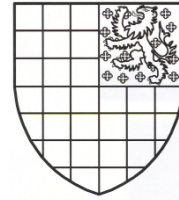


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**LEWES  
TOWN  
COUNCIL**

**To: Cllrs Ashby; Baah; Barker; Catlin; Elliott; Jones; Makepeace; Murray (S); O'Keeffe; Rowell and Watts**

A Meeting of the Working party formed **to consider the matter of a Diversity policy** will be held on **Thursday 29<sup>th</sup> November 2018** in the **Council Chamber, Town Hall, Lewes** at **7:00pm** which you are requested to attend.

S Brigden, Town Clerk  
21<sup>st</sup> November 2018

## **AGENDA**

### 1. ELECTION OF CHAIRMAN

To elect a Chairman for Working Party for the 2018/19 municipal year.

### 2. APOLOGIES FOR ABSENCE:

To receive apologies from members of the working-party who are unable to attend.

### 3. MEMBER'S DECLARATIONS OF INTEREST:

To note declarations of any personal or prejudicial interests in matters on this agenda.

### 4. QUESTION TIME

To receive any questions regarding items on the agenda for this meeting.

### 5. REMIT of the WORKING PARTY

To note the remit of the Working Party as defined by Council

*(overleaf)*

### 6. BUSINESS of the MEETING:

Working papers will be available for consideration.

*(Attached: Report FC010/2017c/w copies of current LTC policies.)*

This agenda and supporting papers can be downloaded from [www.lewes-tc.gov.uk](http://www.lewes-tc.gov.uk). Copies are available from the Town Hall

***For further information about items on this agenda please contact the Town Clerk at the above address.***

**PUBLIC ATTENDANCE:** Members of the public have the right, and are welcome, to attend meetings of the Council – questions regarding items on this agenda may be heard at the start of each meeting with the Chairman's consent, and subject to time available. Questions or requests to address the Council should, whenever possible, be submitted in writing to the Town Clerk at least 24 hours in advance. **PLEASE NOTE:** As space is limited we would appreciate advanced warning if you plan to attend in a group; perhaps with neighbours, or to bring a party of student observers. We may be able to arrange for the meeting to be held in an alternative room. General questions can be raised at our offices between 9am-5pm Mons- Thurs; 9am-4pm on Fridays – our staff will be pleased to assist.

**Distribution:** Cllrs Ashby; Baah; Barker; Catlin; Elliott; Jones; Makepeace; Murray (S); O'Keeffe; Rowell and Watts

*Copies for information:*

All councillors; T/hall; website; Lewes Library, Sx. Express, E.Argus, Sx. Police, M Caulfield MP, LDC, ESCC, Fr'ds of Lewes

## Diversity Working Party REMIT

### Lewes Town Council - Minute extract

#### *Minute FC2017/65 refers:*

#### **EQUALITIES/DIVERSITY:**

Members considered a proposal (*NOM 010/2017 copy in minute book*) to set up a Working Party to look at templates for a Diversity Policy used by other Councils, and to include members of the Community to assist the process. There was an accompanying report (*FC010/2017 copy in minute book*) which apprised Members of the background position.

The motion made reference to the Equality Act 2010 definitions of “protected characteristics” and noted that the Act allowed for positive action in general for the advancement of equality.

In addition the Public Sector Equality Duty (PSED) also required the Council to have ‘due regard’ to three aims, as part of its decision-making process. The three aims are:

- ⊕ Eliminating unlawful discrimination harassment and victimisation;
- ⊕ Advancing equality of opportunity between people who share a protected characteristic and those who do not;
- ⊕ Fostering good relations between people who share a protected characteristic and those who do not. Fostering good relations is about tackling prejudice and promoting understanding between people from different groups.

Council had acknowledged its responsibilities in this regard in 2011, and had in place appropriate policies related to employment, and engagement with the community. It was nonetheless proposed that a working party be set up to look at policies used by other Councils, and to include members of the Community to assist this process. There followed a short debate, and Members were generally supportive of the principle of a working party to consider an additional policy, but sought training in diversity matters before work was undertaken.

After some debate **it was resolved that:**

**FC2017/65.1** Equality/Diversity training will be provided for all Council Members as soon as possible

**FC2017/65.2** Following training, a Working Party consisting of Cllrs Ashby, Baah, Barker, Catlin, Elliott, Jones, Makepeace, S Murray, O’Keeffe, Rowell, and Watts be set up to further consider the matter of a Diversity Policy.

