

# Swanage Town Council



# EQUALITY POLICY

November 2006

# **SWANAGE TOWN COUNCIL**

## **EQUALITY POLICY**

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# EQUALITY POLICY

## 1.0 INTRODUCTION

### 1.1 Objectives

- 1.1.1 The Town Council is firmly committed to promoting equality of opportunity and to combating discrimination both in the way it deliver services to the public and through its actions as an employer. It also seeks to promote the principles of equality to the wider community and to provide leadership by example.
- 1.1.2 To achieve this the Council aims to ensure that no member of the public, elected member, employee/worker or potential employee is discriminated against irrespective of, for example, their gender, physical or mental disability, race, colour, national or ethnic origin, age, sexual orientation, religion or belief, marital status or trade union involvement.
- 1.1.3 The Council's commitment to equality stems from a belief that such an approach can contribute to a more cohesive and inclusive community. It also believes that employment practices that are founded on the principles of equality will make it a better organisation to work for.
- 1.1.4 This Policy confirms the commitment to equality unequivocally.

### 1.2 Statutory duties and our commitment to meet them

- 1.2.1 The Council is committed to complying with all current statutory equality requirements and this Policy has been developed in the context of the following legislation (this list is not exhaustive):
- Equal Pay Act 1970
  - Sex Discrimination Act 1975 (and 1979 and 1986)
  - Human Rights Act 1998
  - Race Relations Act 1976 and Race Relations (Amendment) Act 2000
  - Disability Discrimination Act (1995 & 2005)
  - Sex Discrimination (Gender Reassignment) Regulations 1999
  - Part-time Workers Regulations 2000
  - Fixed-term Employees Regulations 2002
  - The Employment Equality (Religion or Belief) Regulations 2003
  - The Employment Equality (Sexual Orientation) Regulations 2003
  - Civil Partnerships Act 2005
- 1.2.2 The Human Rights Act 1998 incorporates into domestic legislation the European Convention on Human Rights & Fundamental Freedoms. The aims of this Policy seeks to ensure that the Convention is not breached. In addition the Council will comply with the codes of practices relating to equalities and discrimination issued by the following organisations:
- Equal Opportunities Commission
  - Disability Rights Commission
  - Commission for Race Equality
  - Commission for Equality and Human Rights – as proposed in the Equality Bill.

### 1.3 **The Equality Standard**

1.3.1 This Policy is based upon the guidance contained in the Equality Standard for Local Government - a tool to enable local authorities to mainstream equality practice into policy and services at all levels. Working to the Standard will assist the Council to identify and remove any discriminatory barriers preventing equal access to services and employment. The structure and headings in this Policy closely follow the guidance contained in the Equality Standard.

1.3.2 There are five levels to the Standard and at present the Council aims to achieve Level 3 by October 2007. The primary areas of work for each level can be summarised as follows:

- Level 1: A commitment to a Comprehensive Equality Policy
- Level 2: Engaging in impact assessment and consultation
- Level 3: Setting equality objectives and targets
- Level 4: Developing an information system and monitoring progress against targets
- Level 5: Achieving and reviewing outcomes

1.3.3 As the Council achieves each of these levels, it will make available evidence to demonstrate that it has met the requirements of the Equality Standard for Local Government.

### 1.4 **Race Equality**

1.4.1 The Race Relations Act 1976, supplemented by the Race Relations (Amendment) Act 2000, places a general duty on a wide range of public authorities to:

- Eliminate unlawful discrimination
- Promote equality of opportunity
- Promote good relations between people of different racial groups.

1.4.2 In addition, the council has a specific duty to:

- assess proposed policies for any effect they might have on the promotion of race relations
- consult people who are likely to be affected by those policies.

### 1.5 **Gender Equality**

1.5.1 The Council is committed to complying with all statutory equality requirements for gender and to implement the proposed Gender Duty for public authorities. The aim of the proposed Gender Duty is to:

- make a difference to women's and men's everyday lives through improved public services that are responsive to their needs.
- to adopt better employment practices, that will help retain skilled staff
- tackle systemic discrimination more effectively.

### 1.6 **Disability Equality**

1.6.1 The Council is fully committed to providing accessible services and to meeting its responsibilities under the Disability Discrimination Acts 1995 and 2005 as both an employer and a service provider.

