

Equality

March 2011

The Single Equality Duty and the NEW Equality Analysis

Public Authorities are responsible for making a wide range of decisions including overarching policies, setting budgets, day to day decisions which affect specific individuals.

The Single Equality Duty comes into force on 6th April. Equality Analysis will replace Equality Impact Assessments as a way of considering the effect on different groups protected from discrimination by the Equality Act 2010. An equality analysis must:

1. Consider if there are unintended consequences for some groups
2. Consider if the policy will be fully effective for all target groups

Equality analysis involves using information and the results of engagement with protected groups to understand the actual or potential effect of the functions, policies or decisions of an organisation.

What should be analysed?

In essence everything that an employer does including:

- Policies – new in development, existing policies
- Functions
- Procedures and practices, whether written down or not
- Decisions

Public Authorities will also need to equality analyse the effects of how a policy is implemented when the original policy has been developed outside of the organisation such as policy or strategy developed by a government department.

This principle also applies when implementing a decision over which an employer has no direct control, e.g. funding cuts; authorities will still be required to consider the mitigating measures or alternatives ways of doing things to minimise the impact.

When should an equality analysis be done?

Equality analysis starts prior to policy development or at early stages of a review. It cannot be left to do at the end of the policy development process. To do so could lead to legal challenge as:

- The policy may still contain potentially discriminatory activity or adverse effects
- Opportunities to advance equality are missed
- Case precedent suggests that authorities will be unlikely to be able to demonstrate that they have had due regard to the aims of the

duty at the point when decisions were being made.

Equality analysis

- is not a one-off exercise, it is ongoing and cyclical.
- also involves monitoring what actually happens in practice
- applies to existing as well as new or proposed policies.

Jo Morgan,

South Somerset Branch,
Regional Equality Strategy Committee



Challenging Racism in the Workplace

The CRW project is aimed at lead branch officers and stewards who are involved in negotiating policies with their employer.

It is racism that prevents black workers from having equal access to good quality jobs and pay. It manifests itself in the workplace most obviously through bullying and harassment but also the overconcentration of black workers in the lowest rungs of organisations as well as in disciplinaries, grievances and redundancies, all of which might not be immediately uncovered without information gathering and monitoring. It is also well known that black people will suffer disproportionately from public spending cuts, both as communities dependent on public services and as employees.

Essentially this 2 day course tackles race discrimination as a collective bargaining issue. There is branch guidance which provides resources and support for work on negotiating and organising around race equality, particularly around defending public services and fighting cutbacks.

Challenging racism in the workplace is crucial for all of UNISON's work because no workplace where racism is allowed to flourish can ever be effectively organised.

The course can be run with one branch if there are enough members or 2 or 3 branches together. Please contact Vicky Boroughs v.boroughs@unison.co.uk for more information or to make arrangements

Impact of the Cuts on Equality Groups

Clear evidence is emerging of the determination of the Coalition Government to target its cuts on the worst off and the most vulnerable in society – and disregard the law in doing so.

Just weeks before the 100th anniversary of International Women's Day the Equality and Human Rights Commission has announced a formal investigation of HM Treasury under S31 of the Equalities Act 2006.

It is being conducted under the 2006 Act as the Public Sector Equality Duties under the 2010 do not come into force until 6 April 2011. Therefore it only covers Gender, Race and Disability.

It is powerful however and amongst other things can look at whether they have gathered evidence to enable them to make decisions which have due regard to the need to promote equality of opportunity.

This all started with the Comprehensive Spending Review which the Fawcett Society challenged in Court.

Although hundreds of thousands of women's incomes will be affected by the public sector pay freeze, and the poorest pensioners and lone mothers will lose out through the changes to benefits and pensions, the government conceded it had not considered the impact on women and men when drawing up its plans. Of the £8 billion worth of changes to tax and welfare, 72 per cent will come

from women's pockets, in comparison to 28 per cent from men's.

But it does not stop there.

UNISON and the TUC have already revealed that the poorest 10% of households will be hit 15 times harder than the richest 10%.

The Disability Alliance believes that the "advances towards equality" of the past two decades will be wiped out by the coalition government's decision to make cuts to disability living allowance (DLA) and limit access to employment support allowance (ESA).

The National Pensioner's Convention said that the Chancellor planned a substantial cut in the winter fuel allowance in 2011.

