

Tendring District Council



Corporate Equalities Policy

2007

Alternative Version of This Policy

**If you require a version of this
Policy in an alternative format
please contact the Community
Operations Manager on:**

01255 686360

or write to him at:

**Tendring District Council,
86 Station Road,
Clacton on Sea
Essex, CO15 1SP**

Or send an email to:

equality&diversity@tendringdc.gov.uk

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Tendring District Council Corporate Equalities Policy 2007

CONTENTS	PAGE
Introduction	5
Section 1:	
Setting the Context for Equalities at Tendring District Council	6
About the District	8
Our Population	8
Position Statement	10
Section 2:	
Tendring District Council's Corporate Equalities Policy	13
What is an Equalities Policy?	13
Where Does it Sit in Relation to Other Policies?	13
Equalities Scheme Action Plan	14
Equality Standard for Local Government	14
Section 3:	
Leadership and Corporate Commitment	15
Service Champions	15
Section 4:	
Service Delivery and Customer Care	16
Section 5:	
Employment and Training	17
Equalities Policy 2007 – Availability	19
Your Feedback and Comments Matter	19
Alternative Languages and Formats	19
Appendixes	
Appendix A Information Tables	20
Appendix B Equality Standard for Local Government	23
Appendix C Summary of Equalities Legislation and Schemes	25

Introduction from Leader of the Council and the Chief Executive

Tendring District Council is committed to equal opportunities and we are actively working to eliminate discrimination and to promote equal opportunities and good relations between people from different groups. We are committed to providing equality of access to our services for all our residents and other people visiting and working in this district and to recruiting a workforce that is representative of the population it serves.

The Council's vision is: *"To become a cleaner, safer and thriving district with a high quality environment and a strong local economy"*.

We can only achieve this vision by developing strong, secure, self-reliant and self-confident communities, free from unlawful discrimination. By putting our communities first and working with our customers and local organisations we aim to continuously improve our services and provide effective local government in the district.

This document sets out our aims and objectives, and the practical ways in which the Council plans to approach equalities issues across the six themes of age, disability, gender, race, religion and sexuality.

It also shows how we plan to meet the Equality Standard for Local Government. It is a working document that is reviewed and revised regularly, and we will update and publish a report every year to share information about the progress we are making.

We first published a Race Equality Scheme in 2003 which showed how we planned to meet our duties (general and specific) with regard to the Race Relations (Amendment) Act 2000. Also in 2003 we published an Equality and Diversity policy. This latest updated Corporate Equalities Policy 2007 has been revised to cover all the equalities strands as far as practicable, including disability equality issues arising from the Disability Discrimination (Amendment) Act 2005, which came into force in December 2006, and which placed enhanced disability equality duties on all local authorities.

Terry Allen
Leader of the Council

John Hawkins
Chief Executive

Section 1

Setting the context for equalities at Tendring District Council

The district has a diverse population and workforce and as a local authority we want to ensure that all our employees and communities are treated fairly and equitably and that their individual needs are taken into consideration whenever possible.

To achieve these objectives we need to make sure that equality is embedded in all our policies, procedures and planning processes. Our aim and priority statements below reinforce this ethos.

It is our aim to become a modern, healthy and well-managed organisation.

We are working to achieve this aim with our partners in order to achieve:

• **A strong local economy by:**

- Ensuring that sufficient land is made available through the District Local Plan
- Creating jobs
- Exploiting development opportunities through planning decisions
- Increasing inward investment
- Regenerating the rural economy through appropriate diversification and improved access

• **A cleaner district by**

- Improving customer satisfaction
- Improving cleanliness as measured by the Audit Commission's cleanliness indicator
- Increasing recycling
- Reducing the impact of fly tipping and abandoned vehicles

• **A safer community by**

- Reducing fear of crime and crime levels in the district through the use of CCTV and other crime reduction initiatives
- Being well prepared for civil emergencies

• **Affordable and decent housing by**

- Working to increase the supply of decent affordable homes in towns and villages
- Improving the quality of housing in the district

- Providing support and advice to those who are homeless
 - Providing an efficient benefits system
- **Better public space by**
 - Enhancing our town centres and conservation areas
 - Providing attractive seafronts and good quality leisure facilities
 - Maintaining the green environment
 - Improving local transport links
- **A willing partner and community leader by**
 - Being an effective leader of the Local Strategic Partnership
 - Leading by example
 - Listening to the community
 - Addressing the needs of young and old
 - Encouraging responsible citizenship
- **Earning a positive public image by**
 - Providing greater choice of contact (e.g. phones, face-to-face and internet)
 - Making our buildings more accessible
 - Putting the customer first

In addition we want to work with the communities of Tendring to improve their quality of life and to ensure that we provide a range of responsive and valued services.

These objectives will be achieved by putting our communities first and working with local people and local organisations to secure continuous service improvement and better Local Government.

We aim to achieve continuous improvement and be efficient and effective in the way we use our resources and work with others, and to be an open accessible and helpful Council, with a well-informed community whose views count.

Equalities continue to be a priority action for the whole Council and we will work to ensure that this becomes part of our ethos. All service areas of the Council will work to equalities targets and priorities contained in the action plan set out in Appendix D of this policy.

About the District

The Tendring Peninsula covers an area of 130 square miles almost entirely bounded by the Rivers Colne and Stour and 38 miles of coastline with Suffolk to the north and Colchester to the west. It comprises the seaside resorts of Clacton-on-Sea, Walton-on-the-Naze, Frinton-on-Sea and Dovercourt as well as the historic port towns of Harwich, Brightlingsea and Manningtree. The District has a large rural hinterland of isolated villages and farmland. There are no major industrial centres in the district and not many people have been attracted to move to the area for employment, apart from a small number of commuters. It is traditionally an area where many people choose to retire to. The population of Tendring is currently 141,500.

