



# Southwark Council's approach to equality: delivering a fairer future for all

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## FOREWORD

### **Councillor Abdul Mohamed, Cabinet Member for Equalities and Community Engagement**



The diversity of our community is one of our most valued assets. Strong communities will thrive and prosper if individuals and groups are treated fairly and with respect, and given access to the services they need. Our aim is to provide opportunities to Southwark's residents, businesses and organisations to fully engage in the community. We understand that for equality to be achieved it must be something that everyone understands and feels

able to contribute to. We will ensure that residents are involved in making our services more accessible.

The council is guided by a number of fairer future principles - listening to local people, seeking to protect our most vulnerable residents and helping people to lead independent and fulfilling lives. We are a council that tries to treat people just as we would members of our own family.

Whilst it is no longer a legal duty for the council to produce an equality scheme, we think that producing an approach will help ensure consistency in delivery of equality across the organisation. The new approach will set out what you can expect from the council and what the council will commit to doing.

By working together, we will bring the knowledge, skills and creativity needed to solve many of the major problems we are facing. We have a long-term vision of a borough where everyone can take advantage of the opportunities that come from being in the heart of London.

The council's approach to making regeneration work for the people of Southwark is central to this: through our engagement with businesses and driving a commitment to local employment; supporting local people to compete for jobs; ensuring our land use and town centres are sustainable and diverse, supporting local employment; and that our policies and strategies create opportunities across the borough.

Although the socio-economic duty part of the Equality Act 2010 was not implemented by the government, our fairer future vision will act as the key driver for tackling socio-economic disadvantage.

There is real strength in our local communities. Southwark is a borough where people are proud to say they get on well together. By placing fairness at the centre of everything we do, by promoting equality of opportunity and by celebrating diversity and community cohesion we can help to build a fairer future for all.

## **1. Introduction**

This approach explains how the council is working towards a Southwark that is tolerant, diverse and fair for all. It sets out what you can expect from the council, what the Government expects of us, and what the council is committed to doing. It explains our approach to advance equality of opportunity in the borough by making equality part of our day-to-day business.

## **2. Equality at the heart of a fairer future**

By placing equality at the heart of our fairer future vision, we will:

- Improve the quality of life for Southwark's people through better access to services and creating sustainable mixed communities with opportunities for local people that come from being in the heart of London.
- Improve social cohesion by promoting positive relationships and a sense of community and belonging, by reducing fear and tensions, and encouraging civic responsibility so that the contributions individuals and groups make to their communities are properly valued.
- Promote people's rights and responsibilities. We will do this by ensuring that the council does all it should in providing leadership and by encouraging its partners to do likewise. We will act to protect the rights of those who live in Southwark by ensuring that abuse; mistreatment or discrimination is identified and dealt with.
- Ensuring we have a workforce that understands and is committed to achieving these goals and retains the confidence of our local communities.

## **3. What are we required to do by law?**

### **The Equality Act 2010**

The Equality Act was introduced in October 2010. It replaces and extends all previous equality legislation into one overarching act. The Equality Act 2010 outlines a number of "protected characteristics", which are the groups of people or communities where the government feels that discrimination or unfair treatment could arise. As an organisation delivering services to a diverse community we think it makes good sense for us to consider these protected characteristics when delivering our services.

## Protected characteristics<sup>1</sup>

<b>Age</b>	A person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18-30 year olds).
<b>Disability</b>	A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.
<b>Gender reassignment</b>	The process of transitioning from one gender to another.
<b>Marriage and civil partnership</b>	<p>In England and Wales marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple. <sup>[1]</sup> This will also be true in Scotland when the relevant legislation is brought into force. <sup>[2]</sup></p> <p>Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act).</p>
<b>Pregnancy and maternity</b>	Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.
<b>Race</b>	A group of people defined by their race, colour and nationality (including citizenship) ethnic or national origins.
<b>Religion and belief</b>	Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.
<b>Sex</b>	A man or a woman.
<b>Sexual orientation</b>	Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

<sup>1</sup> Section 1, Marriage (Same Sex Couples) Act 2013

<sup>2</sup> Marriage and Civil Partnership (Scotland) Act 2014

## **The Public Sector Equality Duty**

The Equality Act 2010 has a Public Sector Equality Duty (PSED). This consists of a “general duty” and a number of “specific duties”, which set out in more detail what the Council is expected to do to meet the “general duty”. Under the General Duty Southwark Council must in the exercise of its functions have due regard for the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act ;
- 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.

