

EQUALITIES AND DIVERSITY IN
SERVICE DELIVERY AND EMPLOYMENT
July 2018

1. Introduction to the Equality Act 2010

The Equality Act 2010 replaces the previous anti-discrimination laws with a single Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in important ways, to help tackle discrimination and inequality. The majority of the Act came into force in October 2010. The Act places public sector organisations under an Equality duty, this came into force in April 2011.

2. The Equality Duty

The Equality Duty is a duty on public bodies and others carrying out public functions. It ensures that public bodies consider the needs of all individuals in their day to day work in shaping policy, delivering services and in relation to their own employees. The Equality Duty has three aims. It requires public bodies to have due regard to the need to;

- Eliminate on lawful 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.

Having due regard means consciously thinking about the three aims of the Equality Duty as part of the decision making process.

Under the previous legislation public bodies sometimes took unnecessary, inappropriate, disproportionate or counter-productive action in the name of equality. The new Equality Duty should be applied in such a way as to reverse the overly bureaucratic and burdensome approach often used in the past so that the focus is on performance and not process.

The following points should be noted:

- The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment.
- The Equality Duty does not mean that public bodies have to examine equality issues where they are not relevant to the matter in hand.
- The Equality Duty does not require public bodies to take disproportionate action on equality.

- The Equality Duty does not require public bodies to treat everyone the same.
- The Equality Duty does not require public bodies to treat all religions as being equal or to treat all religious festivals equally.
- The Equality Duty does not require public bodies to make services homogeneous or to try to remove or ignore differences between people.

3. Equality in Service Delivery

Cramlington Town Council will exercise due regard and will take a proportionate response to the Equality Duty in providing its services to all people without discrimination.

The Council aims to ensure that all employees, contractors and partners have the information they need to provide equality of opportunity and that this is reflected in their conduct. The Council will require, where legally possible, partners and contractors to have equal opportunities policies, and will seek sufficient information and evidence that compliance with equalities legislation is genuine.

Under the new equality duty, public authorities are not required to follow any specific methodology or template to undertake equality analysis, but they need to be able to show that they have had due regard to the aims set out in the general equality duty.

Equality analysis of proposed policies will involve considering their likely or possible effects in advance of implementation. It will also involve monitoring what actually happens in practice. Waiting for information on the actual effects will risk leaving it too late for equality analysis to be able to inform decision-making.

4. Equality in Employment

It is unlawful to discriminate against an individual on the following grounds:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

Under the Equality Act 2010 these are known as “protected characteristics”. PURPOSE

The purpose of this policy is to provide equal opportunities to all employees, irrespective of their characteristics (unless there are genuine occupational qualifications or objectively justified reasons for a different approach to be taken). We oppose all forms of unlawful and unfair discrimination whether it is direct or indirect discrimination, victimisation or harassment on the grounds of any of the protected characteristics defined in the Equality Act 2010.

SCOPE

All employees whether full-time, part-time, fixed term contract, agency workers or temporary staff, will be treated fairly and equally. Selection for employment, promotion, training, remuneration or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the council.

OUR COMMITMENT

Every employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated.

The commitment to equal opportunities in the workplace is good management practice and makes sound business sense as it seeks to utilise the talents available from the local community, representing society as a whole.

Breaches of our equal opportunities policy will be regarded as serious misconduct and could lead to disciplinary proceedings. Employees are entitled to complain about discrimination or harassment or victimization through the council's Grievance procedure.

5. Responsibilities

The accountabilities and responsibilities in relation to this policy can be summarised as follows:

- Town Councillors take the lead in promoting equality, ensuring equalities issues are given due consideration within their area of responsibility, in decision-making and in monitoring services.
- The Town Clerk will actively support and assist the equalities work by:-
 - Monitoring the performance of the Town Council's services, agreeing any necessary action and maintaining a commitment to the Council's equalities work.
 - Being pro-active in developing a service led approach to equalities development.
 - Ensuring that employees are adequately trained to meet the requirements of this policy.
 - Ensuring that the Council work within the framework of the Equalities Act 2010.

Other employees have responsibility for implementing the policy as an integral and core element of the work of the Town Council. Employees also support the Town Council in meeting the requirements of this policy; seek training opportunities and personal development, as appropriate.

6. Conclusion

This policy is fully supported by all Members of the council and adopts (in part) the model policy as devised by the employee professional body in the local government sector (the Society of Local Council Clerks). The policy will be monitored and reviewed annually. Other Personnel policies will be reviewed against the values stated in this main Equal Opportunities policy to ensure that the council strives to remain an Equal Opportunities employer/provider.