



HYNDBURN

**The place to be
an excellent council**

Our Equality and Diversity Scheme 2014-2018



2009-2010
Cohesive and resilient communities

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1. Introduction

Hyndburn lies right at the heart of Lancashire's Hill Country and is a wonderful mix of 14 towns and villages. The Borough covers 73 square kilometers and in 2011 had a population of 80,734. From an historic point of view there have been dramatic changes and the pace of future change is liable to increase.

Hyndburn has the smallest land area of the 14 authorities in the broader Lancashire area. In common with some of the other districts in East Lancashire, there are significant issues with regard to the quality and price of housing, net population migration, health, job creation and areas of severe deprivation. We are working hard to address these issues.

This policy aims to:

- highlight the different kinds of equalities issues;
- consider community cohesion, integration and social inclusion, community engagement and participation;
- show how equality issues are inter-linked and how we need to consider a wide variety of factors to understand the concerns and barriers facing our communities;
- identify what we mean by diversity in Hyndburn;
- set out our corporate approach to equalities; and
- consider how we are working towards gaining a better understanding of the needs of all of our customers.

2. Setting the context

Our equality and diversity work is a key theme which runs throughout our overall council strategy and our policies and procedures.

The Equality Act 2010 replaced the separate pieces of equality legislation relating to the different equality strands. The equality agenda has distinct strands, known as "protected characteristics". These are age, disability, ethnicity, gender (including gender identity), religion and belief, sexual orientation, pregnancy and maternity and marriage and civil partnership. These issues are often inter-related and it is important to consider how the combination of these factors can lead to social exclusion.

2.1 The Public Sector Equality Duty

As a Public Sector organisation, the Council has certain duties under the Equality Act 2010. We must have due regard for these when going about our business. These are:

- eliminating conduct that is prohibited by the Act;
- advancing equality of opportunity between people who share a protected characteristic and people who do not share it; and

- fostering good relations between people who share a protected characteristic and people who do not share it.

Disability

In order to understand the duty in relation to disability, we need to consider what promoting equality for people with disabilities actually means.

“It’s about weaving equality for disabled people into the culture of public authorities in practical and demonstrated ways.”

Bert Massie, Chairman, Disability Rights Commission

When carrying out our functions, we will try to:

- promote positive attitudes towards disabled people;
- encourage participation by disabled people in public life;
- promote equality of opportunity between disabled people and other people;
- eliminate disability-related harassment;
- eliminate unlawful discrimination; and
- take steps to meet disabled people’s needs, even if this requires treatment that is more favourable.

This applies to all of our functions and activities including employment, service delivery, budget setting, procurement and regulatory functions.

It is important to consider what we mean by the term ‘disabled people’. The Equality Act 2010 says that person has a disability if they have a physical or mental impairment, and this impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. This could include, for example, problems with mobility, manual dexterity, physical co-ordination, continence, ability to lift, carry or move everyday objects, speech, hearing or eyesight, memory or ability to learn and understand, ability to concentrate, or where a person’s perception of risk or physical danger is impaired. This is not an exhaustive list, but it provides a guide.

“The poverty, disadvantage and social exclusion experienced by many disabled people is not the inevitable result of their impairments or medical conditions, but rather stems from attitudinal or environmental barriers.”

The Duty to Promote Disability Equality: Statutory Code of Practice, England and Wales, Disability Rights Commission 2005, paragraph 1.6

The 2011 Census showed that 21.7% of Hyndburn residents consider that their day-to-day activities are limited to some extent by a long-term health problem or disability.

Gender Equality

We will try to:

- promote equality of opportunity between men, women and people undergoing gender re-assignment and eliminate sex discrimination; and
- have due regard to the need to eliminate unlawful discrimination and harassment against men, women and people undergoing gender re-assignment, in the fields of employment, vocational training and in the provision of goods and services.

We will promote equality between men and women and work towards changing any discriminatory attitudes or practices that exist.

Gender Reassignment includes anyone who is proposing to undergo, is undergoing or has undergone a process (or part of process) to reassign their sex.

Domestic Abuse

This can be defined as, “Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality.” This definition incorporates forced marriage, dowry related abuse, female genital mutilation and so called ‘honour’ killings, as well as elder abuse when committed within the family or by an intimate partner.

Domestic abuse can have truly devastating effects – not only for victims themselves, but also for any children who witness it. The costs, in terms of service, lost economic output, and human misery are huge. Using findings from national studies, it is estimated that 1 woman in 10, nearly 60,000 women are experiencing domestic abuse in Lancashire in any year.

