

Achieving Customer Service Excellence 2010-2013

Equality & Diversity Document Framework

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Tel: 01322 343434

Fax: 01322 343432

Email: customer.services@dartford.gov.uk



Calls are welcome via [typetalk](#)

Contents

Introduction	Page 3
Section One Comprehensive Equality Policy	Page 4
Section Two Single Equalities Scheme 2009-2012	Page 10
Section Three Equality Monitoring Guidance	Page 24
Section Four Corporate Customer Service Excellence Action Plan 2009-2012	Page 31
Section Five Translation and Document Conversion Guidance	Page 33
Section Six Customer Access Reviews	Page 36
Appendix One Equality and Diversity Risk Assessment	Page 38
Appendix Two Equality and Diversity obligations within the Contract Terms	Page 40
Appendix Three Procurement Equality Standard Questions for Contractor	Page 43
Appendix Four Corporate Equality Monitoring Form	Page 46
Appendix Five Forms for Customer Access Reviews	Page 47

Introduction

Welcome to Dartford Borough Council's Equality and Diversity Document Framework. This Framework contributes towards the Council's achievement of Customer Service Excellence and consists of six sections. Together the sections fulfil Dartford Borough Council's commitment to ensuring that everyone in Dartford can take full part in the social, cultural and economic life of the Borough.

Section One outlines Dartford Borough Council's Comprehensive Equality Policy. This Plan details Dartford Borough Council's commitment to achieving equality of opportunity in everything that it does.

Section Two outlines the Council's Single Equalities Scheme. The Council recognises its responsibility in relation to the equalities agenda and has complied with its public duties in the past by publishing a Race Equality Scheme, a Disability Equality Scheme and a Gender Equality Scheme. The Council has now taken the decision to incorporate all equality strands into this one Single Equalities Scheme ahead of the new Equality Bill becoming law in 2010. This section outlines the Customer Service Excellence standard that will act as a practical tool for driving customer-focused change at Dartford Borough Council.

Section Three outlines the Council's Equality Monitoring Guidance. Equality monitoring assists the Council in identifying which groups are using the Council's services and how satisfied they are with them. This data can then be used to highlight possible inequalities, investigate their underlying causes and remove any unfairness or disadvantage, leading to better quality services and improved customer satisfaction.

Section Four contains the Corporate Customer Service Excellence Action Plan that will steer the Council towards greater Customer Service Excellence. A Council wide self-assessment exercise has taken place in order to identify strengths in our customer services and areas for improvement. This Action Plan will ensure that improvements are made. The performance management system Covalent will monitor the progress of this plan.

Section Five outlines the Council's Translation and Document Conversion Guidance. Dartford Borough Council is keen to ensure that customers can receive and understand any information provided to them and so this policy outlines how employees can provide customers with information in a way which is accessible to them.

Section Six outlines the Council's approach to Customer Access Reviews (also known as Equality Impact Assessments). A Customer Access Review is a tool used for identifying the potential impact that the Council's work instructions, policies, strategies and services have on the residents of the Borough and will help the Council to ensure that it is serving the needs of everyone in the Borough by ensuring that all services are genuinely accessible to all.

SECTION ONE

Comprehensive Equality Policy

Comprehensive Equality Policy

1.0 Introduction

1.1 This Policy was adopted by the General Assembly of the Council on 22 March 2004 and details Dartford Borough Council's commitment to achieving equality of opportunity in everything that it does. The Policy, before adoption, was subject to widespread consultation with elected Members, employees, community groups, external partners and service users. The adopted Policy reflects the responses received to that consultation.

2.0 Why we need a policy

2.1 Dartford Borough Council recognises that all its roles and functions will have an impact on different groups and individuals in different ways depending upon their backgrounds, cultures, lifestyles and experiences. This Policy demonstrates the Council's commitment to ensuring that everyone in Dartford can take a full part in the social, cultural and economic life of the Borough.

2.2 In order to achieve this, we have to understand that diversity is about acknowledging and appreciating that individuals and groups may have different lifestyles, abilities, religions or beliefs, experiences and backgrounds. Our major challenge is to ensure that our approach to equality and diversity links directly to our strategies and plans, which set out our priorities for action to improve the quality of life for everyone living and working in Dartford.

2.3 This commitment to improve equality practice with regard to age, disability, gender, race, religion or belief, sexual orientation and status will be implemented at both corporate and departmental level. This will be evidenced by equality action planning and equality target setting within all departments and service areas.

3.0 What are the aims of the policy?

3.1 The Council want to achieve equality of opportunity in all our activities, including the delivery of services to the community, as an employer and through various funded activities. The Council has in place a range of actions to deal with discrimination and victimisation within the communities it serves and its workforce. An equal opportunities organisation is one which welcomes and manages diversity, using everyone's talents and abilities, and where individual contributions are encouraged and differences valued; it is responsive to the needs of its employees and the community it serves. It is important that the Council embraces diversity as a good employer and an effective service provider because:

- A diverse membership reflecting our community results in better informed decision-making,

- a diverse workforce reflecting our customer base results in a better informed, more adaptable organisation which is closer to the Council's customers,
- improved staff morale helps the Council to retain staff, reducing recruitment costs,
- a stable, motivated workforce achieves high productivity and is committed to the Council.

4.0 What is Diversity and how does it link with Equal Opportunities?

4.1 Equal opportunity is:

- about creating a society where everyone can participate and have the opportunity to fulfil their potential,
- about tackling all forms of unfair discrimination,
- about breaking down barriers for people in particular groups such as ethnic minorities, people with disabilities, gay men, lesbians, younger and older people.

4.2 Diversity is:

- about individuals and inclusion,
- not treating people less favourably because of obvious differences such as age/race/gender/disability/accent or non-visible differences e.g. beliefs,
- valuing differences,
- harnessing differences to the benefit of both the organisation and the individual, by allowing people with different perspectives and views to use their unique blend of skills and character to improve the quality and performance of the Council,
- aiming to create equality of opportunity for everyone whilst recognising that some people face barriers that others do not,
- better understanding the diverse needs of our customers.

4.3 Managing diversity helps to ensure and enhance equality of opportunity and improves the Council's performance by:

- encouraging Members and employees to maximise their contribution,
- encouraging and supporting Members and employees to develop and improve their skills and abilities,
- valuing and respecting different opinions, styles and perspectives,
- being open to more flexible ways of working for all employees.

5.0 How will the Council deliver its commitment?

5.1 The Council has adopted the Customer Service Excellence tool as a method for driving customer focused service delivery (see Section Two), as part of this process the Council will include targets relating to the Council's progression through the national Local Government Equality Framework, which sets a series of standards for achieving equality and diversity with regard to the community, elected members and the Council's workforce.

5.2 The Council recognises that discrimination does take place in Dartford as elsewhere. The Council is committed to doing everything it can to raise awareness and understanding, in order to promote good relations between

all groups and individuals, internally and externally. The Council therefore, as an employer, as a provider of services and as a leader of public opinion, and will have regard to the following legislation:

Race

Race Relations Act 1976
Race Relations (Amendment) Act 2000
Race Relations Act (Statutory Duties) Order 2001

Disability

Disability Discrimination Act 1995
Disability Rights Commission Act 1999
Special Educational Needs and Disability Act 2001
Disability Discrimination Act 2005

Gender

Sex Discrimination Act 1975 (as amended) & 1986
Equal Pay Act 1970 (Amendment) & 1983
Sex Discrimination Act 1986
Sex Discrimination (Gender Reassignment) Regulations 1999
Sex Discrimination (Indirect Discrimination & Burden of Proof) Regulations 2001
Sex Discrimination (Amendments of Legislation) Regulations 2008

Age

Employment Equality (Age) Regulations 2003

Sexual Orientation

Employment Equality (Sexual Orientation) Regulations 2003

Religion or Belief

Employment Equality (Religion or Belief) Regulations 2003

General

Trade Union & Labour Relations (Conciliation) Act 1992
Protection from Harassment Act 1997
Crime and Disorder Act 1998
Human Rights Act 1998
Freedom of Information Act 2000
Equality Act 2006
New Equality Bill due to come into force fully in April 2011

- 5.3 The Council's commitment is supported by a legal duty to provide all services and employment opportunities fairly, without discrimination, and to keep to all relevant codes of practice. Moreover, there will be a need for the Council to review its policies in light of any future legislation.