Members attention was drawn to report FC010/2017 (*copy in minute book*) which outlined the present situation regarding the Council’s duties regarding Equality. They were reminded that Council had fully addressed its responsibilities under the Equalities Act and observed relevant principles in all that it does. A report on the matter (appended) had been received by Council in November 2011, which was formally accepted and was a matter of public record.

A Parish Council was not required to publish a formal diversity policy. It was bound by the general Public Sector Equality Duty (*s149 Equality Act 2010*) and that was accommodated by a clear decision-making process and the recording of such. No ‘statement’ was required, but Members should remain mindful of responsibilities when addressing matters put before Council. Extant policies included a published Statement of Community Engagement which defined the ‘Community’ as everyone, *ie* wholly inclusive, and an Equal Opportunities Statement used in employment matters, which was consistent with all legal requirements in that regard.

**It was resolved that:**

**FC2017/65.3** Report FC010/2017 (*copy in minute book*) is noted.

**Agenda Item No:** 9 **Report No:** FC010/2017  
**Report Title:** Equalities issues  
**Report To:** Full Council **Date:** 9<sup>th</sup> November 2017  
**Report By:** S Brigden, Town Clerk

**Purpose of Report:** To advise Members of the background to the present situation regarding the council's duties regarding Equality.

**Recommendation(s):**

1 That Council notes this report.

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**Information:**

1 It is proposed at this meeting (NOM010/2017) that Council should formulate a Diversity Policy, and the proposal cites sources of information and reasoning in support.

2 Members should be aware that this Council has addressed its responsibilities under the Equalities Act and observes relevant equalities principles in all that it does.

I append the report considered by Council on the matter in November 2011, which was formally accepted and that is a matter of public record.

3 A Parish Council is not required to publish a formal diversity policy. We are bound under s149 EqA2010 by the general Public Sector Equality Duty but that is accommodated by our clear decision-making process and recording of such - there is no 'statement' required, it is a matter of remaining mindful of the responsibilities when addressing issues before Council.

We have a Statement of Community Engagement (also attached) which defines the 'Community' as everyone - that is, wholly-inclusive. It names one or two defunct partner organizations but is still robust and can await a routine review of policies. We have an Equal Opportunities Statement used in employment matters, which is consistent with all legal requirements (also attached).

S Brigden  
30<sup>th</sup> October 2017

Appendices:

Appendix A – Report FC010/2011 – *Responsibilities under the Equality Act 2010*

Appendix B – Equal Opportunities Statement

Appendix C – Statement of Community Engagement

**Agenda Item No:** 11 **Report No:** FC010/2011  
**Report Title:** Duties under the Equality Act 2010  
**Report To:** Full Council **Date:** 10<sup>th</sup> November 2011  
**Report By:** S Brigden, Town Clerk

**Purpose of Report:** To apprise Members of changes to duties, introduced by the Equality Act 2010.

**Recommendation(s):**

- 1 That this report be noted.

**Information:**

The Equality Act 2010 replaces and brings together previous legislation (such as the Sex Discrimination Act 1975, Race Relations Act 1976, the Disability Discrimination Act 1995 and the Equal Pay Act 1970). Consequently it has relevance, in several areas, to parish councils and is now in effect.

The 2010 Act protects individuals from discrimination because of:

- |                                  |  |
|----------------------------------|--|
| ⊕ age                            | ⊕ pregnancy and maternity (a protected characteristic separate to sex) |
| ⊕ disability                     | ⊕ race   |
| ⊕ gender reassignment            | ⊕ religion or belief   |
| ⊕ marriage and civil partnership | ⊕ sexual orientation.  |
| ⊕ sex (gender)                   |  |

In section 4 of the Act, these are referred to as ‘protected characteristics.’

Discrimination may be direct or indirect, and can be inferred into contract terms, criteria chosen for decision-making, and adopted policies and practices.

**Public Sector Equality Duty**

Section 149 of the Act imposes on public authorities, specifically **including** parish councils, a duty to take into account, in the exercise of their functions:

- ⊕ the need to eliminate discrimination and harassment, victimization and
- ⊕ any other conduct that is prohibited by or under the Act; and
- ⊕ to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- ⊕ to foster good relations between those who share protected characteristics and those who do not.

