

Motions Submitted to Council

In accordance with Chapter 2, Part 2 (Rule 15) of the Council's Constitution

Motion 3

Submitted by Councillor Hartstean

Care-experienced people are a disadvantaged group who face challenges and discrimination in every aspect of their lives. However, care experience is not currently a protected characteristic within the Equality Act 2010. This Council wishes, as a matter of policy, to provide that care experience is a protected characteristic and has due regard to this characteristic when it makes decisions and determines its plans and policies. It is noted that the determination of this policy matter is an executive decision for Cabinet to make. Therefore, this Council resolves:

- a. To treat care experience as if it were a protected characteristic within the meaning of s.149 of the Equality Act 2010, until such time as it may be introduced as legislation.
- b. That the Director of Children Services present a report to Cabinet in order to give effect to this decision.

Monitoring Officer Comments:

Rule 15.2 of the Council Procedure and Rules states that a notice of motion must relate to a matter which affects the authority or the authority's area and must relate to a matter in respect of which the authority has a relevant function. The care-experience of certain groups of individuals is a matter of which the Council has a relevant function.

The Council's general powers of competence under section 1 of the Localism Act 2011 empowers the Council to treat care experience as if it were a Protected Characteristic, conducting equality impact assessments in relation to future proposed service provision and policies adopted by the Council. It is a matter for the Council's Cabinet to decide whether care experience should become a protected characteristic so far as the Council is concerned.

Section 151 Officer Comments:

There are no immediate financial implications for this motion.

Is the above motion within the remit of Council to approve?

Yes