- 5.4 The Race Relations (Amendment) Act 2000 places the Council under a general duty to work towards the elimination of unlawful discrimination, and to promote equality of opportunity and good relations between persons of different racial groups. The Council recognises that duty, which is embraced within this Policy and the Council's Single Equality Scheme (see Section Two). The Council will not tolerate any form of racial

discrimination, either direct or indirect. If, following investigation, there is evidence of discrimination by a Council employee, that employee will be subject to action under the Disciplinary Policy. The Council has a separate procedure for independent recording and monitoring of any external incident reported as a racial incident to the Council, and has adopted the Stephen Lawrence Inquiry's definition of a racist incident: 'A racist incident is any incident which is perceived to be racist by the victim or any other person.'

6.0 Direct Discrimination

6.1 This occurs when a person or group of people is treated less favourably than another person or group is or would be treated in similar circumstances. It may occur in different ways from crude comments or abuse to more subtle approaches.

7.0 Indirect Discrimination

7.1 This occurs when a requirement or condition for which there is no objective justification is applied equally to all groups, but which has the effect, in practice, of disadvantaging a considerably higher proportion of a particular group, making it difficult for them to comply.

8.0 Complaints

8.1 If a member of the public feels that they have suffered harassment or been treated unfairly by the Council because of their sex, colour, race, nationality, ethnic group, regional or national origin, age, marital status, disability, political or religious belief, sexual orientation or class, they should report this to the Corporate Complaints Officer. The Council has a separate procedure dealing with the issue of complaints. Complaints by staff will be dealt with under the Grievance or Dignity at Work Policies, as appropriate.

8.2 The Council encourages its employees and others with serious concerns about any aspect of malpractice within the organisation of the Council, to come forward and voice those concerns through the Whistleblowing Policy. The main aim of the Whistleblowing Policy is to allow employees and others to speak without fear about very serious wrongdoing/malpractice within the organisation of the Council.

9.0 Responsibility

9.1 The Managing Director will have overall responsibility for implementing the Council's Comprehensive Equality Policy. Each Director will take the lead on actions for their Directorate's services. Managers will demonstrate commitment to the Policy by incorporating it into their service plans and be responsible for the implementation and monitoring of the Policy within their service area.

9.2 Employees must adhere to this policy and take any necessary action where required.

10.0 Members of the Council

- 10.1 The Council will strive to ensure that all Members are treated fairly, and are afforded equal access to the facilities and support services of the Council regardless of gender, age, marital status, disability, sexual orientation, race, colour, religion, ethnic or national origin. The Council will, as far as is practical, endeavour to ensure that Members are not prevented unreasonably from fulfilling their role as elected representatives through unnecessary restriction, such as on the timing of formal meetings.
- 10.2 Members of the Council support this Policy and will work towards the promotion of equal opportunities and the elimination of discrimination in all the Council's activities. One of the Cabinet Members holds the Portfolio for Service Excellence and Customer Champion.

11.0 Specific Resources and Actions for Improving Equality Practice

- 11.1 The Council is committed to providing high-quality services, which everyone can get access to and will ensure that resources, whether internal or external are provided such that equality issues are taken forward. Where appropriate, the Council will work through existing partnerships and with other organisations, to provide services which promote equal opportunities to all by:
- Building on our existing good practice,
 - Systematic consultation, self-assessment, audit and scrutiny, using nationally and locally developed performance indicators,
 - A commitment to community profiling service delivery and usage,
 - Monitoring progress and revising targets in all areas of action,
 - Providing information which is accessible and using appropriate ways of communicating, so that groups within the community can be involved in the consultation processes,
 - Carrying out Customer Access Reviews of new and existing policies and practices to make sure that they will not discriminate against anyone,
 - Delivering services which are appropriate to the needs of the community,
 - Removing barriers which deny people access to our services,
 - Using our powers to make sure that organisations providing services on our behalf work comply with this policy,
 - Developing a workforce which reflects the community at all levels,
 - Monitoring recruitment, promotion, training opportunities and take up, pay, grievances and exit from employment,
 - Making sure that all employees and Members know the effects of this policy and provide appropriate training/workshops,
 - Making sure that all employees know their rights of protection from discrimination, harassment or bullying,
 - Developing and promoting policies which give everyone equal access to employment and training opportunities,
 - Setting performance targets so progress can be measured,
 - Making sure that all the resident communities know their rights of protection from discrimination, harassment or bullying,
 - A commitment to workforce profiling.

SECTION TWO

Single Equalities Scheme 2010 - 2013

Single Equalities Scheme 2010 -2013

1.0 Introduction

- 1.1 Dartford Borough Council recognises its responsibility in relation to the equalities agenda and has complied with its public duties by publishing a Race Equality Scheme, Disability Equality Scheme and Gender Equality Scheme, as well as publishing an over-arching Equalities Policy.

The **race equality duty** places the following responsibilities on the Council:

1. Eliminate unlawful discrimination.
2. Promote equality of opportunity.
3. Promote good relations between people of different racial groups.

The **disability equality duty** places the following responsibilities on the Council:

1. Eliminate unlawful discrimination.
2. Eliminate harassment targeted at disabled people.
3. Promote equality of opportunity between disabled people and others.
4. Take steps to take account of disabled people's disabilities, even where that involves treating them more favourably than others.
5. Promote positive attitudes towards disabled people.
6. Encourage participation by disabled people in public life.

The **gender equality duty** places the following responsibilities on the Council:

1. Eliminate unlawful sex discrimination.
2. Eliminate harassment.
3. Promote equality of opportunity between men and women.

The requirements to eliminate unlawful sex discrimination and harassment also include discrimination and harassment on the basis of gender reassignment.

- 1.2 The new Equality Bill will build on these existing duties and create a new single public sector duty that will be extended to cover age, sexual orientation, religion or belief, pregnancy and maternity, and gender-reassignment. This will come into force in 2011. Dartford Borough Council has taken the decision to incorporate the age, sexual orientation and religion or belief strands into this one Single Equalities Scheme.
- 1.3 Dartford Borough Council will use both the government's Customer Service Excellence standard and the new Local Government Equality Framework to deliver the equalities agenda.

Website Link:

[Dartford Borough Council's Corporate Plan 2009-2012](#)

2.0 Customer Service Excellence

2.1 The Customer Service Excellence standard will act as a practical tool for driving customer-focused change. The standard places great importance on those areas that research has indicated are a priority for customers as well as developing an in-depth understanding of customers and ensuring effort is made to identify hard-to-reach and disadvantaged groups. The standard also checks that reasonable steps are made to ensure customers can access, receive and understand information. The five criteria are:

1. Customer Insight
 - ➔ Customer Identification
 - ➔ Engagement & Consultation
 - ➔ Customer Satisfaction
2. The Culture of the Organisation
 - ➔ Leadership
 - ➔ Policy & Culture
 - ➔ Staff Professionalism & Attitude
3. Information & Access
 - ➔ Range of Information
 - ➔ Quality of Information
 - ➔ Access
 - ➔ Co-operative Working
4. Delivery
 - ➔ Delivery Standards
 - ➔ Achieved delivery & outcomes
 - ➔ Deal effectively with outcomes
 - ➔ Deal effectively with problems
5. Timeliness & Quality of Service
 - ➔ Standards for timeliness & quality
 - ➔ Timely outcomes
 - ➔ Achieved timely delivery

Website Link:

[Customer Service Excellence Standard](#)

3.0 Equality Framework for Local Government

3.1 Achieving the Customer Service Excellence standard will assist with the implementation of the Equality Framework for Local Government as many elements are designed to complement the framework. Dartford Borough Council will migrate into this new framework as an 'Achieving' authority. The five areas of performance within the framework are:

1. Knowing your communities & equality mapping
2. Place shaping, leadership, partnership & organisational commitment
3. Community engagement & satisfaction
4. Responsive services & customer care
5. A modern & diverse workforce

Website Link:

[New Equality Framework for Local Government](#)

4.0 How the Council will deliver the commitment?

4.1 Dartford Borough Council's 'Corporate Group for Customer Service Excellence' will lead on the delivery of the equalities agenda. This group is led by the Management, Analysis and Intelligence Manager. The group will focus on how the Customer Service Excellence standard and new Equality Framework for Local Government can be achieved effectively. This group will report to the Management Team, who will have overall responsibility. The 'Corporate Group for Customer Service Excellence' is establishing the Council's position in relation to the achievement criteria and has an action plan that will filter into directorates in order to achieve the standard.

5.0 What do we know?

5.1 Race

What we know:

The ethnic group population is not large (9.4%) (2006 estimate – Source: ONS). The largest BME group in the Borough is Indian (2.3%) followed by African (1.6%), and are mostly located in the urban areas. As at April 2008, there was one local authority Gypsy and Traveller site within the Borough at Claywood Lane with a total of 12 pitches. There are nine privately funded sites with planning permission, and two unauthorised sites without planning permission. There is also one private Travelling Showpeople Site with planning permission. The languages most frequently experienced by the Council are Punjabi, Tamil, Polish, Czech, Mandarin and French.

