

TONBRIDGE & MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

6 September 2010

Report of the Chief Executive

Part 1- Public

Matters for Information

1 REVISED COMMITTEE REPORT TEMPLATE

To note the revised Committee report template that will be phased in over the coming months, and the background to this change.

1.1 Introduction

- 1.1.1 Under existing equalities legislation, consolidated under the Equalities Act 2010, and supporting guidance, Tonbridge & Malling Borough Council is obliged to consider the needs of local people and staff when making decisions that affect them.
- 1.1.2 An Equality Impact Assessment (EqIA) is a tool for identifying the potential impact of a council's policies, services and functions on its residents and staff. It can help staff provide and deliver excellent services to residents by making sure that these reflect the needs of the community.
- 1.1.3 Officers have already been working on Equality Impact Assessments, and will be reviewing all aspects of the council's work over the next few years.
- 1.1.4 Members are referred to the guidance for decision makers from the Equality and Human Rights Commission at Annex A. In light of this guidance, the results of Equality Impact Assessment must be presented to decision makers when that decision is reached. In order to demonstrate that the Council is meeting the statutory requirements, we need to add a section to committee reports. Therefore, the results of Equality Impact Assessments undertaken will now be reported to Members. This is best achieved through a revised Committee Report template. These measures are being introduced to reinforce existing processes.

1.2 Protected characteristics

1.2.1 The following are the aspects of communities that should be taken into consideration when making decisions. All of these are covered by existing Equality Impact Assessment tools.

- Age
- Disability
- Gender
- Race
- Religion or Belief
- Sexual Orientation

Our equality impact assessments also allow for socio-economic disadvantage or other general issues to be identified.

1.3 Revised template

1.3.1 The revision to the Committee Report template is shown below. This box will appear at the end of reports requiring a decision. As training for officers is rolled-out, Members can expect to see this revised report in use more often. All key decisions will now include this demonstration that an Impact Assessment has been carried out.

1.3.2 It is important that decision makers give due regard to the impacts of any decisions before making them, and to demonstrate that this has been done. Therefore, Members are encouraged to review the content of the Impact Assessment when presented, prior to making any decisions.

- 1.3.3 Any decisions made in line with a policy that has already been Assessed will not require a separate Assessment to be carried out.

Screening for equality impacts:			
	Question	Answer	Explanation
a.	Has an equality impact assessment on the policy (to which the activity relates) already been carried out?	[Yes / No]	[Please state the title of the policy and the date it was assessed] [Please summarise any impacts]
b.	Is the decision in line with the policy?	[Yes / No]	[Please explain your answer]
Note: <i>If the answer is 'no' to either of the above questions, then the activity must be 'screened' for equality impacts using the questions below.</i>			
c.	Does the activity have potential to cause adverse impact or discriminate against different groups in the community?	[Yes / No]	[Please explain your answer]
d.	Does the activity make a positive contribution to promoting equality?	[Yes / No]	[Please explain your answer]
Note: <i>If the answer is 'yes' to any of the above questions, then a full equality impact assessment is required.</i>			

1.4 Legal Implications

- 1.4.1 It is a legal responsibility of the Council to ensure all decisions give due regard to the needs of our residents and staff. The Equality Impact Assessment tool is used to identify the needs and the implications of any decision; the revised Committee Report template will aid in providing that information to decision makers.

1.5 Financial and Value for Money Considerations

- 1.5.1 Equality Impact Assessments must be carried out under equalities legislation. The cost of producing them is borne by the Services responsible. The revised template uses information directly from the full Assessment process, so no additional burden is placed on officers preparing Committee reports.

1.6 Risk Assessment

- 1.6.1 Failure to adequately consider the needs of our residents or staff when making decisions that affect them could result in a challenge. This could be made through the Ombudsman and/or through the Equality and Human Rights Commission.

These could result in financial penalties, the requirement to reinstate or amend services, and embarrassment to the council.

1.7 Policy Considerations

1.7.1 Equalities/Diversity

- This revision to committee report templates helps ensure the needs of our residents and staff are met, in accordance with equalities legislation.

Background papers:
Equality Act –Cabinet Report 16 06 2010
Nil

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