In practical terms this means:

- 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.

In addition the general duty there are also two specific duties:

- As a council we must prepare and publish equality objectives by 6 April 2012, and at least every four years after that. We must ensure that the objectives are specific and measurable, and set out how progress towards the objectives will be measured. We must also consider published equality information before preparing and publishing these objectives and publish the objectives in a reasonably accessible format either as an individual document or as part of another report.
- We must publish information to demonstrate compliance with the Equality Duty – including information relating to their employees (for authorities with 150 or more staff) and others affected by their policies and practices, such as service users by 31 January 2012 and then at least annually.

## **Humans Rights Act 1998**

As a council, we will believe that citizens can become stronger through the practice and respect of human rights with the belief that all citizens in Southwark are treated with fairness, respect, equality, dignity and autonomy. The Humans Rights Act 1998 aims to give greater effect to rights and freedoms guaranteed under the European Convention on Human Rights (the Convention). We will comply with the Human Rights Act when providing services or making decisions.

## 4. What can you expect from us?

This approach sets out how the council's ambitions for equality in Southwark will be delivered.

### **Approach 1 - Making equality and human rights part of everything we do and creating opportunities for local people and business**

Improving the quality of life for Southwark's people through better access to services and creating sustainable mixed communities with opportunities for local people that come from being in the heart of London, is part of core business.

We will integrate the consideration of equality and human rights into the day-to-day business. We believe that respect, understanding and celebrating and promoting difference is the duty of all our employees as it promotes a healthy and vibrant workforce.

We will consider how the council's services can affect different groups in different ways, to ensure they have the intended affect. We will ensure that the affects on equality are considered at an early enough stage to influence decision making, while also reducing the time spent on process.

As part of embedding equality in the day to day business of the council, objectives will be set as part of our business planning process such as our organisation-wide council plan and the business plans for our departments and the different services that sit underneath these (see below on equality objectives).

### **Approach 2 – Carrying out equality analysis**

**We will use equality analysis to generate insight and understand the effects of decisions on different groups.** Equality analysis will help the council consider if there are any unintended consequences for some groups and if the policy will be fully effective for all target groups.

We will undertake equality analysis when putting together business plans for each of our departments and service areas. This will help improve service delivery, increase awareness and understanding of service users. This will form the basis of any additional equality analysis undertaken when making decisions.

We will also undertake equality analysis when making decisions, using the equality analysis undertaken for departmental and service planning and supplementing where required. The council operates a "by exception" scheme of management by which all matters are formally delegated to the relevant strategic director and/or divisional service manager unless they are specifically reserved to the council, the cabinet, another of its committees or to Individual Decision Makers. These arrangements are set out in the council's constitution. We will evidence the equality analysis undertaken in reports relating to these decisions, including considering ways in which the impacts of decisions can be mitigated.

This approach to equality analysis will focus more on thinking about the effects of decisions on equality, and to ensure we deliver better and fairer services, with less time spent on process. By analysing and understanding the needs of our communities

we can make better informed decisions when developing new policies and delivering our services.

### **Approach 3 – Setting equality Objectives**

**The council will set equality objectives as part of its business planning process.**

The Council Plan is the council's overarching business plan and this is supported by business plans for each of the council's departments and the divisions that sit within each department.

The council plan expresses those objectives which the council will work towards as a whole organisation. It will ensure that we meet local needs and set out what the council should report on, based on the views expressed by the people of Southwark.

The equality objectives we set through the council plan and departmental business plans will be measurable and specific and published on our website, so that the public can hold us to account on our progress.

### **Approach 4 – Engaging with the community**

**Working with the community is fundamental to what we do at Southwark and this is especially true in relation to equality and human rights.** We will ensure that we engage with the community through a wide range of channels; including with those that have an interest in key issues around equality and actively look for feedback on proposals where appropriate.

Central to our approach to equality is to understand our service users. When analysing the effects of our decisions we will use robust information to understand who uses our services and what effect potential changes are likely to have on them. This will include in some cases speaking directly with service users and undertaking surveys and research.

