

# **EAST GRINSTEAD TOWN COUNCIL**

## **Race Relations (Amendment) Act 2000**

### **Town Council Policy Statement**

The Race Relations Act 1976 already makes it unlawful to discriminate against someone on racial grounds.

As a result of the new legislation, local councils are under a general duty to promote race equality. This duty already exists. References to 31 May 2002 as being a deadline for compliance apply to local authorities with specific duties under the new Act. This deadline does not apply to local councils, including East Grinstead Town Council, who do not have a specific duty. Hence we do not have to produce a Race Equality Scheme. However in the exercise of our functions we do have an existing and ongoing general duty to have due regard to the need to: -

- **Eliminate unlawful discrimination**
- **Promote equality of opportunity; and**
- **Promote good relations between people of different racial groups.**

The aim of the legislation is to incorporate this way of thinking into a council's decision-making process and service delivery. That is not to say that it is necessarily absent or anything blameworthy exists at present. However, a code of practice has been produced under the new legislation and courts and tribunals will take the codes recommendations into account.

Local councils are not told within the legislation how to comply with the general duty as such or how to do their work. There are no specific criteria to follow. However, a council will need to assess whether race equality is relevant to their functions. If they do not, how will they be able to answer a criticism that they have failed to comply?

#### **What does East Grinstead Town Council need to do?**

As stated, there are no specific steps detailed. We need to be able to demonstrate that we do have due regard to the matters listed above. East Grinstead does have regard to the matters listed and we are free to deal with the matter locally as we see fit. The way the Town Council will be addressing this matter is as set out below.

In accordance with the delegated authority vested at the Finance & General Purposes Committee meeting on 21 March 2002 (minute 416) the Town Clerk in consultation with the Chairman and Vice Chairman of that Committee subsequently agreed the following resolution that will be reported to the Committee on 20 June 2002 for ratification: -

*“East Grinstead Town Council acknowledges the general duty placed upon it by the Race Relations (Amendment) Act 2000. The Council will continue within its’ functions and policies to have due regard to the need to eliminate discrimination, promote equality of opportunity and promote racial equality between people of different racial groups.”*

The Town Council has identified which of its functions are relevant to the duty. All functions with a public interface are considered to be relevant, particularly those that focus upon hiring of facilities, catering, provision of information and burial services. The Council has not overlooked the fact that it is an employer and this function is relevant with particular emphasis on recruitment. In all aspects of functional relevance the Council is clear that the services it provides are non-discriminatory and that all members of the public, staff and Councillors are treated equitably and with fairness, respect and consideration regardless of their colour and/or ethnic classification.

The Council is also committed to ensuring that if, regardless of the Councils real and best efforts to ensure equality, a council policy is shown to adversely impact on certain racial groups and could be considered to be unlawful racial discrimination, then changes to the policy will be made with a high degree of urgency and that such issues will be brought to the attention of the Council through the Finance & General Purposes Committee.

As policy whenever a relevant matter comes before the Council for consideration, whether at Committee/Council or at an executive level the question to always ask will be “What action should we or do we need to take to: eliminate unlawful discrimination, promote equality of opportunity and promote race relations”. The Council is willing to be challenged on such question and be able to indicate that due consideration and regard has been paid to it at both the initial appraisal and decision /policy determination stages.

## **Conclusion**

Local councils have to comply with the general duty. If an allegation of discrimination is raised against the Town Council then we will need to be able to show that we have acted properly. The new legislation ought not to alarm the Council. Discriminatory practices should not exist and there is no evidence that it has ever been an issue in East Grinstead. The new legislation does however ensure that there is no complacency and that we are vigilant to ensuring, both wittingly and unwittingly, that we are not guilty of unlawful discrimination.

The Commission for Racial Equality is producing a final draft guide for local councils for Racial Equality for distribution shortly and the Town Council will ensure that it has regard to this in the context of its own evaluative processes.

C.J. Rolley  
Town Clerk  
May2002