

**AGENDA ITEM No. 9**

PEAK DISTRICT NATIONAL PARK AUTHORITY

NATIONAL PARK AUTHORITY MEETING

5 DECEMBER 2008

OPERATIONS

PART A

**1. DRAFT COMPREHENSIVE EQUALITY SCHEME (A.97271/RC)**

**Proposal**

1 This report proposes that the draft Comprehensive Equality Scheme at Annex 1 be adopted by the Authority.

**2 RECOMMENDATION:**

**That**

- 1. The Comprehensive Equality Scheme at Annex 1 of this report be considered and, in the light of any comments at this meeting, be finalised by the Director of Operations**
- 2. The senior management team will co-ordinate a review in 2010/11 of the Comprehensive Equality Scheme and Corporate Action Plan (appended to the Scheme)**

**Policy/Legal Background**

3 Equality is part of all of everything the Authority does and is particularly relevant to our Corporate Outcome (K): 'provide quality, customer focused sustainable services and ensure continuous improvement in the way that these are delivered'. Jointly with our partners work on addressing equalities issues contributes to National Park Management Plan outcomes particularly in recreation, promoting understanding and working with people and communities.

4 As a public body the Authority must meet certain legal requirements under existing legislation in order to promote equality in the areas of disability and gender. These are often referred to collectively as the general duties to promote equality. Under the Gender Equality Duty 2007 (introduced by the Equality Act 2006, and amended Sex Discrimination Act 1975) and the Disability Equality Duty 2006, National Park Authorities are listed as having a specific duty to publish a gender equality scheme and disability equality scheme respectively.

5 The duty to promote race equality is commonly referred to as the race equality duty. The term is used generically to refer to the general statutory duty under section 71(1) of the Race Relations Act 1976, as amended (the Act) and the various specific duties (including the employment duty) that were introduced by way of statutory instruments. The general duty applies to all public authorities listed in Schedule 1A of the Race Relations (Amendment) Act 2000 and that list includes the National Park Authorities. Concerning the specific duty, however, National Park Authorities are not listed as

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required to produce a race equality scheme (Statutory Code of Practice on the Duty to Promote Race Equality, Commission for Racial Equality, 2002).

- 6 There are proposals for a Single Equality Duty (to replace the existing duties on Gender, Disability and Race and extend to cover Age, Religion/Belief and Sexual Orientation) which will be consulted on next year. The General Duties are likely to remain the same (i.e. tackling discrimination, promoting of equality and promoting good relations between people of different groups), but more work needs to be done with regard to the specific duties. It is likely that the Single Equality Duty will come into force in 2010/11. (No decision has been made on a timetable for introduction yet). There are no clearly defined timescales yet for the introduction of the Act, but they aim to introduce the legislation sometime during the next parliamentary session. The general guidance for local authorities with regard to producing a Single Equality Scheme is: don't wait for the Act.
- 7 The Authority adopted its first Comprehensive Equality Policy (CEP) and Action Plan in 2005 (National Park Authority Minute 17/05). The Policy included: employment; disability; race; gender; lesbians, gay, bisexual and transgender people; religion and belief; people of all ages. The Policy helped the Authority meet Level 1 of the Equality Standard for Local Government (in the financial year 2005/06). The CEP Action Plan helped towards achieving Level 2 of the Equality Standard (in 2006/07).

### **Key Issues**

- 8 During 2007/08 the officer Equality Steering Group has continued to work on specific equalities issues. One of its particular tasks was to address the issue of the need for Schemes as outlined above. In the first instance it was necessary to assess how far the Authority's CEP went towards meeting the two specific duties of disability and gender. After correspondence with relevant bodies such as the Equality and Human Rights Commission (formed in October 2007), other National Park Authorities and other local government organisations, it became clear that this Authority's Policy needed to be reviewed and that there is a general trend towards the production of a joint document covering the relevant statutory Schemes. It was also evident that practice elsewhere drew together all equality issues and not just disability, gender and race in a joint scheme. With this in mind the draft Scheme is aimed at meeting both the Authority's general and specific duties, whilst developing the original CEP.
- 9 Whilst the Equality Steering Group continues to play a role in helping to develop the Authority's equalities work (for example, developing the draft Comprehensive Equality Scheme, work around Equality Impact Needs Assessments and co-ordinating a review of the Corporate Action Plan) achievement of Level 3 of the Standard is not a specific objective.

## **APPENDIX**

### **Background**

- 1 The draft Comprehensive Equality Scheme in Annex 1 has been modelled on the structure, style and content of that of other organisations (such as the Equality and Human Rights Commission). It has been developed with proportionality in mind and covers employment, visitor and local resident audiences.
- 2 The draft Scheme was made available for consultation in four main ways:
  - Mailing of 'hard' copies to a database of contacts across the public and voluntary sectors
  - Internal consultation with all staff (including Unison)
  - Direct consultation with those on the original Equality Standard Audit Group
  - Publication on the Authority's website

Around 50 external consultees were contacted through the mailing and in person by the Director of Operations. Replies were received from around 8 people and comments on the draft Scheme were acted upon as appropriate. One person gave very detailed and constructive feedback and others commented positively on how comprehensive and understandable the Scheme is.

### **Resources**

- 3 Members of the Equality Steering Group will continue to operate within current team/individual work programmes, taking the lead on co-ordinating a review of the Corporate Equality Action Plan and supporting Equality Impact Needs Assessments. The specific actions listed within the Corporate Equality Action Plan at Annex 1 of this report are within current baseline budgets. Where possible external funding is sought for specific projects.

### **Risk Management**

- 4 It is believed that the draft Scheme meets the Authority's statutory requirements. A range of consultees has greatly assisted with the development of the content and format of the draft Scheme.

### **Human Rights, Equalities, Health & Safety**

- 5 There are no specific issues apparent beyond the scope of this work.

### **Consultees**

- 6 The Authority's: Management Team, Head of Human Resources and Performance, Head of Law.

### **Enclosures**

- 7 Annex 1 – Draft Comprehensive Equality Scheme

### **List of Background Papers** (not previously published)

- 8 None

**Report Author**

9 Richard Campen, Director of Operations

**Publication date**

10 27 November 2008