The council has commissioned a community organisation, Forum for Equality and Human Rights in Southwark (FEHRS) to act as a 'critical friend'; to challenge the council and help us to ensure that our policies are as fair as possible. We also encourage and engage with staff equality groups and trades unions who provide support to our staff and provide forums within the council.

### **Approach 5 – Being transparent and accessible**

**We will publish equality information in an open, transparent and easily accessible way.** Equality information will include data on our staff and our service users.

We will consider the types of personal information we collect and publish, taking into account transparency, people's privacy and data protection rights. We will monitor information on the protected characteristics, whilst trying to be sensitive to the information that we are requesting. We will ensure that this information helps us to not only meet the general duty requirements but also to improve our services by better understanding the people for whom we are delivering services. With visible, regular reporting on how we are getting on, residents will be able to review the council's progress in meeting our objectives and our legal requirements.



The council will publish annually a workforce report monitoring the workforce profile and the outcome of key management activities. This report will be used to reflect on equality outcomes in employment and where appropriate describe revised objectives for the year.

We are committed to making our website as accessible as possible, to the broadest range of people. We will work towards publishing all information to be easily accessible on our websites, and an easy to read/download format.

## **Approach 6 – Embedding into employment and training in the workforce**

People work best when they are free from discrimination and it is recognised that diversity contributes to a richer, creative and more productive work environment. **The council is committed to developing and implementing strategies that ensure equal access to recruitment, training, career development, promotion and retention and to fair treatment in the application of the disciplinary procedure.**

Equality legislation underpins the council's policies on employment and the management of its staff. The council has a long standing public commitment to equality in the workplace going back to the 1980s, which has been refreshed and updated to reflect changing legislation and expectations of a fair society.

As set out in the Staff Code of Conduct, each employee has a personal responsibility to comply with policy and promote equality of opportunity. The council will help people to do this through training, managerial support and through our respect at work procedures which support a culture where diversity and individuality are valued as part of delivering a high quality service to the public.

In order to embed equality throughout Southwark Council, staff and councillors will receive training on equality and human rights. This not only makes the council work towards being tolerant, diverse and fair to all, but provides staff with an understanding of how the Equality Act 2010 protects staff and service users from unlawful discrimination. It will also equip staff and councillors with the knowledge they need to conduct equality analysis in policy development, service redesign, service delivery, employment practices and managing diversity.

We will provide toolkits for staff and councillors around how to implement this approach, to ensure that our policies are turned into practical actions and embedded in day to day business.

## **Approach 7 - Organisations providing services for us or on our behalf**

**We will embed equality and human rights considerations into our policies on commissioning and procurement.** This will ensure that relevant equality issues are taken into account when commissioning and that all functions carried out on behalf of the council (including by private bodies or voluntary organisations) show due regard to the council's obligations under the public sector Equality Duty.

As a minimum, we will ensure that within contract conditions, contractors:

- Are prohibited from unlawfully discriminating under the Equality Act 2010
- Take all reasonable steps to ensure that staff, suppliers and subcontractors meet the obligations under the Act.

## 5. Who is accountable for equality?

Every member and officer within the council has a role to play in delivering on this approach. These roles are set out below. Individual members of the community also have a role in working with us to foster an environment of mutual respect, in promoting good relations and helping to meet the aims of this approach.

<b>Role</b>	<b>Accountabilities</b>
Cabinet member with responsibility for equality	To put in place and champion a framework for the council to meet its equality ambitions and duties.
Council's Cabinet	To consider equality implications in its decision making and to advance equality outcomes in cabinet members' respective portfolio areas.
Scrutiny function	To ensure appropriate checks and balance within the context of delivering the approach.
All elected members	To play a community leadership role in promoting equality and challenging discrimination.
Corporate Management Team	To provide strategic leadership for the organisation in delivering on the equality and human rights approach across the council and delivery within specific areas of responsibility.
Senior managers	To promote awareness of this approach and for supporting learning and development opportunities to enable departments, services and business units and staff to support the implementation of this approach. Through business planning, all managers are responsible for developing and delivering on relevant equality objectives and in undertaking equality analysis as part of business planning and considering this when developing new policies, strategies or plans or making decisions about changes to services.
Individual staff	To comply with the requirements of the approach and apply the good practice learnt in their training and development opportunities.
Contractors	To comply with the General Duty as set out in the Equality Act 2010.