The Minority Ethnic population has remained small – in the 2001 Census non-British people accounted for 0.7% of the population of which 533 were recorded as Black or of Asian origin. The overall demography of Tendring shows a large proportion of people who are disabled or elderly as well as smaller numbers from other minority groups, which gives rise to the necessity of recognising the diversity present among the residents of Tendring. The Council will establish strategies to promote diversity and equality in service delivery, our employment practices, and in our dealings with partners and individual residents.

60 Councillors representing 32 Ward areas serve Tendring District Council. The Executive decision-making process is operated by a Cabinet style system. The Cabinet comprises nine portfolio holders and an Executive Leader, all of whom are Councillors. An annually elected Chairman carries out the ceremonial functions. The employed staff of the Council are headed by the Chief Executive, who is assisted by the Deputy Chief Executive and the Assistant Chief Executive. The Council is divided into 10 service areas, each with its own Head of Service.

There is a difference in the way individuals from different minority groups are aware of and use services. Failure of services to recognise these differences will result in services and employment being provided in a discriminatory and limiting way. It is therefore essential that services are monitored and reviewed to ensure that opportunities are available to people from all minority groups to access both service from, and employment with, the Council.

Our population

Because this document covers a broader remit than equality on the grounds of disability, gender and race all demographic information has been analysed, where possible, in terms of the six equalities themes that the Council is working to; namely age, disability, gender, race, religion/belief, and sexuality. The information used has come from the National Census for 2001.

In Appendix A - Table 1 shows the different age groups living in the district. This shows that Tendring has a far higher proportion of residents over the age of 60

than in the East of England, which itself has a greater number than England as a whole. At the other end of the age spectrum the % of those residents in Tendring aged between 0-15 years is considerably less than either the East of England or England itself.

Table 2 shows that the number of residents in Tendring with a disability/limiting long-term illness is significantly higher than for both the East of England and nationally. Similarly it identifies that of the total number of people of working age with a disability/limiting long-term illness, Tendring is again well above the average for both the East of England and nationally.

Table 3 shows that the population of England is made up of more females than males. Whilst the differential reduces slightly in the East of England, in Tendring the gap is greater with the differential being more than double than that for the East of England.

Table 4 shows the % of ethnic groups in Tendring. It is evident that white residents form a much larger proportion of the district than either the East of England or the whole of England; the largest ethnic grouping in Tendring being Chinese.

Table 5 shows that a far greater number of residents of Tendring were born in England compared with the birthplace of those people living in the East of England or England as a whole. A significantly smaller proportion of Tendring residents were born outside the European Union when compared to the rest of the country.

Table 6 shows the different religious groups with Christianity being a larger % in Tendring than for the East of England or the whole of England.

Table 7 shows the number of same sex couples. Whilst the information on sexuality is not always readily and easily given or available, it shows that those people living in Tendring as a same-sex couple is less than for the rest of the country.

The above is a limited snapshot of Tendring's population. In order to fully understand the make-up of the district it is desirable to establish the ethnicity of the 'other' groups (for example travellers), to allow us to ascertain and meet the needs of the whole population and to prioritise for age, disability, gender, race, religion/belief and sexuality.

It is also necessary to understand the needs of any refugees and asylum seekers residing in the district to take account of their needs in planning and service provision.

Position Statement

The following is the Council's policy on Equality:

“Tendring District Council recognises the diversity of its employees, customers and residents, and will seek to meet their needs and treat them fairly. This Council opposes discrimination on the basis of racial or ethnic origin, gender, disability, religious belief, colour, marital status, age, or sexual orientation. The Council intends to implement equality policies in relation to the way it manages its business, employment practices and the delivery of its services”.

The Council has adopted the 'Equality Standard for Local Government in England'. The publication of the Race Equality Scheme and the Disability Equality Scheme together with their respective Action Plans is a positive step towards adopting the Equality Standard and the Council will strive to:-

- Eliminate all forms of discrimination
- Promote equality of opportunity among its members, staff, residents, and those organisations with which we work
- Promote community cohesion among all residents of Tendring

The Council will make equality central to its values by putting equality at the centre of policymaking, service delivery, regulation, enforcement, and employment practices. It will be integral to Service Plans, the Corporate Plan and the Best Value Performance Plan. Other public and voluntary bodies will be engaged in diversity issues through the Local Strategic Partnership and our other partnerships, as well as contractual arrangements. The Council will seek to benchmark its achievements against other local authorities, utilising their examples of best practice.

The Council recognises that racial harassment, disability discrimination and other hate crime have far reaching effects on individuals, their families, local communities and residents. It violates fundamental human rights and limits the free movement and participation of some residents. It can restrict access to housing, employment, education, benefits and other services and democratic processes. The Council will take supportive action to advise and help victims of Hate Crime and harassment.

The major pieces of legislation which place a duty on Tendring District Council in respect of Equality and Diversity are:

- ☆ *Race Relations Act 1976*
- ☆ *Race Relations (Amendment) Act 2000,*
- ☆ *Sex Discrimination Act 1975*
- ☆ *Disability Discrimination Act 1995*
- ☆ *Disability Discrimination (Amendment) Act 2005*
- ☆ *Equal Pay Act 1970*
- ☆ *Local Government Act 1988*

☆ *The Equality Act 2006*

The other legislation affecting Equality and Diversity together with further details of the Act's shown above can be found in Appendix B of this document.