The Hyndburn Community Safety Partnership has been in existence since 1998: it includes a range of organisations from the voluntary, community and statutory sectors. Their aim is 'to make Hyndburn a safer place to live, work and visit by working in partnership. One of its key priorities is to reduce domestic violence.

The Hyndburn and Ribble Valley Domestic Violence Team (HARV) provides advice and support from HARV for women and children suffering from abuse in the home.

Across Lancashire, the strategy and action plans for tackling domestic violence are co-ordinated via Lancashire Against Domestic Abuse (LADA). The Lancashire Domestic Violence strategy is intended to build on the excellent work already taking place in Lancashire. Its purpose is not to replace any of the existing strategies or work currently carried out but to develop a more effective partnership approach, focusing on collaboration with local fora and specialist domestic violence services. The Lancashire Domestic Abuse Forum acts as a stakeholder group of concerned agencies or partnerships (such as the domestic violence partnerships across the county) and influences the work of LADA.

The Council has a Domestic Abuse Policy which outlines how it will support employees and customers who are dealing with domestic abuse, as well as signposting people to sources of specialist support.

Race Equality

Race includes colour, nationality and ethnic or national origins.

Public authorities must promote race equality and ensure that employment and services (including services provided through other organisations on their behalf) are fair and accessible for everyone.

Both institutional and individual racism “can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and racist stereotyping which disadvantages ethnic minority people.” We recognise that institutional racism can exist, and that no organisation is immune.

Hyndburn has a high percentage of people from BAME backgrounds. 85.3% are White British. 11.2% are Asian / Asian British. The largest minority group is Pakistani at 9.35% of the local population.

We have a large Gypsy, Roma and Traveller community and have 15 sites within Hyndburn. We work closely with the Hyndburn Gypsy, Roma and Traveller Network group, specifically looking at their needs, including accommodation needs.

94.1% of people living in Hyndburn speak English. The other top languages spoken are: 2.4% Panjabi; 1.3% Urdu; 1.0% Polish; 0.2% Bengali; 0.1% Pakistani Pahari; 0.1% All other Chinese; 0.1% Italian; 0.1% Arabic; and 0.1% Cantonese Chinese.

Age

The law regarding age discrimination covers organisations providing goods, facilities and services and carrying out public services as well as in the employment sector. Future changes may include the removal of a default retirement age.

Older people, particularly in rural areas, can face social isolation and can feel cut off from the wider community. Young people can often feel socially excluded and marginalised within their communities. We try to engage with people of all ages to empower them to participate in their local communities.

The average age of people in Hyndburn is 39 years of age. The authority has a tendency towards a younger population and fewer people of pensionable age than is the average for England and Wales.

There are around 16,400 young people aged 0 - 15 in Hyndburn: together this group accounts for 20.4% of the local population. Hyndburn’s Children’s and young People’s Trust has identified district priorities:

- Child Sexual Exploitation;

- Domestic Violence;
- Drugs and Alcohol;
- Educational Attainment; and
- Participation and Engagement of Children and Young People.

There are around 13,400 people aged 65 and over in Hyndburn which represents 16.7% of the local population. By 2021, the population aged over 65 in Hyndburn is projected to be 14,500.

Sexual orientation

This protected characteristic considers gay, lesbian and bisexual as factors that can influence the ways individuals are treated in society. Homophobia is the irrational hatred, intolerance, and fear of lesbian, gay and bisexual (LGB) people. These negative feelings fuel the myths, stereotypes, and discrimination that can lead to violence against LGB people. LGB people brought up in a homophobic society can often internalise these negative stereotypes and develop varying degrees of low self-esteem.

Religion and belief

This characteristic covers any religion or any religious or philosophical belief, including a lack of religion or belief

In the wider community, we consider faith and often its relation to race as an important aspect of our equalities work. It is also important to promote the positive impact that faith groups have on our local communities. This includes opportunities to create face-to-face dialogue, which supports a greater understanding of shared values, appreciation of distinctiveness and for side-by-side collaborative social action.

The religious make up of Hyndburn is: 66.4% Christian; 16.7% No religion; 10.3% Muslim; 0.2% Buddhist; and 0.1% Hindu.

Marriage and Civil Partnership

Within Hyndburn (2011 census) 44.4% of people are married, 12.4% cohabit with a member of the opposite sex, 0.6% live with a partner of the same sex, 24.5% are single and have never married or been in a registered same sex partnership, 10.2% are separated or divorced.

