

**AGENDA MANAGEMENT SHEET**

**Name of Committee**                         **The Cabinet**

**Date of Committee**                       **12 January 2005**

**Report Title**                               **Gender Equality - Consultation Paper**

**Summary**                                     The Equality Bill, currently going through Parliament, will introduce a duty on public authorities to promote equality of opportunity between men and women. Government, through the DTi is consulting on the detail of this duty. This report suggests the Council's response to the consultation document

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No.

**Would the recommended decision be contrary to the Budget and Policy Framework?**

**Background papers**                         DTi Consultation paper – Advancing Equality for Men and Women (October 2005)

**CONSULTATION ALREADY UNDERTAKEN:-**                         Details to be specified

- 
- Local Member(s)
- Other Elected Members                      Councillors Anita Macaulay, David Booth and Anne Forwood
- Cabinet Members                            Cllr Colin Hayfield
- Chief Executive
- Legal
- Finance
- Other Strategic Directors                    Eric Wood, David Carter – comments incorporated

District Councils

Health Authority

Police

Other Bodies/Individuals  Warwickshire Association of Local Councils –  
comments incorporated

**FINAL DECISION YES**

**SUGGESTED NEXT STEPS:**

Details to be specified

Further consideration by  
this Committee

To Council

To Cabinet

To an O & S Committee  .....

To an Area Committee  .....

Further Consultation  .....

**The Cabinet - 12 January 2005.**

**Gender Equality - Consultation Paper**

**Report of the Strategic Director of Performance and Development**

**Recommendation**

That the Cabinet approves the consultation response to the Department of Trade and Industry as set out in the Appendix to this report.

1. The Government is working to achieve a fairer and more inclusive society. To this effect, it has already introduced duties on public sector organisations to promote and ensure race and disability equality. In the new Equality Bill, currently going through Parliament, it is introducing an additional public sector duty - imposing broad obligations on public authorities to eliminate discrimination and promote equality of opportunity between men and women.
2. More detailed obligations will be set out in secondary legislation in due course. In preparation for this, the DTi have consulted with other government departments, the wider public sector and other interested stakeholders on proposals for these obligations. They centre around:
  - Identifying and implementing specific gender equality goals
  - Developing and publishing an equal pay policy statement, and
  - Assessing the impact of new policies and changes to services on women and men – allowing any negative effects to be mitigated
3. The DTi is now consulting on the detail of these proposals to ensure they are outcome focussed and proportionate, with a view to ensuring no unnecessary bureaucratic burdens. As with race and disability equality it will be necessary to produce a Gender Equality Scheme and to undertake Equality Impact Assessments of all council services to understand what is needed to eliminate gender discrimination in the way services are planned and delivered. For local authorities, it is envisaged that the new duties could be incorporated into the generic Equality Standard for Local Government. The County Council's Equality Strategy and impact assessment process was produced under the Standard and this already includes consideration of gender issues, so the extension of statutory duties can be accommodated within this.
4. I have discussed the specific consultation questions with relevant officers and a suggested response is given in the Appendix attached. Cabinet is asked to

agree the response and to authorise me to send this to the DTi today, which is the deadline for responses.

DAVID CARTER  
Strategic Director of Performance and Development  
January 2006

Question	Suggested response
<p>Question 1 – asks for comments on the specific duties required (e.g. drawing up and equalities scheme and setting out goals and outcomes) and how these can best be framed to achieve the aims required</p>	<p>The duties are similar to those already in place for race and disability issues. For local authorities, we already produce a generic equality scheme and measure progress under the Equality Standard for Local Government. We suggest that Government be asked to confirm that local authorities should develop this approach rather than new discrete arrangements</p>
<p>Questions 2 and 3 – ask for views on requiring public bodies to develop and publish equal pay policies, and how far current work, already being pursued by Public Authorities, will help cover the gender duty requirement and what additional burdens it will bring.</p>	<p>The 2004 national pay settlement for local authority employees stipulates that a review of pay and grading should be undertaken by April 2007.</p> <p>A commitment to develop a pay policy (as a result of the above) is a sensible measure as is the inclusion of measures to promote equal pay through careers promotion and the continued development of flexible working opportunities. These should, however, be guided by the outcomes of impact assessments as required by the Equality Standard for Local Government. We suggest that the Government continues to promote the Equality Standard.</p> <p>The achievement of the above will help meet the gender duty requirements, and subject to the accepted principles of “proportionality” set out in the DTi Consultation Paper should not result in additional burdens.</p>
<p>Questions 4,5 and 6 – ask for views on whether public authorities should be required to undertake gender impact assessments on all their services and how services should be defined for this purpose</p>	<p>Local authorities are required to undertake generic impact on all their services under the Equality Standard referred to above. This includes reference to gender. Again, Government is asked to confirm that local authorities should develop this approach rather than new discrete arrangements</p>
<p>Question 7 – asks for comment on the content of guidance needed to apply the duty to promote equality when planning the procurement of goods and services</p>	<p>We already require compliance in relation to race and disability equality in planning procurement of goods and services and see no obvious difficulty in extending this to gender discrimination</p>

<p>Question 8 – asks for views on whether public authorities should be subject to the specific duties</p>	<p>The specific duties for gender are similar to those already in place on race and gender. Therefore it seems sensible to extend them as proposed.</p>
<p>Question 9 – asks for views on which public bodies should be required to comply</p> <p>[Schools have individual responsibilities under the race and disability duties, although the local authority has a general responsibility to ensure they comply]</p>	<p>The list of public bodies required to comply is already identified for race and disability equality and it seems sensible that it should be the same for gender.</p> <p>We think that schools should be covered by the specific duties that will apply to the rest of the public sector as the gender duty goes to the heart of what schools are about – delivering a high quality education for every child.</p>
<p>Question 10 – asks for views on the guidance that should be offered to smaller bodies to assist them in complying</p>	<p>We agree that the specific duties would be a disproportionate burden on smaller bodies, such as parish councils, which do not, except for a few of them provide significant service delivery. However, we think that general guidance might cover issues such as an encouragement of gender equality in the promotion of opportunities for parish councillors and clerks. I</p>