The ethnic breakdown of the residents of Dartford in 2006 was as follows:

Ethnic Population - ONS Experimental Statistics	2006	%
All people	89,900	100.0
White: British	78,300	87.1
White: Irish	900	1.0
White: Other White	2,500	2.8
Mixed: White and Black Caribbean	400	0.4
Mixed: White and Black African	200	0.2
Mixed: White and Asian	500	0.6
Mixed: Other Mixed	600	0.7
Indian	2,100	2.3
Pakistani	300	0.3
Bangladeshi	300	0.3
Other Asian	600	0.7
Caribbean	600	0.7

Ethnic Population - ONS Experimental Statistics	2006	%
African	1,400	1.6
Other Black	200	0.2
Chinese	700	0.8
Other Ethnic Group	500	0.6

Source: 2001 Census, Office for National Statistics (ONS)

5.2 Disability

What we know:

Nationally, disability rates increase with age; whilst 9 per cent of adults aged 16-24 are disabled, this increased to 44 per cent in the 50 to retirement age category (Disability Rights Commission, 2006). In Dartford, there is an extricable link between ageing and disability and 55.5% of those with a disability are over the age of 60.

In 2006 there were 6.9 million disabled people of working age in Britain, one fifth of the total working age population. Fifty one per cent (3.5 million) were men and forty eight per cent (3.3 million) were women. There has been a gradual increase in the size of the working age disabled population over time, from 6.4 million in 1999 to 6.9 million in 2006, a growth of eight per cent over a seven year period. Over the same period, the non-disabled population increased by 2 per cent. (Disability Rights Commission, 2006).

Many disabled people work or want to work. Half of disabled people of working age, 3.5 million people, are in work and 1.3 million disabled people without a job, want to work. Since 1999, disabled people's overall employment rate has increased steadily by 4 percentage points, from 47 per cent to 50 per cent. Despite this, inequalities in the proportion of disabled and non disabled people in work persist, with only half of disabled people in work, compared with over four fifths of the non disabled population in work. (Disability Rights Commission, 2006).

Employment rates vary greatly according to the type of impairment a person has. Disabled people with mental health problems have the lowest employment rates of all impairment categories, at only 21 per cent. Disabled people in employment are more likely to work in manual and lower occupations, and less likely to work in managerial, professional and high-skilled occupations. At £10.28 per hour, the average gross hourly pay of disabled employees is about 10 per cent less than that of non disabled employees (£11.3 per hour). (Disability Rights Commission, 2006).

Disabled people are still only half as likely as non disabled people to be qualified to degree level and are twice as likely as non disabled people to have no qualification at all. This pattern of inequality has not changed over time. Disabled people continue to experience high rates of unemployment: the unemployment rate for disabled people in 2006 was 9 per cent, compared with 5 per cent for non disabled people. Nearly half of the

disabled population of working age in Britain are economically inactive. However, one third of inactive disabled people would like to work, compared with just less than one quarter of non disabled people. (Disability Rights Commission, 2006).

These national figures demonstrate clear trends that will need to be explored at a local level to investigate whether the trends apply across the Borough.

Claimants of health related benefits in Dartford	2007-08	%
Incapacity Benefit/Severe Disablement Allowance claimants	2810	3.1
Disability Living Allowance claimants	3290	3.6

KCC 2007-2008

5.3 Gender

What we know:

When life expectancy in Dartford is examined by sex, the overall gap is mainly due to differences in male life expectancy. The gap between male life expectancy in the top and bottom 20% of Super Output areas is 7 years, compared to less than 1 year for women. (APHO Dartford profile, 2008).

Age	Males Mid-2007	Females Mid-2007
Aged up to 15	9,400	8,800
Aged 16-24	5,300	5,100
Aged 25-34	6,000	6,700
Aged 35-44	7,300	7,400
Aged 45-59	8,500	8,500
Aged 60-64	2,300	2,400
Aged 65-84	5,200	6,200
Aged 85+	500	1,100
Age	Males Mid-2007	Females Mid-2007
All ages	44,500	46,200

KCC 2007

Benefits	Dartford		South East		England	
	Male	Female	Male	Female	Male	Female
Income Support Claimants (Aug 07)	70%	30%	65%	35%	64%	36%
Job Seekers Allowance Claimants (Aug 07)	33%	67%	30%	70%	29%	71%
Disability Living Allowance Claimants (Aug 07)	47%	53%	49%	51%	50%	50%
Incapacity Benefit / Severe Disablement Allowance Claimants (Nov 07)	43%	57%	43%	57%	42%	58%

ONS 2007

Gender	No. on Roll	% 5+ A* to C	% 5+ A* to C inc. Eng & Maths	% 5+ A* to G	% 1 or more Passes	% 2 A*-C Sciences
All Pupils	1369	73.6	55.7	95.7	99.4	64.9
Boys	663	72.1	53.5	93.7	99.1	67.4
Girls	706	75.1	57.8	97.6	99.7	62.5

KCC 2008

5.4 Age

What we know:

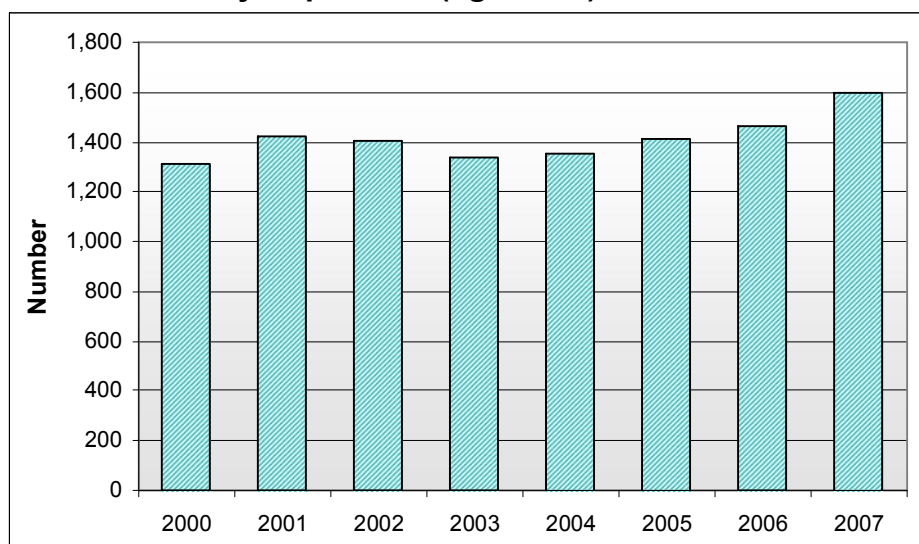
Life expectancy in Dartford has improved in line with national trends. The average life expectancy for all people in Dartford is 78.8, which is a full year less than the Kent County average. Life expectancy in thirteen of the seventeen wards is below the Kent average (ONS ward statistics).

Age	Population Mid-2007
Aged up to 15	18,200
Aged 16-24	10,400
Aged 25-34	12,700
Aged 35-44	14,700
Aged 45-59	17,000
Aged 60-64	4,700
Aged 65-84	11,400
Aged 85+	1,600
All ages	90,600

KCC 2007

By 2016 the growth in the population will have been concentrated in the older age groups, with the 45-64 age group (+6200) and the 65+ age group (+3200) showing large increases. There will also have been a significant increase in the 25-44 age group (+6,200), the main economically active group and will include in-migrant higher earning households. The retired population will have increased by 21.4% by 2016.

Elderly Population (aged 85+) 2000 to 2006



ONS 2006

5.5 Religion and Belief

What we know:

Religion	Dartford	South East	England
All People	85911	8000645	49138831
People stating religion	62956	5823025	35251244
as: Christian	73.28%	72.78%	71.74%
People stating religion	207	22005	139046
as: Buddhist	0.24%	0.28%	0.28%
People stating religion	649	44575	546982
as: Hindu	0.76%	0.56%	1.11%
People stating religion	60	19037	257671
as: Jewish	0.07%	0.24%	0.52%
People stating religion	597	108725	1524887
as: Muslim	0.69%	1.36%	3.1%
People stating religion	943	37735	327343
as: Sikh	1.1%	0.47%	0.67%
People stating religion	188	28668	143811
as: Other religions	0.22%	0.36%	0.29%
People stating religion	12931	1319979	7171332
as: No religion	15.05%	16.5%	14.59%
People stating religion	7380	596896	3776515
as: Religion not stated	8.59%	7.46%	7.69%

Census 2001

The 2011 census will provide current and accurate information.