Along with other statutory provision, codes of practice and national guidance relating to equal opportunities.

In light of these duties the Council will strive to ensure that there is no discrimination on the grounds of age, disability, gender, race, religion/belief, sexuality, impairment, HIV status, marital status, nationality, colour, political persuasion or any conditions which cannot be shown to be justified.

In tackling the issues relating to equality Tendring District Council has:

- ☆ Been awarded the Disability 'Two Ticks' Symbol for its work on disability by Jobcentre Plus.
- ☆ Produced its initial Race Equality Scheme in 2003 in response to the Race Relations (Amendment) Act 2000 and prioritised its policies/services/functions as appropriate within the scheme. This scheme is currently being updated and a revised scheme will be published in 2007.
- ☆ Established a senior officer of the Council (the Overview and Scrutiny Manager) as responsible for Equality issues within Tendring District Council, to ensure that it meets its equalities objectives.
- ☆ Appointed an Equality's Champion in every Service, along with a Member Equality Champion.
- ☆ Formed the Equality Champions Group, which meets on a regular basis and acts as a mechanism for consistency and the sharing of information within all service areas of the organisation.
- ☆ Produced an ongoing monthly newsletter to employees and members entitled 'Fairness to All' to offer advice on equality and good practice, and to keep everyone within the Council informed of changes in legislation.
- ☆ Incorporated an Equality and Diversity section into the Implications part of all reports.
- ☆ Secured funding to allow specific equality training of Service Champions along with training for all employees and members.
- ☆ Established an Equality and Diversity Section on the Authority's Intranet site for all staff to access.

- ☆ Carried out a programme of works, where reasonable, on all of its buildings following an access audit, in order to comply with the Disability Discrimination Act (1995).
- ☆ Set up a Disability Equality Panel to meet at regular intervals to monitor progress in the area of disability equality and report regularly on its findings. The panel acts as the conduit between the needs of the people with disabilities and the services being provided by the local authority. This panel represents diverse organisations, and acts as a consultation and scrutiny body on disabled equality matters and issues for the Council.
- ☆ Published its Disability Equality Scheme in 2006 to promote disability awareness as required by the Disability Discrimination (Amendment) Act 2005.
- ☆ Undertaken a programme of Racial Equality impact assessments.

The Council continues to actively work on equality issues including:

- ☆ Putting in place an 'Equalities Action Plan', which will be updated and reviewed on a regular basis.
- ☆ Continuing to develop procedures for the recording and monitoring of age, gender, disability, race (ethnic origin), religion/faith and sexuality (as far as practical and feasible) for anyone receiving services, or is employed by or applying for employment with the Council. These records will be for monitoring purposes only.
- ☆ Employing those contractors and outside agencies to carry out work on behalf of the Council who will give a commitment to adhere to the Council's equality policies, procurement procedures and the *Local Government Act 1988*.
- ☆ Having in place an Equalities in Employment Statement to ensure that there is consultation with the Council's workforce with regard to the development of equal opportunities policies and procedures. Employees will be made aware of their responsibilities to implement these policies through new employee induction, training, briefing sessions and other suitable methods.
- ☆ Offering alternative forms of communication including interpretation and translation into different languages, Braille and tape etc.
- ☆ Developing a robust programme of equalities training by engaging independent specialist trainers to offer training on general and specific equalities areas, in order to meet the requirements
- ☆ Having a commitment to attain Level 2 to 5 of the Equality Standard for Local Government through the self-assessment process, with a planned timetable approach.

Section 2

Tendring District Council's Corporate Equalities Policy

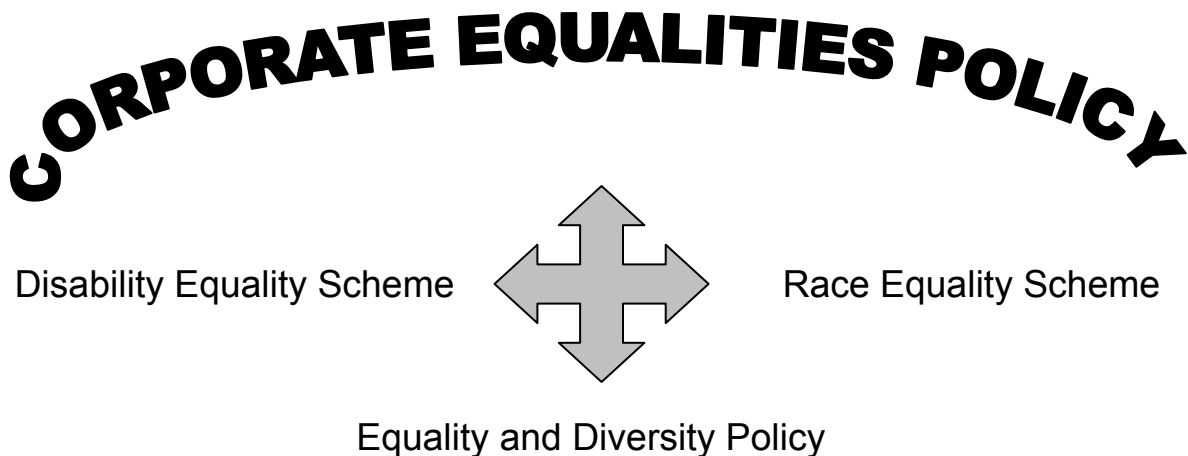
What is an Equalities Policy?

