

OVERVIEW AND SCRUTINY BOARD

Tuesday June 14th 2005

DIVERSITY POLICY 2005 AND RACE EQUALITY SCHEME 2005-2008

LINDA MAUGHAN, HEAD OF HUMAN RESOURCES (CLIENT SERVICES).
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Summary

1. To present for comment the revised Diversity Policy 2005 and Middlesbrough Council's second Race Equality Scheme 2005 - 2008.

Introduction

2. In line with good practise and legislative requirements the Council has updated two related policies, the Diversity Policy and the Race Equality Scheme.

Diversity Policy

3. The Diversity Policy is an overarching policy that considers how the Council will ensure equality of opportunity regardless of:
 - gender
 - colour, race, nationality, national or ethnic origin
 - disability
 - age
 - marital status or caring responsibilities
 - lesbian, gay, bisexual or transgender identity
4. The Diversity Policy 2005 updates the previous policy to reflect new priorities and changes in the organisation and legislation. The Diversity Policy has been consulted upon and amendments incorporated into the final draft version.

5. The Council values the diversity of the local population and seeks to reduce social exclusion by making its services, facilities and resources more responsive to community and individual needs. The Council recognises that its ability to meet these diverse needs will improve by having a workforce that reflects the community and has the skills and understanding to achieve the Council's key strategic aims.

Race Equality Scheme

6. The Race Equality Scheme provides details of how the Council will progress equality issues specifically in relation to race.
7. The Race Relations (Amendment) Act 2000 strengthens the scope of the Race Relations Act 1976. It requires public authorities to eliminate unlawful racial discrimination; promote equality of opportunity and good relations between persons of different racial groups. The Council is expected to consider the implications for race equality in everything it does.
8. The Council has prepared a second Race Equality Scheme in response to the Race Relations (Amendment) Act 2000. It is a triennial plan, which states how the authority will achieve the General and Specific duties encompassed in the act to ensure that race equality is mainstreamed in all activities undertaken.
9. The Race Equality Scheme covers both service delivery and employment issues. The Commission for Racial Equality has clearly stated that Race Equality Schemes should be 'living documents'. Therefore the scheme will be adapted, amended and modified to take into account new priorities and new policies that may arise over the next three years.

Evidence / Discussion

10. A duty that arises from the Race Relations (Amendment) Act 2000 is to ensure that a robust complaints procedure is operating which takes into account racist complaints. Presently, the corporate complaints procedure is under review and it is envisaged that racist complaints will form an integral part of that procedure.
11. No financial implications or ward implications are anticipated.
12. There are a number of statutory requirements placed on the authority to have mechanisms and policies in place to ensure equality of opportunity. A critical feature of the Race Relations (Amendment) Act 2000 is that it is enforceable. If the Commission for Racial Equality (CRE) are satisfied that a public authority is not complying with its specific duties, the CRE will be able to serve a compliance notice and if necessary County Court can make an order. Compliance with the duty could also be the subject of inspections or audits, for example, by OFSTED, the Audit Commission and the National Audit Office.
13. The production of the Diversity Policy 2005 reinforces Middlesbrough Council's commitment to achieving equality of opportunity and recognises that discrimination, harassment and bullying are unacceptable on any grounds.

14. The production and publishing of the Race Equality Scheme is a statutory compliance and an integral duty arising from the Race Relations (Amendment) Act 2000.
15. No background papers were used in the preparation of this report.

Conclusion

16. For Scrutiny to note and comment upon this report.

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