

## **Draft- Equality & Human Rights Policy 2016**

### **Document summary**

This policy sets out Kent County Council's (KCC) commitment to Equality, Diversity and Human Rights as well as explaining the key principles, drivers and duties that inform this responsibility. It also explains what KCC will do to make sure that we fulfil these responsibilities.

### **What is KCC Policy?**

We recognise the diverse needs of our community and are committed to promoting equality of opportunity and diversity in employment commissioning and service delivery.

We value diversity and believe it is essential to provide services which work well for all residents and staff. The services KCC designs and delivers, on its own or with partners, should focus on allowing people, families and communities to be independent. We will treat people with dignity and respect and help people to be safe and socially included. We will support and enable people to make informed choices, so that they will have control over their lives. We are committed to working with all statutory partners, businesses and the voluntary sector to ensure the best possible outcomes for those who live in, work in and visit Kent.

We will challenge discrimination and encourage respect, understanding and dignity for everyone living, working and visiting Kent. This will be achieved through our influence in the community, strategic planning, and commissioning and policy development in employment and in service delivery.

As a public sector organisation we follow the Public Sector Equality Duty (PSED) under the Equality Act 2010, to protect individuals from discrimination against people on the basis of their protected characteristics. The characteristics are:

- Age
- Disability
- Gender reassignment
- Marriage and Civil Partnerships
- Pregnancy and Maternity
- Race
- Religion and Belief
- Sex
- Sexual Orientation

Everybody has protected characteristics and [Human Rights](http://www.equalityhumanrights.com/en/human-rights/human-rights-act) are fundamental to individual autonomy and dignity. To find out more about Human Rights, click on this link: <http://www.equalityhumanrights.com/en/human-rights/human-rights-act>. From time to time people may have poorer experiences because of their protected characteristics. Having due regard is a legal term that means KCC must consider and take note of, the need to:

- Stop unlawful discrimination
- Advance (keep working to improve and promote) equal opportunities
- Foster (create and maintain) good relationships between people with and without protected characteristics.

We will foster an equality culture of continuous improvement and innovation in order to have outcomes that make a difference for all service users regardless of their protected characteristics.

### **How will we implement the policy?**

To ensure our Public Sector Equality duties are met:

#### **All Members and Officers will be responsible for ensuring that the Public Sector Equality Duty is met in their day to day work and when making decisions.**

As representatives of the people of Kent – Members of the Council have an active role in promoting Equality and Human Rights. A Cabinet Member will always be the Lead Member with responsibility for Equality and Human Rights issues. All Cabinet Members have responsibility for ensuring that services are delivered effectively to everyone in the community and that Equality and Human Rights considerations are taken into account when decisions are made.

Officers are accountable for equality analysis and the equality outcomes of their work. As a significant service provider in the County we aim to deliver those services effectively to all members of the community on the basis of equal access in recognition of the diverse needs of different members of the community. Officers will assess the equality impact of new and existing processes, strategies and policies on our residents, communities and visitors to Kent. One of the ways in which KCC will do this is through conducting Equality Impact Assessments (EqIAs) to ensure that its PSED is central to its work and that any adverse impacts on a particular group or groups are identified and addressed.

#### **Procurement and contracts**

We will use equality analysis when procuring and commissioning to ensure that services meet the needs of those who use the services. We will make sure that organisations delivering services on our behalf, or from whom we buy goods and services, do so in line with our Equality and Human Rights policy. We expect all organisations that we commission or have a contract to deliver services with, to have policies and practices that are compatible with the Public Sector Equality Duty.

#### **We will gather and analyse knowledge and information to get a clear understanding of the protected characteristics of our service users.**

It is the responsibility of Heads of Service and Directors to undertake equality analysis in relation to employment and the provision of services. Our staff will be trained to ask relevant questions on protected characteristics and this information will be used to inform equality analysis to plan and commission the right services. We

will use the information to assess the effectiveness of equality and diversity policies, commissioning activities and to improve services.

