



Equality and Diversity Policy

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Equality & Diversity Policy

Introduction

The Equality Act 2010 took effect on 1 October 2010, replacing previous anti-discrimination legislation, simplifying the law and removing inconsistencies. It is understood that this simplification makes it easier for people to understand and comply with the law, whilst strengthening its enforceability to help tackle discrimination and inequality.

Public Sector Equality Duty

The Public Sector Equality Duty is a key measure in the Act, which came into force on 5 April 2011.

All public bodies and organisations carrying out public functions have a duty to consider the needs of all individuals in their day-to-day work – in shaping policy, in delivering services and in relation to their own employees. There is a wide range of statutory rights and obligations, derived from this Parliamentary Act, and despite any express term to the contrary, they cannot be waived. The Public Sector Equality Duty ensures that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all. The Home Office Diversity Strategy 2013-16 states: “There is a clear focus on the actions and improvements required to champion equality, diversity and inclusion (EDI), in all we do, whether these concern staff or the wider public.”

It goes on to state: “... removing barriers to social mobility and recognising people for their efforts, skills and achievements rather than social backgrounds or where they are from.”

The purpose of this policy is to provide equal opportunities for everyone who comes into contact with the Council, irrespective of their characteristics (unless it can be shown that the treatment is a proportionate means of achieving a legitimate aim). To discriminate against someone means to treat them less favourably, to harass or victimise them or to subject them to a provision, criterion or practice which puts them at a disadvantage. It is unlawful to discriminate against an individual on the grounds of the following ‘protected characteristics’ as defined under the Equality Act 2010 (Specific Duties) Regulations 2011:

- Age
- Caring responsibilities
- Disability
- Gender identity
- Part-time working
- Pregnancy, maternity and paternity

- Race
- Religion or belief
- Sex
- Sexual orientation
- Marriage and civil partnership

The Council opposes all forms of unlawful and unfair discrimination, whether direct or indirect, victimisation, or harassment on the grounds of any of the protected characteristics defined in the Equality Act 2010. The Council is committed to promoting and delivering equal opportunities in the workplace and in the delivery of services. In all activities, the Council will have due regard to the aims of the Equality Duty and:

- Work towards the elimination of unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it.
- Foster good relations between people who share a protected characteristic and people who do not share it.
- Ensure that individuals are treated equally with respect to their specific needs and that there is consistency in the Council's approach to working practices and conditions.
- Act as a role model and try to influence others through good practice in service delivery and employment.
- Provide public information, as far as possible, in a way that best meets the needs of the person requesting it.
- Be accountable to all residents and encourage active participation of communities and groups in the development and application of the Council's policies and procedures.
- Encourage all employees and Councillors to attend relevant training programmes.

There is no single way to achieve equality and diversity. Progress will be made through several factors outlined below. These factors are fundamental in the implementation and incorporation of the core values that embrace equal opportunities and their practice:

- Consultation
- Publicity/Communication

- Community Development
- Training
- Contracts
- Employment Monitoring
- Service Delivery and Monitoring
- Policy Review
- Resources

This policy applies to all employees, volunteers, contractors and members of the Council.

It is accepted that members of the council are not employees, but they do share a responsibility with employees when representing the Council or carrying out the functions of their office; therefore, all aspects of this policy apply to members.

All employees and volunteers, whether full-time, part-time, on fixed-term contracts, agency workers, or temporary staff, will be treated fairly and equally. Selection for employment, promotion, training, remuneration or any other benefit will be on the basis of aptitude and ability. All employees will be supported and encouraged to develop their full potential, and the talents and resources of the workforce will be fully utilised to maximise the council's efficiency.

Every employee and volunteer is entitled to a working environment that promotes dignity and respect for all. No form of intimidation, bullying or harassment will be tolerated. This is further defined in the Dignity at Work policy adopted by the Council.

The commitment to equal opportunities in the workplace is good management practice and makes sound business sense as it seeks to utilise the talents available from the local community, representing society as a whole. Breaches of this policy could lead to grievance or disciplinary proceedings.

The Council adopts model employment contracts as devised by professional bodies in the local government sector (the Society of Local Council Clerks / National Association of Local Councils).

The policy will be monitored and reviewed annually to ensure that the council strives to remain an Equal Opportunities employer. The policy aims to achieve the five core values, which embrace and provide a framework within which employees can work:

- Recognition that everyone is of equal value and should be respected according to individual needs and abilities.

- To be fair, reasonable and just in all council activities.
- Providing equal access for all in employment and service delivery.
- Helping individuals take on responsibility so that they can influence and participate in the decision-making process.
- Obtaining the highest standards in service delivery.

In exercising its functions and delivering services, the Council will have due regard to the aims of the Equality Duty, and it will take a proportionate approach when complying with it. Equality issues will be an influence on the Council's policies and decisions, and the Council will consider the needs of all individuals in its day-to-day work.

Definitions

Equality, or equal opportunities, is based on a legal framework that aims to protect individuals from discrimination. The focus is on fair treatment for all, and not treating someone less favourably because of their race, gender, disability, etc. This does not mean treating everyone the same; people are different, and the issues relating to different groups require separate consideration.

