

EAST AYRSHIRE COUNCIL

CORPORATE GOVERNANCE COMMITTEE

9 JUNE 2005

**RACE RELATIONS (AMENDMENT) ACT 2000
COUNCIL WIDE YEAR 2 SUMMARY UPDATE REPORT**

**Report by the Depute Chief Executive/Executive Director of Corporate
Support**

1. PURPOSE OF REPORT

- 1.1** To provide a joint summary report on the actions undertaken by the Council as a whole as well as the specific departmental actions by the Department of Corporate Support in response to the Race Relations (Amendment) Act 2000 during Year 2 of the Council's Race Equality Scheme.

2. BACKGROUND

- 2.1** The Council at its meeting of 24 October 2002, approved the adoption of a Race Equality Scheme for East Ayrshire in line with the Race Relations (Amendment) Act 2000.
- 2.2** The Race Relations (Amendment) Act places a general duty on public bodies to:
- (i) Eliminate unlawful racial discrimination
 - (ii) Promote equality of opportunity
 - (iii) Promote good relations between persons of different racial groups
- 2.3** Each department has prepared and submitted to its service committee a report outlining the impact of the Act upon their particular service following an initial assessment of functions and policies. This initial review formed the basis of a three year action plan which in turn would allow for a full review of the service and policy areas to take place.
- 2.4** Year 1 reviews were to be completed by the 30 November 2004 for reporting to the appropriate service committee in the 1st quarter of 2005.

3. CORPORATE OVERVIEW/....

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- 3.1** Year 2 reviews have now been completed and reports have been or are being submitted in the current cycle to the appropriate service committees.

A copy of the full documentation relating to Racial Impact Reports is available from the appropriate Executive Director. This information will also be used in the reporting of progress at departmental level to service committees.

4. EMPLOYMENT

- 4.1** There is a separate and specific duty on the authority to ensure that employment practices comply with the Act. This is an ongoing duty and as such does not fall within the Year 1 to 3 programming.

- 4.2** In this regard, the discipline and grievance policies and procedures have been reviewed to ensure that statistical analysis by ethnicity is recorded.

- 4.3** The Quarter 4 2004 Staffing Watch return indicates that the Council currently employs 5,258 employees (excluding teachers). Of this number 0.34% have identified themselves as being from an ethnic minority background. No one identifying themselves as being from an ethnic minority background was involved in formal disciplinary or grievance procedures conducted during the period 1 December 2003 to 30 November 2004. During the same period the Council received over 13,276 applications for employment of which 0.24% were received from individuals identifying themselves as being from an ethnic minority background.

- 4.4** The Head of Personnel has an additional responsibility for training within the scope of the Act and in-service training courses on Equality and Diversity, including race equality, are offered as part of the core training programme.

5. EDUCATION

- 5.1** There is also a separate duty under the Act for the Education Authority to promote race equality within schools. The detail of specific actions within Educational and Social Services have been reported to the Education Committee.

6. OTHER ACTIVITY

- 6.1** The Council has played a key part in the establishment of the Ayrshire Race Equality Partnership. The Partnership comprises North and South Ayrshire Councils, the Police, Procurator Fiscals Office and NHS Ayrshire and Arran.

The Partnership having secured a grant from the Commission for Racial Equality, carried out a research project to examine the current accessibility and quality of services being delivered to the BME community with a view to improving services for all in the Pan-Ayrshire area. The results of the

research programme have been collated and submitted to the CRE and there will shortly be a formal launch of the findings.

- 6.2** The Council continues to consult the BME community through a variety of channels including the Ethnic Minority Consultative Forum as well as analysing feedback through the Council's official complaints procedure.

7. CORPORATE SUPPORT DEPARTMENTAL RESPONSE

- 7.1** Within Corporate Support Year 2 assessments were carried out in respect of media Work; Council Publications; Event Management; Graphics Section; External Funding and Public Health.
- 7.2** None of these Racial Impact Assessments conducted during Year 2 reviews identified any evidence or reason to believe that any racial groups are treated unfairly or in a discriminatory manner. It was further identified that all the functions/policies reviewed were commensurate with the three parts of the general duty.
- 7.3** Personnel Services has developed and introduced revised Disciplinary and Grievance policies and procedures which reflect the requirement to record by ethnicity the number of individuals involved in these processes.
- 7.4** In respect of the 9 racial impact reviews previously identified by Administration and Legal Services for completion during Year 1 it was decided, having conducted an initial review, to re-prioritise these reviews, which will now be conducted during Year 3 of the Race Equality Scheme. Given that the policies and practices identified for review have been developed in line with national and local equality standards it is not believed the re-scheduling of reviews will have a detrimental impact on race equality.

8. FURTHER COUNCIL ACTION

- 8.1** There were no contraventions of the general duty identified in the Racial Impact Reports. However, a general observation would be that while service areas already have monitoring mechanisms in place it is incumbent on departments to ensure that a) these are appropriately maintained b) that the information gathered through any monitoring exercise is analysed and appropriate action taken. Moreover, the Council will also require to ensure that it continues to use as broad a vehicle as possible for promoting both its services and its commitment to race equality. The Ayrshire Race Equality Partnership and translation services sourced by the Department of Development and Property Services go some way to ensuring that the above takes place.
- 8.3** Departments will continue to report on an annual basis their progress against their Departmental Action Plan to the appropriate service committee. The Depute Chief Executive/Executive Director of Corporate Support will compile a composite report that will be reported annually to this committee.

8.4 The Race Equality Scheme outlines the requirement for race equality to be built in to all that is done by the Council. To ensure that this happens all new policies and functions proposals will require to be evaluated prior to submission to committee for Council adoption. Guidance and standard documentation to assist departments in this process has been developed and distributed.

8.5 The Race Equality Scheme requires to be reviewed by November 2005 and a further report in this regard will be submitted to the Committee incorporating the Year 3 review.

9. FINANCIAL IMPLICATIONS

9.1 Development of departmental responses to the specific duties of the Act will be considered by directors as they develop their service responses to the legislation. Any financial implications arising from this work will be reported to service committees in the normal way.

10. POLICY/LEGAL IMPLICATIONS

10.1 The continued compliance by departments with the Council's Race Equality Scheme will ensure that the Council complies with the requirements as laid down by the Race Relations (Amendment) Act 2000 and by the Scottish Parliament.

11. RECOMMENDATIONS

11.1 The Committee is asked to note the content of this report.

Elizabeth Morton
Depute Chief Executive/Executive Director of Corporate Support
MHR
16 June 2005

LIST OF BACKGROUND PAPERS

- 1.** Report by the Depute Chief Executive/Director of Corporate Resources to Corporate Governance Committee on 10th February 2004
- 2.** Report by the Depute Chief Executive/ Director of Corporate Resources to Policy and Resources on 11 February 2003.
- 3.** Report by the Depute Chief Executive/ Director of Corporate Resources to Policy and Resources on 24 October 2002.

Anyone wishing further information concerning this report should contact

Martin Rose, Head of Personnel, telephone (01563) 576092. A copy of the full departmental documentation as submitted to service committees is available from the appropriate Director.