Moreover, the rise in the state pension age will hit the poorest hardest, as it will shorten the retirements of those living in areas with lower life expectancy.

All the evidence shows that the richer you are, the longer you live – so making people work longer is a direct attack on the poorest in our society.

Ian Malcolm-Walker,
Bournemouth Local Government Branch,
Regional Disabled Members'
Committee

National Black Members Conference

Glasgow January 2011



There were clearly less delegates attending conference this year as a result of the cuts and financial constraints.

This year's National Black Members conference was essential to increase networking, support and raising awareness of issues amongst Black members. Local Black members' groups are a good resource and can highlight issues within the community whilst providing support. They can have a positive effect on reducing discrimination and unfair treatment which is prevalent in far too many UK hospitals and other public bodies.

Conference members mentioned on numerous occasions that Black staff are being used as scapegoats, are being targeted for redundancy, and in some cases being subjected to the disciplinary process in order to remove them without any form of redress.

It became apparent at this year's conference that there is general fear from Black members from all ethnic backgrounds and throughout the UK, and that many questions remain unanswered. Black members in senior positions have to endure witch-hunts against them, assassinations of their characters, personalities and even their beliefs.

When their concerns are raised with their management they are often ignored, brushed under the carpet, or more commonly they are blamed for the issue occurring in the first place.

It is essential Black members keep up to date with changes within their

organisation, and are aware of the types of issues being raised. Here are some questions Black members can investigate at a local level:

1. Has an Equality Impact Assessment been undertaken on a proposed restructure or reorganisation and have all affected been consulted (particularly staff equality groups)?
2. Are all members aware of what an Equality Impact Assessment is?
3. Do you feel you are being treated as an equal at work? If not, are there any examples you are willing to share whilst maintaining your confidentiality?
4. How does your employer treat discrimination within the workplace? Do you have any examples which can be shared whilst maintaining the individual or group confidentiality?
5. Do you raise concerns about unacceptable behaviour towards you and do you follow it through? If so what was the outcome, and did it resolve the concern raised?
6. Are you aware of what options are open to you when dealing with unfairness in the workplace?
7. Have equality actions been included in your branch development plans?

Above are just a few questions which black and minority group members can use as an introduction to questioning their experience and status of employment. It will assist them to be vigilant and recognise when they, or others, are the recipients of covert discrimination and unfair behaviour.

All members need to take a proactive role in creating a fair environment and ensuring all cases of discrimination

and unfair treatment are raised with employers all of whom are legally required to take action to prevent discrimination. They should therefore be challenged on issues which disadvantage Black staff, and the root cause must be sought and resolved at the highest level.

The Conference left delegates in no doubt that all Black members need to stand firm and united in their approach to challenging discrimination and unfair treatment. They should show unity, strength and resilience that employees from all ethnic backgrounds will no longer accept the range of abuse, unfairness, discrimination and intimidation they have had to endure over the past five decades. This is of course a responsibility that rests with all UNISON members and they should encourage branches to develop action plans through attendance on the Challenging Racism Awareness training.

Unfair treatment and discrimination has no place in healthcare or any other employment, but all Black employees have the right to share the same degree of happiness and contentment as their colleagues, and this is their right, and this right is non-negotiable. One way of encouraging this process is to join in the **Defend Public Services March on 26th March**. Please contact your branch for information on transportation.

Marcia Dawkins,
Concorde Branch,
Co-Chair of Regional Equality Strategy Committee



Tim Roberts has been a member of UNISON for 12 years and has been active in this region throughout that time as a member of Bristol city branch, the Regional Black members and LGBT Committees. He has also been elected to both the National LGBT and Black members' committees where his commitment and hard work has always been held in the highest regard.

As if that isn't enough Tim was also on the Regional Equality Strategy Committee from the outset and has been instrumental in getting the committee started with the necessary workplan priorities and processes. So the announcement that Tim has been appointed as a Regional Organiser in the Eastern Region was met with some sadness from members. His clarity about all equality issues, enthusiasm and good sense will be missed by all in this region but he will undoubtedly be an excellent member of staff for UNISON.

Last year Tim wrote an article for Out in UNISON concerning UNISON's use of the term black. It is reproduced here. We all wish Tim every success and happiness in his new life in East Anglia. Our loss really is Eastern region's gain.