Pregnancy and maternity

In 2005 the former Equal Opportunities Commission (now the Equalities and Human Rights Commission) conducted a formal investigation into pregnancy discrimination. Their final report found that the main areas of unfair treatment during pregnancy were denial of a pay increase, refusal of promotion, having to take lower-paid work, being excluded from training and refusal of time-off for ante-natal care. There are specific provisions of the Equality Act relating to employment rights for women who are pregnant or have recently given birth. Pregnancy and maternity-related discrimination can also occur outside of the workplace if a woman is treated unfavourably because

of her pregnancy or because she has given birth (within the past 26 weeks) and, in particular, because she is breastfeeding

Socio-economic inequality

Inequality is not just about gender, race, disability, or the other protected characteristics. It is also about social class – family background or place of birth. By socio-economic disadvantage we mean the state of being disadvantaged in life. This applies in terms of getting on, getting educated, getting a job. It is influenced by one or more of a range of external factors. Poverty is one such factor, but it can also be about the complex interplay of factors such as health, housing, education, and family background, and the resulting lack of ambitions and expectations, that so often combine to keep people in poverty, and limit their chances of upward social mobility.

In a recent study, Hyndburn has been identified with high proportion of households in danger of slipping under the breadline. Experian found Hyndburn was second on a list of LA's across the country with 30% of all households (10,248) on the edge of poverty (Experian 2012).

In Hyndburn, socio-economic considerations have long been key to how the Council sets its priorities, as can clearly be seen in our Corporate Strategy and Sustainable Development Strategy.

Human Rights Issues

Human Rights are about our basic needs as human beings - the core rights we are all entitled to so that we can develop our potential and live our lives with fairness dignity and respect. The Council has legal duties as a public authority to act compatibly with UK law in the Human Rights Act, along with the related duties in relation to equality and anti-discrimination laws.

Human Rights should be looked at when planning, reporting, policy, day-to-day decision-making and practice. Many of the important aspects of the rights are as follows;

- the right to life;
- the right not to be tortured or treated in an inhuman or degrading way;
- the right to be free from slavery or forced labour;
- the right to liberty and security;
- the right to a fair trial;
- the right to no punishment without law;
- the right to respect for private and family life, home and correspondence;
- the right to freedom of thought, conscience and religion;
- the right to freedom of expression;
- the right to freedom of assembly and association;
- the right to marry and found a family;
- the right not to be discriminated against in relation to the enjoyment of any rights contained in the European Convention;
- the right to peaceful enjoyment of possessions;
- the right to education; and
- the right to free elections.

3. Our commitment to equality and diversity

This policy is part of our continuing approach to address equality and diversity in Hyndburn. We will continue to mainstream our approach to equality and diversity into our service planning and delivery activities. We recognise and value the diversity of our communities in our work.

Not only do we aim to carry out all of our legislative duties but we also want to go beyond what is required of us. We will also work towards our equality objectives so that we can actively promote equality for all of our residents and address any issues that exist. We recognise our community leadership role and use this to work towards a cohesive community in which inequality is tackled and equality promoted.

Diversity is about recognising and embracing differences. People are not the same and by recognising this, we look at the specific needs of individuals and social groups. This scheme is about treating people fairly and recognising their differences. This works at three levels:

- community relations - how we engage with and understand the needs of our communities;
- service delivery – taking into account differences by providing a choice of services and responding to a range of needs; and
- internally - how we apply our HR policies and our attitudes and differences in the work place.

This policy applies to both our internal and external operations. It covers all aspects of our work and applies to officers, councillors, partner organisations, contractors and anyone we are working with. It states our position as an organisation and our high-level commitment to recognising and promoting equality and diversity.

3.1 How we will deliver our equality objectives

This section sets out our approach to incorporating equality and diversity as part of our work in order to meet our equality objectives. This builds on our legal requirements and embraces the protected characteristics.

a) *Customer First Analyses*

An equality impact assessment is a way of assessing and consulting on the effect a policy, project or service is likely to have on different groups of people. Within the Council, we call this process Customer First Analysis. Our approach is deliberately simple to carry out and understand. Our focus is on making this a useful part of the decision-making process which does not feel unnecessarily bureaucratic for those involved.

We screen all reports when they go to Cabinet, Council or other decision-making groups as appropriate. This means that we consider the implications of the policy, project or service in relation to our priorities and promises and the impact they will have on our communities. This is a time where the impact of services is looked at including issues such as:

- Do we have adequate information about the impact of our services?
- What consultation have we conducted to ensure they are meeting residents' needs?