An Equalities Policy is the Council's framework for corporately addressing service provision to all, without discriminating or disadvantaging any person. It shows how we have combined our approach to the Race Equality Scheme, the Disability Equality Scheme and the Equality Standard for Local Government. All these schemes require organisations to approach equalities in a consistent way and show how they plan to manage the different stages in the process. The key stages are to:

- Demonstrate commitment to a comprehensive Equalities Policy.
- List all functions and policies.
- Identify and prioritise relevant functions and policies.
- Assess, consult and monitor functions and policies for any adverse impact on promoting equality.
- Set equality objectives and targets.
- Publish results of assessments, consultations, monitoring and performance.
- Achieve and review outcomes.

Where Does it Sit in Relation to Other Policies?

The Corporate Equalities Policy is the overarching policy that guides all others such as the Disability Equality Scheme, Race Equality Scheme and the Equality and Diversity Policy. Any future policies, schemes etc will be written under the umbrella of the Corporate Equalities Policy, as illustrated below:



The Equalities Policy Action Plan

Appendix D is the Council's action plan with detailed targets and milestones to achieve our equalities objectives. This action plan addresses requirements of the Equality Standard for Local Government through equalities Best Value Performance Indicators (BVPIs).

Equality Standard for Local Government

The Standard is arranged as a series of levels, presented as Levels 1-5. The levels are intended to be used as a guide and the expectation is that targets relating to Level 1 should be achieved before moving on to Levels 2, then 3 and beyond.

The Equality Standard sets out a way of working within local authorities, which makes mainstreaming equalities into service delivery and employment an issue for all aspects of the local authority's work. Working through this Standard identifies the disadvantages associated with age, disability, gender, race, religion/faith and sexuality and works to remove barriers that create the disadvantage. The Equality Standard is a means to combat the institutional processes that lead to discrimination which form part of the culture, administration and governance in the organisations and communities in Britain and the world.

There are four specific areas of activity and development, the Council is required to meet which are:

1. - *Leadership and corporate commitment.*
2. - *Consultation and community development and scrutiny.*
3. - *Service delivery and customer care.*
4. - *Employment and training.*

Five levels of achievement are possible, and each level is an essential foundation for the next. The five levels of achievement and outcome are based around the following five key ideals:

1. - *Establishing a comprehensive equalities policy.*
2. - *Setting equalities objectives and targets.*
3. - *Information systems and monitoring against targets.*
4. - *Measuring progress against targets.*
5. - *Achieving and reviewing outcomes.*

It is a continuous process that needs to be kept under constant review to ensure that the required standards are maintained.

Appendix B shows the full requirements for achieving levels 1 - 5.

Section 3

Leadership and corporate commitment

The Council leads on equalities from the top of the organisation. Both the Leader of the Council and the Chief Executive are committed to the equalities agenda and support it in every respect. Level 1 of the Equality Standard for Local Government has already been reached and Level 2 is to be achieved by March 2007, being an outcome in the Council's Best Value Performance Plan (BVPP) 2006/07. Progress towards this goal is monitored through the Authority's Management Information System. The Council will then continue to achieve levels 3 to 5 of the Standard, with the target dates being set and monitored in future BVPP's.

The Overview and Scrutiny Manager has been given responsibility to ensure that the Council moves forward in respect of equality issues and that it is mainstreamed throughout the Authority.

A Service Equalities Champion Group has been established, comprising a representative (Champion) from each service (as detailed below). The Overview and Scrutiny Manager chairs this group.

A Members' Champion from the Cabinet has been appointed to ensure that equality is considered at the highest level.

The Council is committed to all its legislative obligations and ensures it undertakes the necessary duties to promote equality in the organisation. Tendring District Council strives to provide a good service for the benefit of our community. We acknowledge that in achieving this ambition we must become a well-managed, open and accountable Council, "*Where the customer is at the heart of all that we do*".

The Council is committed to ensuring that all local ethnic minority and diverse communities, disabled communities, and groups from other strands of equalities have access to all services and information about the Council. We work with the Tendring and Colchester Minority Ethnic Partnership, the Disability Equality Panel and the local Hate Crime Group. We also work in partnership with local agencies such as the Police, Health Service and the Fire Service to achieve this aim.

Service Champions

The Service Champions Group is an internal officer working group of the Council, which consists of representatives from each of the service areas. It is felt vital that the Service Champions membership is of a sufficiently senior level to ensure that it has the ability to drive change within the individual services. There are also Deputy Champions in each Service to both support the Champion and ensure continuity in their absence.

The Service Champions Group is tasked to consider all equality and diversity issues and matters are brought to this internal group for discussion, comment and progression. The group members ensure that the equalities agenda is consistent in their individual areas and that the communication is effective between this group and their respective service areas. The group has played a vital part in the development, review and scrutiny of the Equalities Policy, Race Equality Scheme, and Disability Equality Scheme, and will also be responsible for monitoring of the action plans at regular meetings. Service Champions also ensure that all proposed and existing policies and functions are impact assessed according to the action plans.

This group reports directly to the Corporate Services Management Team, comprising the Authority's Heads of Service, on a six weekly basis. Any specific issues of concern would, if necessary, be reported up to the Council's Management Board.

All Champions meet at least once a month with their Service's Senior Management Team to ensure that the whole area of equality and diversity remains high on the list of key issues and becomes part of everyday working practice.

In addition, at the Service Champions' meeting, community representatives representing other strands of equalities will be invited to attend on an ad-hoc basis, as and when appropriate.

