

# **NUTHALL PARISH COUNCIL**

## **EQUAL OPPORTUNITIES POLICY**

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#### 1. Introduction

This Equal Opportunities Policy expresses our commitment to ensuring that we meet our equality obligations to users of our services. It links to other elements of the strategic framework, including our commitment to meeting the requirements of the various levels of the Equality Framework for Local Government, undertaking impact assessments across our policies, strategies, services and functions, monitoring staff by equality strands and monitoring and learning from complaints.

#### 2. Statement of Policy

Equality is about ensuring that all people are treated fairly, with dignity and respect, that they have equal opportunities to access appropriate services and have the right to achieve equal outcomes. As a service provider, we want our resources and services to be available and accessible to everyone, irrespective of individual background or needs. These aims are summed up in our equality policy statement:

“Nuthall Parish Council is committed to promoting equal opportunities, valuing diversity and tackling social exclusion. The Council will aim to provide opportunities that meet the diverse needs of different people and groups of people by ensuring that services and opportunities are accessible to all. Everyone will be treated fairly and with respect. Diverse needs will be understood and valued. The Council will aim to eradicate all forms of discrimination.”

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The Council also appreciates that, as a public authority for the purpose of the Human Rights Act 1998, it has statutory responsibilities and will conduct itself as far as possible and at all times in accordance with the spirit of the Act, respecting the appropriate fundamental human rights of all employees, customers and members of the public.

### 3. The Equality Act 2010

It is unlawful to discriminate directly or indirectly in recruitment, employment and in service delivery. The Equality Act 2010 harmonises and in some cases extends existing equality and anti-discriminatory legislation.

The Act protects people from being treated less favourably because they have a 'protected characteristic.' The relevant 'protected characteristics' are:

- . Age\*
- . Disability
- . Gender reassignment
- . Marriage and civil partnership\*\*
- . Pregnancy and maternity
- . Race (including ethnic or national origins, colour and nationality)
- . Religion or belief (including lack of belief)
- . Sex
- . Sexual orientation

\* For people who use services, discrimination on the grounds of age (over 18s) is unlawful, but the provisions do not come into force until 2012.

\*\* Marriage or civil partnership is not a protected characteristic of people who use services.

Under the Act there are a number of forms of prohibited conduct which the law protects against:

- . Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have.
- . Associative discrimination is direct discrimination against someone because they associate with another person who possesses a particular protected characteristic.
- . Perceptive discrimination is direct discrimination against someone because others think they possess a particular protected characteristic.
- . Indirect discrimination can occur when there is a rule or policy that applies to everyone but disadvantages a particular protected characteristic.
- . Victimisation occurs when someone is treated unfavourably because they have taken, or might be taking, or is suspected of taking action under the Equality Act or supported someone who is doing so.
- . Harassment is unwanted conduct which has the purpose or effect of

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violating someone's dignity or which is hostile, degrading, humiliating or offensive to someone with a protected characteristic or in a way that is sexual in nature.

The Equality Act 2010 contains a public sector Equality Duty, which came into force on 5 April 2011. The Equality Duty has three aims, requiring public bodies, including the Council, to have due regard to the need to:

- . Eliminate 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.

The public sector Equality Duty means that we should consider the needs of all individuals in their day to day work, in developing policy, in designing and delivering services and in relation to our own employees.

#### 4. Equal Opportunities in Employment

The Council is committed to achieving equality and fairness in the workplace and ensures that all of its employment policies and procedures are fair and non-discriminatory. As an employer, we will:

- . Ensure that all employees are recruited and promoted on the basis of ability and other objective criteria. The process will follow fair recruitment and selection procedures which will be monitored and reviewed on a regular basis.
- . Ensure that we do not apply conditions or requirements to posts which would disadvantage particular individuals or groups.
- . Consider taking positive action measures where it is found, through monitoring of the workforce and the recruitment and selection process, that there is under-representation of certain groups. Positive action measures may include the provision of training targeted at people from specific groups so that they may gain appropriate experience and skills to give them an equal opportunity in competing for jobs.
- . Strive to remove all barriers, physical or otherwise, which prevent people from under-represented groups, such as disabled people and minority ethnic groups, having the same opportunities within the area of employment.
- . Encourage applications from disabled people who meet an advertised post's essential criteria.
- . Ensure reasonable adjustments are made for employees with

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disabilities and, in order to facilitate continued employment within the Council, for employees who become disabled during employment with the Council.