The protected characteristics of marriage and civil partnership are not covered by the provisions of section 149.

It is anticipated that future regulations, issued pursuant to section 153 of the 2010 Act, which will impose specific duties on certain public authorities to better perform and demonstrate compliance with the general duty contained in section 149 will affect **only** principal authorities.

Other provisions of the act are relevant to such things as recruitment; the disposal, management and occupation of buildings; provision of goods and services; and may be generally-applicable to many everyday operations. The Town Clerk will bring these to Council’s attention as and when relevant if existing policies and practices are found to need amendment. For any Member with a particular interest, the full implications of the Act in summary form may be obtained on request from the Town Clerk.

S Brigden  
 31<sup>st</sup> October 2011



## Equal Opportunities

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### Equal Opportunities

#### 1. Introduction

1.1 The purpose of this policy is to provide equal opportunities to all employees, irrespective of their gender, race, ethnic origin, disability, age, nationality, national origin, sexual orientation, religion, marital status or social class. The council opposes all forms of unlawful and unfair discrimination.

1.2 All employees whether full-time, part-time, fixed contract, agency workers or temporary, will be treated fairly and equally. Selection for employment, promotion, training, remuneration or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation.

#### 2. Principles

2.1 Discrimination, direct or indirect, based on a person's gender, race, ethnic origin, disability, age, nationality, national origin, sexual orientation, religion, marital status, social class or other irrelevant distinction is unacceptable.

2.2 In addition to being unacceptable, such forms of discrimination represent a waste of human resources and a denial of the opportunity for individual fulfilment.

2.3 The council seeks to involve all sections of staff in the continuing development and implementation of this policy.

#### 3. Members of the public

3.1 The council recognises that many members of the public use its services or visit its premises. The council takes seriously its responsibility to these people and affirms that they will be treated with the same respect and rights. Likewise, it is not acceptable for staff to be treated unfairly by service users or visitors.

#### 4. Organisational Responsibilities

4.1 The council's Proper Officer (Town Clerk) is responsible for overseeing the implementation, monitoring and review of the Equal Opportunities Statement.

4.2 The Clerk's responsibilities include communicating the policy and its implementation to staff, monitoring its implementation, and advising Members on recruitment and other matters concerning equal treatment.

4.3 The co-operation of all employees is essential for the success of this policy. However, ultimate responsibility for achieving the policy's objectives and for ensuring compliance with relevant statutes and codes of practice lies with the council.



## **Equal Opportunities**

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4.4 Intentional breaches of the provisions or spirit of this policy will be regarded as misconduct and could lead to disciplinary action in accordance with the council's disciplinary policy.

### **5. Legal framework**

5.1 The policy will be implemented within the framework of the relevant legislation, the main statute being the Equality Act 2010. This brought together 116 separate pieces of legislation to provide a framework to protect the rights of individuals and advance equal opportunities for all. The main pieces of legislation which have merged under the new act are:

- Equal Pay Act 1970
- Rehabilitation of Offenders Act 1974
- Sex Discrimination Act 1975
- Disability Discrimination Act 1995
- The Protection from Harassment Act 1997
- Gender Reassignment Regulations 1999
- Race Relations (Amendment) Act 2000
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Age) Regulations 2006
- Equality Act (Sexual Orientation) Regulations 2007

*Reviewed March 2010*

## POLICY STATEMENT

**Statement of intent as to community engagement***Adopted 11<sup>th</sup> November 2010 – minute FC2010/80 refers*LEWES  
TOWN  
COUNCIL**Lewes Town Council made a declaration of corporate objectives at its meeting of 2<sup>nd</sup> April 2009.***Minute extract – Lewes Town Council Minute reference FC2008/120*

That the following values be declared, where and when appropriate within Council documents, policies and statements:

“We, Lewes Town Council, strive to:

- > represent and promote the interests and needs of Lewes residents;
- > prudently manage our resources to a high standard and ensure their use for the benefit of the local community;
- > support initiatives that contribute to the economic vitality of the town, especially through the use of local suppliers and producers;
- > work with others to maintain, and improve where possible, good environmental quality and promote the sustainable use of local resources;
- > achieve and maintain the standards of a Quality Parish; and
- > maintain the traditions of the ancient County Town.”

