

Committee: **Council**

Date of Meeting: **30th March, 2023**

Report Subject: **Meeting Specific Requirements of the Equality Act 2010: Annual Reporting and Impact Assessing**

Portfolio Holder: **Councillor Stephen Thomas, Leader of the Council / Executive Member Corporate Overview & Performance**

Report Submitted by: **Sarah King, Head of Democratic Services, Governance & Partnerships**

| Reporting Pathway | | | | | | | | |
|-----------------------------|---------------------------|--------------------------|----------------------------|-------------------------------|--------------------|---------|----------|----------------------|
| Directorate Management Team | Corporate Leadership Team | Portfolio Holder / Chair | Governance Audit Committee | Democratic Services Committee | Scrutiny Committee | Cabinet | Council | Other (please state) |
| | 02/03/23 | | | | 16/03/23 | | 30/03/23 | |

1. **Purpose of the Report**
To present the Council's Strategic Equality Plan (SEP) Annual Report 22/23, and the new Integrated Impact Assessment (IIA) process being used for impact assessing.
2. **Scope and Background**
 - 2.1 The Council, as a public body in Wales, has a requirement under the Equality Act 2010 (statutory duties) (Wales) Regulations 2011 to meet a set of general and specific duties ('the Act' from here on in).
 - 2.2 **Annual Reporting Duty**
 - 2.2.1 The Council has to produce an annual monitoring report by 31 March each year on the progress made towards meeting the commitments set out in the Council's [Strategic Equality Plan 2020 to 2024](#) (SEP).
 - 2.2.2 The 2022/23 report for the Council is provided at Appendix 1. It provides key progress made towards achieving each of the six Equality Objectives set out in the Council's SEP. The report also includes the Council's employment and workforce information (for 2021/22). Key requirements to report on Gender Pay is covered in the Council's [Pay Policy Statement](#).
 - 2.3 **Integrated Impact Assessment Process**
 - 2.3.1 As a defined public body in Wales, the Council must fulfil a specific duty for the assessment of impact. This relates to the likely impact of any new or existing (when reviewed) policies or practices. There is a key focus when assessing impact on the ability to meet the Council's three general duties

under the Act, including assessing any positive or negative impact on groups covered by the nine protected characteristics.

- 2.3.2 Where there has been deemed to be a substantial (or likely) negative impact the Council must report this accordingly, outlining any decisions taken with any mitigations considered/actioned.
- 2.3.3 A review of the way the Council's carries out impact assessments was included as part of the SEP's 2021/22 defined work programme. This fell in-line with new legal expectations from the Act, the Socio-Economic Duty.
- 2.3.4 As part of the review, a decision was taken to streamline the process by removing the initial screening process, based on feedback that it created confusion. The process was also strengthened to ensure all equality and socio-economic factors were fully considered when making decisions, reviewing existing or developing new policies. The requirement to carry out and report on impact assessing continued to be expected in corporate reporting templates for decision making.
- 2.3.5 In 2022/23 further consideration was given to the impact assessing process following on-going monitoring, consideration of good practice and regional/national network discussions.
- 2.3.6 This has led to a new Integrated Impact Assessment (IIA) process being developed which incorporates wider policy considerations beyond equality and socio-economics:
 - i. Well-being of Future Generation Act Goals
 - ii. New Corporate Objectives
 - iii. Armed forces (new national duties)
 - iv. Community Safety considerations
- 2.3.7 The new process was agreed by CLT in November 2022 (Appendix 2), with agreement for relevant officers to attend management team meetings to update on the content and expectations of the new processes. The Policy Team continues to provide on-going support, advice and guidance to those completing the IIA process.

3. **Options for Recommendation**

To include Recommendation(s) / Endorsement by other groups, e.g. CLT/Committees/Other groups)

CLT considered the Annual Report and new IIA process and recommended a member briefing session for all elected members on the new IIA process.

Corporate Overview Scrutiny Committee considered the Annual Report and new IIA process and recommended for a member briefing session for all elected members on the new IIA process.

Annual Reporting

- a. To consider the Annual Report being presented for 22/23 and note progress made against the Council's Equality Objectives; and

Impact Assessing

- b. To note the new IIA process, and support a member briefing sessions for all elected members to cover the specific duty for assessing impact to include, the process, examples of its use, and its role in decision-making.

4. **Evidence of how this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

The Corporate Plan recognises that our Strategic Equality Plan is one of the key policies and strategies that help to deliver our ambition.

As outlined both Annual Reporting and Assessing of impact are defined as specified duties Equality Act 2010 (statutory duties) (Wales) Regulations 2011.

