

# TONBRIDGE & MALLING BOROUGH COUNCIL

## OVERVIEW AND SCRUTINY COMMITTEE

10 March 2022

### Report of the Chief Executive

#### Part 1- Public

#### Matters for Recommendation to Cabinet

### 1 EQUALITY POLICY STATEMENT AND OBJECTIVES

#### To bring forward an updated Equality Policy Statement and Objectives

#### 1.1 Background

- 1.1.1 The Equality Act (2010) sets out a “Public Sector Equality Duty” which requires public authorities to have “due regard” to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their day to day work.
- 1.1.2 This Committee agreed recommendations in a scoping report at its meeting on 7 October 2021 to update the existing Equality Policy Statement. Within this Policy, to comply with the Equality Act, the Council must set out and publish at least one equality objective.
- 1.1.3 The Council continues to take a proportionate approach to responding to our duties under the Equality Act (2010) reflecting the demographics of our communities. It is therefore proposed that we adopt four equality objectives. These are included in the Policy (attached at Annex 1).

#### 1.2 Additional considerations

- 1.2.1 To ensure that the Policy Statement and Objectives are widely accessible the content will be added to the Council’s website directly, rather than as a word or PDF document.
- 1.2.2 Amendments will need to be made to the demographic data that is currently included in the attached Policy. Currently, the most up to date Census data is still 2011. Census 2021 data is due to be released in May 2022 and we will be able to amend the website accordingly at this time.
- 1.2.3 The Council has an Equality and Diversity Officer Study Group, who will ensure that the objectives within the Policy are being met and reported to Management Team. In addition, the Officer Study Group will look to enhance our work around equalities to ensure our services are responsive to the needs of our residents.

### 1.3 Legal Implications

1.3.1 Equality Act 2010 includes the following protected characteristics:

- Disability
- Age
- Sex (gender)
- Race
- Religion or belief
- Sexual orientation
- Pregnancy or maternity
- Marital or civil partnership status
- Gender reassignment

1.3.2 Public Sector Equality Duty

### 1.4 Financial and Value for Money Considerations

1.4.1 There is a budget of £3,000 for temporary staff provision, retained for external support as and when required

### 1.5 Risk Assessment

1.5.1 If a public authority doesn't comply with the general equality duty, its actions or failure to act can be challenged through an application to the High Court for judicial review. An application could be made by a person or group of people with an interest in the matter, or by the Equality and Human Rights Commission.

### 1.6 Equality Impact Assessment

1.6.1 An updated Policy will aim to better support those with identified protected characteristics, to ensure equality for all.

### 1.7 Policy Considerations

1.7.1 Equalities/Diversity

1.7.2 Community

1.7.3 Customer Contact

1.7.4 Human Resources

### 1.8 Recommendations

1.8.1 That the updated Equality Policy Statement and Objectives attached at Annex 1 to this report are **APPROVED**.

Background papers:

contact: Gill Fox

Nil

Julie Beilby  
Chief Executive