South Holland District Council

Corporate Equality Policy

January 2013

Democratic Services
### Version Control

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<tr>
<th>Issue No.</th>
<th>Author</th>
<th>Issue Date</th>
<th>Reasons for Issue</th>
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<tr>
<td>3</td>
<td>James Edwards</td>
<td>January 2013</td>
<td>Updated to take into account The Equality Act, 2010</td>
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<tr>
<td>2</td>
<td>August 2009</td>
<td>February 2007</td>
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### Approval of draft and final approval process

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### Revision Schedule

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### Added to Policy Register

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Introduction
This policy outlines the Council’s approach to equality and diversity both in terms of employment practices and the services the Council provides. This policy relates directly to the Council’s vision and objectives and underpins all aspects of the Council’s work and future development. The main points in the policy include the following:

- what equality means – treating everybody fairly, with dignity and respect
- scope of the policy – the policy is for everybody, staff, elected members and third party partners
- the aim of the policy – is to promote equality of opportunity and fair treatment for all
- the policy statement – The Council is committed to promoting a supportive and inclusive culture
- equality definition – clarification of terms used
- responsibilities for equality – all of us are responsible for implementation of the policy and for making sure that our own behaviour is acceptable
- equality in:
  - service delivery and customer care
  - employment
  - learning and development
- complaints and grievance procedure
- implementation and monitoring – all staff are responsible for implementation.

1 What is meant by equality?

Equality means:
- treating people fairly, with dignity and respect
- making decisions or judgements about people based on individual merit, not as a result of bias, prejudice, assumptions or stereotyping
- creating a climate where everyone has fair access to employment opportunities and to services.
- recognising the benefits of a more diverse workforce, that everyone is different and that those differences can add value
- developing a work environment which is free from discrimination, harassment, victimisation and bullying

It is not about:
- providing certain groups with preferential treatment
- pretending everyone is the same
- lowering standards
- political correctness
- irrelevant quotas

2 Scope – Policy Aim

This policy is intended for use by The Council as an employer. Its scope includes Elected Members all the Council’s staff and all the Council’s partners
including contractors. It is also intended for all people who apply to the Council for employment and those who use our services.

The aim of this policy is to promote equality of opportunity and fair treatment for all Elected Members, staff, job applicants, customers, partners and any people that the Council comes into contact with during the course of its day to day business.

The Council aims to make sure that no unlawful or unfair discrimination takes place on the grounds of any protected characteristic or any other identified inequality in the District (such as deprivation or rurality).

3 Policy Statement

South Holland District Council is committed to promoting a supportive and inclusive culture for all Elected Members, staff, job applicants, customers, partners and any people that the Council comes into contact with during the course of its day to day business. By integrating people’s individual strengths, the Council will maximise its efficiency and its creativity which will improve the services that it provides.

During a person’s time with the Council, and irrespective of their protected characteristics they can expect to be:

- treated fairly and without discrimination of any kind
- able to access opportunities for training and development to enable them to develop to their full potential
- supported in balancing their work and home life commitments and to have requests considered objectively in line with business needs
- treated with dignity and respect in a fair and consistent manner, in an environment where inappropriate behaviour is not accepted
- Working in a healthy and safe environment where hazards have been assessed and minimised.

Definitions

To help understand equalities, it is necessary to gain an understanding of the terminology that is frequently used, when discussing issues:

Protected Characteristics

There are nine protected characteristic which replace the previous characteristics that were known as ‘equality strands’. Protected characteristics as defined by the Equalities Act, 2010 are:

- age,
- gender
- race and national origin
- disability
- religion
- pregnancy and maternity
- sexual orientation
- gender reassignment
- marriage and civil partnerships
Direct Discrimination – treating a person or people less favourably than others because of their gender, marital status, sexual orientation, religion or belief, race, national origin or any other protected characteristic.

Example: At interview it becomes apparent that a job applicant is Hindu. Although the applicant has all the skills and competencies required for the job it is decided not to employ them because they are Hindu. This is direct discrimination.

Indirect Discrimination – applying a provision, criterion or practice which disadvantages or treats people of a particular group less favourably than others, and cannot be justified in objective terms.

Example: An organisation has a dress policy that states ‘no headwear’ for all staff. Although it clearly states ‘all staff’ the policy disadvantages Sikh members of staff who wear a turban for religious reasons. This policy is indirect discrimination.

