

age

disability

gender &  
gender identity

race

religion  
or belief

sexual  
orientation

# The Equality Duties And Funding Decisions



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# What is the point?

Better informed decisions

Better engaged public

To be legally compliant

Avoid bad reputation



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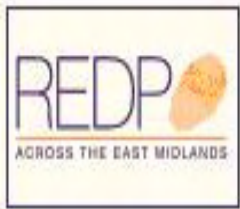
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## Reputation?!

1. R (Chavda and others) v London Borough of Harrow [2007]
2. R (Kaur) v London Borough of Ealing [2008]
3. The Queen on the Application of Janet Harris and The London Borough of Haringey and (1) Grainger Seven Sisters Ltd (2) Northumberland and Durham Property Trust Ltd [2010]
4. The Queen on the Applications of (1)Zanepa Hajrula (2)Mura Hamza v London Councils [2011]



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Currently, Equality Duties are required by:

- Race Relations (Amendment) Act
- Disability Discrimination Act
- Equality Act 2006
  - Race
  - Disability
  - Gender



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Required to:

- Eliminate Unlawful Discrimination
- Promote Equality of Opportunity
- Promote good race relations
- Promote good relations between disabled and non-disabled people
- Promote good relations between men and women



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# Eliminating Unlawful Discrimination!!

1. Direct Discrimination
2. Indirect Discrimination
3. Harassment
4. Victimisation



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## Methodology:

- **Equality Schemes**

- a. Listed functions

- b. Set out arrangements for:

- equality impact assessments
    - monitoring procedures
    - consultation with those likely to be adversely affected
    - publishing the results of assessments, consultation and monitoring
    - ensuring public access to information



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## From April 2011:

Duties within

- Race Relations (Amendment) Act
- Disability Discrimination Act
- Equality Act 2006

Replaced by:

Equality Act 2010

- General Equality Duty





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## Equality Act 2010 – General duty applies to:

### Protected Characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation



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## From April 2011:

Public Authorities must:

(a) **eliminate** discrimination, harassment, victimisation and any other prohibited conduct under this Act;

(b) **advance** equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) **foster** good relations between persons who share a relevant protected characteristic and persons who do not share it.



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## Methodology:

### Publish:

- information to demonstrate compliance with the GED
- evidence of analyses undertaken to ensure policies have (or would) enable compliance with the GED
- details of the information used to carry out these analyses
- details of engagement undertaken with people who the authority believes has an interest in their work to meet the GED



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# Help needed?

1. EHRC Guidance –  
“Using the equality duties to  
make fair financial decisions”
2. Regional Equality and Diversity Partnership



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# Contact REDP

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