

Our Ref:  
Please ask for:  
Tel:  
Email:  
Date: 18 April 2011



Specific Duties – Policy review  
Government Equalities Office  
Zone J9, 9<sup>th</sup> Floor  
Eland House  
Bressenden Place  
London SW1E 5DU

Dear

### **Equality Duty: Reducing Bureaucracy**

Nottinghamshire County Council welcomes the Government's commitment to developing a more flexible, proportionate and light-touch approach to the public sector equality duty.

In Nottinghamshire we are committed to equality. We strive to achieve fairness in all our services and have a track record of improvement in this area. We agree with the Government that the priority should be delivery of equal treatment and equal opportunities for all, not the performance of processes that might support it. Unnecessarily prescriptive requirements and regulations are not required and do little to assist the Authority or the Government in achieving our shared aims.

The need to demonstrate commitment to the equality duty has become bureaucratic, burdensome and disproportionate. We agree that it goes against the Government's drive to free the public sector from unnecessary process requirements and top-down targets.

The focus on process has had unintended consequences that need to be addressed. It has provided a means to frustrate the democratically taken decisions of local authorities. At a time when there are increasing demands for key local services it is of concern that the processes prescribed for these duties provide an avenue for challenging the decisions of councillors. This diverts public funds from front line services into legal fees and costs. Councils and councillors are already publicly accountable for the decisions they take and the processes that they follow in the application of policy. The equality requirements duplicate these accountability mechanisms and place additional burden on local authorities.

The intention behind the equality requirements has been undermined by the processes attached to them. The requirements may have sought to encourage meaningful consideration of equalities issues but with examples nationally of local authorities having to commit significant resources to defend legal proceedings as a

**Leader of the County Council**

County Hall, West Bridgford  
Nottingham, NG2 7QP  
0115 977 3854

result of these prescribed processes it has become fundamental to undertake them as a means to protect the authority from legal challenges. This has led to a disproportionate amount of officer resource having to be committed to ensuring that these processes are adhering to the strict interpretation of the legislation - further increasing the burden on local authorities.

We believe that the Government needs to find a more pragmatic and less onerous approach in this area. The County Council therefore welcomes the revised draft regulations to reduce the burden posed by the Equalities Duty.

The County Council agrees that public bodies should take responsibility for how they go about responding to their obligations. We therefore ask that all of the requirements in the current regulations be removed, to allow for a local approach to addressing this important matter.

Yours sincerely



Councillor Mrs K Cutts  
Leader of the County Council

**Leader of the County Council**

County Hall, West Bridgford  
Nottingham, NG2 7QP  
0115 977 3854