5.6 Sexual Orientation

What we know:

The Government is using the figure of 5-7% of the population which Stonewall (the national charity for lesbians, gay men and bisexuals) feels is a reasonable estimate. However, there is no main source of data on the number of lesbians, gay men and bisexuals in the UK as no national census has ever asked people to define their sexuality. Various sociological/commercial surveys have produced a wide range of estimates, but there is no definitive figure available. (Stonewall, 2009). The 2011 census will ask people to confirm their marital status and will include same-sex civil partnerships.

Same-Sex Couples	Dartford	South East	England
All People Aged 16 and Over in Households	66,345	6,232,799	38,393,330
Living in a same-sex couple	126	13,318	75,746

ONS 2001

6.0 Procurement Equality Standard

- 6.1 This Procurement Equality Standard (the Standard) has been developed to help contractors and Council officers to include equality and diversity issues in the procurement process and to give guidance about providing evidence to show how equality and diversity requirements are being met. This Standard provides information and advice about how the Council will promote equality when procuring goods, services and works from external contractors, suppliers and consultants. Questions relating to whether equality and diversity requirements set out in this Standard are met will be included on all tenders for Council business. Contractors, suppliers and consultants should therefore ensure that they conform to these requirements. The Council may ask for evidence that equality and diversity requirements are being met. Failure to demonstrate this may be grounds for termination of the contract. The Council uses an equality and diversity risk assessment questionnaire to determine the level of equality and diversity risk relating to the contract (please see **Appendix One**).
- 6.2 The information required under this Standard will complement your responses to the approved questions listed in Appendix Two. The Standard has two levels (for employers with 5 or more employees) and outlines the evidence required depending upon the number of employees in your organisation (Level 1, 5-49 employees, Level 2, 50 or more employees). For Definitions see **Appendix Two**.

The main aims and objectives of the Standard are:-

- To support service providers, contractor and partnership organisations in complying with their legal obligations for non-discrimination.
- To allow the Council to take all steps within its legal powers to ensure that service providers, contractors and partnership organisations practice and deliver equal opportunity in employment and service delivery.
- To acknowledge and encourage organisations with good employment and service delivery practices who work for local authorities.
- To secure contracts and provide quality, value for money and address equality and diversity issues for the residents of Dartford.

- 6.3. Please see **Appendix Two** for the Equality and Diversity obligations within the Contract Terms.
- 6.4 Please see **Appendix Three** for the questions that are asked during the procurement process.
- 6.5 This Standard provides a benchmark against which service providers' (i.e. contractors of the Council) compliance with the law and equality and diversity codes of practice which may be in place from time to time can be measured. Answers to the questions listed in Appendix Three will be used to determine if a potential service provider satisfies the pre-contract requirements of this Standard. Potential contractors will be asked whether they conform to these requirements when they express interest in tendering for Council business. This is more than a tick box approach and a submission will be evaluated on the evidence that is supplied for each question.
- 6.6 The Council conducts equality monitoring for the following reasons:
- Good practice – Management Information is vital to efficient and effective employment and the planning/provision of services.
 - As a valuable benchmarking tool for auditing purposes.
 - It supports meeting the requirements of equality legislation and the Local Government Equality Framework.

A contractor expressing an interest will be asked to complete a 'monitoring equalities in procurement' form which asks for information about who owns/controls the firm/organisation with reference to gender and ethnic origin.

7.0 The Council's Role as an Employer

- 7.1 The Council has in place a range of actions to prevent discrimination and victimisation within the workforce. The Council is equal opportunities organisation and a 'two ticks' employer which welcomes and manages diversity. The Council is responsive to the needs of its employees. It is important for the Council to embrace diversity because:
- a diverse membership reflects our community and results in better informed decision-making,
 - a diverse workforce reflects our customer base and results in a better informed, more adaptable organisation which can help achieve customer service excellence,
 - a stable, motivated workforce achieves high productivity and is committed to the Council.

- 7.2 The Council currently employs 377 staff (figures at 01/04/2009). The ethnic breakdown is as follows:-

White British	84.04%	Chinese	0.53%
White Other	1.86%	Mixed	0.80%
Asian	2.13%	Undisclosed	9.31%
Black	1.33%	Total	100%

- 7.3 The Council encourages employees with any serious concerns about any aspect of malpractice within the organisation, to come forward and voice

those concerns through the Whistleblowing Policy. This policy allows employees to speak without fear about malpractice within the organisation of the Council.

- 7.4 The Equal Pay Audit carried out in December 2006 concluded that Dartford Borough Council demonstrably operates a well managed, modern pay and reward system free from bias.

8.0 Consultation, Engagement and Adoption of the Scheme

- 8.1 This Single Equalities scheme brings together the already agreed individual equality schemes, and details Dartford Borough Council's commitment to achieving Customer Service Excellence and progressing within the new Equality Framework for Local Government.

- 8.2 The individual equality schemes were subject to widespread consultation with elected Members, employees, community groups, external partners and service users prior to adoption. The adopted scheme reflects the responses received.

9.0 Publishing Information

- 9.1 The Council will inform employees through the intranet, as well as other internal communications projects, such as the "In Touch" magazine. The Council will inform the community via the internet and through other methods such as the "Dartford Life" magazine. The Single Equalities Scheme will be reviewed annually and progress against the Customer Service Excellence action plan will be published and placed on the Council web site. Comments and suggestions for improvement will be welcomed.

10.0 Training

- 10.1 Dartford Borough Council will implement an annual training programme. Ivysoft e-learning modules around equalities and diversity will be compulsory for all employees. Further interactive sessions with a trainer will also be provided.

SECTION THREE

Equality Monitoring Guidance

Equality Monitoring Guidance

1.0 Introduction and purpose

- 1.1 Dartford Borough Council is committed to ensuring that it operates fairly and equitably in both its employment practices and service delivery. The Council will tackle all forms of discrimination and will promote equality and diversity at every opportunity.
- 1.2 Effective performance management is critical to the success of the Council in delivering its priorities and the vision for the Borough. Equalities monitoring is a key element of the performance management framework which is used to continuously improve services the Council delivers and the way they are delivered.
- 1.3 Equality monitoring can identify which groups are using the Council's services and how satisfied they are with them. This data can then be used to:
 - highlight possible inequalities;
 - investigate their underlying causes; and
 - remove any unfairness or disadvantage.
- 1.4 This Policy aims to ensure a consistent equality monitoring standard across the Council. It covers the reasons for monitoring, taking into account equalities legislation and the Data Protection Act 1998.

2.0 What is equality monitoring?

- 2.1 Equality monitoring is the process used to collect, store and analyse data about people's ethnicity, gender, gender identity (transgender), disability, age, religion or belief and sexuality, and how these communities of interest are affected by a Council's policies and the services it provides. Broadly speaking, the information collected is used to highlight possible inequalities, investigate their underlying causes, remove adverse impact and promote access to services.

3.0 Why collect and monitor equality data?

- 3.1 The adoption of equality monitoring ensures the Council's services and employment practices are equitable and appropriate to the needs of the community it serves. Equality monitoring provides evidence that services are reaching all sections of the community. It helps the Council set targets and improve employment and service delivery through identifying under-representation. Furthermore, equality monitoring is not a one way process being used solely to highlight instances of discrimination. It can also provide effective protection against unfounded allegations of discrimination.
- 3.2 Equality data is collected in order to:
 - **to ensure effective policies:** unless the Council knows who is, and more importantly who isn't, using its services and what people think of them, the Council cannot tell if it is achieving its aims of providing services that are appropriate and accessible to everyone.

- **to assist service planning:** monitoring is vital for planning, targeting and measuring development in service provision. It can show inefficiencies in the way the Council organises services and indicates new opportunities to meet people's needs.
- **to value diversity:** ensuring the Council's workforce reflects the community it serves is central to the development of services that respond to local needs.
- **to comply with the law:** there is a legal duty to take account of equality issues when planning and delivering services and developing policies.
- **to meet the criteria for accessing financial and other resources from external sources:** many funding organisations now require assurance from bidders that they meet equalities and diversity requirements and standards.
- **to provide information for inspections:** the Comprehensive Area Assessment, Local Area Agreement, Strategic Housing etc inspections all want to know how well the Council is meeting the needs of all sections of its community and want evidence to prove it.
- **to improve service quality:** challenging inequality will improve the quality of the Council's services because it ensures the Council is delivering its services in the most appropriate way to meet the needs of all Dartford residents.
- **to achieve standards:** the Council is obliged to provide information for National and Audit Commission Performance Indicators about the provision of services. It is therefore vital that equality monitoring is embedded in its performance management framework.