Diversity goes beyond equality and the groups covered by anti-discrimination legislation. It refers to 'difference' and is about recognising and valuing the differences and individual contributions that people make, whether at work or in the community. It is concerned with having a workforce that is motivated by being valued and treated with respect and ensuring that all people maximise their potential and contribution.

This includes working towards having a Council that is representative of the community it serves, providing accessible and relevant services that respond to the Parishioners' needs, and creating an inclusive environment. However, it is not a replacement for equality or equal opportunities, and both need to be considered together.

Aims

By adopting and implementing this Equality and Diversity Policy, Newark Town Council acknowledges its responsibility to address the imbalances caused by discrimination and disadvantage. In doing so, the Council will ensure that all communities have opportunities to work with the Council, access the Council's services and be involved in what the Council does. The council will pursue this aim through continuously striving to improve the way in which it:

- Recruits, employs and develops employees.
- Provides services.
- Involves communities.
- Works with other organisations.

Aim to:

- Promote equality and diversity in employment and in learning and development.

- Provide services that are accessible according to need.
- Involve all sections of the community in the planning, design, delivery and assessment of our services.
- Work in partnership with others to improve the lives of the people who live, work, study, and visit the town.

Responsibilities

The ultimate responsibility for implementing this Equality and Diversity Policy rests with the Council.

All elected councillors (Members) have responsibility for the ownership and direction of this policy.

All employees will have access to, understand and implement this policy through their work and actions.

What to do if something goes wrong

Members of the public

If a member of the public believes the council is not providing a service in line with this policy, or that they have been unfairly treated in any way, they can raise a complaint. Newark Town Council's Complaints Policy can assist this.

Council employees

If an employee is concerned about any equality or diversity issue relating to their employment, they can speak to their line manager.

If an employee feels embarrassed, humiliated, offended, distressed, alarmed, apprehensive or fearful because of someone else's behaviour towards them, they have the right to have that behaviour stopped. The Council's Bullying and Harassment policy explains how to go about this. Employees also have a right to raise issues through the Disciplinary and Grievance Policy.

If an employee is a member of a Trade Union, they can contact them for advice and support on any of these issues.

Glossary of Terms

Equality

Equality or equal opportunities is based on a legal framework that aims to protect individuals from discrimination. The legislation covers employment and services.

The focus is on fair treatment for all, and not treating someone less favourably because of their race, gender, disability etc. This does not mean treating everyone the same; people are different and the issues relating to different groups require separate

consideration. The law allows for positive action to be taken to assist certain groups to overcome past disadvantage or under-representation in the workforce.

Diversity

Diversity goes beyond equality and the groups covered by anti-discrimination legislation. It refers to 'difference' and is about recognising and valuing the differences and individual contribution that people make, whether at work or in the community. It is about having a workforce that is motivated by being valued and treated with respect and ensuring that all people maximise their potential and contribution. For the Council, this includes working towards having a Council that is representative of the community we serve, providing accessible and relevant services that respond to the customer's needs, and creating an inclusive environment. However, it is not a replacement for equality or equal opportunities.

Discrimination

Discrimination is about people being thought of as having less worth or value, being treated less favourably than others or given fewer opportunities. Discrimination has its roots in stereotyping and prejudice, and fundamentally between whether a person belongs to the ingroup (us) or the out-group (them). Sometimes discrimination arises because people have decided that some people 'deserve' to be treated less well than others (because they're not part of the in-group). In other cases, people make assumptions that discriminate, for example that older workers don't learn as quickly as younger ones, or that disabled workers take more sick leave. Discrimination can be direct, indirect, intentional or unintentional. Individuals, groups or whole organisations can be discriminatory. Perception is just as important as intention. It is vital that we take seriously the views of people who experience discrimination.

Positive Action

Positive action means taking steps to overcome past disadvantage or underrepresentation in a way that helps put everyone on an equal footing. This might involve advertising to encourage job applicants from a particular under-represented group to apply, or training to help develop the potential of under-represented groups. Positive action is not the same as positive discrimination.

Prejudice

Prejudice means to pre-judge. It refers to negative attitudes towards the members of a particular group based solely on their membership of that group, e.g. because of their gender, sexual orientation etc. Prejudice often involves stereotyping and acting negatively towards a particular group or treating them less favourably (discrimination).

Stereotyping

This is the belief that all members of a particular group share certain traits or characteristics. It involves over-generalisations and is often linked to prejudice and discrimination.

Bullying

Bullying is defined as offensive, intimidating, malicious, insulting or humiliating

behaviour, abuse of power or authority, which attempts to undermine an individual or group of employees.

Harassment

Harassment is defined as unwanted conduct that has the purpose or effect of violating the victim's dignity, creating an intimidating, hostile, degrading, humiliating or offensive environment. It may be related to a particular personal characteristic, e.g. gender, race, age etc. It may be persistent or an isolated incident. What matters is the effect on the victim, not the intent of the perpetrator.