*Lewes Town Council April 2009*

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**With particular reference to engagement with the local, and wider, community; Lewes Town Council states its policy as:**

**AIMS AND OBJECTIVES**

- > To effectively represent and promote the interests of Lewes in all forums.
- > Pay particular attention to the needs of the young, the elderly, the less able, and disadvantaged people.
- > Actively involve local people in decisions affecting activities in their area.
- > Be open and accountable in all we do.
- > Improved communication with the local community.
- > A better understanding within the community of the role of the Town Council and of its Councillors.
- > Local people recognize that they are involved in decision making.
- > Satisfaction with Council services.

**In order to achieve these goals, the Council will**

- > work with residents; businesses; voluntary organizations and community groups;
- > ensure that through a range of approaches to public involvement and community engagement, we actively encourage the involvement of all sections of the community, to capture views and learn of concerns, to more effectively integrate this understanding in the decision-making process;
- > ensure that residents have opportunities to be heard at every stage of a process.

**DEFINING THE COMMUNITY**

The Council considers the community of Lewes to consist of:

- > All residents of the town
- > All users of the Town Council’s services
- > All those who work within the town or who own businesses within the town
- > All young people who live and/or go to school within the town
- > All local voluntary organizations; clubs and societies; groups or organizations representing any sections of the community
- > Additionally, the Council recognises that there are certain bodies that are crucial to the quality of life in Lewes and aims to maintain excellent working relationships with these. They include the Police; other arms of local government; Lewes Town Partnership; Friends of Lewes; South Downs National Park Authority, and others. Other “interested persons” may be people or bodies who appear to the council to have an interest in matters relating to the economic, social and environmental well-being of its area.





## PROVISION OF INFORMATION AND OPPORTUNITIES FOR COMMUNITY INVOLVEMENT

Information is provided by the Town Council to the community in a number of ways, including

- > The Town Council offices at the Town Hall are open Mondays to Thursdays 09:00 to 17:00 and 09:00 to 16:00 on Fridays, where we provide a wide range of information both on Council services and other Lewes activities and issues.
- > The Town Council's website – [www.lewes-tc.gov.uk](http://www.lewes-tc.gov.uk) - provides information on the work of the Town Council and on other services, the history of the town, local events, local groups and organizations. The public can contact the Town Council through the website. All meeting agenda papers and minutes are available on the website to read or download.
- > Noticeboards at the Town Hall display agendas for Council meetings as well as other information of interest to the local community. Additionally, the Town Hall foyer and public reception area provide space which can be used to promote local events and organizations.
- > Councillors' surgeries are held regularly at the Town Hall.
- > The Town Council's Newsletter is published approximately quarterly and is available from the Town Hall; All Saints Centre; offices of other councils and from the local library. It available on the website to read or download, and can be requested for automatic distribution by e-mail subscription.
- > The Council's annual report is available each year with an edition of the newsletter; and also from the Town Council offices, on the website, and from the local library.
- > All meetings of the Town Council and its committees and working-parties are open to the public and a period is set aside at the beginning of each meeting for public questions.

### Opportunities for Formal Representations to the Council

Formal representations to the Council may be made at any time in writing to the Town Clerk.

A period for questions or address by members of the public is set aside at the beginning of every meeting.

### WORKING IN PARTNERSHIP

The Town Council will work whenever appropriate in partnership with other organizations such as the District Council, the Lewes Town Partnership, the Friends of Lewes, and East Sussex County Council. It is represented on the Lewes Town Partnership and also has representatives on the following local organizations:

- > Lewes District Association of Local Councils
- > Lewes Fair Trade Steering Group
- > Citizens Advice Bureau
- > DeMontfort Project
- > Lewes Railway Land Wildlife Trust
- > Malling Community Association
- > Age Concern Lewes
- > Lewes Volunteer Bureau
- > Landport Bottom joint Management Committee
- > Lewes Town Partnership
- > Lewes-Uckfield Line Parishes Group/ULREG
- > Lewes Priory Trust

### Contact Lewes Town Council

<i>by post, or in person, at:</i>	Lewes Town Council, Town Hall, High Street, Lewes, East Sussex BN7 2QS
<i>by telephone:</i>	+44 (0)1273 471469
<i>by fax:</i>	+44 (0)1273 480919
<i>by e-mail:</i>	<a href="mailto:info@lewes-tc.gov.uk">info@lewes-tc.gov.uk</a>
<i>via the website (e-mail link)</i>	<a href="http://www.lewes-tc.gov.uk">www.lewes-tc.gov.uk</a>