

Gloucestershire County Council Strategy and MTFS 2021/22 – implications of the Public Sector Equality Duty

Under the Equality Act 2010, decision makers must show ‘due regard’ to the need to:

- eliminate unlawful discrimination, harassment and victimisation
- advance equality of opportunity between those who share a protected characteristic and others who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it

The protected characteristics are age, disability, sex, race, religion or belief, sexual orientation, gender reassignment, pregnancy and maternity, and marriage and civil partnership.

Having ‘due regard’ is a legal term that requires Members to consider what is proportionate and relevant in terms of the decisions they take. The policy and budget framework is a decision for all Members of the County Council.

Members have been provided with, and should read, the Due Regard Statement (DRS) which accompanies the Council report. In relation to service users, each of the cost increases and cost reductions that were identified as requiring an equality assessment are considered, with due regard given to what it means for those with protected characteristics and the potential impact. The implications of the proposals for the workforce are also set out in the DRS. More detailed Equality Impact Assessments will be produced, where required, during the 2021/22 financial year.

To meet the legal obligation Members should first be content that they have sufficient information to enable them to consider the equality impacts and that they can consciously and actively consider the relevant matters. The detailed Due Regard Statement sets out the key issues in relation to the Council Strategy and MTFS, in terms of service users and the workforce.

As decision makers, Members must weigh up all the factors and reach a balanced view, ensuring that there are mitigating factors wherever possible. Again, these are set out in the Due Regard Statement.