

COMPLAINT AND EQUALITY WORKING GROUP: PROPOSAL

So that the Working Group can get on with its work with the minimum of further delay, I therefore propose the following:

* If the complainant or any Town Councillor wishes to review the past conduct of the Town Council or any individual member of the Town Council and “identify any failings” regarding any matter which is captured by the Code of Conduct, they should be informed that this is outside the remit of Lowestoft Town Council and be directed to contact the ESC Monitoring Officer.

* Full Council should review and determine its external representation requirements at its March 2021 meeting. Responsibility (and a maximum budget) for implementing the agreed external representation requirement should be delegated to the Clerk, with an update to be provided at April Full Council.

* The Terms of Reference of the Equality Working Group should be amended to read as follows:

1. The Equality Working Group has been established by Full Council as a Working Group reporting directly to Full Council.
2. **Duties.** The Working Group’s duties, as set out in these terms of reference, are defined and agreed by Full Council, which may vote, at any time, to modify, remove or increase the Working Group’s term.
3. **Meetings.** It is anticipated that the Working Group will meet at least once every two months until it has delivered its initial report and recommendations to Full Council, and as required thereafter.
4. **Membership.** The Working Group will consist of no fewer than five members: two Councillors nominated by the Personnel Committee, two Councillors nominated by the Standing Orders & Policies Sub-Committee, and at least one external representative appointed by Full Council. A quorum will be four members of the Working Group (including at least three Councillor members and at least one external representative). Full Council may appoint additional full or substitute members at its discretion. The Mayor will have automatic membership and full voting rights if not already a member. Membership of the Working Group will be reviewed by Full Council at least annually, at its AGM.
5. **Record of Proceedings.** Although this is a Working Group, written minutes of each meeting will be taken to record the Working Group’s progress and will be received and reviewed at the following Full Council meeting.
6. **Responsibilities:**

The Working Group has delegated authority from Full Council to fulfil the following responsibilities: -

- (a) To report and make recommendations to Full Council on how to ensure that all members and staff are familiar with the content and provisions of relevant legislation, including the Equality Act 2010. Consideration should be given to induction and annual refresher awareness training covering direct and indirect discrimination, conscious and unconscious bias, and other relevant material.
- (b) To review applicable Town Council policies, including the Equality and Diversity Policy, against the content and provisions of relevant legislation, including the Equality Act 2010, and make recommendations to Full Council regarding any updates that may be required.

Review and recommendations should not concentrate exclusively on gender, but should consider equality and diversity in the round (including all “protected characteristics” specified in prevailing equality and diversity legislation).

The Working Group should liaise with the Standing Orders & Policies Sub-Committee to pre-empt any duplication or overlap with regular policy review work being undertaken by that Sub-Committee.

- (c) To examine how the Town Council approaches, delivers, and promotes equality and diversity, and opposes discrimination, harassment, and bullying, and make recommendations to Full Council on any improvements which may be identified.

Review and recommendations should include consideration of both encouragement and enablement measures. The Working Group should also look at representation and balance, but should exercise caution regarding matters which are outside the authority and direct control of the Town Council (e.g. direct interference in electoral law and the election process; so-called “reverse” or “positive” discrimination, restricted shortlists, minimum quotas, and so on).

- (d) In all its proceedings, reports, and recommendations, the Working Group shall avoid matters which are captured by the Code of Conduct and which fall within the remit and authority of the East Suffolk Council Monitoring Officer to assess and determine.