Harassment – unwanted conduct that violates a person’s or people’s dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment and might include:

- spreading malicious rumours or insulting someone by word of mouth or behaviour
- sending critical e-mails to others who don’t need to know about a particular person
- ridiculing or demeaning someone, generally picking on an individual or group
- exclusion or victimisation
- unfair treatment
- misuse of power
- unwelcome sexual advances
- making threats
- deliberately undermining a competent worker, maybe by overloading them with work
- preventing individuals progressing
- making negative remarks about a person’s gender, marital status, sexual orientation, religion or belief, or any other protected characteristic

Victimisation – treating a person or people less favourably because of action they have taken under, or in connection with, equalities legislation. For example if someone has made a formal complaint of harassment or given evidence in a tribunal case.

Positive action - refers to a variety of measures designed to counteract the effects of past discrimination and to help eliminate stereotyping. Under this broad definition positive action may include initiatives such as the introduction of non-discriminatory selection procedures or pre-employment training programmes.

Religious Belief - This can be regarded as any religion, religious belief or similar philosophical belief.
Sexual Orientation - Orientation towards persons of the same sex (lesbians and gay men); orientation towards the person of the opposite sex (heterosexual); orientation towards persons of the same sex and the opposite sex (bisexual).

Disability – as defined by the Equalities Act, 2010 is physical or mental impairment that has a ‘substantial’ and ‘long-term’ negative effect a persons ability to carry out normal daily activities. ‘Substantial’ means more than minor or trivial. ‘long-term’ means 12 months or more.

Gender Re-assignment – this refers to persons who are transgender or considering undergoing gender re-assignment. As an example, persons considering gender re-assignment may wear clothes of the opposite sex.

Pregnancy and maternity – this includes persons who are pregnant or on maternity leave.

4 Implementation

All staff and Elected Members are responsible for making sure that the Equality Policy is fully implemented and that equality underpins every aspect of the Council’s work and future development.

As an employer the Council will do this by:
• promoting equality of opportunity for all
• consulting regularly with staff, service users, community groups and all of our partners
• making sure that all staff know about the policy and its contents
• publishing equalities information, such as a workforce profile and equalities objectives
• Risk assessment of new policies and proposed changes and completing equality impact assessments, where the need is identified to prevent discrimination
• monitoring job applications to see if the policy is working for people in the equality target groups that are under any positive action scheme
• making sure that the information relevant to the policy is openly available
• taking action against those who are in breach of this policy
• giving responsibility to the Chief Executive to make sure that the policy is adopted, fully implemented and its progress is monitored corporately.

All Elected Members and all members of staff have responsibility for the successful implementation of the policy and for making sure that their own behaviour is acceptable and in line with this policy.

Members of staff will comply with the following standards. You will:
• co-operate fully with the implementation of the policy
• report any suspected discriminatory act (to do nothing is to discriminate)
• not harass, intimidate or discriminate against colleagues or people using our services
• not unlawfully discriminate, for example, when making decisions on recruitment or selection, promotion, transfers and the provision of services
• not victimise people because they have made complaints or provided information on activities that contravene this policy
• be aware of your own personal attitudes and behaviour and the attitudes and behaviour of the organisation.

Elected Members: In addition to the list above, Elected Members will comply with the Members’ Code of Conduct.

We will make sure that the services we provide meet the needs of all our customers as far as we are reasonably able to do so.

5 Equality is service delivery and customer care

In achieving the Council’s corporate vision, quality service delivery and customer care are essential. To achieve quality service delivery, our position on equality will be made clear to all service users and organisations that have or are seeking contracts with the Council.

Wherever practicable we will provide equal access to our services and information for customers throughout the District, regardless of protected characteristics.

All services provided by organisations either in partnership with the Council, or under contract for the Council will be required to operate in a manner consistent with this policy.

6 Equality in employment

Our recruitment and selection policies, procedures and practices will reflect our commitment to equality. The Council will make sure that all present members of staff and applicants for employment are treated equitably irrespective of their protected characteristics.

7 Equality in learning and development

All learning and development opportunities will be planned, delivered and monitored on the basis of equality of access for all staff. Resources will be shared to meet priorities identified during the Identified Training Needs (ITN) process.

To make sure that we meet our Equality obligations all external training providers will be required to complete the necessary documentation detailed in the Procurement Policy and the Risk Management Policy.

Training will be given to all members of staff to address equality principles, covering all protected characteristics. A training record will be logged and maintained in employee files.