- 1.6.2 Within the context of improving equality of service delivery, the Council will, as far as is reasonably practical, provide services that are accessible to all. Where this cannot be achieved, services will be provided by other means, unless the physical nature of the service prevents it.
- 1.6.3 The Disability Discrimination Act 2005 places a general duty on all public bodies to promote disability equality and in carrying out its functions the Council will need to:
- eliminate unlawful disability discrimination and the harassment of disabled employees
  - promote equality of opportunity for disabled people
  - take steps to take account of disabled people's disabilities, even where that involves treating disabled people more favourably than other people
  - promote a positive attitude towards disabled people and encourage the participation of disabled people in public life.
- 1.6.4 The Council will work through the Swanage Town & Community Partnership with individuals and groups representing disability concerns to assist it to meet the requirements of the duty and the needs of local people.
- 1.6.5 An access audit has been carried out on the Council's properties where services are provided to the public and its findings implemented where practicable.

## 1.7 **What is discrimination?**

- 1.7.1 The Council opposes all forms of harassment and unfair discrimination. We recognise that there are various forms of discrimination and harassment:
- **Direct Discrimination** – this occurs when a person is treated less favourably or more favourably than others would be on grounds that are not justifiable, for example, not employing or providing the same level of service because of a person's race, gender, disability, sexuality or religious belief.
  - **Indirect Discrimination** – this occurs when a person is treated less favourably because of a requirement or a policy, for example, in an employment situation, a requirement that a machine operative has a minimum level of numeracy or literacy may be discriminatory against a disabled person with learning difficulties.
  - **Harassment** – this occurs when the harasser engages in unwanted conduct, which has the purpose or effect of violating the victim's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for the victim. Harassment can include abusive language or behaviour, sexual harassment and written word or signs.
  - **Victimisation** – this occurs when a person suffers detriment or disadvantage as a result of, for example, making allegations, bringing proceedings or providing information in reporting discrimination.

## 1.8 **A profile of Swanage**

- 1.8.1 Swanage is a vibrant seaside town. Situated in the Isle of Purbeck, it is the eastern gateway to the Jurassic Coast World Heritage Site. Its economy is dominated by tourism. It has a population in excess 10,000 and is surrounded by rural communities. In terms of equalities, the following aspects are particularly significant:

- 46.7% of the population are male
- 53.3% of the population are female
- 2.7% of the population do not consider themselves to be ‘White British’
- 21.9% of people consider themselves to have a limiting long-term disability or health problem
- 33.7% of the population are aged 60 or over
- the number of young people in the district is less than the national average

## **2.0 LEADERSHIP AND CORPORATE COMMITMENT TO EQUALITY**

### **2.1 Commitment to improving equality practice corporately and in all services**

- 2.1.1 The Council is committed to maintaining its positive approach to equality issues.
- 2.1.2 With regard to accessibility, the Town Clerk is responsible for matters affecting access to the Council’s various properties.
- 2.1.3 The Council will continue to support the Access Group established under the Swanage Town & Community Partnership which has a wide remit covering all matters of access to premises and services.

### **2.2 Commitment to providing the resources needed**

- 2.2.1 The Council has a budget for training and this provision is sufficiently flexible to fund training for all staff on equality matters. It regards equality as an intrinsic part of its day-to-day business and management and specific pieces of work, such as reasonable adjustments to buildings and facilities to widen access to services and to ensure compliance with the Disability Discrimination Act will be funded through the normal budgeting process.
- 2.2.2 Through its support for the Swanage Town & Community Partnership the Council demonstrates its commitment to supporting capacity building, encouraging community cohesion and consulting with disabled people, people from ethnic minorities and younger and older people living in the town.

### **2.3 Commitment to progress towards Level 5 of the Equality Standard**

- 2.3.1 The Council is committed to achieving the highest standards of corporate performance across its entire range of services and activities including equality issues. It aims to:
- achieve Level 2 by October 2007 and Level 3 by October 2008;
  - implement the general duties of the Race Relations (Amendment) Act 2000 by October 2007.
- 2.3.2 Targets may also be set in relation to the duties set out in the Disability Discrimination Act 2005.

### **2.4 Reviewing functions**

- 2.4.1 All Council services and policies) are continually monitored for their impact on the different groups within the community.

