

Equality Policy

Nuneaton
&
Bedworth



United to Achieve

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Our commitment to Equality...

As a Council, we want to provide high quality services that care for, support and protect the residents of the Borough.

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.

As one of the largest employers in the Borough and one of the main providers of local services, the Council is committed to ensuring equality of opportunity and tackling any disadvantage. We also aspire to deliver a high standard of customer service, a transparent decision making process and fair employment practices.

The Council will not tolerate any discrimination, harassment or victimisation against anyone due to their race, disability, sex, age, sexual orientation, gender reassignment, religion and/or belief, pregnancy/maternity or marriage status.

With the above in mind, the Council has introduced five Equality Objectives which it will aspire to in order to achieve our equality aims. These are:

Objective 1: Ensure acceptable behaviour

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

Objective 3: Deliver accessible services and information

Objective 4: Recruit and employ people fairly

Objective 5: Meet specific Protected Characteristics needs

If everyone works together, equality is something we can all benefit from and this Policy aims to demonstrate our commitment.

Councillor Julie Jackson
Leader of the Council

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1 Our legal duties

1.1 Equality Act 2010

The Equality Act 2010 brings together, harmonises and extends previous equality law. The Equality Act has replaced all previous discrimination law with a single Act.

The majority of the Act came into force on the 1st October 2010. Within the Act, there is a Public Sector Equality Duty which came into force on the 6th April 2011. The Public Sector Equality Duty applies to public bodies and others carrying out public functions.

1.1.2 The Public Sector Equality Duty

The Public Sector Equality Duty consists of a general duty and specific duties which apply to the Council.

1.1.3 The General Duty

The General Duty requires the Council to:

- 1) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- 2) Advance equality of opportunity between people from different groups; and
- 3) Foster good relations between people from different groups.

This means the Council is required to:

- Remove or minimise disadvantages suffered by people due to their protected characteristics.
- Take steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encourage people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

1.1.4 The Specific Duties

The specific duties underpin the general duty. They require the Council to:

- Publish its Equality Objectives and review them at least every four years starting from April 2012; and
- Publish Information to demonstrate compliance with the General Duty at least annually.

1.1.5 Who is covered under the Equality Act 2010?

The Act builds on the previous equality duties for race, disability and gender and provides a single equality duty to cover the following:

- Age
- Disability
- Gender Reassignment

- Race – which includes ethnic or national origins, colour or nationality
- Religion or Belief
- Sex
- Sexual Orientation
- Pregnancy and Maternity
- Marriage and Civil Partnership*

The above are now known as 'protected characteristics' within the Act.

** Only the first aim of the General Duty applies to the characteristic of marriage and civil partnership*

1.1.6 Discrimination

The following types of discrimination are not allowed under the Equality Act 2010:

Direct Discrimination is where a person is treated less favourably than another person due to a protected characteristic.

Direct Discrimination by Association is where a person is discriminated against because they are associated with another person who possesses a protected characteristic.

Direct Discrimination by Perception is where a person is directly discriminated against because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Indirect Discrimination can occur when a condition, rule, policy or practice applies but disadvantages a particular protected characteristic.

Harassment is where another person engages in unwanted conduct relating to a protected characteristic, which could violate the person's dignity or create an intimidating, hostile, degrading, humiliating or offensive environment for that person. Other employees can complain of behaviour they find offensive even if it isn't directed at them. They do not need to possess the relevant protected characteristic themselves. Protection is also covered from harassment because of perception and association.

Victimisation is where a person treats another person less favourably because that person has made or supported a complaint, or raised a grievance under the Equality Act, or because they are suspected of doing so. Someone is not protected from victimisation if they have maliciously made or supported an untrue complaint.

Failure to make reasonable adjustments is where arrangements disadvantage an individual because of a disability. Organisations are expected to make reasonable adjustments to overcome any disadvantage. To not make such adjustments could be seen as discrimination on the grounds of disability

1.2 Breaches of this Policy

Any breach of this Policy will be treated very seriously and employees may be disciplined in accordance with the Council's Dismissal & Disciplinary Policy.

2. Roles and Responsibilities

- **Elected Members:** are responsible for approving this Policy and monitoring compliance via the Economic and Corporate Overview Scrutiny Panel.
- **Portfolio Holder for Central Services:** has responsibility for equality. The portfolio holder is required to work closely with the Council's designated officers and champion equality at an Elected Member level.
- **Director for Governance and Recreation:** is the organisation's Equality Champion and is responsible for ensuring equality work is carried out in the Authority.
- **Audit and Governance Manager:** is the Council's lead Manager on equality and provides support to the Council's Equality Champion and oversees the work of the Equality and Child Protection Officer.
- **Equality and Safeguarding Officer:** is the Council's lead Officer who co-ordinates equality throughout the Council and co-delivers the Council's Equality and Diversity Training.
- **Human Resources:** Co-delivers the Council's Equality and Diversity training. They also ensure equality through recruitment and employment practices at the Council.
- **Managers:** are responsible for delivering equality in their area of responsibility, embedding it into policy and delivery of the services provided.
- **All Employees:** have a responsibility to treat people fairly, take account of different people's needs, challenge inappropriate behaviour and not knowingly discriminate, harass or victimise anyone.
- **Contractors, Suppliers and Consultants:** are expected to meet equality requirements within contracts and service level agreements. The Council will not award contracts without an appropriate level of equality commitment from contractors.
- **Volunteers:** are expected to comply with, and be treated in line with, the principles of this policy.

