

Seighford Parish Council

Equality, Diversity and Inclusion Policy

1. General Statement

Seighford Parish Council is committed to encouraging and achieving equality, diversity and inclusion, and eliminating discrimination, amongst the workforce, in employment and operating practices and in the delivery of services that it provides. No user of Seighford Parish Council's services, employee, volunteer or job applicant should receive less favourable treatment because of; sex, colour, ethnic origin, age, race, disability, religion, sexual orientation, marital status, or any other criterion not relevant to the point at issue.

Seighford Parish Council recognises the fundamental importance of equality, diversity and inclusion both as an employer and in our wider role within the community of Staffordshire, and aims to be truly representative of all sections of society and our service users, in our workforce and volunteering, where this does not impact delivery. Seighford Parish Council has an active commitment to developing policies which recognise that equality, diversity and inclusion is an on-going process and that it includes anti-discrimination.

Seighford Parish Council recognises that everyone has a personal responsibility for the positive application of equality, diversity and inclusion, and that Seighford Parish Council must ensure that the supportive framework is in place to guarantee the implementation of the policy.

This policy sets out our internal procedures and pays regard to the Equality Act 2010, and recommended best practice in areas of Equality, Diversity and Inclusion.

2. Responsibility

It is the responsibility of all staff, volunteers and service users to ensure that no other service user, volunteer or employee receives less favourable treatment than any other. Seighford Parish Council will do all it can to challenge any behaviour that is unacceptable and incompatible with its Equality, Diversity and Inclusion Policy.

Employees, Councillors and volunteers of Seighford Parish Council have a duty to act within the guidelines of this policy, ensure it is followed and to draw attention to any suspected discriminatory acts or practices. Responsibility for promoting awareness of this policy and monitoring that it is being followed rests with the senior management team.

Breaches of the Equality, Diversity and Inclusion Policy by employees

Breaches of this policy by employees may be dealt with by following the standard disciplinary rules.

Breaches of the Equality, Diversity and Inclusion Policy by volunteers (including Councillors)

Breaches of this policy by employees may be dealt with by following the standard disciplinary rules.

Employees, volunteers and Councillors are also personally liable under equality legislation for any act of unlawful discrimination.

3. Aims of this Policy

Seighford Parish Council recognises and values people's differences and will assist them to use their talents to reach their full potential. The organisation will do all it can to ensure it recruits, trains and promotes people based on qualifications, experience and abilities for all roles within the organisation. This policy is designed to ensure that Seighford Parish Council complies with its obligations under equality legislation, follows best practice guidelines for Equality, Diversity and Inclusion, and demonstrates our commitment to treating people equally and fairly. Seighford Parish Council is unreservedly opposed to any form of discrimination on the grounds of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race (including colour, nationality, ethnic or national origin), religion or belief, sex and sexual orientation (defined as Protected Characteristics).

This policy's purpose is to;

- Provide equality, fairness and respect for all in our employment, whether temporary, permanent, a contractor, part-time or full-time
- Not unlawfully discriminate because of the Equality Act 2010 protected characteristics as listed above
- Oppose and avoid all forms of unlawful discrimination, including in pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, annual leave, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities.

Using fair and objective employment practices, the organisation aims to ensure that;

- All employees and potential employees are treated fairly and with respect at all stages of their employment.
- All employees (volunteers/service users) have the right to be free from harassment, bullying victimisation and discrimination of any description, or any other form of unwanted behaviour. Such behaviour may come from other employees or by people (third parties) who are not employees of Seighford Parish Council, such as customers or clients.

- All employees (volunteers/service users) have an equal chance to contribute and to achieve their potential, irrespective of any defining feature that may give rise to unfair discrimination.
- All employees (volunteers/service users) have the right to be free from discrimination because they associate with another person who possesses a Protected Characteristic or because others perceive that they have a particular Protected Characteristic, even if they do not.

As part of this policy we commit to;

- Encourage equality, diversity and inclusion in the workplace as they are good practice and make business sense
- Create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued. This commitment includes training managers and all other employees about their rights and responsibilities under the equality, diversity and inclusion policy. Responsibilities include staff conducting themselves to help the organisation provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination. All staff should understand they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, customers, suppliers and the public
- Take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, customers, suppliers, visitors, the public and any others in the course of the organisation's work activities. Such acts will be dealt with as misconduct under the organisation's grievance and/or disciplinary procedures, and appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice. Further, sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.
- Make opportunities for training, development and progress available to all staff, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation.
- Decisions concerning staff being based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act).
- Review employment practices and procedures when necessary to ensure fairness, and also update them and the policy to take account of changes in the law.

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- Monitor the make-up of the workforce regarding information such as age, sex, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality, diversity and inclusion, and in meeting the aims and commitments set out in the equality, diversity and inclusion policy. Monitoring will also include assessing how the equality, diversity and inclusion policy, and any supporting action plan, are working in practice, reviewing them annually, and considering and taking action to address any issues.