- . Ensure that all employees receive regular personal development reviews and have equal access to training and promotion opportunities.
- . Ensure employees with flexible working arrangements receive no less favourable treatment than other employees.
- . Endeavour to meet the cultural or religious needs of employees that cannot be met under normal working requirements. The Council will consider varying or adapting those requirements, providing this does not lead to the infringement of other legal requirements, such as those laid down in Health and Safety legislation.
- . Promote age diversity within the workforce by valuing the contribution of employees whatever their age or stage of working life.
- . Acknowledge the rights of employees and applicants considering, intending, undergoing or having undergone gender re-assignment. We will make available appropriate training and support to colleagues, supervisors and managers on request. Where gender is a genuine occupational requirement the Council will sensitively consider each case on its individual merits.

## 5. Equal Opportunities in Service Provision

The Council believes that all of our customers have a right to expect and receive high quality services that are appropriate and meet their needs. In order to ensure that services are independently accessible, the Council will work to tackle and eliminate whatever barriers may exist.

As a service provider, we will:

- . Engage with and involve communities and individuals in the design and development of policies and services and make revisions to service delivery where necessary or appropriate.
  
- . Ensure our buildings to which the public want or need access are as accessible as possible by making reasonable adjustments.
- . Make information on services available in a variety of formats.
- . With our partners, develop and support community-based projects and events that will help promote equality of opportunity and celebrate diversity within our borough and its communities.

## 6. Suppliers and Contractors

We expect all of our suppliers and contractors to comply with their statutory duties under existing law including the Equality Act 2010 and the Human Rights Act 1998.

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The Council will encourage contractors and potential contractors to demonstrate that they provide equality of opportunity in their employment practices.

## 7. Responsibilities for Implementation of the Policy

The effective delivery of the Council's equalities commitments, as outlined in this Equal Opportunities Policy is the responsibility of everyone connected with the Council. However, specific responsibilities lie with the different roles within the Council.

Our Elected Members will:

- . Provide leadership by promoting equality and diversity through their approval of this and other strategies and policies designed to ensure equality and fairness.

Our Staff will:

- . Be encouraged to help implement this policy by understanding the relevance of parts of this policy to their respective jobs.
- . Promote equality of opportunity and avoid unlawful discrimination in the conduct of their duties.
- . Co-operate in achieving equality of opportunity and the elimination of discrimination.

## 8. Bullying and Harassment

Everyone who either works for the Council as an employee or represents the Council as a member is entitled to a fair and reasonable working environment, free from bullying and harassment. Equally, all employees and members have a responsibility to ensure that their own behaviour and the working environment is free of harassment and bullying and that they are sensitive to other people's perceptions of their behaviour. Everyone should ensure that they do not harass, bully or intimidate their colleagues on any grounds, which includes harassment in respect of a person's gender, race, disability, religion, sexuality, age, or marital status; and discourage such behaviour in others. All allegations of bullying and harassment will be thoroughly investigated.

## 9. Monitoring and Review

The Council will review this policy from time to time with regard to

- . Recruitment and selection
- . Training and development
- . Disciplinary and grievance

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- . Capability matters
- . Reports of bullying and harassment
- . Employees leaving the Council and their reasons for doing so

#### 10 Reporting Mechanism -Complaints against the Council

The Council is committed to providing efficient and effective services for the benefit of everyone. We are happy to receive compliments if you like what we have done or to listen to comments or suggestions about a service. However, if you feel you have been unfairly treated, or have experienced difficulty in accessing or using the services we provide, then let us know. We are always pleased to receive feedback, which helps us to improve our services to the community. An explanation of our comments and complaints procedure is available on the Council's website. If you wish to discuss the matter before making your complaint, please telephone the Clerk.