

Hales & Heckingham Parish Council (HHPC)

EQUALITY & DIVERSITY POLICY

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Hales & Heckingham Parish Council

Equality & Diversity Policy

1. Our Commitment

Hales & Heckingham Parish Council (HHPC) is committed to pursuing an equal opportunity approach in employment matters, its relationship with its councillors, and in the way in which services are provided to the residents of Hales & Heckingham.

This policy is intended to assist the Council in its commitment to promoting equality and diversity in the workplace and in all aspects of the Council's work. Compliance with this policy should also ensure that an employee does not commit unlawful acts of discrimination.

The Council is also committed to striving to ensure that the workplace and council meeting environments are free of harassment and bullying and that everyone is treated with dignity and respect, as an important aspect of ensuring equal opportunities and diversity in employment.

2. Our Commitment to Equality & Diversity Irrespective of 'Protected Characteristics'

The Council is committed to promoting equal access to services, facilities and equality for all employees, job applicants or contractors irrespective of their "protected characteristics" i.e. their:

- Age
- Disability
- Sex or gender reassignment
- Race (including colour, nationality, caste and ethnic or national origin)
- Sexual orientation
- Religion or belief, or because someone is
- Married or in a civil partnership
- Pregnant or on maternity leave.

and will not discriminate directly or indirectly in recruitment, during employment or after employment.

The Council will also not discriminate against or harass a member of the public in the provision of services or goods. The Council understands that it is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability and understands its obligation to think ahead and address any such barriers that may impede disabled people from accessing a service.

3. Types of Unlawful Discrimination

3.1 **Direct discrimination** is where a person is treated less favourably than another because of a protected characteristic.

In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

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- 3.2 **Indirect discrimination** is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.
- 3.3 **Harassment** is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.
- 3.4 **Associative discrimination** is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.
- 3.5 **Perceptive discrimination** is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic.
- 3.6 **Third-party harassment** occurs where an employee is harassed and the harassment is related to a protected characteristic, by third parties.
- 3.7 **Victimisation** occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

4. Our Commitment to Equal Opportunities in Employment & Training

The Council is committed to equality of opportunity and to avoiding discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy. It will do this by:

4.1 Recruitment

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will *not* form the basis of employment decisions except where necessary.

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4.2 Working practices

The Council will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the Council considers it has good reasons, unrelated to any protected characteristic, for doing so.

The Council will comply with its obligations in relation to statutory requests for contract variations. The Council will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

4.3 Equal opportunities monitoring

The Council will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

The Council treats personal data collected for reviewing equality and diversity in accordance with its Data & Information Protection Policy which takes into consideration government guidelines. Information about how data is used and the basis for processing is provided in the Council's privacy notices.

4.4 Raising awareness & training

The Council will:

- Raise awareness of equal opportunities to those likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise.
- Seek to ensure that employees are developed by the provision of appropriate and accessible learning opportunities in line with the Council's needs, regardless of their protected characteristics.
- Provide training that complies with the Council's Equality & Diversity Policy.
- Include the Council's Equality & Diversity Policy as part of the induction pack for any new employee and councillor and request confirmation that it has been read and accepted before their second council meeting.
- Where necessary, offer guidance and training in equality ensuring councillors, employees and anyone supporting the Council understand their roles and responsibilities in relation to equality in service provision.
- Raise the awareness of staff and those engaged to work at or with the Council to help them understand their rights and responsibilities and what they can do to help create a working environment free of bullying and harassment.

5. Dignity at Work

The Council believes no employee or prospective employee should receive unfair or unlawful treatment due to 'protected characteristics' and it will act upon unlawful discrimination which denies individual opportunity to anyone with the criteria listed under 'protected characteristics' in

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section 2. The Council recognises that employees and job applicants have the right to complain about unfair discrimination through the appropriate channels.

6. Residents & those not Employed by the Council

The Council is committed to equality of opportunity in the provision of services and access to its facilities and will not discriminate unlawfully against those using or seeking to use the services provided by the Council. It aims to do this by:

- Recognising and accepting that particular individuals or groups are denied equality through direct or indirect discrimination either intentionally or unintentionally.
- Where possible, providing training for Councillors and employees, so they have a good understanding of the diverse needs of different people.
- Providing clear information about services and facilities and where necessary making them available in a variety of formats.
- Ensuring that complaints and feedback procedures are accessible and effective.
- Assessing the impact of and monitoring its services to ensure that they do not discriminate and identifying where improvements could be made.
- Ensuring that any employee understands their role and responsibilities in relation to equality in service provision.

Individuals are asked to report any bullying or harassment by suppliers, visitors or others to the Council who will take appropriate action.

7. Your Responsibilities

Every employee is required to assist the Council to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination. Employees can be held personally liable as well as, or instead of the Council, for any act of unlawful discrimination. The Council will take disciplinary action against any employee who discriminates against others during the course of their work with the Council. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the Council's disciplinary procedure.

Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

8. Grievances

If you consider that you may have been unlawfully discriminated against, you should make use of the Council's grievance procedure to make a complaint.

The Council will take any complaint seriously and will seek to resolve any grievance that it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

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9. Application and Links to Other HHPC Policies

This policy applies to all employees, whether part-time, fixed term or temporary staff, and to volunteers for the Council and all job applicants.

This Policy is critical to other policies of the Council and will be observed at all times by the Council including in relation to but not exclusive to, the Council's Job Application Process, Contract of Employment, and Code of Conduct.

The Council will also consider the practical guidance set out in the 'Green Book' produced by the National Joint Council for Local Government Services (NJC) which includes advice on recruitment, training and dealing with harassment.

10. Monitoring and Review

The Council will endeavour to ensure that this policy is embedded at all levels of the Council's policies and procedures, and the Policy will be monitored regularly by the Council to judge its effectiveness and will be updated in accordance with changes in the law.

Information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with relevant data protection legislation.

All employees and contractors are requested to co-operate with measures to ensure equal opportunities are adhered to and to report any suspected discriminatory acts or practices.

11. Alternative Formats

A copy of this Policy can be made available on larger typeface.

This Policy is posted on the Council's website: www.halesandheckingham-pc.gov.uk and if a hard copy is required, please email the Clerk: clerk@halesandheckingham-pc.gov.uk

Date of policy:	June. 2022
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Supersedes:	No Policy previously in place.
Policy effective from:	Anticipated from 29 th June, 2022
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This policy is based on the template policy commissioned by the National Association of Local Councils (NALC) in 2019. HHPC understands that NALC cannot accept responsibility for errors or omissions and changes to information subsequent to publication.