Equal Opportunities is concerned with;

Recognising that:

- individuals and groups may be prevented from achieving their full potential and status.
- different groups and individuals have different degrees of power because of the positions they occupy in society.
- different groups and individuals are discriminated against both directly and indirectly.

Accepting that:

- action is needed to redress these imbalances.
- most people have advantages simply because they belong to a particular group.
- Seighford Parish Council has a responsibility to oppose discrimination in all its forms.

Taking the initiative to:

- influence the behaviour and attitudes of individuals, groups and organisations.
- encourage respect for the individual.
- encourage collective action to challenge prejudice and the structures that perpetuate it.
- challenge stereotyped images and, in their place, promote positive images.
- declare as unacceptable any language, action or belief that is prejudicial or which encourages prejudice in others.

4. Scope of this Policy

The policy applies to;

- *Job applicants*
- *Employees*
- *Agency temps*
- *Work experience or placements*
- *Volunteers including Councillors*

The policy applies to all stages of employment including recruitment and selection, promotion and training and covers the following types of discrimination;

Direct discrimination is when an employee or applicant is treated less favourably than someone else because of their:

- sex
- marriage or civil partnership
- gender reassignment
- pregnancy and maternity leave
- sexual orientation
- disability
- race (including colour, nationality, ethnicity or national origin)
- religion, religious belief, faith or lack of such
- age

that there is no genuine occupation requirement for it.

People also must not be discriminated against because they are on a part time or fixed term contract

Indirect discrimination

This is where there is a working condition, practice or rule that disadvantages one group of people more than another. In other words, it is more difficult for people from one group to comply with the requirement. Even if it is done accidentally indirect discrimination is unlawful. Indirect discrimination is only allowed if it is necessary for the way the business works, and there is no other way of achieving it.

Discrimination arising from disability

This is where a disabled person is treated unfavorably because of something connected to their disability where it cannot be objectively justified. This only applies where the organisation knew or could reasonably be expected to know that the person was disabled.

Associative Discrimination

This is where someone is treated worse than someone else because they are associated with someone with a protected characteristic.

Perceptive Discrimination

This is where someone is treated worse than someone else because there has been an incorrect assumption that they have a protected characteristic. This applies even if the person does not possess the characteristic.

Third Party Harassment

This is where an employee is harassed by a third party who is not an employee e.g. volunteers or service users.

5. Values

Equality of opportunity is fundamentally about fairness and respect. It is achieved by ensuring that discriminatory behaviour, in any form, is not tolerated. Such values require commitment from staff, Councillors and volunteers to accept a code of conduct which;

- (a) Encourages respect for the individual.
- (b) Encourages collective action to challenge prejudice and the structures that perpetuate it.
- (c) Challenges stereotyped images internally and externally and, in their place, promotes positive images.
- (d) Declares as unacceptable any language, action or belief which is prejudiced or which encourages prejudice in others.
- (e) Will not tolerate any form of behaviour which is derogatory, demeaning or insulting to other persons or groups on the ground of race, gender, disability, religion, culture, political beliefs, sex, sexual orientation or age.

6. Implementation of the Policy

Seighford Parish Council recognises that equality of opportunity cannot be achieved without:

- (a) Developing procedures and practices which actively seek to promote equal opportunities and oppose discrimination.
- (b) Training for staff, Councillors and volunteers.
- (c) Establishing an environment in which people feel free to challenge discrimination

All staff, Councillors and volunteers will be involved in creating an equality environment and one that values diversity.

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Communications

Communication of the policy to job applicants and employees / volunteers through application forms and advisory notes. In addition, they may at times be made available through our website.

Working With Partners

In selecting our partners we will consider their commitment to Equality and Diversity by requesting a copy of their Equality and Diversity policy, if one has not already been provided, or if one is not publicly available for review.

Users of our Service

We will make our services accessible by offering extra services that may make it easier for people to understand our services. This could include providing information in large print, or in other languages where appropriate, or by meeting with them face to face to explain the exact nature of a policy, scheme or function.

7. Positive Action

Seighford Parish Council will ensure that positive steps shall be taken to promote equal opportunities and is committed to:

- (a) Recognising and developing potential which has not been used before because of past discrimination and disadvantage.
- (b) Encouraging access and applications from under-represented groups.
- (c) Providing training for disadvantaged groups.

Every effort will be made to ensure that the services offered by Seighford Parish Council reflect the composition of the community it serves. Where Seighford Parish Council contracts out work it will ensure that the principles of this policy are an integral part of the contract.

8. Recruitment

- (a) All job vacancies will initially be advertised internally to encourage service users and volunteers to apply.
- (b) Seighford Parish Council will ensure that job descriptions, person specifications and application forms reflect only the requirements of the job and do not imply sex or other stereotyping.
- (c) All advertisements will state that Seighford Parish Council is seeking to be an effective equal opportunities employer. A copy of the Equal Opportunities Statement will form part of all application packs.
- (d) Seighford Parish Council will take positive steps to redress imbalances in its work force.