4.0 What to monitor?

- 4.1 It will not always be appropriate to monitor all functions and services provided by the Council, nor is it necessary. However there will be times when it is useful to monitor who is and who is not benefiting from the service provided. The type of data collected should be consistent throughout the Council.
- 4.2 It will be up to individual Directorates to decide what key areas may warrant monitoring. Some suggested examples of what to monitor include:
- take up or non-take up of services;
 - litigation against the organisation;
 - customer complaints;
 - customer satisfaction;
 - impact or outcomes of services;
 - whether information about services reaches different groups and is understood by them;
 - employment statistics: recruitment, promotion, disciplinaries, grievances, training, and employment tribunal cases.

5.0 When to monitor?

- 5.1 Monitoring should be part of an existing process, for example, an application form for recruitment, or as part of an assessment process for access to services. The exact frequency of monitoring can vary according to function or service and may be:

- a one off time limited snapshot exercise;
- an ongoing and continuous process with regular review;
- periodically (monthly, quarterly, annually, occasionally, etc).

5.2 It is imperative that equality monitoring information is only gathered if it is going to be analysed and used to inform service design or delivery and/or policy development.

6.0 What type of questions to ask?

6.1 The implementation of equality monitoring requires careful preparation. It may have the basis in policy and be linked to a detailed implementation plan. Alternatively, it may be identified as an area for improvement arising out of a Customer Access Review (Equality Impact Assessment) or service review. In implementing equality monitoring, the following key issues need to be addressed on a service by service basis:

- whether or not to monitor;
- if monitoring is to take place then why;
- the subject to be monitored;
- the policy context;
- who is to collect the information, when, how and from whom;
- how the data is to be stored;
- how the data is to be analysed, manually or by computer;
- who is responsible for reporting the findings of the equality monitoring;
- what format the reports should take;
- the purpose of the reports;
- how the data will be used to improve services or performance;
- confidentiality and data protection requirements.

6.2 The Council has an Equality Monitoring Form, which can be found at **Appendix Four**. This standard form can be used in order to collect equality data. More information on how to use this form can be found in the Council's Consultation and Engagement Toolkit.

6.3 It is important to note that the usefulness of the monitoring information gathered would still be dependent on being able to get a sufficient number of replies for the results to be meaningful. If a sufficient sample of responses is not possible, other means of consultation (other than a questionnaire) may be more appropriate for gathering the information required, such as focus groups or interviews. The Council's Consultation and Engagement Strategy Toolkit provides more information on the types of consultation and engagement methods available.

6.4 In most cases it is not desirable for the length and number of monitoring questions to be greater than the main body of the survey questionnaire. There will be exceptions to this rule if, for example, the questions being asked are crucial to service planning or policy development. An example of this might be where options are being presented to individuals on budget or service priorities.

6.5 The questions to ask will be determined by the purpose of the consultation and what the results will be used to inform.

7.0 Questions to monitor ethnicity, gender, disability and age

7.1 Equality monitoring covering ethnicity, gender, disability and age is the recommended minimum requirement for equality monitoring.

7.2 Consideration must be given to:

- why is the information being asked for and how will the results be used;
- how concerns about confidentiality can be addressed;
- how to explain the purpose and importance of monitoring to employees and service users;
- how to deal with potential prejudice and concerns arising from monitoring the additional equality strands (communication and education are key);
- how reliable will the results be;
- how will the Council benchmark the data collected against the data that is available locally or nationally.

8.0 Practical issues

8.1 The following practical issues must be considered when carrying out equality monitoring:

- do forms need to be redesigned to encourage applicants to answer the equality monitoring questions?
- is a separate sheet necessary for the equality question?
- how should the question be worded?
- where application for/provision of a service involves an application form, where should the equality monitoring question be located on the form?

8.2 Where the equality monitoring questions are asked verbally, the relevant part of the form or a separate list should be shown to the service user/customer, where possible, so they can make their own choice. This avoids the dangers associated with 'second guessing' e.g. ethnicity.

9.0 Acting on the results of equality monitoring

9.1 It is important that the data collected is regularly interrogated, and then followed up, any issues identified and tackled. Monitoring is part of analysis, reporting, asking questions, investigation and change.

9.2 The most important aspect of equality monitoring is to compare the results with the targets set and any baseline data. There are a number of sources for collecting baseline data, such as the Census data, published statistics collected by statutory agencies or departments, etc. However, caution needs to be exercised when comparing data as accurate baseline data is not always available. In such cases, it may be advisable to carry out a preliminary mapping to identify communities of interest.

9.3 A distinction needs to be made between quantitative and qualitative data. The Council will need to assess what the data will tell it about the

experiences of individuals as against the characteristics of the population at large.

9.4 When analysing data, remember that individuals may experience multiple discrimination, (including from within their own communities) where they are “minorities within minorities”. For example, disabled people who remain invisible and marginalised can include those who are parents, young, older, asylum seekers or from Black and minority ethnic or faith communities.

9.5 Any data collected can be used for:

- Setting Specific, Measureable, Attainable, Relevant and Timely targets,
- Evaluating service delivery by comparing performance data over time,
- Redesigning or augmenting services,
- Developing positive action programmes,
- Targeting action to reduce identified inequalities.

10.0 Presenting the data

10.1 In presenting data, it is good practice to:

- concentrate on key indicators,
- Highlight key findings,
- Present a mix of statistics, tables and graphics,
- Provide relevant explanations,
- Include clear recommendations for action,
- Produce equality reports on a regular basis together with other management information,
- Consider the audience and ensure that the information presented is accessible.

10.2 One method of providing an overview of equality monitoring is through annual Directorate reports which should cover the following areas:

- Which services or policies have been monitored in the reporting period and the methods used;
- An overview of the main findings following data analysis;
- Actions that have been taken or are planned as a result;
- Outcomes and positive benefits for communities that changes made have produced;
- Future plans for monitoring.

11.0 Data Protection Act 1998

11.1 Equalities monitoring can involve asking for and recording personal data about individuals. The Data Protection Act 1998 (DPA) protects individuals against the misuse of that data, and all records whether manual or computerised will need to meet the requirements of the DPA.

11.2 The Data Protection Officer’s advice is that equality monitoring forms should be designed for confidential anonymous completion and should be capable of being detached from application forms, complaints forms etc. Equality monitoring information should not be available to Officers involved

in decision making on the provision of services, complaints or recruitment selection. At no time should the Council be placed in a position that could be considered or perceived as discriminatory.

- 11.3 If it is intended to store personal data about an individual with monitoring information, the requirements of the DPA must be met. It is likely that in most cases where an individual can be traced to the equality monitoring information, it will be necessary to obtain the individual's explicit consent to hold and process the data. It is also a requirement that the data is not used for any purpose other than that it was collected for, and for which consent was granted. This should not be a barrier to equalities monitoring but will require sensitivity and clarity.
- 11.4 To comply with the DPA it is advisable that all monitoring forms set out a statement containing the following:
- that completion of some or all monitoring data is voluntary and is not a condition of receiving the service, benefit, job, etc in question;
 - an explanation of why the Council is carrying out equality monitoring and what the information will be used for;
 - that the information collected will be treated with the strictest confidence and access/use of it, will be restricted to the purposes it was collected for;

followed by:

a declaration signed by the service user, customer, employee etc giving written consent to the collecting, storing and use of the data collected.

- 11.5 The following is Dartford Borough Council's statement which seeks explicit consent for holding and processing data:

“To ensure personal information about you is secure, all of your answers will be treated in the strictest confidence and will be stored securely. Responses, which will not include personal information such as names and addresses, will only be used by public service organisations to monitor public services and asses how well they are performing. No personal data which you have provided will be made available to a third party without your express permission”

“Please help us by telling us how you would describe yourself, and sign the following declaration.

I confirm that I have given consent for The Dartford Borough Council to hold the following information which relates to me solely for the purpose described above.”

SECTION FOUR

Corporate Customer Service Excellence Action Plan 2010 - 2013

Corporate Customer Service Excellence Action Plan 2009-2012

1.0 Customer Service Excellence Action Plan

- 1.1 This Corporate Action Plan will steer the Council towards greater Customer Service Excellence. A Council-wide self-assessment exercise took place in order to identify strengths in customer services amongst various teams and Directorates, and areas for improvement. This Action Plan will ensure that those improvements are made.
- 1.2 Dartford Borough Council's performance management system, Covalent, will be used to monitor the progress of the action plan and regular reports will be generated and reported to the Corporate Group for Customer Service Excellence and to the Management Team.