Human Resources is responsible for the monitoring of all employment related functions under the specific duties of the legislation, and to report to the Service Champions.

Section 4:

Service delivery and customer care

Great care is taken to ensure that the Council delivers a first class service and that customers are treated with respect and dignity at all times by all employees and representatives of the Council.

The Authority has established a Communications Strategy that gives advice to staff on accessing translation and interpretation services, so allowing a three-way conversation in any language that the service user might speak. A message appears on all our major policy documents that they can be interpreted in different languages and formats upon request.

All Council Policies and Strategies in relation to Equality and Diversity, prior to adoption, are subject to close review by the Authority's Overview and Scrutiny

Service Development and Delivery Committee, as well as external partners, organisations and individuals. In order to ensure that the Policies and Strategies are being positively acted upon an Action Plan is produced for each one. These contain a list of SMART Targets allocated to named services and officers. The Targets are built into individual Service Plans and the Authority maintains a strong performance management system to monitor and respond where necessary. The Council's Corporate Service Management Team, and Management Board receive monthly statements on the Council's performance, and the Overview and Scrutiny Corporate Management Committee reviews performance on a quarterly basis.

Our procurement strategy requires that, in line with the Council's Constitution, agencies delivering services on our behalf deliver fair and equitable services. Included within contracts is a further requirement to deliver effective and appropriate services, fairly and without unlawful discrimination. In order to comply with the requirements of the procurement strategy we will implement procedures for the monitoring of contracts to secure equal employment and equal service delivery targets wherever possible.

Section 5:

Employment and training

Equalities is an integral aspect of employment and training. It is ensured at all times that employment and training processes adhere to all equalities legislation, Codes of Practice and national guidance in all stages of recruitment and training. The Council makes sure that the recruitment processes are fair and equitable, seeks to invite applications from the diverse communities, and aims to have a representative workforce. However, work still needs to be done in providing a representative workforce in respect of race and disability.

We already monitor our performance in respect of the following Best Value Performance Indicators (BVPI):

- 2a The level (if any) of the Equality Scheme for Local Government to which the authority conforms.
- 2b The quality of the authority's Race Equality Scheme (RES) and the improvements resulting from its application.
- 11a The % of the top paid 5% of local authority staff who are women.
- 11b The % of the top paid 5% of local authority staff who are from an ethnic minority.
- 11c The % of the top 5% of staff who have a disability.
- 16a The % of local authority employees with a disability.
- 16b The % of local authority employees with a disability, in comparison to the percentage of the economically active population in the local authority area who have a disability. 17a and 17b.

- 17a The % of local authority employees from ethnic minority backgrounds.
- 17b The % of local authority employees from the ethnic minority communities, in comparison to the percentage of the economically active (persons aged 18 – 65) population from ethnic minority communities in the local authority area.

It may be appropriate for further action plans to be developed. For example, in the future the monitoring process may identify that the number of ethnic minority or disabled applicants applying for posts is much higher than those successful in gaining employment with the Council. This may result in a review of the recruitment and selection process.

Training employees in equality issues, in connection with their duties, is an important part of improving customer care. We will try to ensure that all employees work without discriminating, and so meet both our general and specific duties under the relevant Acts.

A dedicated corporate training programme has been developed and rolled out to inform employees at all levels of our obligations under the Acts and to ensure we deliver an appropriate and professional service. The programme will be strengthened by the inclusion of specific disability awareness training in the light of Disability Discrimination (Amendment) Act 2005. A pilot scheme to achieve this has already been developed and will be offered to relevant employees, in order to comply with the requirements of the Disability Equality Scheme, when feasible and practicable.

Training is a crucial part of the cultural change that is necessary if we are to truly put race, disability and other equality and diversity issues at the heart of all Council activity.

Equalities Policy 2007 - Availability

This public document is accessible to anyone who wishes to see it on our website at <http://www.tendringdc.gov.uk> , along with further information on our equalities agenda.

Alternatively we can arrange to provide this in hard copy format or on disk. If you would like it in either of these formats please contact the Community Operations Manager (see contact details below).

Your Feedback and Comments Matter

The Council is interested in hearing from you whether you have a compliment, a complaint, or would like to express your comments or views on any aspect of this Equalities Policy. We will respond to all correspondence within ten working days, please address correspondence to:

Community Operations Manager
Tendring District Council
86 Station Road
Clacton on Sea
Essex
CO15 1SP

Email: equality&diversity@tendringdc.gov.uk
Telephone: 01255 686360

Alternative Languages and Formats

The Council offers interpretation facilities in a variety of languages. If you, a member of your family or a friend would like assistance in reading this document in an alternative language or format, please do not hesitate to contact the Community Operations Manager as shown above.

APPENDIX A

INFORMATION TABLES

Table 1 - Age of Residents

		Tendring	East of England	England
Age Groups - Summary; All People (Persons)	Count	138,539	5,388,140	49,138,831
Age Groups - Summary; Aged 0-15; years (Persons)	%	17.49	24.76	25.06
Age Groups - Summary; Aged 16-59; years (Persons)	%	49.96	58.79	59.05
Age Groups - Summary; Aged Over 60; years (Persons)	%	32.55	16.45	15.89

Source National Office of Statistics 2001 Census Data

Table 2 - People with long-term illness

		Tendring	East of England	England
All People (Persons)	Count	138,539	5,388,140	49,138,831
People with a limiting long term illness (Persons)	%	24.00	16.44	17.93
People of working age with a limiting long-term illness (Persons)	%	16.87	11.54	13.56