## **2.5 Undertaking Equality Impact Assessments (EIAs)**

- 2.5.1 The EIA process assists in identifying direct or indirect discrimination and will result in an ‘improvement plan’. This sets out ways to improve access and/or remove barriers to access and will be taken into account when services are planned. If an EIA indicates that significant changes to services or budgets are required, this will need to be reported to the appropriate Working Group of the Council (usually the Finance & Performance Management Working Group).
- 2.5.2 In considering any proposed changes to a service or policy the Council will take account of their likely impact on equality issues. In most cases a formal EIA is unlikely to be required but the equality considerations taken into account will be recorded for future reference.
- 2.5.3 The EIA process and the more practical approach outlined in paragraph 2.5.3 also helps to mainstream equality by prompting members and staff to consider how their functions, methods of communication and consultation should be delivered to ensure equality of access. For example, a full EIA requires Council officers to:
- identify all the stakeholders affected by the service, including equality groups;
  - ensure appropriate consultation has taken place with all the stakeholders, including equality groups;
  - ensure communication is a two-way process, delivered in an appropriate format to equality groups;
  - identify any improvements to the service;
  - mainstream the improvements by developing targets to go into the Performance Management Action Plan;
  - set up administrative systems to monitor progress on the improvements.
- 2.5.4 If the results from the EIA indicate that a proposed service or policy is likely to have adverse impact, we shall consider making amendments to it and/or seek ways of compensating for the adverse affects. If changes to the proposed function are significant, we shall consider further consultation.
- 2.5.5 The Council will ensure that all key staff are able to undertake Equalities Impact Assessments.

## **2.6 Monitoring**

- 2.6.1 The Council will monitor the progress of equality actions and revise targets arising from all areas of action, such as the EIA process and consultation findings. If a policy or service is shown to have an adverse impact on the Council’s delivery of equality of opportunity we shall consider finding another way of meeting our aims or decide whether the policy or service is justifiable because of its overall objectives.
- 2.6.2 Performance relating to equalities will be reported in the Performance and Policy Plan and monitored through the Council’s existing procedures and practices.

## **3.0 CONSULTATION, SCRUTINY AND COMMUNITY DEVELOPMENT**

- 3.1 The Council will strive to identify groups within the community whose needs and requirements are less well met by Council services than those of other groups. This will be achieved through the on-going monitoring of service users and through an assessment of all available information on the demographics of the community.

## **3.2 Commitment to systematic consultation**

- 3.2.1 The Council will carry out internal and external consultation.
- 3.2.2 Consultation exercises must consider equality issues and barriers to public participation in them. The Council will consider the location and time of meetings, access and communication needs, childcare and other caring issues, as well as the different techniques for consulting.
- 3.2.3 Where appropriate (and where a vehicle other than the Swanage Town & Community Partnership is necessary to secure thorough consultation) a local forum will be set up and/or facilitated by the Council to ensure that all groups within the community are engaged in corporate consultations. Such local forums might include equality forums, older people's forums, youth forums and disability forums.
- 3.2.4 The development of forums for equality groups - to enable their views to be heard and considered - is recognised by the Council as a vital part of its commitment to both equality and community planning. The Council will work closely with these forums to agree the best methods for consultation and, where possible, work with other agencies to arrange joint consultation.
- 3.2.5 The Council will embrace consultation best practice and ensure that the final report from a consultation exercise, its recommendations and outcomes is communicated back to those who participated in it to ensure that local people are kept informed and to help maintain trust and confidence in the consultation process.

## **3.3 Commitment to scrutiny**

- 3.3.1 The Council will work with key stakeholders to ensure its commitment to comprehensive equality is delivered.
- 3.3.2 Internal scrutiny of the Council's equality commitment and performance will be assessed in the Performance and Policy Plan and monitored through the Council's existing procedures and practices.

## **3.5 Community development**

- 3.5.1 The Council will endeavour to improve relations between different groups within the community through supporting multi-cultural and cross-generation events and the active promotion of positive equality news through the press, publicity campaigns and Swanage Views newsletter.

## **4.0 COMMITMENT TO EQUALITY IN THE DELIVERY OF COUNCIL SERVICES AND CUSTOMER CARE**

### **4.1 Our commitment to providing services fairly to the whole community**

- 4.1.1 The Council will provide its services fairly to all elements of the community and will design services that meet the needs of the public in a flexible and accessible way.

### **4.2 Our commitment to monitoring service delivery and usage**



4.2.1 All services that have a significant impact on equalities will be monitored to identify any disparity in usage and to evaluate the key areas for improvement.

#### **4.3 Promoting equality through procurement and partnerships**

4.3.1 The Council expects all organisations and people working on its behalf to practice equal opportunities and adhere to this Comprehensive Equality Policy.