5. **Implications Against Each Option**

5.1 ***Impact on Budget (short and long term impact)***

There are no direct financial implications as a consequence of this report. The publication and translation of the Annual Report, on behalf of the Council, is met within existing budget of the Governance and Partnerships. There are no direct costs associated to the IIA process, however there could be potential mitigation/adaptation costs associated to individual processes carried out against new and existing policies.

5.2 ***Risk including Mitigating Actions***

5.3 ***Legal***

In producing and publishing the Annual Report the Council is meeting its legal requirements.

The IIA process is put in place to support the Council in meeting its specific duties for assessing impact. There are risks if impact assessing is not carried out effectively where it is deemed it should be. These risks would include reputational, regulatory intervention (Audit Wales/Equality & Human Rights Commission) and financial (subject to legal channel per case).

5.4 **Human Resources**

There is a duty across the organisation to comply with the Act and proactively support the implementation of the SEP and meet specific duties.

The Policy and Partnerships Team oversee responsibility via the Professional Lead for Engagement, Equalities & Welsh Language to submit the Annual Report within the defined timeframes.

6. **Supporting Evidence**

6.1 **Performance Information and Data**

In 2020, the Council agreed it's SEP to cover the period 2020-2024. This plan has six equality objectives, which are:

1. We will be an organisation who ensures fairness and equality is in everything that we do
2. We will be an equal opportunity employer with a workforce that values equality and diversity
3. We will support children and young people, particularly those with protected characteristics, to achieve their learning ambitions
4. We will promote and support safe, friendly and cohesive communities.
5. We will ensure there is meaningful involvement with people who have protected characteristics and key stakeholders that represent their interests.
6. We will strive to tackle inequality caused by poverty for people who have protected characteristics.

The attached Annual Report (Appendix 1), has been developed to meet the reporting requirements, and covers the reporting year 2022/23 providing key updates on action taken against each of the outlined objectives. Key equality data is also presented covering staff that work for the period April 2021 to March 2022.

6.2 **Expected outcome for the public**

The annual report clearly shows contributions and outcomes for the public, and is aligned to the national well-being goals for a more equal Wales, a

Wales of cohesive communities, and a Wales of vibrant culture and thriving Welsh language.

6.3 ***Involvement (consultation, engagement, participation)***

The Annual Report (and progress against actions outlined in the plan) has been developed with the input from staff members and key representatives from across the Council who are actively involved in delivery actions against the SEPs outlined objectives.

Furthermore, the IIA process has been development with active participation from stakeholders across the Council.

6.4 ***Thinking for the Long term (forward planning)***

The current SEP 2020-24 outlines the Council's intention for a four-year period, in-line with the requirements of the Equality Act 2010, and the annual report reflects a specific year within it (22/23). The information presented in this annual report will be used to help shape the policy development of the next SEP from 2024, with planning beginning in 2023/24 (including democratic processes).

The report highlights the new Integrated Impact Assessment process which will support more informed decision making for service development, service change, policy development or policy review.

6.5 ***Preventative focus***

The SEP looks to ensure that no person is discriminated against now or in the future. The annual report provides progress towards meeting the requirements set out.

The IIA ensures that those assessing impact have considered those with the protected characteristics, the impacts towards national well-being goals, our corporate objectives, and socio-economic impacts. Additionally, impacts on further specific groups such as armed forces community, and children and young people to ensure informed decisions are made.

6.6 ***Collaboration / partnership working***

The annual report has been developed with the involvement of key stakeholders from across the Council.

The IIA review involved working with services to understand the process, and check it was fit for purpose. Also, it incorporated good practice shared via Regional Equality Officer networks. As a result of this the previous Impact Assessment was updated and the screening template was removed.

6.7 ***Integration (across service areas)***

The SEP and IIA provides a corporate approach across the organisation to deliver general and specific equality duties.

6.8 ***Decarbonisation and Reducing Carbon Emissions***

The IIA has the current Corporate Objectives built into the process which will strengthen services to ensure that they have considered the carbon impact on any service change, service development, policy review or policy implementation.

6.9 ***Integrated Impact Assessment (IAA)*** *(All decisions, policy reviews or policy implementation will now require a completed Integrated Impact Assessment)*

The report considers Equalities throughout and identifies key Action Points to strengthen our approach to embed Equalities across the Council.

7. **Monitoring Arrangements**

7.1 The annual reporting process is part of our statutory monitoring responsibilities. We have a duty to publish the report on the Council web site where it is made available to the public and other organisations (e.g. EHRC). Furthermore, the Annual Report is considered each year (whether as a specific report or information item) as part of the Council's cabinet and scrutiny forward work programmes.

Background Documents /Electronic Links

- [Blaenau Gwent Strategic Equality Plan](#)

Appendices

Appendix 1 – BGCBC Annual Strategic Equality Monitoring Report 22/23

Appendix 2 – BGCBC Integrated Impact Assessment Template 22/23