Goodbye...and congratulations to a highly valued activist

Black: What's in a name?

UNISON uses the term Black as a political statement. It is spoken proudly and spelt with a capital B. It is not about black as a skin colour or black as an alternative word for African-Caribbean. It is a term that encompasses all of us who live in the UK who have a shared history of exclusion, discrimination and disadvantage because we are not White.

My skin colour is lighter than my father's, my partner's and one of my son's, and darker than my other son's. But despite these differences, we are all Black and have all experienced racism. If your descendants are from Japan, India, Jamaica, Bangladesh, Guyana, Somalia, Antigua, China, Nigeria or the Philippines you will have a rich and unique cultural heritage but if you live and work in this country, you will have experienced racism or be at risk of experiencing it.

And yes the term Black encompasses those who, like me, have parents from different ethnicities. I use this term not to deny or hide my White heritage but because I share experiences of racism with people with two Black parents. Whether a child has one or two Black parents, they still suffer when schools fail to tackle racist bullying. When the BNP call for the repatriation of UK residents to their "land of ethnic origin", they don't differentiate between those with one or two Black parents.

In UNISON, the term Black is inclusive. It means we can rise above many of the issues that could divide us such as whose skin is darker or lighter, which country our descendants are from or how long our family has been in the UK. It means we can come together and concentrate on fighting the inequality we experience when we are working for, or using, public services.

So even if the Government or your employer prefers to use terms such as "minority ethnic" or "BME", when you are engaged in UNISON business we ask that you just use the term Black.

Tim Roberts,
Avon Fire and Rescue,
Bristol Branch,
Regional Equality Strategy Committee

Regional Council Motion:

Attendance at National Self Organised Conferences

A motion has been submitted to Regional Council on 5 March the text of which we wanted to share with the wider membership. At the time of going to print the motion has not of course been debated but whatever the outcome the content is important for all members and branches.

“We should celebrate how self organisation is fundamental and central to the structures and function of UNISON since the creation of the union. However, each year only a small number of branches in the region send members to Self Organised Group (SOG) conferences. Indeed, most members in the region are in branches that do not have a track record in SOG activity.

A recent survey found that the majority of the branches in the South West region do not send any members to SOG Conferences.

In 2009, only 11 branches from the region were represented at Black Members’ Conference, 10 represented at Disabled Members’ Conference, 17 represented at LGBT Members’ Conference and 25 at Women’s Conference. 54 South West branches did not send members to any SOG Conference in 2009, this figure was 58 in 2008 and 62 in 2007.

Many of the branches that have not sent delegates to SOG conferences were relatively small and some of these no longer exist since the recent branch reorganisation.

Attendance at national conferences can be restricted by the lack of facility time available. It is not logical to assume that most branches in the region do not have any Women, Black members, Disabled members or LGBT members who are willing and able to take part in SOG activity.

This meeting believes that all branches can take simple steps to promote SOG activity including:

1. Talk to members about the benefits of SOGs and the reasons why they are central to UNISON
2. Advertise SOG conferences on noticeboards, newsletters, websites
3. Make SOGs and equality a standing item on agendas
4. Ensure equality issues are mentioned in all campaigns
5. Set a budget for SOG activity
6. Ensure that expenses for attending national conferences are able to be paid in advance if requested
7. Use the Branch Assessment Process to review how equality work can be best advanced and discuss any barriers with Regional Organisers.”

Regional Equality Strategy Committee

Conferences 2011 National Self Organised Groups (SOGs)

BLACK MEMBERS	Fri 21 - Sun 23 January Report: Page 3	Crowne Plaza Hotel, Glasgow
WOMEN’S	Thur 17 - Sat 19 February	Harrogate International Centre
YOUNG MEMBERS’ WEEKEND	Fri 13 - Sun 15 May	Barceló Cardiff Angel Hotel
DISABLED MEMBERS	Sat 5 - Mon 7 November	Brighton Centre
LGBT	Fri 18 - Sun 20 November	Crowne Plaza Hotel, Glasgow

Your North Somerset

Sunday 23rd January 2011

This is an annual event held in Weston super Mare to allow diverse groups from North Somerset to come together and to celebrate their diversity and it was the 6th such event.

There were many singers, dancers and other groups to entertain the crowds and over 90 stands from many community, voluntary and Council departments that serve the diverse North Somerset community.