4.3.2 The Council's Procurement Strategy addresses equality issues by identifying that supplier diversity contributes to a strong local economy. Where possible the Council will provide information and advice to assist small businesses, social enterprises, voluntary sector organisations and ethnic minority businesses to build their capacity to win and retain public contracts.

4.3.3 In accordance with the Procurement Strategy the Council will aim to ensure that all contractors, carrying out work on behalf of the council or sub-contracting on behalf of the Council will be required to comply with an equality checklist and produce an equal opportunity statement or policy relating to both employment practices and service delivery.

4.3.4 Access to services will be taken into account in the procurement process and, where necessary, selected contractors will be required to develop more accessible products and services.

#### **4.4 Communication**

4.4.1 The Council will ensure equality in the ways it communicates with the public. We shall ensure that written material produced by the Council is made available in large print format on request.

#### **4.5 Complaints**

4.5.1 All complaints relating to equality issues will be dealt with through the existing formal complaints procedure.

#### **4.6 Commitment to making services accessible**

4.6.1 The Council will use every endeavour to ensure the accessibility of its services both physically and through other channels including the internet and telephone.

4.6.2 The Council will use BS 8300 as a reference standard for the physical accessibility of all its services and will strive to achieve this wherever practicable.

4.6.3 Auxiliary aids (for example hearing loops in meeting rooms) will be provided wherever a need is identified or anticipated.

### **5.0 COMMITMENT TO EQUALITY IN EMPLOYMENT AND TRAINING**

5.1 The Council is committed to equality of opportunity in its recruitment, training and promotion of employees. In its role as an employer, the Council will promote equality and prevent discrimination through the regular monitoring of:

- recruitment
- promotion
- training

- pay and allowances
- grievances
- exit from employment

5.2 The Council has adopted policies on harassment/bullying and employment practices which are consistent with all relevant legislation and codes of practice and is committed to their effective implementation.

5.3 The Council will seek to recruit a workforce that reflects the diversity of the community. This will be achieved through an approach based on workforce profiling and equality assessment of the local labour market.

#### 5.4 **Commitment to fair recruitment**

5.4.1 The Council is committed to fair recruitment and to the elimination of any assumptions, preferences or judgements that do not relate to the potential abilities of individuals to perform the required jobs. This principle will apply to assembling job descriptions, person specifications, advertisements and to the shortlisting, selection and interviewing of applicants. Additional practical measures that the Council will implement to ensure fair recruitment are set out in Appendix 1.

5.4.2 The Council will set standards to ensure that objective, job-related criteria apply to all its employment practices. All appointments and promotions will be based on merit, qualifications and relevant experience.

5.4.3 To ensure equality of opportunity when recruiting, the Council will ensure that:

- all permanent job vacancies, except those covered by a restructuring, promotion or transfer (as a result of natural processes or redundancy), will be advertised internally as a minimum. Externally advertised vacancies will be notified to the local Job Centres, and placed on the [Swanage.gov.uk](http://Swanage.gov.uk) website. The Council will keep under review its approach to advertising to ensure that it is compatible with this policy.
- all new fixed term posts will be advertised, with a specific indication in the advertisement that the post may become permanent at a later date, where appropriate.
- where, however, there is a proposal to offer the existing holder of a fixed-term contract a permanent contract in respect of the same post and at the same grade, the post will not be advertised where the current postholder was appointed to the post following a process of advertisement, interview and selection.
- there will be an internal advertisement of the new post where two or more fixed-term contract posts have the same responsibilities and duties and the number of permanent posts to be created is less than the number of existing fixed term posts.
- youth trainees, Modern Apprenticeships and persons providing cover for maternity leave can be appointed without advertisement although the creation of any subsequent fixed term or permanent post will be advertised, at least internally.
- for the purposes of this Policy, 'internal advertisement' means advertisement to existing staff of the Council and only existing staff may apply. Existing staff includes casuals.
- no 'word of mouth' recruitment, the use of 'waiting lists', personal recommendations or any other unofficial recruitment of permanent staff that contravenes this policy, will be permitted.
- all advertisements (internal or external) for job vacancies will carry the statement 'Swanage Town Council is an Equal Opportunities Employer'.

## **5.5 Commitment to equal access to training and career development**

5.5.1 The Council will ensure that all employees have equal access to training and development opportunities, regardless of their working hours or any special needs. We shall therefore consider all training requests on their merits. Any special needs such as disability or difficulties in attending training events at certain times will be taken into account and reasonable adjustments will be made. The timing and location of training courses will be reviewed to ensure that wherever possible staff, regardless of their particular circumstances, can take advantage of any appropriate training courses on offer. Where adjustments cannot be made for a particular course, other training and development methods will be considered.

