

Report to: Personnel and General Purposes Sub-Committee, 28th February 2024

Report of: Corporate Director - Planning and Governance

Subject: REFERRAL REPORT FROM THE JOINT CONSULTATIVE AND SAFETY COMMITTEE: REVISED EQUALITIES POLICY FOR APPROVAL

1. Recommendation

That the Sub-Committee:

1.1 Approves the revised Equalities Policy attached at Appendix 1.

2. Background

- 2.1 The Council's management undertake periodic reviews of the Council's employment policies to ensure that they remain fit for purpose and reflective of current working practices. These policies are then referred to the Joint Consultative and Safety Committee which comprises councillors and trade union representatives. Recommendations are then made to the Personnel and General Purposes Sub-Committee ("JCSC") which has authority under the Constitution to approve and adopt these new versions of employment policies.
- 2.2 The Council's existing Equal Opportunities Policy is 10 years old. While it is still legally adequate, the context has changed: the Council adopted a new Equality Diversity and Inclusion Strategy for 2022-25 and this now is the key document which sets out the Council's aims and planned activities to be an excellent local leader as measured against the LGA framework for EDI. The Strategy is a comprehensive document which is supported by a series of improvement actions and is reported back to Policy and Resources Committee at least annually. It can be viewed on the Council's website, see: [Equality, Diversity and Inclusion - Worcester City Council](#)
- 2.3 Several years into the delivery of the new EDI Strategy, it is clear that there is still a need for a supporting Policy document. This is so there is a straightforward mechanism to set standards and enforce compliance with the Equality Act, in accordance with the Council's legal duties in this respect.
- 2.4 At its meeting on 31 January 2024, the JCSC considered a new Equalities Policy and approved the version appended to this report.

3. Preferred Option

- 3.1 The preferred option is to approve the new Equalities Policy set out in **Appendix 1**. It has been drafted with reference to the ACAS policy template (see: [Equality, diversity and inclusion policy template | Acas](#)) but has been widened out from having an employee-only perspective to take account of the Council's public sector equality duty.

- 3.2 The new Policy sets out a set of expectations on employees, other Council representatives (eg volunteers, councillors, suppliers) and customers, so that it provides an underpinning standard for Equalities compliance across all Council activities. The Policy adheres and effectively re-states the current legal obligations which are on the Council for example in relation to discrimination, harassment and victimisation. It also explains the Council's enhanced responsibilities under the public sector equality duty.
- 3.3 As compared to the Council's original policy, the new Policy is not considered to alter the balance of responsibilities as between the Council and employees or customers. The main changes amendments can be summarised as:
- Renamed "Equalities" instead of "Equal Opportunities";
 - Simpler set of expectations of behaviour, reserving statements about strategic intent and planned corporate actions for the Council's overarching EDI Strategy;
 - Reference to other Council policies which may be relevant;
 - Section explaining how potential breaches of the Equality Act will be dealt with.
- 3.4 It should be noted that this is an overarching policy and the Council operates a number of other policies where the implications of the Equality Act 2010 are taken into account. For example, in relation to employment policies: the suite of "family friendly" policies covering maternity, paternity, adoption leave etc; working carers policy; flexible working requests; capability; dignity at work; sickness absence; menopause policy. Many of these policies have been reviewed by JCSC recently and others are scheduled for consideration during the forthcoming committee cycles.

4. Alternative Options Considered

- 4.1 The alternative option, to leave the Policy as is or only approve certain changes, is not recommended for the reasons set out above.

5. Implications

5.1 Financial and Budgetary Implications

None identified.

5.2 Legal and Governance Implications

A fair, reasonable and enforceable set of policies is an essential foundation of the employer's legal relationship with its employees. A fair, reasonable and enforceable set of policies is an essential foundation of the employer's legal relationship with its employees. In the context of the Equality Act, the Council has wider duties, including for example to customers, which this Policy helps support.

5.3 Risk Implications

The risk of not reviewing and updating the Council's policies periodically is that they become difficult to enforce or apply consistently and fairly.

5.4 Corporate/Policy Implications

If the new Policy is approved it will be publicised on the Council's website as well as to employees, volunteers, contractors and suppliers. It will also be publicised to

councillors, who are already duty bound to comply with the Council's equalities policies as a principle of their adopted Code of Conduct.

5.5 Equality Implications

As set out above.

5.6 Human Resources Implications

As set out above.

5.7 Health and Safety Implications

None identified.

5.8 Social, Environmental and Economic Implications

None identified.

Ward(s): All
Contact Officer: Sian Stroud, Corporate Director - Planning and Governance, 01905 722019 sian.stroud@worcester.gov.uk

Background Papers: None

Appendix 1: Revised Equalities Policy