- Have there been any complaints or other feedback, that we can learn from?
- How can we ensure our services are not having an adverse impact or resulting in any discrimination?
- How can we develop the policy, project or service so that it will help us to deliver our equality duties?
- Can we learn from good practice in other organisations?

b) *Responsibility for Equalities*

We believe that all elected members and staff have responsibility for delivering fair services to all and we ensure that equality issues are considered in our decision-making and policy development.

We have a Cabinet Member with responsibility for equality within the Health and Communities portfolio. Work is driven by elected members on our Health and Communities Working Group. Officers progress equalities work through the Corporate Equality Planning and Monitoring Group, led by the Executive Director for Legal and Democratic Services and the Head of Human Resources.

c) *Reporting procedures*

The Council has a Hate Crime / Incident policy and procedure for reporting and responding to hate crimes / incidents. This aims to ensure that all such episodes are reported and are dealt with promptly, appropriately and effectively and to aid the evaluation, review and development of best practice.

d) *Employment and training*

Equality and diversity is an embedded theme within all of our employee-related matters. Our recruitment and selection procedures aim to ensure that anyone involved in the recruitment and selection of employees to the Council is following good management practice and legal obligations. We ensure there is fair and equal pay through a job evaluation scheme and we regularly report on and examine our workforce profile information.

Monitoring takes place as part of our overall recruitment processes. This involves monitoring information and statistics regarding the profile of applicants entering into the recruitment process. We are committed to developing our employees and providing equal access to training and development opportunities and we hold the Investors in People (IiP) standard. By developing our people this has a positive impact on our services and performance. We ask for monitoring information in our employee surveys.

Training is a key part of our approach to diversity. We run an annual training programme including diversity training for both our staff and councillors. This aims to address diversity issues and raise awareness. All of our diversity training incorporates links to our equality objectives and details set out in this policy.

As well as with our own staff it is important that we also consider diversity issues in relation to our partners and key contractors. All staff who are involved in procurement and contracting related activity are required to consider diversity issues. Similarly, all partners, contractors and consultants

are required to comply in all respects with our policies, contract procedure rules and financial regulations where appropriate.

4. Monitoring our services

Monitoring can play an important role in our equality and diversity work.

Legislation requires us to monitor services in relation to race, gender and disability. This legislation does not set out the specific ways in which we must monitor services but it requires us to ensure that no discrimination exists within the services we provide and that we must ensure equal access to our services. To establish this we need to be able to know more about the customers that are using our services to ensure there are no barriers to access. Sometimes monitoring can seem to be an intrusive process for customers and colleagues so we need to make it clear to them why we are asking personal questions.

We will use impact assessments to establish gaps in information we have about our customers and we will build on existing monitoring systems we have in place and our developing customer insight tools. This will include identifying high-risk areas where additional monitoring is required.

5. Corporate Equality and Diversity Action Plan

The action plan below sets out key actions for us in relation to equality and diversity. The plan will be updated as required during the life of this policy. In addition to this, our service plans will contain specific actions in relation to equality groups and our equality objectives. These will also incorporate new actions arising from the impact assessment process.

5.1 Equality and Diversity Actions

- i. Continue to carry out and publish Customer First Analyses (EIAs) for relevant decisions and policies.
- ii. Produce and publish an annual workforce monitoring report.
- iii. Consider equality and diversity training needs each year when producing the annual Learning and OD plan.
- iv. Continue to use the internal Corporate Equality Planning And Monitoring Group to review Customer First Analyses and ensure services are considering equality issues when making decisions.
- v. Continuing to evaluate jobs against an approved scheme to maintain integrity of pay
- vi. Promote flexible working opportunities as available to all employees, regardless of gender
- vii. Ensure that meeting venues are assessed for accessibility.
- viii. Use loop system at meetings and provide sign language interpreters or large print copies of paperwork when requested.
- ix. Provide material relevant to consultation & engagement in different forms (including holding events, making printed/graphic material web accessible, personal contact by phone, email or visit on request, etc.)

- x. Collect monitoring information when appropriate for access to services and responses to consultation processes.
- xi. Review our Hate Crime and Safeguarding Policies.
- xii. Consider applying to become a “White Ribbon” council as a way of signify our commitment to tackling domestic abuse.

More information

If you wish to discuss this policy or have any questions please contact Kirsten Burnett, Head of HR, on 01254 380694, kirsten.burnett@hyndburnbc.gov.uk.

If you require this information in a different format, for example large print, audio or in different languages, please let us know.