5.5.2 Practical measures to ensure equality of access to training will include:

- making sure that training venues are suitable for any disabled staff attending, in terms of where the venue is sited and how it is equipped;
- procuring popular courses on different days of the week to allow as many staff as possible to attend;
- ensuring that staff are reminded regularly on equality and diversity matters to maintain an appropriate level of awareness;
- ensuring that the Council has access to a range of training materials including videos, books and other resources that can be offered as an alternative to attending a training course.

5.5.3 Additional measures that the Council will implement to ensure equality in training and development are set out in Appendix 1.

5.6 It is important that the Council actively promotes its commitment to equality to all staff and members and it will do so through an on-going process of communication. Equality issues will be highlighted during the induction process for all new staff and appropriate levels of training (ranging from videos to formal training sessions) will be offered to all existing employees on a regular basis.

5.7 The Council will take positive action, wherever practicable, to retain and/or redeploy existing employees who become disabled and are unable to continue in their existing employment. Such action will consider adaptation of equipment and restructuring of work where possible to enable them to continue working. We shall provide, where necessary, additional training to employees who become disabled to assist them in adapting to their current employment or an agreed alternative.

## **5.8 Commitment to equality in Employment Terms and Conditions**

5.8.1 The Council undertakes not to discriminate unfairly in the operation of national and local conditions of service. Any benefits and facilities provided by the Council will be offered equally to all groups and individual employees, always provided there is a not a national or local agreement which has been specifically negotiated which excludes this. As new legislation and good practice emerges, reviews will be carried out to ensure that the Council fulfils its obligations.

## **5.9 Commitment to equal pay policy**

5.9.1 The Council is committed to an equal pay policy which applies to all staff.

5.10 The Council will seek to support members of staff from minority or disadvantaged groups by raising awareness of local support groups and through the development of appropriate

internal support mechanisms.

5.11 Additional practical measures that the Council will implement to ensure equality in terms and conditions of employment are set out in Appendix 1.

5.12 **Complaints Procedure**

5.12.1 Any employee who believes they have a grievance in relation to this Policy should pursue it through the Council's grievance procedure. Where the Council is satisfied that a deliberate act of discrimination by an employee has been committed, disciplinary action will follow.

5.13 **Role of the Trade Unions**

5.13.1 The Council acknowledges the important role the trade unions can play in achieving the objectives of this Policy. The Council will liaise with the recognised trade unions when necessary to ensure that equal opportunity in employment is achieved.

# Appendix 1

## Practical measures to ensure equality in employment, recruitment and promotion

1. The following objectives are intended to ensure equality in employment and promotion:
  - train all interview panel members in effective interviewing techniques;
  - ensure that all interview panel members are aware of legislation that prohibits discrimination in employment and of potential direct and indirect discrimination
  - review job descriptions prior to advertising to ensure they are up-to-date and the content appropriate;
  - prior to advertising, prepare an up-to-date and valid Person Specification ensuring that any unnecessary physical, language or unjustified experience requirements are avoided;
  - shortlisting of applications for interview against the criteria specified in the Person Specification. The reasons for all decisions to be recorded. Managers will be encouraged to give feedback to candidates if requested;
  - ensure that all interview questions and tests are fair and appropriate for the specific job;
  - record the reasons for decisions taken by the interview panel;
  - consider any reasonable adjustments to premises and working arrangements which may be required by a disabled applicant;
  - promote the Council's Complaints Procedure as a means of addressing problems, improving services and providing equal opportunities.
  
2. The following objectives are intended to ensure equality in training and/or career development.
  - provide, where necessary, additional training to employees who become disabled to assist them in adapting to their current employment or an agreed alternative;
  - provide induction training to all new employees;
  - ensure the availability of effective appraisal training including reference to the importance and benefit of treating all employees equally and without favouritism;
  - arrange training in equality, assertiveness and communication skills to enhance the concept and practice of fairness and equality;
  - monitor training plans to ensure provision of equal opportunity is being delivered across the Council to meet the needs of staff and councillors.
  
3. The following objectives are intended to ensure equality in employment terms and conditions.
  - use criteria for assessing salary at appointment which is consistent and non-discriminatory;
  - train managers and supervisors to be aware of potential direct and indirect discrimination when making decisions on terms and conditions of employment;
  - give proper consideration to any request for job share and flexible working arrangements.