Source National Office of Statistics 2001 Census Data

Table 3 - Gender of Residents

		Tendring	East of England	England
All People	Count	138,539	5,388,140	49,138,831
Males	Count	66,265	2,638,335	23,922,144
	%	47.83	48.97	48.68
Females	Count	72,274	2,749,805	25,216,687
	%	52.17	51.03	51.32

Source National Office of Statistics 2001 Census Data

Table 4 - Ethnic Groups in Tendring

		Tendring	East of England	England
All People	Count	138,539	5,388,140	49,138,831
White	%	98.66	95.12	90.92
White; British	%	96.77	91.45	86.99
White; Irish	%	0.78	1.14	1.27
White; Other White	%	1.12	2.53	2.66
Mixed	%	0.61	1.08	1.31
Mixed; White and Black Caribbean	%	0.2	0.37	0.47
White and Black African	%	0.05	0.11	0.16
White and Asian	%	0.19	0.32	0.37
Mixed; Other Mixed	%	0.17	0.27	0.31
Asian or Asian British	%	0.29	2.26	4.58
Asian or Asian British; Indian	%	0.14	0.95	2.09
Asian or Asian British; Pakistani	%	0.03	0.72	1.44
Asian or Asian British; Bangladeshi	%	0.03	0.34	0.56
Asian or Asian British; Other Asian	%	0.09	0.25	0.48
Black or Black British	%	0.15	0.9	2.3
Black or Black British; Caribbean	%	0.08	0.49	1.14
Black or Black British; African	%	0.06	0.31	0.97
Black or Black British; Other Black	%	0.02	0.1	0.19
Chinese or Other Ethnic Group	%	0.28	0.65	0.89
Chinese or Other Ethnic Group; Chinese	%	0.17	0.38	0.45
Chinese or Other Ethnic Group; Other Ethnic Group	%	0.11	0.27	0.44

Source National Office of Statistics 2001 Census Data

Table 5 - Country of Birth

		Tendring	East of England	England
All People	Count	138,539	5,388,140	49,138,831
People born in England	Count	130,195	4,845,731	42,968,596
	%	93.97	89.93	87.44
People born in Scotland	Count	1,781	88,023	794,577
	%	1.29	1.63	1.62
People born in Wales	Count	1,188	54,555	609,711
	%	0.86	1.01	1.24

Table 5 - Country of Birth continued

		Tendring	East of England	England
People born in Northern Ireland	Count	390	21,811	215,124
	%	0.28	0.4	0.44
People born in Republic of Ireland	Count	943	46,743	459,662
	%	0.68	0.87	0.94
People born in other EU Countries	Count	1,393	75,594	695,045
	%	1.01	1.4	1.41
People born elsewhere	Count	2,649	255,683	3,396,116
	%	1.91	4.75	6.91

Source National Office of Statistics 2001 Census Data

Table 6 - Religious Groups in Tendring

People Stating Religion as		Tendring	East of England	England and Wales
Christian	%	76.03	72.14	71.75
Buddhist	%	0.13	0.22	0.28
Hindu	%	0.10	0.58	1.06
Jewish	%	0.15	0.56	0.50
Muslim	%	0.23	1.46	2.97
Sikh	%	0.02	0.25	0.63
Other Religions	%	0.27	0.29	0.29
No religion	%	14.94	16.74	14.81
Religion not Stated	%	8.13	7.75	7.71

Source National Office of Statistics 2001 Census Data

Table 7 - Same Sex Couples

		Tendring	East of England	England
All People Aged 16 and Over in Households	Count	111,718	4,218,352	38,393,304
Living in a same-sex couple	Count	144	6,458	75,746

EQUALITY STANDARD FOR LOCAL GOVERNMENT

The Equality Standard for Local Government provides a generic framework through which local government can address its legal obligations under anti-discrimination law (Equal Pay Act 1970, Sex Discrimination Act 1975, Race Relations Act 1976, Disability Discrimination Act 1995, all of which prohibits discrimination in the delivery of services and employment).

By working through the standard, local authorities identify disadvantages associated with gender, disability and race and create action plans to eliminate the barriers that create that disadvantages.

The standard has five levels and these provide a structure for authorities to work through, and when the authority has reached Level 5 an Equalities Scheme will be in place. The standard provides a continuous framework for reviewing policies and services and working against the barriers that cause disadvantage. These levels cover all aspects of policy-making, service delivery and employment. Central government expects all local authorities to be working towards this equality standard. Local authorities provide figures to central government annually monitoring their progress against this standard (this is monitored though BVPI 2a).

The five levels are detailed below:

Level 1: Establishing a Comprehensive Equalities Policy

To achieve Level 1 of the Standard an authority must have an Equalities Policy that commits it to achieving equality in race, gender and disability through:

- Declared commitment to improve equality practice at both corporate and departmental level.
- Earmarking specific resources for improving equality practice.
- Equality action planning and equality target setting within all service areas.
- Systematic consultation.
- A fair employment and equal pay policy.
- An impact and needs assessment/requirements assessment
- Progress monitoring
- Audit and scrutiny

Level 2: Assessment and Consultation

To achieve Level 2 of the Standard an authority will need to demonstrate:

- That it has engaged in an impact and needs/requirements assessment
- That it has engaged in consultation with designated community, staff and stakeholder groups.
- That it has engaged in the development of information and monitoring systems.

- That it has engaged in an equality action planning process for employment, pay and service delivery.
- That it is developing a system of self assessment, scrutiny and audit.

