

POLICY AND RESOURCES CABINET BOARD

12th JUNE 2008

CHIEF EXECUTIVE'S OFFICE

**REPORT OF THE
HEAD OF CORPORATE STRATEGY – P.GRAHAM**

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1. Equality Policies and Schemes

Purpose of the Report

To provide Members with an overview of the Council's various equality policies and schemes

Background

Equal opportunity is one of the guiding principles of not only the Council but also of its partners in the form of the Community Plan. It permeates the Council's corporate aims and objectives and thus has become a principle that the Council is eager to champion not only in its own activities but also in its role as 'chief among equals' in its various partnerships and collaborations.

In order to promote equalities the Council has developed a number of policies and schemes which have been the foundation of its many initiatives and work practices since 1996.

The Council has both a moral and legal obligation to equalities which is borne out by the various legislative requirements placed on public bodies over recent years. These legislative requirements currently cover service delivery and employment in respect of race, gender, disability, the Welsh language, religion/belief and sexual orientation. The age regulations currently only refer to employment and training but it is anticipated that they will encompass service provision in due course.

Equality Policies

Equality of Opportunity in Service Delivery and Employment

The Equality of Opportunity in Service Delivery Policy, along with the complementary Equality of Opportunity in Employment Policy, is the foundation of the Council's equalities agenda as a service provider, employer, and a contributor to the development of inclusive and self confident communities.

The Council is committed to:

- providing equality of access to all of its services for the communities of Neath Port Talbot on the basis of need;
- providing services in a manner that is sensitive to the individual's needs whatever their backgrounds as far as is possible;
- taking positive action to eliminate discrimination and to redress past imbalances in order to provide genuine equality of opportunity;
- delivering services by a workforce that reflects the diversity of our communities; and
- to the principle of equal pay for all its employees.

It is committed to eliminating discrimination on the grounds of gender and gender reassignment, age, disability, race, language (Welsh), colour, nationality or ethnic or national origin, responsibility for dependants, marital status, sexuality, HIV or Aids status or religion/belief. The Council will take action to provide genuine equality of opportunity, to tackle unfair discriminatory practices and to review and monitor the outcomes.

The Council as a whole is accountable to the public for delivering equality of opportunity in all its activities. All members and officers of the Council have a duty to actively promote equality of opportunity in delivering services.

Progress on the corporate equality of opportunity in service delivery action plan and targets are reported annually to Policy and Resources Scrutiny Committee. Progress on Directorate action plans and targets are reported biannually to the individual directorate management teams and to their respective Scrutiny Committees.

Equality Schemes

Welsh Language Scheme

The Council is committed to the principle that in conducting its public business, both Welsh and English will be treated on the basis of equality. The Welsh Language Scheme produced in response to the Welsh Language Act 1993 was revised in 2007.

Progress against the corporate action plan is reported to this committee annually, while progress against service action plans is reported biannually to the relevant scrutiny committees.

Race Equality Scheme

This Scheme, produced in response to the statutory duty imposed on the Council under the Race Relations (Amendment) Act 2000, ensures all the Council's policies, services and functions are reviewed in order to eliminate unlawful racial discrimination, promote equal opportunities and promote good relations between people from different racial groups.

Progress is reported annually to this committee.

The Scheme is has recently been reviewed and a draft scheme is currently out for consultation. Following this consultation period the final Scheme will be reported to this Committee prior to seeking formal approval.

Disability Equality Scheme

The Disability Equality Scheme, produced in response to the statutory duty imposed on the Council under the Disability Discrimination Act 2005, demonstrates how the Council will eliminate discrimination and harassment; promote equality of opportunity between disabled people and non-disabled people and take account of disabled people's disabilities, even where that involves treating disabled people more favourably than others.

The first Scheme was published in December 2006 and progress is reported to this committee annually.

Gender Equality Scheme

The Gender Equality Scheme was produced in response to the statutory duty imposed on the Council under the Sex Discrimination Act 1975, as amended by the Equality Act 2006. The Scheme ensures that the Council, in its policies and functions, will eliminate unlawful discrimination and harassment and promote equality of opportunity between women and men.