Specific areas that may need consideration include:
• Special dietary requirements for catering such as, kosher or halal.
• Avoid ice breakers that use language or physical contact that might be inappropriate for some beliefs.
• Avoid any training exercises that require the exchange of personal information. For example delegates may feel uncomfortable talking about their origin, previous employment or previous experiences.
• Do not exclude people through choice of venue, for example for those staff whose religion forbids association with alcohol a pub or bar would be an unsuitable training venue.

8 Complaints and grievances

Harassment and discrimination can happen accidentally or through thoughtlessness and can be unintentional. Often, the person who is causing offence is not aware of the effect their behaviour is having. Once it is brought to their attention that their behaviour is inappropriate an apology may resolve the situation.

If you think you are being harassed or discriminated against it is important to make it clear to the person who is harassing you that their behaviour is unwelcome and that you want it to stop. A swift and clear indication that their behaviour is not acceptable will often prove effective. You do not have to do this, or you may find it helpful to have a friend or colleague in support particularly if you are feeling bullied or intimidated. If you choose to address your concerns to the person be clear and assertive. However, the request could alternatively be made in writing, or through a third party.

If speaking to the person in question has failed to stop the problem, you should talk to your line manager. If it is your line manager or supervisor who is harassing you speak to somebody else higher up or outside of your management chain. You may find it helpful to talk to somebody from the Human Resources Team.

If this approach fails or you are not satisfied with the outcome of your complaint you can make a formal complaint. All allegations will be investigated swiftly, thoroughly, sympathetically and confidentially under the Council’s grievance procedure.

In all cases it is important that you keep a record of any incidents including the date, time, location and a description of the incident. In addition, record any attempts that you have made to deal with the problem. This information will be important in the event of a formal complaint.

Customer Care and Service User Complaints

The aim of our Customer Care policy is to provide a set of standards that apply to every member of staff so that the citizens of South Holland receive a consistent, friendly and efficient high quality customer service. All complaints will be equality monitored.

Any Service User complaints will be dealt with promptly and efficiently in accordance with our Customer Complaints Procedure.
9 Monitoring

The policy will be monitored in the following ways:

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<tr>
<th>MONITORING ACTIVITY</th>
<th>PERSON RESPONSIBLE</th>
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<td>Check to see if the policy has been implemented effectively</td>
<td>Assistant Director, Democratic Services</td>
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<td>Data collection and quarterly reporting on employment issues</td>
<td>Compasspoint Business Services</td>
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<td>Overall performance against Equalities Objectives.</td>
<td>Performance Officer</td>
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<td>Review of policy</td>
<td>Performance Officer</td>
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<tr>
<td>Customer Care standards</td>
<td>Compasspoint Business Services / Performance Officer</td>
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<tr>
<td>Induction and ongoing staff training</td>
<td>Performance Officer</td>
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<tr>
<td>Elected Member training</td>
<td>Assistant Director, Democratic Services</td>
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10 Policy consultation and consideration

The Council has had an Equal Opportunities Policy since 1993. The Policy was reviewed in 2001 and developed as an Equality and Diversity Policy in accordance with the South Holland District Council Consultation Strategy. Service users and local special interest groups, staff and members were involved in consultation.

This Policy was again revised in February 2007 after the Council received a number of new duties following legislative changes. This policy has been updated in 2013, following the implementation of the Public Sector Equality Duty, within Equalities Act 2010.

11 Related policies

All of the Council’s policies and strategies are linked to the Corporate Equality Policy but the following are particularly relevant:

Harassment at Work Policy
Grievance and Disciplinary Procedures
Learning and Development Policy
Recruitment and Retention Policy
Customer Care Policy
Induction Procedure
Hate Crime
12 Appendix 1: Legislation

The key legislation is the Equalities Act, 2010 which has come into force over the last 2 years. The aspect within the Act that is most relevant is the Public Sector Equality Duty (Section 149), which is about ensuring that public bodies consider the needs of individuals when delivering services and devising policies.

The Equality Act 2010 replaced the following legislation and regulations:

- Equal Pay Act 1970
- Sex Discrimination Act 1975
- Race Relations Act 1976 (amended 2000)
- Disability Discrimination Act 1995
- The Equality Act 2006
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003

The Equalities Act 2010 has brought together all of the previous legislation and regulations in one simplified act.

The Equalities Act, 2010 can be found at:


The Public Sector Equalities Duty can be found at:

http://www.homeoffice.gov.uk/equalities/equality-act/equality-duty/