**We will continue to be an inclusive employer.**

As a major employer in Kent, we are committed to creating a dynamic workforce that is diverse and responsive to its customers and communities. The ambition, to keep KCC as a great place to work, expresses an understanding that diversity enhances organisational performance. Through progressive employment practices we will strive to meet the needs of all our staff, to listen to their views and to respond to what they say.

Our Dignity & Respect Policy & Guidance explains how KCC expects its staff and volunteers to be treated by everyone that they come into contact with. We will embed the principles of dignity and respect into all aspects of working life through raising awareness training and through the way we respond to feedback and complaints.

Through reviews and analysis equality and diversity will be integral to the way we develop, deliver and monitor our Organisational Development and Human Resources priorities which will help us to address the employment gaps that exist in relation to Protected Characteristics in Kent.

**We will listen to and engage with employees, communities and partners to inform the way we plan, design, commission and deliver services.  
Communities can have their say through consultations and engagement activity.**

Through consultation and engagement, we will seek to understand how effective our services are at meeting the needs of the community. We will use equality analysis in a relevant and proportionate way to make sure that we can identify, engage with and listen to the right people.

**We will put residents and service users at the heart of all our work by embedding the Public Sector Equality Duty into everything we do so that we can continue to build strong and inclusive communities.**

We recognise the role of the wider community and voluntary sectors in building and maintaining positive relations. We will work with residents, communities and partners to build strong and inclusive communities where people have access to services, feel safe and are able to participate and achieve their full potential.

## Who is responsible and accountable for Equality?

Every Council Member and officer of the council has a role to play in delivering equality. 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, and in promoting good relations.

ROLE	ACCOUNTABILITIES	In practice this means...
<b>The Leader and Council Cabinet</b>	To consider equality considerations in its decision making and to advance equality outcomes in Cabinet Members portfolio areas	<ul style="list-style-type: none"> <li>• To makes sure relevant equality considerations have been taken into account when making decisions</li> <li>• To take a role for ensuring that relevant equality considerations have been taken into account in decision making</li> </ul>
<b>Cabinet Member with responsibility for equality</b>	To put in place and champion a framework for the council to meet its equality ambitions and duty	<ul style="list-style-type: none"> <li>• To receive annual reports and present it to P&amp;R</li> <li>• To champion Equality and Diversity amongst Members</li> </ul>
<b>Cabinet Committees</b>	In regard to Key Decisions, the policy and budgetary framework of the council, the performance management and customer experience, to ensure that due regard has been paid to the Public Sector Equality Duty	<ul style="list-style-type: none"> <li>• Members are sure that senior officers are aware of adverse equality impacts and have mitigated, as far as possible those impacts</li> <li>• Members are sure relevant equality considerations have been taken into account when making decisions</li> </ul>
<b>All Elected Members</b>	To consider equality considerations in our decision making. To play a	<ul style="list-style-type: none"> <li>• Members are aware of the Public Sector</li> </ul>

	community leadership role in promoting equality and challenging discrimination	<p>Equality Duty and stay up to date of any developments.</p> <ul style="list-style-type: none"> <li>• Members are confident that relevant equality considerations have been taken into account when making decisions</li> </ul>
<b>Corporate Management Team (CMT)</b>	To provide strategic leadership for the organisation in delivering on equality across the council and delivery within specific areas of responsibility.	<ul style="list-style-type: none"> <li>• CMT will ensure that their senior leadership teams and staff have the knowledge to ensure that the PSED is delivered</li> <li>• CMT will ensure that where relevant, they have paid due regard to the PSED in the decisions that they make CMT will ensure the Annual report goes to relevant Cabinet Committees</li> </ul>
<b>Corporate Equality Group(CEG)</b>	<p>Ensure equality and diversity is integrated into mainstream KCC activity. Receive representations from KCC diversity staff groups and other interested parties.</p>	<ul style="list-style-type: none"> <li>• CEG will act as champions to the equality agenda in KCC</li> <li>• CEG will scrutinise and challenge progress on equality objectives.</li> <li>• Making recommendations on service and employment ensuring that statutory and policy obligations are fulfilled</li> </ul>
<b>Directors and Heads of</b>	Ensuring that the Public Sector Equality Duty is met in day to day	<ul style="list-style-type: none"> <li>• Ensuring that all relevant decisions</li> </ul>