ACTION PLAN

ACTION	RESPONSIBILITY	COMPLETION DATE
Review all customer satisfaction activity in the Council and report to Management Team	Corporate Policy	January 2010
Set out policy for customer satisfaction surveys by the Council, for agreement by Management Team.	Corporate Policy through the Customer Service Excellence Group	March 2010
Assess the possibility of introducing Customer Comment Cards in all public areas and points of customer contact	Communications Team	March 2010
Assess the possibility of introducing a staff suggestion scheme across the Council	Well Being Group	March 2010
Review the Complaints system to ensure that service complaints are being captured and analysed for trends, which are then incorporated into service development.	Democratic Services	March 2010
Begin programme of Customer Access Reviews across all services.	Corporate Policy	Review programme to commence February 2010 All services reviewed by April 2013
Examine the possibility of setting up a "you said, we did" section on the web site, setting out how we	Communications Team	March 2010

have responded to customer feedback		
Produce an Annual Report setting out Council performance including against service standards.	MAIT	July 2010 and then on an annual basis.
Set up meeting with Service Managers and the Corporate Policy Team at Canterbury City Council to discuss key issues around the implementation of Customer Service Excellence.	Corporate Policy	January 2010
Directorates produce their own action plans based on the results from their own teams for submission to the Customer Service Excellence Group.	All Directors	Report to CSE group by February 2010
Develop equality and diversity training package for managers and staff	Policy Team	June 2010

SECTION FIVE

Translation & Document Conversion Guidance

Translation & Document Conversion Guidance

1.0 Introduction

- 1.1 Dartford Borough Council is keen to ensure that customers can receive and understand any information provided to them.
- 1.2 This policy outlines how employees can provide customers with information that requires translation or provision in an alternative format.
- 1.3 When processing a request, it is important to try and clarify the particular needs of the individual concerned, to ensure that they are accessing the correct information.

2.0 Face to face translation

- 2.1 If approached by a customer who requires face to face translation, call Applied Language Solutions on **0800 084 2003** and quote your department's ID number. If using Applied Language Solutions for the first time, request a pin number for your department prior to any request for translation. The pin number is used for invoicing purposes. The reception desk holds a laminated sheet of languages to assist with identifying the language that requires translation.
- 2.2 The call will be answered by someone who has the ability to translate. Explain the situation and pass the telephone to the person who requires the translation or ask to begin a three way call.
- 2.3 If you need further advice, please contact Sarah Clark in Customer Services.

3.0 Translation of published material

- 3.1 The Council provides six translation straplines for published material, which are currently Punjabi, Tamil, Polish, Czech, Mandarin and French. These will be reviewed annually to ensure that they are still the most commonly required.
- 3.2 Council publications that will be viewed by customers (leaflets, newsletters, surveys, service information etc) must carry the straplines. The straplines can be found in section 5.0. The straplines must be included within the main body of the text and should not be separated out at the end of a document.
- 3.3 Each strapline provides a telephone number for the customer who requires the translation to call, with the facility to leave a message. Customer Services will regularly check the answerphone messages and contact Medway's Community Interpreting Service when a translation is required.

- 3.4 The cost of each translated answerphone message will be allocated to the department that the customer is attempting to communicate with.
- 3.5 Any direct requests to a department (or via customer services) for document translation are to be handled and paid for by the department itself.
- 3.6 Service Managers should allow for the possibility of such requests and take this into account when planning budgets.

4.0 Other formats

- 4.1 Council publications that will be viewed by customers (leaflets, newsletters, surveys, service information etc) should also carry the following strap line:

If you or anybody you know requires this or any other council information in another language please contact us and we will do our best to provide this for you. Braille, Audio tape and large print versions of this document are available upon request.

Tel: 01322 343434

Fax: 01322 343432

Email: customer.services@dartford.gov.uk

Calls are welcome via typetalk

- 4.2 Any direct requests to a department (or via customer services) to convert documents into an alternative format, such as Braille, large print or audio tape are to be handled and paid for by the department itself.
- 4.3 Service Managers should allow for the possibility of such requests and take this into account when planning budgets.
- 4.4 If you need further advice, please contact Sarah Clark in Customer Services.

5.0 Translation Straplines

ਪੰਜਾਬੀ Punjabi	தமிழ் Tamil	Polski Polish	česky Czech	简体中文 Mandarin	Français French
01322 343610	01322 343611	01322 343612	01322 343613	01322 343614	01322 343615

SECTION SIX

Customer Access Reviews

Customer Access Reviews

1.0 Customer Access Reviews

- 1.1 A Customer Access Review (also known as an Equality Impact Assessment) is a tool used for identifying the potential impact that the Council's work instructions, policies, strategies and services have on the residents of the Borough and assesses whether they are fair or reasonable to all.
- 1.2 The Customer Access Reviews will help the Council to ensure that it is serving the needs of everyone in the Borough by ensuring that all services are genuinely accessible to all and it can help employees provide and deliver excellent services. As a public body, the Council has an obligation to undertake such reviews as they fulfil the requirements of anti-discrimination and equalities legislation.
- 1.3 The 'Corporate Group for Customer Service Excellence' will monitor the timetable for the Customer Access Reviews the progress made with each review.
- 1.4 The form needed in order to complete a Customer Access Review, plus the Prompt Sheet and Action Plan template, can be found in **Appendix Five**.

Appendix One

Equality and Diversity Risk Assessment in Procurement Questionnaire

Title of Procurement	
Contracts Ref No	
Directorate	
Named Officers for Procurement Stage & Contract Management	
Is this assessment being carried out for one contract or a number of similar contracts?	

Please answer all questions and add up the score to determine the level of equality and diversity risk relating to the contract

Question:	Score
1. Will the Organisation have an ongoing relationship with the contractor for a specified duration of a contract or is it just a one off purchase of goods / works / services?	
Yes - the contract will involve the ongoing provision of goods / works / services and will have a structured contract management process.	10
Possibly - the contract is for goods / works / services which are straightforward and will only require monitoring on an exception basis i.e. if contract conditions are not being met.	5
No - the contract is the one off purchase of goods / works / services	0
2. Have equalities impact assessments carried out within your Organisation highlighted this function as one which has an impact on equality and diversity?	
Yes – the function has been shown to have a significant impact on equalities	10
Possibly - the function has been shown to have some impact on equalities	5
No – the function has been shown to not have a specific impact on equalities	0
3. Does the contract involve working at the Organisation’s properties / sites, schools or in the homes / living accommodation of individuals?	
Yes – A significant level of work is to carried out at the Organisation’s properties / sites, schools or in the homes / living accommodation of individuals	10

Possibly - Some work may involve working at the Organisation's properties / sites, schools or in the homes / living accommodation of individuals	5
No – Work will not be carried out at the Organisation's properties / sites, schools or in the homes / living accommodation of individuals or where it is it will be minimal and limited to tasks such as deliveries	0
4. Does the contract involve contact with the public?	
Yes – A significant part of the contract involves contract with the public.	10
Possibly – There is some contact / or the potential for contact with the public involved in the contract. Work may take place in public places or privately owned premises that carry out work on behalf of the Organisation where members of the public may have access.	5
No – there is minimal or no contact with the public	0
Total:	

Based on the total score for these questions, the contract has a high medium, low or minimum equality and diversity risk rating.

- Minimum Risk: Score 0-10: There is unlikely to be an equality and diversity impact through the contract
- Low risk: Score 11-20: There may be some equality and diversity impact through the contract.
- Medium Risk: 21-30: There is likely to be a significant level of equality and diversity impact through the contract.
- High Risk: 31-40: There is a very significant level of equality and diversity impact through the contract.

Risk level	
-------------------	--

If you feel that the result is not indicative of the actual level of equality and diversity risk, then please add an explanation below and specify the risk level that you would expect to re-grade the contract to.

Additional comments / justification	
Adjusted risk level	
Completed by:	
Date	

Appendix Two

Equality and Diversity obligations within the Contract Terms

Potential contractors may be asked to address further equality requirements contained in the contract conditions. This will usually be for contracts with a high equality impact i.e. when equality is a core requirement in a contract.