Level 3: Information Systems and Monitoring against Targets

To achieve Level 3 of the Standard an authority must demonstrate:

- That a full and systematic consultation process has been undertaken with designated community, staff and stakeholder groups.
- That equality objectives have been set for employment, pay and service delivery based on impact and needs/requirements assessments and consultation.
- That equality objectives have been translated into action plans and specific targets.
- That development of information and monitoring is happening to allow assessment of progress in achieving targets.
- Action is being taken towards achieving targets.

Level 4: Measuring Progress against Targets

To achieve Level 4 of the Standard an authority must demonstrate:

- That it has developed information and monitoring systems that allow it to assess progress in achieving targets.
- That it is effectively using its information and monitoring systems to measure progress against targets.
- That monitoring reports are being produced at specified intervals and circulated to all relevant review groups.
- That monitoring systems are providing useful information about progress towards specified targets.

Level 5: Achieving and Reviewing Outcomes

To achieve Level 5 of the Standard an authority will have to demonstrate:

- That it has made progress towards or achieved the targets that it set at Level 2.
- That it has reviewed targets, monitoring and consultation systems.
- That it has initiated a new round of target setting.
- That it can be shown as an example of good practice to other authorities.

APPENDIX C

SUMMARY OF EQUALITIES LEGISLATION AND SCHEMES

List of Equalities Legislation

- ¥ Race Relations Act 1976
- ¥ Race Relations Act 1976 (Statutory Duties) Orders 2001
- ¥ Race Relations (Amendment) Act 2000
- ¥ Disability Discrimination Act 1995
- ¥ Disability Rights Commission Act 1999
- ¥ Disability Discrimination Act 2005
- ¥ Disability Discrimination (Public Authorities) (Statutory Duties) Regulations 2005
- ¥ Equal Pay Act 1970
- ¥ Equal Pay (Amendment) Regulations 1983
- ¥ Sex Discrimination Act 1975
- ¥ Sex Discrimination (Gender Reassignment) Regulations 1999
- ¥ Gender Recognition Act 2004
- ¥ Sex Discrimination (Indirect Discrimination & Burden of Proof) Regulations 2001
- ¥ Civil Partnership Act 2005
- ¥ Human Rights Act 1998
- ¥ Local Government Act 2000
- ¥ Freedom of Information Act 2000
- ¥ Crime and Disorder Act 1998
- ¥ Employment Equality (Religion and Belief) Regulations 2000
- ¥ Employment Equality (Sexual Orientation) Regulations 2003
- ¥ Employment Equality (Age) Regulations 2006
- ¥ Equality Act 2006

Summary of the key legislation

Race Relations Act (RRA) 1976

Unlawful to discriminate on grounds of colour, race, ethnic or national origin in provision of employment, training, education, provision of goods and services.

- ¥ Applies to local authorities but not all functions.
- ¥ Employees liable for discrimination to other employees 'in course of employment'.
- ¥ Employer's defence if took 'reasonably practicable steps' to prevent employee

discriminating.

- ¥ Exception for genuine occupational qualifications.
- ¥ Police not covered.

Race Relations Act 1976 (Statutory Duties) Orders 2001

Amends the RRA. Local Authorities now under a statutory duty to:

- ¥ Publish a Race Equality Scheme by May 2005 showing how it intends to fulfil its duties under section 71(1) of the RRA.
- ¥ Review the scheme every three years.

Race Relations (Amendment) Act 2000

Extended the 1976 Act to functions of local authorities not previously covered and to police following recommendations of the Stephen Lawrence Enquiry:

- ¥ Duty of local authorities to work towards elimination of unlawful discrimination and promote equality of opportunity and good relations between different racial groups.
- ¥ Duty to produce a Race Equality Scheme.
- ¥ Different requirements on different public bodies to allow for proportionality and flexibility.
- ¥ Commission for Racial Equality (CRE) can enforce compliance by way of Court Order.

Disability Discrimination Act (DDA) 1995

Unlawful to discriminate against disabled persons in employment, recruitment and training, provision of goods, facilities and services or disposal and management of premises. Defined as 'to treat less favourably' without justification.

- ¥ Duty on employer to alter physical features and arrangement of building if disabled person placed at a 'substantial disadvantage' subject to practicability and financial reasonableness test.
- ¥ Alteration can include altering working hours, modifying equipment, providing interpreter.
- ¥ Applies to occupational pension schemes.
- ¥ Enforceable through courts. Damages for injury to feelings.
- ¥ Taxi licences conditional on compliance with taxi accessibility regulations. Licensing Authorities can apply for exemptions.
- ¥ National Disability Council (NDC) replaced by Disability Rights Commission,

Disability Rights Commission (DRC) Act 1999

Abolished National Disability Council replaced it with Disability Rights Commission, functions akin to the Commission for Racial Equality. Specific powers to enable it to:

- ¥ Promote equalisation of opportunity and encourage good practice.
- ¥ Assist disabled persons and pursue cases for them.
- ¥ Provide information and advice to employers and service providers.
- ¥ Undertake formal investigations and issue non-discrimination notices.
- ¥ Prepare Code of Practice.
- ¥ Arrange independent conciliation in disputes.

Disability Discrimination Act 2005

Extends DDA to local government members, and those functions of local authorities not previously covered. Introduces a new Disability Equality Duty on public authorities, who now must have regard to the need to eliminate harassment of and unlawful discrimination against disabled persons and promote positive attitude and encourage participation by disabled persons in public life.