<p><b>Service and Departmental Management Teams</b></p>	<p>service delivery.</p> <p>To promote awareness of equality, and support learning and development opportunities.</p> <p>Through Business Planning all Managers are responsible for developing and delivering on relevant equality objectives and priorities.</p> <p>By undertaking equality analysis as part of Business Planning and considering this when developing new policies, strategies and plans, commissioning services or making decisions about changes in services</p>	<p>have robust equality impact assessments</p> <ul style="list-style-type: none"> <li>• Strategic plans and policies all have equality impact assessments</li> <li>• Services know the equality profiles of residents, service users and staff</li> <li>• Services use what they know to support and manage staff and to deliver services</li> <li>• Staff are adequately trained to identify and respond to equality matters</li> <li>• The non-delegable duty is observed in commissioned services</li> </ul> <p>Championing equality considerations in service delivery</p>
<p><b>Line/People Managers/ Staff and Volunteers</b></p>	<p>To ensure that discriminatory practices are addressed</p> <p>Fair recruitment and evaluation of posts</p> <p>To ensure that reasonable adjustments are made</p> <p>To ensure that staff are treated fairly</p> <p>Create an inclusive culture</p> <p>Encourage and support wider participation in KCC diversity networks</p> <p>To hold staff to account for delivering equality outcomes</p> <p>Safe and fair recruitment</p>	<ul style="list-style-type: none"> <li>• People are supported to do their jobs well</li> <li>• Staff feel respected and valued</li> <li>• Staff feel positive about working for KCC</li> <li>• KCC has a good reputation as a fair employer</li> </ul>

<p><b>Internal Governance</b></p>	<p>Consultation and Engagement</p> <p>Democratic and Legal Services</p> <p>Information Communication and Technology</p> <p>Finance</p> <p>Human Resources (HR)</p> <p>Procurement and Commissioning</p>	<ul style="list-style-type: none"> <li>• These services cannot be delivered without an EqIA and are part of the internal controls</li> </ul>
<p><b>Corporate Lead Equality &amp; Diversity</b></p>	<p>To provide advice and guidance on the Equality Act 2010.</p>	<ul style="list-style-type: none"> <li>• Being the point contact for equality queries</li> <li>• Leading on the development of the policy framework for Equality at Kent County Council</li> <li>• Maintaining knowledge of equality and diversity legislation and advising on the practical application of the legislation to Directorates</li> </ul>
<p><b>Individual Staff</b></p>	<p>To comply with the KCC approach and apply the good practice learned through training and development opportunities.</p> <p>Responsible for ensuring that they attend training sessions and keep up to date with the equality agenda.</p> <p>Have an obligation to raise equality issues in both employment and service delivery</p> <p>Act as equality champions in their day to day work</p> <p>Collect and use relevant equality data</p>	<ul style="list-style-type: none"> <li>• Championing equality issues</li> <li>• Ensuring that you understand how equality considerations play out in your day to day work</li> <li>• Challenging inappropriate and discriminatory behaviour</li> <li>• Identifying and responding to equality issues that arise</li> <li>• A learning culture for equality and diversity</li> <li>• Use the “whistle blowing policy”</li> </ul>

		where there are concerns.
<b>Contractors/ Commissioned services</b>	To comply with the General Duty as set out in the Equality Act 2010 and specific terms that may be included in commissioning frameworks and contracts	<ul style="list-style-type: none"> <li>• Collecting relevant equality information and using it to improve services</li> <li>• Demonstrating how commissioned services make a difference to equality outcomes to service users and residents in Kent</li> <li>• Identifying and responding to adverse impacts that arise in service delivery</li> <li>• Innovating and sharing wider expertise and knowledge on equality practice</li> </ul>
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## Equality Objectives

