
WINKLEIGH PARISH COUNCIL

EQUALITY AND DIVERSITY

Effective 23rd May 2018



WINKLEIGH PARISH COUNCIL EQUALITY AND DIVERSITY POLICY

This procedure is a document that sets out Winkleigh Parish Councils approved and agreed practices. Any deviation must be by resolution of the full Council.

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Lead author(s):	Melanie Bickell		
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EQUALITY & DIVERSITY

Commitment to Equality

Equality is not about treating everyone the same; equality is about valuing a person ‘as an equal’ regardless of their characteristics and treating people according to their needs in order to achieve an equal or fair outcome.

Our Legal Duties

Under the **Equality Act 2010**, as a parish council we have legal duties to:

- 1) Eliminate discrimination, harassment, victimisation and any other prohibited conduct.
- 2) Advance equality of opportunity.
- 3) Foster good relations between people.

The duties apply to nine ‘protected characteristics’: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

As a provider of services and community leader it is important that WPC staff and councillors understand about equality and diversity and how to operate in a non-discriminatory and inclusive way. Employees and others working on behalf of an employer can be held personally liable for acts of unlawful discrimination where an employer has taken all reasonable steps to prevent such an act. Everyone who uses services, facilities and information provided by the council should be treated in line with this policy. This includes service users/customers, members of the public, partners, contractors, employees, workers and elected members.

Staff and councillors should adhere to these five principles:

- 1) Ensure acceptable behaviour
- 2) Respond to complaints and incidents in a positive and pro-active way
- 3) Provide access to services, facilities and information
- 4) Recruit and employ people fairly
- 5) Meet specific needs.

Contractors, suppliers and consultants are expected to meet equality standards within contracts and service level/delivery agreements.

We will not award contracts if a Winkleigh Parish Council Equality & Diversity Policy commitment to equality and fairness is not demonstrated and breaches may lead to termination of contracts. Organisations doing business with us are welcome to adopt our equality policy for their own use.

Principle 1: Ensure acceptable behaviour

- Treat everyone with dignity and respect ☐
- Treat people fairly and according to their needs
- Be patient and helpful particularly if someone has difficulties communicating, understanding or with mobility ☐
- Communicate clearly ☐
- Be courteous and polite
- Respect property and culture particularly when visiting people in their own places☐
- Respect the right to private and family life

Think about how your actions will affect others: Be aware the effect your own behaviour and body language has on others. Recognise and guard your own prejudices. We all have a right to hold our own thoughts, beliefs and ideas, but this does not mean we have a right to express these thoughts if they lead to discrimination or cause offence or harass people. Do not act in a way that would humiliate, offend, degrade, intimidate, frighten, threaten, undermine or abuse someone. Do not promote or allow others to act in this way. Do not use language or images which would be regarded as racist, sexist, homophobic, transphobic or insulting about disability, age, or religion and belief. Do not promote or allow this.

Principle 2: Respond to complaints and incidents in a positive and pro-active way

- Handle complaints properly ☐
- Handle complaints sensitively, using the complaints procedure
- Listen to concerns with care
- Those receiving the complaint about discrimination should accept the incident is discriminatory (for example racist or sexist) as perceived by the victim. This is unless, and until such time, it is reasonably proved otherwise (following an investigation into the matter) ☐
- Provide or make arrangements for appropriate support for all those involved
- Resolve matters positively and as quickly as possible. Where possible, matters should be resolved informally and at source, before they escalate. ☐
- Explore the options to resolve issues, e.g. mediation or contacting appropriate agencies to advise on good practice. ☐
- Where mistakes have happened, admit to them and learn from them.
- Respond to incidents of hate crime: Take appropriate and speedy action if an incident of hate crime occurs on council property or business (such as racist graffiti or assault). The police may need to be contacted, subject to a victim's wishes.

Principle 3: Provide access to services, facilities and information

It is our aim to provide a welcoming, friendly environment which is easily accessible to all, to take steps to improve access to services, facilities and information where needed and be honest about what we can and cannot do.

- Make sure information is accessible: In particular, consider the needs of potential and existing customers (whether internal or external) and take steps to make information as accessible and easy to-read as possible.
- Make application processes free from bias: When designing or using forms that are used for selection processes, remove questions which reveal someone's personal attributes (these can include name, age, date of birth and gender). This will prevent unwitting stereotyping and prejudice when making decisions about individuals.