- ¥ Discrimination can include not making reasonable adjustments to the way a function is carried out, for example visiting at home or providing an interpreter.
- ¥ Defence if public authority exercising a statutory power and has no discretion.
- ¥ Not an absolute duty. Local authority must have 'due regard' depending on size, location, need and financial constraints.

Disability Discrimination (Public Authorities) (Statutory Duties) Regulations 2005

Came into force in December 2005. Duty on public authorities to publish a Disability Equality Scheme.

- ¥ Local Authorities, Primary Healthcare Trusts to publish schemes by 4 December 2006, then report annually thereafter.
- ¥ Secondary Schools and Higher Education Colleges by December 2006, then report December 2008 and every three years thereafter.
- ¥ Primary Schools, Special Schools and Pupil Referral units by April 2007.

Equal Pay Act (EPA) 1970

Introduced equal pay for men and women in the same, equivalent or 'broadly similar' work.

Damages limited to recovery of earnings not hurt feelings.

Equal Pay (Amendment) Regulations 1983

Amended EPA in line with Article 14 of the Treaty of Rome. Extended time limits for bringing proceedings.

Included equal value work. Equal pay calculated as total package received.

Sex Discrimination Act (SDA) 1975

Brought in at the same time as the Equal Pay Act, and should be read together. Definition 'to treat less favourably' or to apply a condition that smaller proportion of women than men can comply with. Established Equal Opportunities Commission to investigate, produce Code of Practice and issue non discrimination notices.

¥ Includes advertisements.

¥ Employers liable for their employees.

¥ Justification defence to indirect discrimination.

¥ Includes discrimination against married persons.

¥ Sexual harassment defined [added October 2004].

¥ Now covers pension provision and retirement age.

¥ Midwifery now open to men (1983).

¥ Political parties can have 'women only' shortlists (February 2002).

¥ Insurance policies exempted.

Sex Discrimination (Gender Reassignment) Regulations 1999

Extends protection of the SDA 1975 to those undergoing or having undergone gender reassignment.

Gender Recognition Act 2004

In force since April 2005. Provides mechanism for legal change of gender, issue of new birth certificate and marriage in new gender.

¥ Exceptions allowed in certain physical sports.

¥ Criminal offence to disclose information regarding gender reassignment acquired in an 'official capacity'.

¥

Sex Discrimination (Indirect Discrimination and Burden of Proof) Regulations 2001

Complainant of discrimination in employment or training, having established the facts, the burden of proof then shifts to the respondent.

Civil Partnerships Act 2005

References to 'marriage' in the relevant legislation also include civil partners.

Human Rights Act 1998

Gave effect to the European Convention on Human Rights. English Judges can declare legislation incompatible with convention rights (but cannot change the law). Court can award damages for breach by public authorities. Local authorities particularly affected by:

- ¥ Article 9 Freedom of thought, conscience or religion.
- ¥ Article 10 freedom of expression.
- ¥ Article 11 freedom of assembly and to join a trade union.
- ¥ Article 14 not to discriminate on grounds of sex, race, colour, language, political opinion (wider than current English law).
- ¥ Article 3 right to free elections.

Local Government Act 2000

Gave Local Authorities the power to take steps to promote economic, social or environmental well being of their local community.

- ¥ Must consider strategic plan before acting.
- ¥ Can work with other bodies.
- ¥ No money raising power.

Freedom of Information Act 2000

Provides a general right of access to information held by public authorities. Code of Practice provides guidance.

- ¥ Duty to provide advice and assistance to applicants.
- ¥ Duty to adopt maintain and publish a scheme and certain information.

Crime and Disorder Act 1998

Introduced Anti-Social Behaviour Orders (ASBOs), Parenting Orders and Child Curfew Schemes as well as 'racially aggravated' offences attracting longer sentences. New duties to local authorities to:

- ¥ Formulate strategy for reduction of crime and disorder with police, probation and health authority with long and short-term performance targets.
- ¥ Review every three years.
- ¥ Consider crime and disorder implications when exercising their functions.
- ¥ Formulate a Youth Justice Plan.
- ¥ Anti-social behaviour can be ground for eviction.

Employment Equality (Religion and Belief) Regulations 2000

Gave specific effect to Article 14 of Human Rights Act 1998. Applies to employers, employees, trade unions and students in higher education.

Defence if act is encouraging particular religion or belief group in order to compensate for previous disadvantages.

- ¥ Compensation can include damages for injury to feelings.
- ¥ Time limit to bring a claim is three months.

Employment Equality (Sexual Orientation) Regulations 2003

In similar terms to Employment Equality (Religion and Belief) Regulations above. Defence if genuine occupational requirement, for example, actress, male model provided requirement proportionate.

Employment Equality (Age) Regulations 2006

To outlaw discrimination on ground of age. Came into force October 2006.

Employers can fix any retirement age below 65 if they can justify it – otherwise default retirement is age 65.

- ¥ Employee can request to continue working. Employer has duty to consider this.
- ¥ Government will review this provision in 2011.
- ¥ Statutory redundancy age limits abolished.
- ¥ Exception for minimum wage rates.
- ¥ Exception for rewards for length of service.
- ¥ Defence of carrying out statutory or positive action.

Equality Act 2006

The Act will establish a new single body to oversee the equality agenda, known as the Commission for Equality and Human Rights, (CEHR). It comes into force

on 6 April 2007 with the merger of the existing Disability Rights Commission and the Equal Opportunities Commission. The Commission for Racial Equality is expected to join the new body in 2008. The Commission for Equality and Human Rights will also promote equality in terms of age, gender and religion and belief and will have enforcement powers over Local Authorities.