

Election of Elected Member Equality Champion

Report by Kenneth Lawrie, Chief Executive

1 Purpose of Report

The purpose of this report is to invite Council to nominate an Elected Member as the Equality Champion for Midlothian Council.

2 Background

2.1 The Equality Act 2010 was introduced to help make Britain a fairer society.

2.2 The Act places particular duties on public authorities such as local authorities to reflect the pivotal role they can play in dismantling inequality and driving up positive outcomes for all.

2.3 The Public Sector Equality Duty (PSED) (sometimes referred to as the General Equality Duty (GED)) came into force on 05 April 2011 and covers the 'protected characteristics' of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In addition, later in 2017 the socio-economic duty will be enacted.

2.4 Those bodies subject to the PSED are required to demonstrate 'due regard' to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited under the act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and those who do not share it

2.4 To assist public bodies in meeting the PSED, further Scottish specific duties came into force on 27 May 2012 and require listed authorities to carry out the following activities:

- Report on the mainstreaming the equality duty;
- Publish equality Outcomes and report progress;
- Assess and review policies and practices;
- Gather and use employee information;
- Publish gender pay gap information;
- Publish statements on equal pay; and
- Consider award criteria and conditions in relation to public procurement

- 2.5** All local authorities, Education authorities, and Licensing Boards are covered by the general and specific duties. Council approved the first Midlothian Equality Outcome & Mainstreaming Report 2013 – 2017 on 14 May 2013, and today are being asked to note the contents of the Midlothian Equality Plan 2017 – 2021 & Midlothian Equality Outcomes and Mainstreaming Progress Reports 2015 – 2017.
- 2.6** The Equality & Human Rights Commission (EHRC) is keen to see that public authorities are making good progress in embedding the equality duties in all their day-to-day work. The PSED represents a positive opportunity for Elected Members as public authority leaders to ensure that they make better decisions based on robust evidence.
- 2.7** Accordingly, Elected Members have an important role to play in championing equality within Councils, as well as a scrutiny role to ensure that equality considerations are included in the decision making and governance of the Council.
- 2.8** Further, Elected Member Equality Champions demonstrates senior leadership and support for equality and diversity matters and initiatives.
- 2.9** There is strong support for local authorities to have Equality Champions by the Equality & Human Rights Commission.
- 2.10** On 25 March 2014 Midlothian Council nominated its first Elected Member Equality Champion.
- 2.11** A nomination is now required for the new Council following the Local Government Election in May 2017.

3 Report Implications

3.1 Resource

Resource required would be Elected Member time to carry out the following duties:

- Attending equality related community events (approximately 4 to 6 per annum);
- Act as an Elected member spokesperson for equality related issues as required;
- Promoting equality issues within the Council and external community; and
- Attend Midlothian Peoples Equality Group (MPEG) meetings

Support and guidance for these duties would be provided by the Council's Corporate Equality, Diversity & Human Rights Officer and Equalities Engagement Officer (community events and MPEG).

3.2 Risk

The Council has a statutory duty to comply with the Equality Act 2012 and The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, 2015 and 2016. Appointment of an Elected Member Equality Champion is considered good practice by the Equality and Human Rights Commission as Equality Champions demonstrate senior leadership and support for equality and diversity matters and initiatives within an organisation. Appointment of an Equality Champion would demonstrate good practice in this field.

3.3 Single Midlothian Plan and Business Transformation

Themes addressed in this report:

- ☐ Community safety
- ☐ Adult health, care and housing
- ☐ Getting it right for every Midlothian child
- ☐ Improving opportunities in Midlothian
- ☐ Sustainable growth
- ☒ Business transformation and Best Value
- ☐ None of the above

3.4 Key Priorities within the Single Midlothian Plan

Midlothian Council and its Community Planning Partners have made a commitment to treat the following areas as key priorities under the Single Midlothian Plan:

- Reducing the gap in learning outcomes
- Reducing the gap in health outcomes
- Reducing the gap in economic circumstance

Equality, diversity and human rights underpin all three priorities.

3.5 Impact on Performance and Outcomes

Not applicable

3.6 Adopting a Preventative Approach

By adopting a pro-active approach to equality, diversity and human rights a preventative approach will be engendered.

3.7 Involving Communities and Other Stakeholders

The recommendations within this report would benefit all those within Midlothian.

3.8 Ensuring Equalities

The recommendations within this report relate to an appointment that would ensure best practice and compliance with the Equality Act 2012 and The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, 2015 and 2016.

3.9 Supporting Sustainable Development

If adopted, the recommendations within this report will contribute to a sustainable approach to the continuous improvement of equality, diversity and human rights within Midlothian.

3.10 IT Issues

There are no IT issues arising from this report.

4. Summary

- 4.1** Appointment of an Elected Member Equality Champion is considered good practice by the Equality and Human Rights Commission as Equality Champions demonstrate senior leadership and support for equality and diversity matters and initiatives within an organisation. The appointment of an Equality Champion would demonstrate good practice in this field.

5. Recommendations

Council is invited to:

- 5.1** Appoint an Elected Member to be the Midlothian Council Equality Champion; and
- 5.2** Agree the role for the Equality Champion as set out under item 3.1 of this report.

Date:	17 August 2017
Report Contact:	Lesley N Crozier, Equality, Diversity & Human Rights Officer
Tel Number:	0131 271 3658
Email:	lesley.crozier@midlothian.gov.uk
Background Papers:	None