- (e) In the case of temporary staff, where possible, opportunity will be given to volunteers, and volunteers will be guaranteed interview for all vacancies.
- (f) Application forms will make it clear that experience as well as formal qualifications and work experience is valid.
- (g) All employees will be given equal treatment with regards to terms and conditions of employment, provided they do the same or broadly similar work, or work of equal value

In the interests of operating an effective Equal Opportunities Policy, Seighford Parish Council will monitor certain information about job applicants. All such information will be treated as confidential and will be clearly separated from the entire recruitment process.

9. Training Opportunities

Subject to the requirements of doing their job, employees will be required to go on courses relevant to their present job or personal development.

10. Use of Language

Staff, volunteers and service users will avoid and challenge the use of language which, in any way, belittles;

- (a) Disabled groups and/or individuals with special needs
- (b) Any race, culture or religion
- (c) A person's sexual orientation
- (d) Women and/or men
- (e) Ex-offenders, (please see DBS policy at the end of this document for more information)

All materials used or developed by Seighford Parish Council will be judged in the light of the promotion of equal opportunities and those considered to be discriminatory will not be used.

11. Working Conditions

Pregnancy - Seighford Parish Council recognises that pregnant women may need changes to their work conditions and will consider sympathetically any requests for such changes.

Flexible Hours and Job Sharing - At the discretion of the Chairman working hours and arrangements will, whenever possible, be flexible for both full and part-time employees subject to contractual obligations and will be, to facilitate the caring for children and other dependants. Requests for job sharing or part-time working to meet employees' needs for shorter hours will be sympathetically considered, subject to operational requirements.

Disabled Access – Ensure that as far as is practicable, any premises used by Seighford Parish Council whether permanent or temporary, are fully accessible to disabled people.

12. Monitoring of Policy

The aim of our Equal Opportunities Policy is to improve equal opportunities Seighford Parish Council, and the Chairman will ensure its compliance. All members of the Council will:

- (a) Monitor and report on equal opportunities progress, development and practice and make an annual report to the Council.
- (b) Ensure staff, service users' and volunteers' awareness and understanding of equal opportunities issues and practice within Seighford Parish Council.
- (c) Know or have access to appropriate information, legislation, policy, etc. for the purposes of carrying out their role.
- (d) Identify and advise on any equal opportunities training needs and provision.

13. Dealing With Equal Opportunities Complaints

Employees or volunteers who feel that they have suffered any form of discrimination should in the first instance raise the issue through The Chairman. This may initially be done informally, but if a formal complaint is to be made then the grievance procedure should be followed.

Service users who feel that they have suffered any form of discrimination should contact Seighford Parish Council giving details of their reasons for believing that they have been discriminated against and asking for a copy of this policy and the External Complaints Policy. Any complaint made should then follow the process set out in the External Complaints Policy.

Employees/volunteers/service users should also use this approach if they feel that they been the subject of harassment from someone who is not an employee of Seighford Parish Council but who is carrying out work for or on behalf of the company. Seighford Parish Council will not tolerate any harassment from third parties towards its employees/volunteers/service users and will take appropriate action to prevent it happening again.

If an employee or volunteer witnesses behaviour that they find offensive in relation to age, marriage or civil partnership, pregnancy and maternity, disability, gender reassignment, race, religion or belief, sex and sexual orientation, even if it is not directed at them, they should also use this procedure.

14. Review of this Policy

This policy will be reviewed every year by Seighford Parish Council to ensure it remains current and reflects the needs and practices of the organisation. The policy

may also be reviewed if legislation changes or is introduced, or if monitoring information suggests that policy or practices should be altered.

N.B.

Seighford Parish Council recognises that the beliefs of some religions may run contrary to this policy, but we uphold the fundamental rights of individuals and groups to follow their own religion, insofar as they do not conflict with the above code of conduct.

DBS, (Disclosure & Barring Service) Policy

The Seighford Parish Council has determined that there is no current need for DBS checks to be completed on Councillors or employees. This determination may change in the future and will be kept under regular review within the remit of this policy.

In the event that a DBS check is performed then the following policy shall apply.

- As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), Seighford Parish Council complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly. Seighford Parish Council not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.
- Seighford Parish Council can only ask an individual to provide details of convictions and cautions that Seighford Parish Council are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended), Seighford Parish Council can only ask an individual about convictions and cautions that are not protected.
- Seighford Parish Council is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- Seighford Parish Council actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. Seighford Parish Council select all candidates for interview based on their skills, qualifications and experience.
- An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.
- Seighford Parish Council ensures that all those at Seighford Parish Council who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. Seighford Parish Council also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

- At interview, or in a separate discussion, Seighford Parish Council ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- Seighford Parish Council makes every subject of a criminal record check submitted to DBS aware of the existence of the Code of Practice and makes a copy available on request.
- Seighford Parish Council undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.