

Single Equality Scheme

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Confidentiality: **Open**

1. Issue

- 1.1.1 To outline the proposed strategy for the development of Standards for England's Single Equality Scheme and to seek the views of the Board in relation to the development and formal approval process of the scheme

2. Recommendation

- 2.1.1 To seek the views of the Board on the general direction being taken in the development of Standards for England's Single Equality Scheme and of its proposed structure.
- 2.1.2 To seek the views of the Board on what role it wishes to take in the development of the scheme.
- 2.1.3 To seek the views of the Board on the approval process of the final scheme.

3. Consideration

- 3.1.1 Following the recommendations in the Equality Gap Analysis Report (gap analysis) on our existing Diversity Equality Scheme in July 2009 and those made in the November 2009 Board Paper (09/108), work is underway to prepare a new SfE Single Equality Scheme. This scheme should be in place no later than 4 March 2010 to meet our legal obligations in this area. The next Board meeting will not take place until 23 March.
- 3.1.2 There are consultation requirements within the associated legislation and these must be factored into the timetable before the scheme is finally approved.
- 3.1.3 Officers have continued to work with the external consultant we appointed to produce the gap analysis to develop an appropriate structure and content of the scheme. The

key changes between the current scheme and the proposed scheme are a greater emphasis on the external work we do. The current scheme is set out at **Appendix A** and the gap analysis is set out at **Appendix B** for ease of reference.

- 3.1.4 The direction we are proposing to take with the scheme is based on the gap analysis recommendations, further advice obtained from the external consultants and on our own research into the best practice approaches taken by other organisations including the Equality and Human Rights Commission (EHRC). We have also taken into account guidance issued by EHRC.
- 3.1.5 The proposed scheme will contain the usual foreword and introduction sections and sections outlining the work of SfE. Where the scheme will set out the various equality and diversity considerations and how these are to be addressed and monitored, we are proposing to break this down into equality and diversity within our core 'service delivery' areas (investigations, monitoring and guidance), within working practices (such as procurement) and then within employment.
- 3.1.6 Within the gap analysis there are recommendations that are a legal requirement. There are also those which are 'good practice'. The views of the Board are sought on the good practice areas, which were referred to in Board Paper 09/108 in November 2009 and which are set out in summary on page 1 of appendix B.
- 3.1.7 The development of the scheme, in line with the gap analysis recommendations, is likely to have significant work or cost implications, and it is prudent that we adopt a proportionate approach when implementing any resulting actions. The views of the Board are sought on the 'good practice' recommendations and to the extent that their inclusion will assist with further embedding of equality and diversity within SfE culture. The scheme will be developed over the coming months and the Board's views are sought on what input Board members would wish to have during the development phase.
- 3.1.8 In order for the final scheme, as per the outlined proposals within this paper, to be approved in a timely fashion, the Board are asked to consider whether it wishes to delegate the authority for final approval to an appropriate senior manager or whether the final Scheme should be approved via electronic means by some or all Board members.

4. Risk and financial considerations

- 4.1.1 This is a complex area of law and legal challenges, if successful, can result in significant awards of damages. Failure to meet statutory obligations or follow statutory codes of practice can result in enforcement action by EHRC. Any failures have an adverse impact on individuals and can have adverse reputation damage for SfE.
- 4.1.2 Budget has already been identified this year and next for training needs and for consultancy support this year.

5. Appendices and attachments

5.1.1 Appendix A: Existing Diversity Equality Scheme - 2009

5.1.2 Appendix B: Equality Gap Analysis Report - July 2009