3. Our Overall Equality Aims

Our overall Equality Aims are to:

- Meet our responsibilities for equality and diversity under the Equality Act 2010 via our policies, procedures, functions and services.
- Make equality an integral part of our work. This means making sure that all aspects of what we do reflect and incorporate the principles of this policy.
- Take positive action to address social, economic and geographical disadvantage or exclusion.
- Use the Social Model of Disability as the basis for our work to promote equality of opportunity for and to tackle discrimination against disabled people.
- Work with other agencies to improve our services and share our information & expertise to help improve other equality practices.
- Work with the Borough's diverse communities to tackle disadvantage and discrimination.
- Increase the opportunities for people to influence Council decisions, policies and services.
- Ensure the organisations we buy services from or provide funding to have appropriate equality policies and practices.
- Ensure all employees will be treated fairly during the whole of their working life with the Council.
- Adopt legal, national and local guidelines, relevant legislation, codes of practice or strategies that seek to ensure equality.

4. Equality Objectives

Objective 1: Ensure acceptable behaviour

4.1.1 Training

The Council requires all its employees to attend equality training every 5 years. The training delivered does not only cover the requirements of the Equality Act 2010 but focuses on employee responsibilities and the behaviour which is expected of them.

4.1.2 Employee Responsibilities

All Council employees are required to adhere to the following equality principles:

- Ensure communication, behaviour and the service provides takes account of different people and their needs
- Show consistency and fairness by making sure personal prejudices do not affect decisions
- Challenge the inappropriate language and/or behaviour of others
- Not knowingly discriminate, harass or victimise anyone due to their:
 - Race
 - Age
 - Disability

- Sexual Orientation
- Sex
- Religion and/or Beliefs
- Marriage or Civil Partnership
- Pregnancy or Maternity leave
- Gender Reassignment

The above principles are re-enforced within the Council's equality training. To underpin this, employees are requested to consider the points below:

Treat everyone with dignity and respect

- Treat people fairly and according to their needs. Try not to make assumptions about people.
- Be patient and helpful if someone has difficulties communicating, understanding or with mobility.
- Communicate clearly.
- Be courteous and polite.

Think about how actions will affect others:

- Be aware of the effect that your own behaviour and body language has on others. Recognise and guard prejudices. Everyone has the right to hold their thoughts, belief and ideas, but this does not mean employees have the right to express these thoughts if they lead to discrimination, offence or harassment.
- Not to use language or images which could amount to discrimination. Do not promote or allow this behaviour.
- Not to act in a way that would humiliate, offend, degrade, intimidate, frighten, threaten, undermine or abuse someone. Do not promote or allow this behaviour.

Help people change for the better

- Where possible, tell people if their behaviour has been unacceptable and advise on appropriate alternatives so they are given the opportunity to change. Tackle things, however small, at an early stage so they do not get worse.

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

4.2.1 A transparent complaints procedure

The Council is working constantly to ensure that everyone receives a good service on the first attempt. However, despite these efforts, things can go wrong on occasions.

The Council's complaints leaflet can be found on the Council's website or a hard copy can be sent out on request.

The Council aims to deal with complaints within 10 working days. If a more detailed response is needed, and it is likely this will take longer than 10 working days, the

Council will make the complainant aware and will give an expected target date to resolve the issue.

4.2.2 Respond to incidents of Discrimination

If a service user believes they have been discriminated against by the Council, the incident will be investigated in line with relevant Council Policy.

Objective 3: Deliver accessible services and information

4.3.1 Publish an Annual Public Sector Equality Duty (PSED) Compliance Report

The Council will produce an annual PSED compliance report.

The report will be shared with the Portfolio Holder for Central Services and will form the main part of the report to the Economic and Corporate Overview and Scrutiny Panel. Any recommendations from this Panel will be factored into the Council's future equality work.

4.3.2 Monitor the Councils Equality work

The Equality Champions Group is the Council's internal equality group which oversees the equality work carried out within the Council.

The group meets quarterly, and is chaired by a Director. The group has a representative on the group from each service unit.

4.3.3 Carry out Equality Monitoring

The Council carries out appropriate equality monitoring on its customers to assess satisfaction with its services and to look at the uptake in services to establish who is and isn't using Council services.