The Council's procurement contracts contain the following obligations:

- 37.1 *The Contractor shall deliver effective, appropriate services fairly and not unlawfully discriminate against any person within the meaning and scope of any law, enactment, order, or regulation relating to discrimination and, accordingly, shall not treat one group of people less favourably than others whether by reason of sex, colour, race, nationality, ethnic group, regional or national origin, age, marital status, disability, political or religious belief, sexuality or class), whether in decisions to recruit, train or promote its employees and/or in the provision of the Service.*
- 37.2 *The Contractor shall, for purposes of ensuring compliance with Condition 37.1, in relation to Contractor staff employed in the performance of the Contract,, observe as far as possible the provisions of the Commission for Equality and Human Rights Code of Practice in Employment, including, but not limited to, those provisions recommending the adoption, implementation, and monitoring of an equal opportunities policy.*
- 37.3 *The Contractor shall in performing the Contract comply with the provisions of Section 71(1) of the Race Relations Act 1976 as amended (the 1976 Act) as if the Contractor were a body within the meaning of Schedule 1A to the 1976 Act (or any European equivalent which shall be deemed to include without limitation an obligation to have due regard to the need to eliminate unlawful racial discrimination and to promote equality of opportunity and good relations between persons of different racial groups.)*
- 37.4 *The Contractor shall ensure that service delivery reflects the Council's view as to what shall be necessary to secure compliance with equalities legislation and shall protect the equalities of service users by promoting the Council's equalities culture through the exercise of care, skill and diligence in the provision of the Service. Any decisions relating to equalities shall be referred to the Supervising Officer for determination.*
- 37.5 *The Contractor shall notify the Supervising Officer forthwith in writing as soon as it becomes aware of any investigation of or proceedings brought against the Contractor for unlawful discrimination.*
- 37.6 *Where any investigation is conducted or proceedings are brought for unlawful discrimination which arise directly or indirectly out of any act or omission of the Contractor, its agents or subcontractors, or the Contractor staff, and where there is a finding against the Contractor in such investigation or proceedings, the Contractor shall indemnify the Council with respect to all costs, charges and expenses (including legal and administrative expenses) arising out of or in connection with any such investigation or proceedings and such other financial redress to cover any*

payment the Council may have been ordered or required to pay to a third party.

37.7 Where in connection with this Contract the Contractor, its agents or subcontractors or the Contractor staff are required to carry out work on the Council's premises or alongside the Council's employees on any other premises, the Contractor shall comply with the Council's policies on equalities and diversity.

37.8 The Contractor shall set out its policy on race relations:

37.8.1 in instructions to those concerned with recruitment, training and promotion;

37.8.2 in documents available to its employees, recognised trade unions or other representative groups of its employees;

37.8.3 in recruitment advertisements and other literature.

37.9 The Contractor shall observe as far as possible the Commission for Equality and Human Rights Guidance on Race Equality and Procurement in Local Government.

37.10 The Contractor shall provide such information as the Council may reasonably request for the purpose of assessing the Contractor's compliance with this Condition 37.'

37.11 In the event that the Contractor enters into a subcontract in connection with this Contract, it shall impose obligations on its subcontractors in terms substantially similar to those imposed on it pursuant to this Condition 37.

37.12 The Contractor may from time to time be required by the Supervising Officer to monitor its workforce gender and ethnic origin.

37.13 Where the Contractor commits a breach of Conditions 37.1, 37.2 or 37.3, which amounts to a failure to comply with equalities legislation, the provisions of Condition 27 shall apply.

Responses to these equality based questions will be evaluated as part of the selection process. These requirements will depend upon the size of company involved:

Less than 5 Employees

Organisations with fewer than 5 employees must provide a written assurance that the appropriate level of the Standard will be achieved following any recruitment which increases the size of the firm to 5 or more employees. Although no formal assessment will take place, where an organisation has evidence to support an equality/diversity approach, this will be welcomed.

Level 1 (5 to 49 Employees)

All organisations with between 5 and 49 employees must achieve criteria 1 to 4.

1. All organisations must provide an equality and diversity policy in respect of race, gender, disability, religion and belief, sexual orientation and age that covers at least:-
 - (a) recruitment, selection, training, promotion, remuneration, grievance, discipline and dismissal.
 - (b) victimisation, discrimination and harassment, making it clear that these are disciplinary offences within the organisation.
 - (c) identification of the senior position with responsibility for the policy and its effective implementation.
 - (d) how you communicate the policy to your staff.
2. Effective implementation of the policy in the organisation's recruitment practices, to include open recruitment methods such as the use of job centres, careers service or press advertisements.
3. Regular reviews of the policy (at least every 3 years).
4. Regular monitoring of the number of job applicants from different gender, disability, sexual orientation, age and ethnic groups (at least annually).

Evidence of the above will be required.

Level 2 (50 or more Employees)

All organisations with 50 or more employees must achieve criteria 1 to 4 in Level 1 and the additional criteria 5 to 10 in Level 2.

5. Provide written instructions to managers and supervisors on equality in recruitment, selection, training, promotion, remuneration, grievance, discipline and dismissal of staff. These can be instructions for general equality and diversity in employment.
6. Provide equality training for managers and any staff responsible for recruitment and selection.
7. In addition to criterion 4. (Level 1) carry out monitoring, (at least annually) on the number of employees from different gender disability, sexual orientation age and ethnic groups by grade when:
 - (a) in post
 - (b) applying for posts
 - (c) taking up training and development opportunities
 - (d) promoted
 - (e) transferred
 - (f) disciplined – dismissed
 - (g) leaving employment
8. If monitoring reveals under-representation of groups listed in 7. above, take steps, including positive action, to address any imbalances.
9. Regular reporting and consultation on equality issues with the workforce (annually).
10. Mention in the firm's recruitment advertisement and publicity literature that equal opportunity and diversity practices are in place.

Evidence of the above will be required.

Where a firm/organisation sub-contracts work, they may be asked to provide details of the evidence they require sub-contractors to submit which demonstrates their equalities policies and practices. If the answers and evidence do not, after evaluation, satisfy the Council's criteria, the contractor may not be granted entry onto a tender shortlist or awarded a contract.

After the contract is awarded, each contract will be monitored and managed, to make sure that the equalities element is being implemented. The arrangements for the management and monitoring of the contract will be agreed between the contractor and the relevant procurement officer. Where equalities performance is inadequate, the Council may invoke default provisions. In addition to this, the contractor may not be considered for future contracts.

The Council's procurement officers will follow agreed processes to ensure that equality requirements contained in the contract conditions are observed.

Appendix Three

Procurement Equality Standard Questions for Contractors

Compliance

The questions listed here and descriptions of evidence have been prescribed by the Secretary of State in respect of section 18(5) of the Local Government Act 1988. The Council has adopted the approved questions as a model of good practice and to help it achieve its legal obligations.

Questions are asked to Contractors during the procurement process in either the pre-qualification questionnaire, invitation to tender or invitation to quote. The questions asked are as follows:

Equalities

1. Please provide the following:		Marks
Your organisation will be evaluated for equality in employment on the basis of your answers to these questions. Please ensure that you answer them all and supply evidence for your answers to question 4.7 if applicable. Please provide sufficient information to enable the Council to make a fair and accurate assessment of how, as an employer and/or service provider, you have dealt with equality issues.		
NB: You should also complete the Monitoring Equality in Procurement questions at Appendix 1.		
1.1.	Does your organisation have a written equal opportunities policy, to avoid discrimination? (If not, please explain why.)	T
Answer	Yes / No	
1.2.	Please confirm that it is your organisation's policy as an employer to comply with your statutory obligations under the following legislation (or European equivalents)? <ul style="list-style-type: none"> • Equal Pay Act 1970 • Sex Discrimination Act 1975 • Race Relations Act 1976 • Disability Discrimination Act 1995 • Sex Discrimination (Gender Reassignment) Regulations 1999 • Employment Act 2002 • Race Relations Act (Amendment) Regulations 2003 • Employment Equality (Religion or Belief) Regulations 2003 • Employment Equality (Sexual Orientation) Regulations 2003 • Employment Equality (Age) Regulations 2006 • Equality Act 2006 	T
Answer	Yes / No	
1.3.	Please confirm that it is your practice not to treat one group or individual less favourably than others because of their age, sex, colour, race, nationality, ethnic origin, disability, religious beliefs or	T

