

## **PROTOCOL PUBLIC SECTOR EQUALITY DUTY**

- 1 The public sector equality duty drives the need for equality assessments (Initial and Full). An initial assessment should, be prepared from the outset based upon available knowledge and information.
- 2 If there is no adverse impact then that fact should be stated within the Report at section 4.4 and the initial assessment document appended to the Report duly signed and dated. A summary of the statutory duty is annexed to this Protocol and should be referred to in the standard section (4.4) of executive reports for decision and then attached in an appendix; the term 'adverse impact' refers to any decision-making by the Council which can be judged as likely to be contrary in whole or in part to the equality duty.
- 3 A full assessment should be prepared where necessary and consultation should then take place.
- 4 Consultation should address any possible adverse impact upon service users, providers and those within the scope of the report; questions need to assist to identify adverse impact which might be contrary to the equality duty and engage all such persons in a dialogue which might identify ways in which any adverse impact might be avoided or, if avoidance is not possible, reduced.
- 5 Responses to the consultation should be analysed in order to identify:
  - (a) whether there is adverse impact upon persons within the protected categories
  - (b) what is the nature of this adverse impact
  - (c) whether the adverse impact can be avoided and at what cost – and if not –
  - (d) what mitigating actions can be taken and at what cost
- 6 The impact assessment carried out at the outset will need to be amended to have due regard to the matters in (4) above.
- 7 Where there is adverse impact the final Report should contain:
  - a summary of the adverse impact and any possible mitigating actions (in section 4.4 or an appendix if necessary)
  - the full equality impact assessment (as an appendix)
  - the equality duty – see page 9 (as an appendix).

## Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

1	<p>The Council must, in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none"> <li>(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act;</li> <li>(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</li> <li>(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</li> </ul>
2	<p>Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> <li>(a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;</li> <li>(b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;</li> <li>(c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.</li> </ul>
3	<p>The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.</p>
4	<p>Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> <li>(a) tackle prejudice, and</li> <li>(b) promote understanding.</li> </ul>
5	<p>The relevant protected characteristics are:</p> <ul style="list-style-type: none"> <li>(a) Age</li> <li>(b) Disability</li> <li>(c) gender reassignment</li> <li>(d) pregnancy and maternity</li> <li>(e) Race</li> <li>(f) religion or belief</li> <li>(g) Sex</li> <li>(h) sexual orientation</li> </ul>

## Longbridge Area Action Plan: Equality Analysis

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### 1) Introduction

This document provides a summary of the Equality Analysis, which has been carried out in line with the Council's procedures in order to identify the potential adverse impacts of the Longbridge development, strategies and policies.

### 2) Background - The Longbridge Area Action Plan

- a) The Longbridge Area Action Plan, prepared jointly by Birmingham and Bromsgrove Councils, with partners Advantage West Midlands and St Modwen and Worcestershire County Council, was submitted to the Secretary of State for Communities and Local Government in March 2008. The LAAP was formally adopted by Birmingham City Council and Bromsgrove District Council in April 2009.
- b) The overall vision for Longbridge, as set out within the LAAP, is that the area "will undergo major transformational change redeveloping the former car plant and surrounding area into an exemplar sustainable employment mixed use development for the benefit of the local community, Birmingham, Bromsgrove, the region and beyond".
- c) The aim is to deliver an exemplar sustainable, employment led mixed use development, which will target 10,000 new jobs and 1,450 new homes, along with new community, leisure and educational facilities, a new town centre, 1 million sq. ft. of commercial space and a 25 hectare Regional Investment Site (RIS). At the same time, it is recognised that social and environmental improvements and an enhanced transport network will be needed as part of the project to complement the economic regeneration. In total, the LAAP spans an area of over 195 hectares.

### 3) Equalities Analysis process

- a) In January 2007, Birmingham City Council (BCC) commissioned Halcrow to undertake an Equalities Analysis for the Longbridge Area Action Plan (AAP).
- b) As part of the initial screening exercise a sample of representatives from equality groups were consulted. This consultation highlighted a number of potential issues and the resulting report set out a number of recommendations.
- c) In 2006, the consultancy, Vision 21, was commissioned by BCC to undertake an extensive and ongoing consultation process as part of the APP. As part of the consultation process they were able to incorporate the recommendations of the initial report resulting in detailed respondent information being captured. As part of the Equalities Analysis process this respondent information was analysed, along with the written consultation responses from local people and the consultation reports produced by Vision 21 from workshops and forums.
- d) This information formed the basis of discussions between Halcrow's equality impact specialists, BCC planning staff and the Equality and Diversity team. After extensive discussion it was decided that there was need for a full Equalities Analysis.
- e) The purpose of the Longbridge Equalities Analysis was not merely to fulfil the Councils obligation, but to highlight ways in which equality of opportunity and social and economic inclusion can be promoted through this development.
- f) The engagement of young people in the development process was identified as a key issue with facilities for young people identified as a major concern to everybody. Birmingham Youth Service helped to organise a focus group with young people aged 13 -16.
- g) As part of the Equalities Analysis a review was undertaken of the various consultation reports, which included feedback from some equality groups, however other groups had clearly been more apprehensive in coming forward, notably: Black and Minority Ethnic groups (BME's), and lesbians, gays, bisexuals and transgender (LGBT's).

### Vision 21

**Table 1 Participant breakdown by Equality Group**

	<b>Vision 21 Consultation</b>	<b>Longbridge ward</b>
Male	60.7 %	47.6 %
Female	39.3 %	52.4 %
BME	3.1 %	6.8 %
Disability	15.3 %	4.8 %
Age (19-34)	10.3 %	50.7 %

Source: Vision 21 / Nomis 2001

#### 4) **Monitoring**

- a) The implementation of the Area Action Plan and the Equalities Analysis will be monitored against the plan's objectives detailed in Part B of the LAAP. This monitoring will provide an invaluable tool to understand and quantify outputs necessary to deliver the vision and objectives and identify any need to amend policies in the future. It will help BCC and BDC keep track of progress during the lifespan of the plan.
- b) A number of Key Performance Indicators (KPIs) have been identified, which will be refined over time and linked to appropriate targets. The KPI's listed under the relevant objectives have been taken from a wide range of document sources including Regional Development Agency Core Output papers; West Midlands Regional Spatial Strategy; Local Development Frameworks and the Sustainability Appraisal.
- c) In addition to monitoring requirements, the LAAP will be subject to a strategic review after 5 years, and now currently underway. This will assist the planning authorities gauge the overall effectiveness of the plan and consider any major changes in direction, policies and proposals.