4.3.4 Communicate this Policy to employees, elected members and the community

This Policy will be:

- Published on the Council's intranet site and the Council's website
- Promoted during equality training sessions

4.3.5 Consult with stakeholders

The Council's services play an important role in the lives of the residents of the Borough. The Council aims to:

- Develop and support all forms of consultation and involve residents where possible in the planning of services and decision making processes
- Develop effective working relationships with all residents within the Borough via appropriate groups, forums and networks
- Work closely with partner agencies and organisations

4.3.6 Deliver effective Customer Service

It is important that equality considerations are one of the main principles of serving our customers. Therefore, the Council aspires to:

- Make our buildings and services accessible to all.
- Make our public information accessible to everyone: provide information in plain English and providing alternative formats, translation & interpretation services where necessary.
- Work with our partners and stakeholders to stamp out all forms of discrimination, bullying, harassment, victimisation and intimidation.
- Work with Nuneaton and Bedworth's diverse communities to tackle disadvantage through consultation and involvement.
- Consider the needs of all communities in the methods we use to communicate with them.
- Help shape public opinion to promote equality within the Borough.
- Provide a platform for customers to provide feedback to the Council on the quality of the service they have received.

4.3.7 Collect and Publish Equality Information

The Council will publish equality information on an annual basis broken down by protected characteristics where collected in the PSED compliance report.

4.3.8 Carry out Equality Analysis

In order to establish whether Council policies, procedures and services (functions) have an adverse impact on any particular protected characteristics, the Council carry out Equality Analysis to assess whether there is a positive impact on a group, negative impact on a group or no impact.

Each relevant function within each service unit will be assessed. There are three levels of assessment:

- 1) Relevance – to establish whether the function has any relevance to any equality issues
- 2) Initial Screening – if the function has relevance, it is screened to establish whether there is any impact on any of the protected characteristics
- 3) Full analysis – if a function has impact on any of the protected characteristics, or significant equality implications have been identified, the function is subject to a detailed analysis to establish what impact it has and how the impact can be removed, minimised or justified.

4.3.9 Ensure Equality is embedded within Procurement/Buying in Services

The Equality Act 2010 has given the Council more scope to influence the equality policies & practices of our suppliers. Under the Act, the responsibilities of the Council cannot be delegated so we have to make sure people supplying services on behalf of the Council have adequate policies in place.

4.3.10 Produce Accessible Information

The Council is aware that the information it provides needs to be accessible for all residents of the Borough. With this in mind, the Council will adhere to corporate standards when producing information.

The Council's website is also an important source of information. The website has the ability to be changed via the accessibility settings, which gives people the opportunity to change the typeface and colours to suit their own needs.

The website also provides guidance on how to translate the text into alternative languages as well as signposting free software which will read out the relevant text.

4.3.11 Make sure buildings, events and meetings are accessible

Accessible venues will be used for Council meetings and events. Communication support will be offered where there is a request for assistance e.g. the provision of a signer.

Objective 4: Recruit and employ people fairly

The Council will have due regard to its equality considerations in all aspects of employment, from advertising vacancies, recruitment and selection, terms and conditions, training & personal development through to reasons for ending employment. The Council will achieve this by:

- Advertising jobs to make them accessible to all.
- Recruiting people on the basis of the 'best person for the job'.
- Asking only for skills, experience and abilities actually needed to carry out the job and not to use criteria that could directly or indirectly discriminate.
- Not imposing any conditions or requirements which unfairly affect applicants from one group more than those from other groups.
- Ensuring no internal or external applicant receives more/less favourable treatment than another.
- Making sure all job applicants, whether internal or external, demonstrate they are qualified and are competent to do the job for which they have applied.
- Keeping records of applicants and employees by relevant protected characteristics to make sure this policy is working and to address any identified issues.
- Recognising and supporting the potential of all employees by offering opportunities for training and personal development.
- Carrying out a personal development review for all employees on an annual basis to discuss achievements and plan future development.
- Making sure the working environment is supportive and non-threatening by not tolerating any acts of abuse, aggression, discrimination or any other form of negative behaviour.
- Having fair and effective dismissal, disciplinary and grievance policies in place.
- Ensuring appropriate bullying and harassment policies are in place and communicate these to Council employees.
- Having an equal pay system in place to ensure all employees are paid equally for doing the same job or a job of a similar level/nature.

Objective 5: Meet specific Protected Characteristics needs

The Council is aware that some people may face disadvantage and/or discrimination due to their protected characteristics.

The Council has developed a statement for each of the nine protective characteristics which are at Appendix A to this Policy.

5. Other Council Policies & Documentation

The Equality Policy is the Council's main equality document which is supported by more detailed equality guidance.

6. Monitoring of this Policy

This Policy will be monitored via the Council's annual PSED compliance report and will be updated every year.

The Council is monitored externally by the Equality and Human Rights Commission. It monitors compliance with the PSED on an annual basis.