The North Somerset LGBT Branch Self Organised Group secured a free stand. As it was our first time attending the event we weren't sure how busy we would be but took along literature from the branch, all of UNISON's self organised groups, membership forms, million voices speech bubbles and details of the TUC march in London on 26th March.

From the opening of the event we were besieged by not just the public but also people who were

running other stands such as the PCT, Voluntary groups, Emergency Service staff and Council Staff. They were all very pleased to see what UNISON was doing to fight the cuts and took away information about the TUC March. We were also approached by various advocacy groups including a Christian group who showed a lot of interest in the work we do for the LGBT community, UNISON Welfare and Self Organised Groups and took away information to be able to signpost people to us for help in the future.

Many people signed up for the Million Voices Campaign and we also distributed many UNISON application forms whilst explaining why being in UNISON is important and that our strength is in our members standing together. Potential new members were from North Somerset PCT and many voluntary groups who carry out Public Services and whose funding is being threatened. We also spoke



to both current and ex North Somerset staff about what UNISON can do and encouraged members to stand as reps.

It was a very successful day, taking UNISON's message to under represented groups within the union, promoting the million voices campaign, self organisation, working across the diversity strands, engaging with the voluntary sector and publicising the defend public services campaign.

Nick Caines,
North Somerset Branch,
Regional Equality Strategy
Committee and Joint Convenor
LGBT Committee

Are you a UNISON Branch Equalities Co-ordinator?

Black members', Disabled members', LGBT or Women's Officers

Struggling with issues, feeling marginalised and at times isolated? Then you can join an email network of all Branch equalities officers as well as a separate one for Equalities Officers. You can receive updates and information on equality issues

and get advice from others on difficult matters. If you are not on this but would like to be then please contact Vicky Boroughs – v.boroughs@unison.co.uk or telephone 01823 285314.

Many branches ask about how to set up and maintain SOGs. The

North Somerset LGBT group is a good example of a successful and active one in which the members have shown a commitment to working on a couple of campaigning priorities. Their achievements in their first year are outlined on the back page >

TRAINING ROUNDUP

Equality Reps

A total of 35 Equality reps have now been trained in the South West region from 17 branches. The last course planned for Dorset in March had to be cancelled due to insufficient numbers. The next course in the Education programme is 12 – 14 September in Taunton but if you are keen to be trained before then please contact the Education and Equalities Unit on 01823 285314 or email unisonsweducation@unison.co.uk and arrangements could be made if there is enough demand.

Challenging Government Cuts Using Equality Legislation course:

30 March, Bristol
31 March, Taunton

Equality Co-ordinators

Branch Officers Weekend
30 June – 3 July

NEW! Equality Officers Networking Day

6 April, Taunton

For all officers and reps with an equality role (ie LGBT, women, disabled and black members officers etc). It will include training about the Equality Act, particularly the Single Duty which will come into force on the day (6 April), how to oppose the cuts using equality legislation and a focus on self-organisation as well as an opportunity to share work.

All application forms to:
*Education and Equalities Unit,
UNISON South West,
UNISON House,
The Crescent, Taunton,
Somerset TA1 4DU*