1. Children and young people in Kent get the best start in life; Kent Communities feel the benefits of economic growth by being in work, healthy and enjoying a good quality of life. Older and vulnerable residents are safe and supported with choices to live independently. The equality objectives to support this are:
  - Narrowing the achievement gaps with regard to disability race or sex.
  - Increase learning and employment opportunities for those aged 16-25 with regard to Disability Race and Sex.
  - Ensure more young people are able to access progression pathways post 16 including an offer or an apprenticeship with regard to Disability Race or Sex
  - Increasing access to early years services for 2 year old offer of free provision regardless of disability race or sex
  - Driving down permanent exclusions to zero for primary age children with regard to Sex and Race

- Where appropriate fewer young people become young offenders with regard to Race Disability and Sex.
  - Protected characteristics will be considered within all highways and transport schemes identified within Local Transport Plan 4, as well as the schemes' potential to advance equality of opportunity
  - The protected characteristics of all members of a community will be considered when investing in roads, facilities and utilities that are identified through the Growth and Infrastructure Framework, and delivered to meet the needs of Kent's population changes
  - Irrespective of Age, Disability, Race or Religion and Belief, Kent residents should be able to access our county's high quality landscapes and environment
  - The Libraries, Registration and Archives Service in Kent will continue to understand its local communities' needs, and tailor its services accordingly
  - The Equality Duty will inform all services' efforts to maximise businesses' potential
  - Safeguarding children, young people and vulnerable adults from harm with regard to Sex Disability Race and Age
  - Improved life chances and outcomes of children, young people and vulnerable adults through service developments and transformation
  - The quality and range of services are improved through increasing engagement with service users and carers
  - The number of BME people and women in the mental health system is reduced
  - Ensure equity of access to Sexual Health services to improve health outcomes with regard to Age, Sexual Orientation, Gender Identity and Race
  - Ensuring that the Children's Public Health Service reduces health inequalities in early years and maternal health (Race/ gender)
  - The rate of male Suicide declines
  - Ensuring equality of access to NHS Health checks (Age/ gender/ disability / race)
2. We will embed Equality and make it part of our business as usual practice by implementing the Equality Policy in all we do. Kent will:
- Recruit, retain and develop a workforce that reflects the communities we serve, and we will ensure our people feel valued and respected
  - Publish Equality Analysis with all Key and significant decisions
  - Ensure that when we use Information Communication Technology it is fully accessible for learning, working and getting into services

## **Our performance**

We will monitor our performance against the policy and objectives by:

- Corporate Annual Report against Equality action plans to Cabinet Committees
- 6 monthly Directorate reports to DMT
- The Corporate Equality Group

An Executive Annual Equality and Diversity report will be published on Kent County Council's Website [www.kent.gov.uk/diversity](http://www.kent.gov.uk/diversity).

### **Future development of the Policy**

Our Equality and Diversity policy is not static. It will be updated and modified as new legislation and codes of practice are introduced and our understanding develops of the needs of everyone living, working and visiting Kent. We recognise the need to ensure that we work hard to deliver our services fairly to all, and that we always make the most of all staff. We are committed to tackling inequality and to making steady, assessable, improvements.

### **Related Information**

KCC Strategic Statement: Increasing Opportunities, Improving Outcomes

KCC Commissioning Framework

Voluntary and Community Sector Policy

Child Poverty

EqIA Guidance

Customer Service Policy

Dignity and Respect at Work Policy

Accessible Communications Guide

Guidance for Making Events Accessible

Kent & Medway Civilian Military Covenant Conference

Vulnerable Learners Strategy

The Human Rights Act 1998

The Equality Act 2010

Government Equalities Office

Equality and Human Rights Commission