	sexual orientation on any decision relating to recruitment, training or promotion of employees in your organisation. Also, please confirm that you similarly apply this approach in the services you provide in respect of the provision of education, housing, supplies, facilities or services or other public functions.	
Answer	Yes / No	
1.4.	In the last three years has any finding of unlawful discrimination been made against your organisation by any court or industrial or employment tribunal or in comparable proceedings in any other jurisdiction?	I
Answer	Yes / No	
1.5.	In the last three years has your organisation been the subject of a formal investigation by an external body on grounds of alleged unlawful discrimination?	I
Answer	Yes / No	
1.6.	In the last three years, has any contract with your organisation been terminated on grounds of your failure to comply with: i) legislation prohibiting discrimination; or ii) contract conditions relating to equal opportunities in the provision of services?	I
Answer	Yes / No	
1.7.	If the answer to question 4.4, 4.5 and/or 4.6 is “ Yes ”, what steps did your organisation take as a result of the finding, investigation or termination of contract?	T
Answer		
<i>The following questions will only need to be included in the PQQ if the contract is considered to be a high equalities risk. (Delete this paragraph from the final document.)</i>		
1.8.	Are your policies on equality and diversity set out: i) in instructions to those concerned with recruitment, selection, remuneration, training and promotion; ii) in documents available to employees, recognised trade unions or other representative groups of employees; iii) in recruitment advertisements or other literature; iv) in relation to the provision of education, housing, supplies, facilities or services or other public functions? If your answer to question 4.10 i), ii), iii) or iv) is ‘No’, can you provide other evidence to show that you promote the elimination of discrimination in employment and the provision of services?	I I I I T
Answer		
Please supply evidence to support your answers to the next questions. Such evidence may be examples or copies of documents such as your equality and diversity in employment (equal opportunities) policy or statement, documents outlining arrangements for recruitment, training and promotion, and copies of		

recruitment advertisements or other organisation literature which includes a commitment to equal opportunities.		
1.9.	Are staff who have managerial responsibilities required to receive training on equal opportunities?	T
Answer	Yes / No	
1.10.	Do you observe as far as possible the relevant codes of practice (including the Commission for Racial Equality's Code of Practice in employment, as approved by Parliament in 2006, or a comparable statutory code, which gives practical guidance to employers and others on the elimination of discrimination and the promotion of equality of opportunity in employment, including monitoring of workforce matters and steps that can be taken to encourage people from minority groups to apply for jobs or take up training opportunities)?	T
Answer	Yes / No	
1.11.	In any previous or current contracts for supplies and/or services similar to those in the proposed contract did you: i) apply a race equality or equal opportunities policy for access to those services by different racial or other groups? ii) provide supplies or services appropriate to the special needs of any particular group?	I
Answer		
1.12.	If you are not currently subject to UK legislation, please supply details of your experience in complying with equivalent legislation that is designed to eliminate discrimination and to promote equality of opportunity.	T
Answer		

Contractors will also be asked to complete a 'monitoring equalities in procurement' form similar to **Appendix Four**.

Appendix Four

Monitoring our Comprehensive Equality Policy

We want to find out if we are giving as good a service as we can to all service users. To help us do this, please fill in this section. The information we get from all replies will help us review and decide how we can assist as many people as possible. This information will not be sent to any service department and will not affect the way you receive services from us.

Note: Ethnic groups are not about nationality, place of birth or citizenship. They are about colour and cultural background.

1. Ethnic Group			
White:			
British	<input type="checkbox"/>	Irish	<input type="checkbox"/>
Any other white background	<input type="checkbox"/>		
Mixed:			
White and Black Caribbean	<input type="checkbox"/>	White and Black African	<input type="checkbox"/>
White and Asian	<input type="checkbox"/>	Any other mixed background	<input type="checkbox"/>
Asian or Asian British:			
Indian	<input type="checkbox"/>	Pakistani	<input type="checkbox"/>
Bangladeshi	<input type="checkbox"/>	Any other Asian background	<input type="checkbox"/>
Black or Black British:			
Caribbean	<input type="checkbox"/>	African	<input type="checkbox"/>
Any other black background	<input type="checkbox"/>		
Chinese	<input type="checkbox"/>	Other ethnic group	<input type="checkbox"/>
2. Sex			
Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
3. Age			
Under 16	<input type="checkbox"/>	25-59	<input type="checkbox"/>
16-19	<input type="checkbox"/>	60-64	<input type="checkbox"/>
20-24	<input type="checkbox"/>	65 and above	<input type="checkbox"/>
4. If you have a disability, what is its nature?			
Difficulty getting around	<input type="checkbox"/>	Hearing difficulty	<input type="checkbox"/>
Difficulty seeing	<input type="checkbox"/>	Learning difficulty	<input type="checkbox"/>
Mental health problems	<input type="checkbox"/>	Other	<input type="checkbox"/>

Appendix Five

Customer Access Review for Policies, Strategies and Service Delivery Overviews

Title of Document:

Issue Date:

Objective of Document:

Is this an initial, or reassessment, of the proposals contained within the document being fair and reasonable to all?

What group/groups are the proposals being aimed at?

1 Identify potential customer access issues.			
	Key questions	Answers / Notes	Actions required
1.1	Taking the six strands of equalities, are there any proposals that could discriminate or disadvantage any of these groups?	1.Race 2.Disability 3.Age 4.Gender 5.Faith / Religion 6.Sexual Orientation	
1.2	If the local authority works with partners to deliver the proposals, are there any that could give rise to inconsistent customer experiences?		

2 Consideration of available data, research and information			
	Key questions	Answers / Notes	Actions required
2.1	What consultation was undertaken regarding these proposals?		
2.2	What do you know about the make-up of the people who are affected by these proposals?		
2.3	What additional research is needed to ensure that all equality groups' needs are taken into account?		
3 Assessment of impact			
	Key questions	Answers / Notes	Actions required
3.1	Have you identified any proposals that could discriminate against or disadvantage any groups affected by them?		
3.2	If there are any potential negative effects, what changes can be made to avoid them?		
3.3	Do any of the changes in relation to the adverse impacts have any further adverse effects on any other groups?		
3.4	If you identify necessary proposals that do discriminate against or disadvantage some groups but cannot be changed, can you justify your proposal as being fair or reasonable?		
<p>NEXT STEPS: If changes need to be made, complete a Customer Access Review Action Plan (template provided) and arrange to monitor the Action Plan and update it with progress. Customer Service Access Action Plans will be reported to the Corporate Group for Customer Service Excellence.</p>			

**Customer Access Review for Policies, Strategies and Service Delivery Overviews
PROMPT SHEET**

1	Identify potential customer access issues.	
	Key questions	Guidance
1.1	Taking the six strands of equalities, are there any proposals that could discriminate or disadvantage any of these groups?	Think about how your proposals may discriminate or disadvantage certain groups. It is possible that your proposals do not discriminate or disadvantage.
1.2	If the local authority works with partners to deliver the proposals, are there any that could give rise to inconsistent customer experiences?	Identify the partners that you work with. Do they have any policies or procedures that are different to ours or that may potentially discriminate or disadvantage certain groups?
2	Consideration of available data, research and information	
	Key questions	Guidance
2.1	What consultation was undertaken regarding these proposals?	Note details of any consultation exercises that took place. These should be noted in the Corporate Consultation database.
2.2	What do you know about the make-up of the people who are affected by these proposals?	What is the profile of the group that your policy or strategy affects? Do you have demographic information?
2.3	What additional research is needed to ensure that all equality groups' needs are taken into account?	Would you benefit from knowing more about the group affected by your policy or strategy? What extra information would you need to know?
3	Assessment of impact	
	Key questions	Guidance
3.1	Have you identified any proposals that could discriminate against or disadvantage any groups affected by them?	Answer yes or no to this based on your response to question 1.1 and 1.2.

3.2	If there are any potential negative effects, what changes can be made to avoid them?	If you have identified proposals that may discriminate or disadvantage certain groups, what can you change to avoid this?
3.3	Do any of the changes in relation to the adverse impacts have any further adverse effects on any other groups?	If you have suggested changes, will these changes then affect any other group?
3.4	If you identify necessary proposals that do discriminate against or disadvantage some groups but cannot be changed, can you justify your proposal as being fair or reasonable?	An example of this is within the Fire Service. A Customer Access Review found it unfair that men with facial hair could not be employed. However, this decision was justified as breathing equipment cannot be attached properly to the face if facial hair is present. Do you have a similar type of scenario?

Customer Access Review Sheet for Work Instructions

An opportunity to think about the effect your procedures have on local people, other members of staff and people who the Council works with. You can then take action to promote fairness for all.

Initial Questions

1. Which activities within your work involve dealing with people? These are likely to be activities that involve decision-making (choosing to do or not to do), communicating and providing assistance.
2. Do these activities have an element of discretion or are they fully dictated by legislation/regulation?
3. Do you have procedures to help you make objective decisions for these activities?
4. Have you checked that these procedures are fair or reasonable to all?

Fair - free from bias, inequality, or discrimination

Reasonable – showing reason for exceptional treatment

Example - the Fire Service bans beards for fire-fighters (not fair) as breathing equipment does not make a proper seal on faces with beards (reasonable).

5. If the procedures are not fair or reasonable, what issues need to be resolved?

1. Activities	2. Discretion? (✓/x)	3. Procedure Available? (✓/x)	4. Fair or Reasonable? (✓/x)	5. Issues to Resolve