For the full Education and Training programme visit www.1in25.com



LGBT Pride and Respect Festivals

Plymouth Out

19 March

Exeter Pride

9 April

Exeter Respect Festival

4 & 5 June

North Devon Diversity Event

11 June

Gloucestershire Pride

18 June

Bourne Free –

Bournemouth Pride

9 July

Bristol Pride

16 July

Cotswold Pride, Cheltenham

6 August

Swindon & Wiltshire Pride

6 August

Cornwall Gay Pride

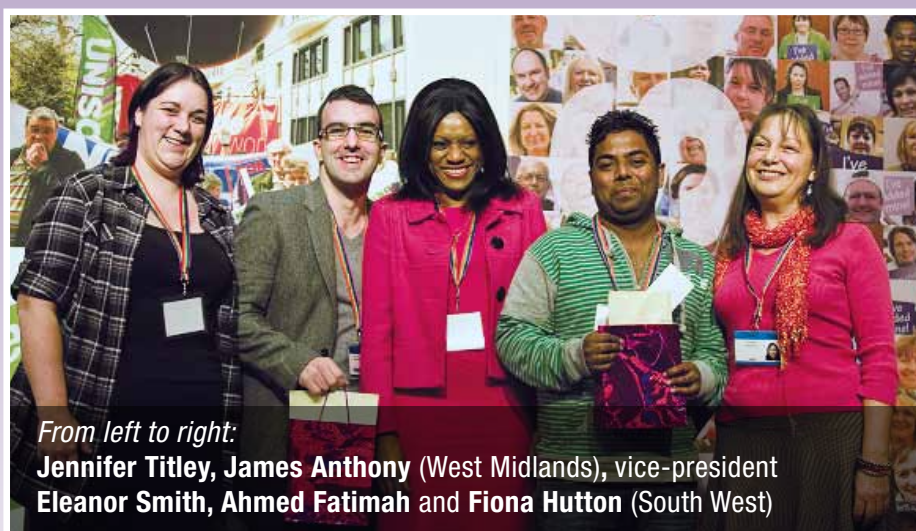
27 August

Plymouth Respect Festival

30 & 31 October

Diary Dates for Equality Campaigning

For an up-to-date calendar of events see our website at:
www.unionsouthwest.org.uk



From left to right:
Jennifer Tittley, James Anthony (West Midlands), vice-president
Eleanor Smith, Ahmed Fatimah and Fiona Hutton (South West)

LGBT Recruitment Awards

At the National LGBT Conference the South West received a recruitment award jointly with West Midlands and the South West were particularly commended for taking recruitment out beyond Pride events and successfully targeting various under represented groups including Black LGBT people.

What a Branch LGBT SOG can achieve in a year

The North Somerset Lesbian, Gay, Bi-Sexual and Transgender Self Organised Group was formed in February 2010 and has had an extremely busy year.

At our first meeting we decided on the motions agreed at national conference that we would like to work on for 2010:

- **Supporting Young LGBT people in rural areas** - we have been in communication with the local authority, PCT's and our local MP. We have established links with Weston College Staff LGBT Group and North Somerset Council LGBT group, North Somerset Equalities Officer and the Equalities Manager at the PCT. Young LGBT people have also been provided with advice and support and we have mapped the services in the area. We have also lobbied the Local Authority to not cut funding to the few services provided for LGBT youth and have

written to the local LGB groups asking about support for Trans people and have been invited to meet with group leaders to discuss further.

- **Fight against the far right** - we have signed up for the Hope not Hate campaign, leafleted in the lead up to the general election along with colleagues from other Unions as part of UNISON's affiliation to the Weston and North Somerset TUC.

More recently we have become concerned about the white paper concerning the GP Commissioning of Services and have been in discussions with John Penrose, MP and the local PCT regarding this. We have been invited to attend meetings with the PCT and will be kept informed of all changes.

As a branch SOG we have spoken to several branches looking to form their own SOGs and recommended

to contact us by the region. We are, as a result, shortly due to be visited by members of the Wiltshire and Avon Mental Health Branch. We are also in discussion with various relevant parties about holding a LGBT North Somerset Conference in conjunction with the council and the PCT.

Several of our members also serve on regional and national UNISON committees and as a group we have also received national praise at the national UNISON LGBT Conference in the annual report.

Nick Caines,
North Somerset Branch



Regional Contacts List – Self Organised Groups (SOGs)

Black Members Group

Georgia Ramsay, Chair – 0117 9405002
Ruth Ramsay, Secretary
Mark Phelan, Staff Contact – 0117 969479,
m.phelan@unison.co.uk

Disabled Members Group

Terry Connell, Chair – telconnell@aol.com
Ian Malcolm-Walker, Secretary –
ian.malcolm-walker@bournemouth.gov.uk
Mo Dickson, Staff Contact – 01392 442659,
m.dickson@unison.co.uk

Young Members Forum

Chris Musgrave, Staff Contact –
01392 442650, c.musgrave@unison.co.uk

LGBT Members Group

Convenors:
Nick Caines – nickcaines@liberata.com
Fiona – Kulini@msn.com
Vicky Boroughs, Staff Contact – 01823 285314,
v.boroughs@unison.co.uk

Women's Group

Alison Buck, Co-ordinator – 01884 235216,
Alison.buck@petroc.ac.uk
Vicky Boroughs, Staff Contact – 01823 285314,
v.boroughs@unison.co.uk

www.unionsouthwest.org.uk