The first Scheme was published in April 2007 and progress is reported annually to this committee.

All the above equality policies and schemes can be found on both the internet and intranet but should Members require hardcopies these can be obtained from the Corporate Strategy Team.

List of Background Papers

Equality of Opportunity in Service Delivery Policy
Equality of Opportunity in Employment Policy
Welsh Language Scheme
Race Equality Scheme
Disability Equality Scheme
Gender Equality Scheme

Wards Affected

All

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2. COMPLAINTS POLICY (CORPORATE)

Purpose of Report

The purpose of this report is to provide members with an overview of the Corporate Comments, Compliments and Complaints Policy. The implementation of this policy should ultimately assist in meeting the Council's corporate aim concerned with service quality and improvement.

Background

This policy is of particular importance because complainants have to be able to register any dissatisfaction with council services with relative ease and the Council has to have the opportunity to investigate any problems and provide complainants with an appropriate response. The complaints system should help Council employees and members ensure services are citizen focused and responsive to individual needs.

The revised Corporate Comments, Compliments and Complaints Policy came into operation on 22nd September 2003. This policy excludes complaints about Social Services where the Council has to have a specific complaints procedure in place. Complaints directed at schools are also excluded because they have to be resolved by school governors.

The policy acknowledges that comments, compliments and complaints should be viewed positively and as an invaluable source of information about the services that we provide. It also emphasises that dealing with complaints and queries from the public is part of the day-to-day responsibility of all employees, who have the opportunity to resolve complaints at an early stage.

Defining a Complaint

The Council determines that a complaint has been lodged where someone feels that the Council has failed to do something or done something badly or if they feel they have been unfairly treated.

Complaints in respect of this procedure do not include requests for services e.g. reporting a broken street lamp or a damaged pavement. Such matters only

become complaints when they have been reported and the Council promised to amend the situation and then failed to do so.

Stages in Process

Stage 1 - answered on the spot or investigated by employees.

Stage 2 - investigated by the Directorate Complaints Officer.

Stage 3 - investigated by the Chief Executive or representative.

Stage 4 - investigated by the Local Government Ombudsman.

The Policy states that where a complaint arises which crosses directorate boundaries, the lead investigating officer will be the officer from the directorate where the initial complaint was received. The intention here is to avoid complainants experiencing being “passed between directorates”. Ideally they should receive one comprehensive response should their complaints span different directorates or service areas.

All complaints have to be recorded and directorates are responsible for ensuring that effective monitoring procedures and systems are in place for all complaints. Monitoring reports on comments, compliments and complaints are reported to the relevant scrutiny committees on a six monthly basis. A corporate complaints report, which takes an overview of the complaints received by the various directorates, is produced on an annual basis.

The complaints policy and process is publicised by means of the Comments, Compliments and Complaints Booklet. Information about the policy is contained on the Council’s intranet and internet sites

The collection of equalities monitoring information in connection with complaints is largely dependent upon complainants completing an equalities monitoring form, once their complaint has been dealt with.

Following an approach by the Police, it has been agreed that all racial incidents that the Council is made aware of are reported to the Council’s Anti-Social Behaviour Case Co-ordinator, who has links with the Police’s Hate Crime Officer. All relevant Heads of Service have been asked to inform their managers to ensure that any racial incidents they deal with are recorded with the Co-ordinator.

Review

As stated earlier the policy came into operation in 2003 and during this time it has been periodically checked to ensure it remained fit for purpose. However, it will shortly be reviewed to incorporate any required changes, which will include guidance on dealing with ‘unreasonably persistent’ complainants and ‘unreasonable complainant behaviour’. Also the opportunity will be taken to ensure that the policy helps children and young people making complaints. It is timely to do this because the new independent Children’s Right’s Unit, which will become operational in the near future, is likely to lead to an increase in complaints from this source. Therefore the Council needs to be in a position where it can appropriately respond.

List of Background Papers

Corporate Comments, Compliments and Complaints Policy

Wards Affected

All

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