



Equality Policy

Version Control

| Version | Date | Reviewed by |
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| Draft | 22/09/2021 | R Holland |
| Approved | 14/10/2021 | Council Meeting |
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1. Introduction

1.1 Equal opportunities

The Equality Act became law in 2010. It covers everyone in Britain and protects people from discrimination, harassment and victimisation.

Disley Parish Council is an Equal Opportunities employer, service provider and community leader. It will ensure that all employees and service users are not subject to any form of discrimination, harassment and/or victimisation paying regard to the Equality Act's 9 protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnerships
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation.

The Council as a corporate body has responsibilities as an employer, a service provider and a public authority, but both Members and employees as individuals also have responsibilities as well as rights.

The Council is committed to ensuring that its services and employment practices are fair, accessible, responsive and appropriate for all residents, clients & service users, voluntary and business organisations and visitors in the community we serve, as well as the dedicated staff we employ and volunteers and partners who work with us.

To achieve this, we are committed to avoiding and eliminating all forms of discrimination in accordance with our Equality Policy and ensure that human rights (dignity and respect) are central to the way in which we deliver services.

The Council will encourage and develop all employees to support and carry out the requirements of this Equality policy. All employees will be encouraged to identify and disseminate good practice.

1.2 Responsibilities

All members and officers of the Council have a responsibility to ensure that the Council's Equal Opportunities policy is communicated, and its requirements adhered to.

2. What is Discrimination?

According to the Equality Act 2010 it is possible to discriminate against someone in the following ways:

2.1 Direct Discrimination

Direct Discrimination is treating one person less favourably than another in the same or similar circumstances or segregating them solely because they have a 'protected characteristic'. For example, Beatrice is turned down for a loan from her local credit union because they say that a woman is less likely to have a job and be able to repay the loan.

2.2 Indirect Discrimination

Indirect Discrimination occurs when there is a rule, policy or practice that applies to everyone but particularly disadvantages people who share a particular characteristic. Indirect discrimination can be justified if it can be shown that the rule, policy or objective is intended to meet a legitimate objective.

2.3 Associative Discrimination

Associative Discrimination – is when someone is discriminated against because they associate with someone with a 'protected characteristic'. For example, despite being successful at interview, an organisation does not give Jane a job because she has a disabled son and they believe she will take a lot of time off to care for him.

2.4 Discrimination by Perception

Discrimination by perception – discrimination against someone because others 'think' they possess a particular protected characteristic.

2.5 Harassment

Harassment (Disability, gender reassignment, race, or sex)

Unwanted behaviour related to a protected characteristic that has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. People can now complain about behaviour that they find offensive even if it is not directly aimed at them.

Harassment (religion, belief or sexual orientation)

There is no specific prohibition on harassment related to religion, belief or sexual orientation. However, if you harass someone because of their religion, belief, sexual orientation and consequently treat them less favourably than you would treat someone else, a court would consider this to be direct discrimination which is unlawful.

Harassment by a third party – Organisations are potentially liable for harassment by people they don't employ and must protect their staff or clients from harassment. For example, a cashier in a supermarket who possesses a 'protected characteristic' is constantly harassed by a customer. The management have been made aware of it on previous occasions but have not made steps to address or prevent the issue.

2.6 Victimisation

Victimisation occurs when a service provider treats someone badly because they have made or supported a complaint about discrimination or harassment, or because the service provider thinks they are doing these things. A person is not protected from victimisation if they have maliciously made or supported an untrue claim.

3. Equality Legislation and its Implications

3.1 Unification of Previous Any- Discrimination Laws

The Equality Act 2010 replaced existing anti-discrimination laws with a single Act. The Act applies to all organisations that provide a service to the public. It also applies to anyone who sells goods or provides facilities, whether or not they charge for them.

3.2 Definitions

Disability

According to the Equality Act, the definition of disability applies to a person who has a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out their normal day-to-day activities. To qualify for protection from discrimination, a disabled person does not have to show that their impairment affects a particular capacity such as mobility, speech or eyesight.

The Social model of Disability

Disability occurs because barriers hinder people from taking a full part in the community. This is the social model of disability and is defined as;

“The recognition that primarily it is the loss or limitation of opportunities (due to environmental and social barriers) that prevent people who have impairments from participating in society on an equal level with others.”

Gender reassignment

This will apply to a person who is proposing to undergo, is undergoing or has undergone a process to change their sex. They do not have to show that they are under medical supervision.

Race

This includes ethnic or national origins, colour or nationality.

4. Equal Opportunity Policies

4.1 Recruitment

The Council recruitment process will result in the selection of the most suitable person for the job, in respect of experience and qualifications. It is against the Council's policy to discriminate either directly or indirectly on the grounds of any characteristic listed in its Equality Policy, at any stage of the recruitment process.

