

TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

16th June 2010

Report of the Chief Executive

Part 1- Public

Matters for Information

1 EQUALITY ACT 2010

This report provides a summary of the changes and implications arising following royal assent of the Equality Act on 9 April 2010 which will be brought into force during 2010-11.

1.1 Background

- 1.1.1 We have sought to meet the requirements of existing equalities legislation in a way that is relevant and proportionate to our services and the community. This is supported by the Council's Equality Statement and Action Plan 2009-12, which covers all areas protected by existing and new legislation and ensures we take a holistic approach to considering people's diverse needs in service provision and employment.
- 1.1.2 The full implications of the Equality Act 2010, and how we are preparing for these, are set out in Appendix A.
- 1.1.3 In addition the Government Coalition has also published their programme for government in which they make the following equalities commitments:
- § "We will promote equal pay and take a range of measures to end discrimination in the workplace.
 - § We will extend the right to request flexible working to all employees, consulting with business on how best to do so.
 - § We will undertake a fair pay review in the public sector to implement our proposed '20 times' pay multiple.
 - § We will look to promote gender equality on the boards of listed companies.
 - § We will promote improved community relations and opportunities for Black, Asian and Minority Ethnic (BAME) communities, including by providing internships for under-represented minorities in every Whitehall department and

funding a targeted national enterprise mentoring scheme for BAME people who want to start a business.

- § We will stop the deportation of asylum seekers who have had to leave particular countries because their sexual orientation or gender identification puts them a proven risk of imprisonment, torture or execution.
- § We will use our relations with other countries to push for unequivocal support for gay rights and for UK civil partnerships to be recognised internationally.”

1.1.4 We are awaiting additional guidance on the Equality Act 2010 and further indications from the Government Coalition on how this will be taken forward.

1.2 Legal Implications

1.2.1 An update on the equality legislation is provided in Appendix A.

1.3 Financial and Value for Money Considerations

1.3.1 In most cases, we will be able to deliver the equalities agenda through our everyday work meaning that additional financial resources will not be required. Where we are required to comply with specific legal requirements, such as to provide training and carry out equality impact assessments, we are seeking to provide value for money by working in partnership.

1.3.2 The West Kent Equalities Officer is employed to support delivery of the equalities agenda and is jointly funded with Sevenoaks District Council, Tunbridge Wells Borough Council and Dartford Borough Council.

1.4 Risk Assessment

1.4.1 If we do not comply with the public equality duties, we could be subject to enforcement action by the Equality and Human Rights Commission.

1.6 Conclusion

1.6.1 The changes to the equalities legislation will permit a more flexible approach in how we deliver equality of opportunity for our local communities, service users and employees. We need to ensure that we continue to meet our existing statutory obligations whilst also preparing for the new duties that will be placed on us.

Background papers:

Nil

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