Principle 4: Recruit and employ people fairly

- Employees, agency/contract workers, volunteers, people applying for a job must not be discriminated against because of a protected characteristic. This means that people must be provided equality of opportunity in all aspects of recruitment, selection, appraisal, training, promotion/transfer, work allocation, supervision, reward, recognition, retirement, redundancy, career development and any other conditions of employment or work environment.
- Use non-discriminatory job criteria and take positive action to ensure a diverse workforce: When creating job descriptions and person specifications, do not include criteria that could directly or indirectly discriminate against someone. 'Essential criteria' should be just that and should not be excessive. Desirable criteria should only be used in a competitive situation (except for applicants with disabilities who will be shortlisted on essential criteria only).
- Only use criteria (skills, knowledge and attributes) directly relevant to the job. Do not use qualifications, length of experience and local government experience as 'essential criteria' unless required by law or government regulations and consider transferable qualifications, skills and knowledge.
- Give fair consideration to applications from people seeking to work part time or job share.
- Lawful positive action may be taken to achieve a workforce that reflects our wider community at all levels. Where beneficial, specialist media/events may be used to target under-represented communities or training/development/work placement opportunities targeted at certain people.
- Advertisements and interview procedures must reflect the job description and person specification (which is non-discriminatory), follow equality standards, and should promote our commitment to equality.
- Do not ask candidates questions (formally or informally) that are not directly relevant to the job (for example, questions about family life or hobbies).
- Other than in the following circumstances, do not ask questions about disability or health prior to a job offer: diversity monitoring (provided this is clearly anonymous and properly separated), checking ability to carry out the functions of the role or selection tests, checking if any reasonable adjustments are needed, occupational requirements and for positive action purposes.

Principle 5: Meet specific needs

Our approach must not be based on the assumption that everyone is white British, heterosexual etc. The way we operate and the images and language we use should reflect and be sensitive to the diverse communities we have, however small. The following categories reflect the 'protected characteristics' as defined within the legal framework.

Age Equality - Do not use age as a determining factor for physical or mental performance or as the deciding factor for access to services or employment including recruitment, training and promotion opportunities.

- Age specific services, conditions and benefits may be provided if they meet a General or Specific Exception, or can be objectively justified or for positive action purposes.
- Gender Identity and Sex Equality
- Flexible working can help staff balance their lives inside and outside of work.
- Male and female staff will be paid the same for doing work of equal value.
- Managers should provide male and female staff equal opportunities for career development.
- Care should be taken not to reinforce gender stereotypes in the workplace.
- A positive attitude towards the rights of breastfeeding mothers is necessary and mothers must not be prevented from breastfeeding in public areas unless there are objective and reasonable grounds for doing so (i.e. health and safety).

Disability Equality

- Take positive action:
- Take steps to meet needs and achieve equal outcomes even if this requires ‘more favourable treatment’.
- Encourage social, educational and economic inclusion in order that disabled people can take control over their own lives.
- Make reasonable adjustments to overcome barriers for disabled people:
- Reasons should be given where it is not possible to make an adjustment. For an adjustment to be considered ‘unreasonable’ the cost or inconvenience would have to far outweigh the benefit.

Racial Equality

- Encourage social, educational and economic inclusion for ethnic minority communities

Religion and Belief Equality

- Sabbaths and holidays should be acknowledged and recognised across the council so that leave is not unreasonably withheld from staff who may wish to celebrate them. Likewise, public meetings and other meetings should take account of festivals, holidays, prayer/contemplation needs and Sabbaths. However, no-one should be forced to participate in an act of collective worship such as prayers or other religious custom or subjected to a detriment because they do not participate; the rights of people to have ‘no belief’ or a different belief should also be respected.
- Respect people’s rights to dress in accordance with a genuine religious requirement (e.g. clothing, headwear or jewellery).
- Show respect when people are fasting for religious reasons by being sensitive to the requirements and implications of fasting. Managers should support staff as appropriate.

Sexual Orientation Equality, Marriage and Civil Partnership

- Acknowledge same-sex relationships and give partners equal access to services and benefits available to heterosexual and married couples.

- Encourage a culture of openness about sexual orientation, recognising at the same time that some staff may not be 'out' for family reasons, or for fear of how they may be treated, or may just choose not to be out, either at work or out of work. This is a legitimate personal choice which should be supported by our policies and practices. It does not need or invite justification. Everyone should avoid the assumption that people are 'heterosexual until forced to prove otherwise'.