The Council will ensure that:

- All job opportunities are open to all applicants;
- No prejudgement or assumptions are made by recruiters or managers;
- All applications are given equal consideration;
- No decision is made in advance regarding the outcome of recruitment;
- All applicants and staff are made aware of the Council policy on recruitment.

The only criteria to be used in the selection process are those based on the skills, experience and qualifications essential for the job.

4.2 Training and Development

Training and development opportunities will be made available to all employees and any form of discrimination whether direct or indirect will not be tolerated. Priority will be given to training or development activity which is linked to the achievement of the Council's aims and objectives.

4.3 Terms and conditions

All employees will be treated equitably with respect to pay and other conditions of their contracts of employment.

4.4 Breaches of Policy

Employees who feel that they have been subject to discrimination should attempt to resolve the issue by talking to the individual whom they feel has acted inappropriately. If this does not resolve the issue then the employee can approach their Manager or, if necessary, the Parish Clerk under the Grievance Procedure.

4.5 Harassment

The Council will not tolerate or accept any form of harassment of its employees. All employees have the right to be treated with dignity and any contravention of this right may be subject to the appropriate grievance or disciplinary procedure. Harassment policy and processes are included in the Council's Employee Handbook.

4.6 Discrimination against people with disabilities

The Council will make reasonable adjustments to the workplace to meet the needs of a person with a disability so the employee can properly undertake their job role. Where appropriate we will engage Access to Work for specialist knowledge and funding to ensure all employees have the correct equipment to carry out their role.

Within our application form we ask if you should need any reasonable adjustment for interview so we can be prepared and give each candidate the best opportunity for success. No candidate would be rejected on this basis.

4.7 Religious discrimination

Discriminatory behaviour which fails to acknowledge the rights and needs of people with different beliefs or practices will be treated as a disciplinary offence.

4.8 Bullying

The Council will not tolerate bullying behaviour at any level and it is the responsibility of all members and officers to eliminate any form of bullying which they become aware of. Allegations of bullying will be dealt with under the grievance or disciplinary procedures. Any employee who feels they are being bullied should consult any member or the Parish Clerk.

4.9 Victimisation

The Council will ensure that no employee is treated less favourably than other people because, for example they have brought proceedings, given evidence, or complained about the behaviour of someone who has been harassing or discriminating against them.

4.10 Age

Recruitment is based entirely on relevant criteria. This criteria will be specific to the post and will not include age or age related criteria.

Person specifications must focus on job needs only. Criteria **unnecessarily** specifying experience, personal qualities or qualifications will be removed from job advertisements and person specifications.

5. Equality Rights

5.1 Positive about Service Delivery

The Council's clients have the right to expect fair and non-discriminatory treatment whilst participating in or receiving any of the Council's services. It will ensure that all recipients of the services delivered directly by the Council are guaranteed the same opportunity.

All aspects of the Council's Equalities Policy impact on the manner in which it directly delivers services to and for its customers.

Adherence to the principles and practices contained within the policy will be monitored on a regular basis. The Council will look for ways that it can make its services accessible to all. Breaches of this Policy by staff will be subject to the grievance and discipline procedures.

5.2 Positive about Community Leadership

The Council has a local governance and community leadership role. Local residents, members of local organisations, businesses and visitors have the right to expect fair and non-discriminatory treatment when engaging with the Council.

The Council recognises the diversity within the community and seeks to reflect this in the work it undertakes within that community.

5.3 Positive about Disability

The Council believe that disabled customers should be able to obtain services in the same way as other customers who are not disabled.

The Council will focus particularly on making reasonable adjustments to the physical features of its assets e.g. Community Centre. Where a physical feature makes it impossible or unreasonably difficult for disabled customers to make use of a service, we will take reasonable measures to: – remove the features, or alter the features, or provide a reasonable means of avoiding it, or provide a reasonable alternative method of making the service available.

5.4 Positive about Democracy

Where councillors are to be elected, the Council will make information available as widely as possible about the election and help people who are interesting in standing for election, with the objective of reflecting the diversity of the Parish.

When the Council seeks a co-opted member, it will advertise widely and will ensure that every applicant has an equal opportunity. Selection will be made against objective criteria.

The Council will always promote democracy, encourage all people to engage with it and vote at elections. It will make special efforts to engage with "hard to reach" groups.

6. Complaints

6.1 Complaints and compliance

The Council regards all forms of discriminatory behaviour as unacceptable and will ensure that individuals feel able to raise any grievance or complaint related to such behaviour without fear of being penalised for doing so.

Appropriate disciplinary action will be taken against any Member, Officer or volunteer who violates the Equality Policy.