix 1: Equality and Inclusion Strategy 2020-2024

Appendix 2: Appendix A to the Equality and Inclusion Strategy 2020-2024: Consultation Report

Appendix 3: Appendix B to the Equality and Inclusion Strategy 2020-2024: Equal Opportunities Policy Statement

Appendix 4: Appendix C to the Equality and Inclusion Strategy 2020-2024: Terminology