Carbrooke Parish Council Equality Policy

POLICY STATEMENT

Carbrooke Parish Council is committed to pursuing an equal opportunities approach toward its staff and members, the treatment of its volunteers and the way in which services are provided for the public. The council will actively promote fair treatment and opportunity irrespective of a person's age, disability, gender assignment, religious belief or political opinion, marital or civil partnership status, ethnicity or sexual orientation.

The council will achieve this aim by meeting the following objectives:-

a. By promoting equality of opportunity for all persons.

b. By ensuring full access to all its landholdings and facilities.

c. By fulfilling all its legal obligations under equality legislation, specifically the Equality Act 2010 and associated codes of practice.

d. By promoting a good and harmonious environment in which all men and women are treated with respect and dignity, and in which no form of discrimination, harassment, victimisation or intimidation is tolerated.

e. By ensuring that members of the council, its volunteers and staff cooperate with all measures introduced to ensure equal opportunities.

f. By ensuring that members of the council, its volunteers and staff report any suspected discriminatory acts or practices.

g. By taking lawful affirmative or positive action, where appropriate.

FORMS OF DISCRIMINATION

The council is opposed to all forms of unlawful and unfair discrimination.

Discrimination may be direct or indirect and it may occur intentionally or unintentionally.

Direct discrimination occurs where an individual is put at a disadvantage for a reason related to one or more of the grounds set out in the Policy Statement.

Indirect discrimination occurs where an individual is subject to an unjustified practice which puts them at a particular disadvantage.

THE PROTECTED CHARACTERISTICS

The law on equality has been consolidated into the Equality Act 2010, which took effect on 1 October 2010. The law prohibits discrimination on certain grounds. To discriminate against someone means to treat them less favourably, to harass or victimise them, or to subject them to a provision, criterion or practice which puts them at a disadvantage. This is unlawful if it is on any of the following grounds, identified in the Equality Act as Protected Characteristics.

a. Age. Individuals of any age are protected from discrimination. Favourable treatment of a person because of age is not lawful.

b. Disability. The Equality Act 2010 (Disability) Regulations 2010, issued pursuant to the 2010 Act came into force on 1 October 2010.

A person is disabled if they have:-

- A physical or mental impairment and

- The impairment has a substantial long term, adverse effect on their ability to carry out normal day to day activities (for example using a telephone, walking, lifting, and reading).

Certain medical conditions, such as cancer, multiple sclerosis and HIV are a disability from the outset, whatever their impact on day-to-day activities. Regulations state that those certified as blind, severely sight impaired, partially sighted, or sight impaired by a consultant ophthalmologist are deemed to have a disability. Protection from discrimination covers a person who has had a disability in the past.

People suffering from drink or drug abuse are outside the scope of the Regulations. Notably pursuant to section 13 (3) of the 2010 Act, if an employer or a service provider treats a disabled person more favourably than a non-disabled person, this does not constitute direct discrimination.

c. Gender reassignment. Gender reassignment is a protected characteristic that applies to a transsexual person who is proposing to undergo, is undergoing or has undergone a process (or part of a process) to change their sex (by physiological or other attributes of sex).

d. Race. The council has a general duty to: eliminate unlawful racial discrimination; promote equality of opportunity; and promote good race relations between people of different racial groups.

e. Religion or belief.

f. Sex.

g. Sexual orientation.

h. Marriage and civil partnership.

i. Pregnancy and maternity. Protection from discrimination applies during pregnancy from conception to the end of the maternity leave. The protection is against discrimination because of pregnancy or maternity, or illness suffered as result of pregnancy; and discrimination because a woman is on maternity leave, or is exercising or seeking to exercise a right to take maternity leave. Discrimination on the grounds of pregnancy or maternity is not lawful.

IMPLEMENTATION

Carbrooke Parish Council is committed to providing equality of opportunity both for those who use its services and those who provide them. All employees and members have a part to play in achieving this and the council will ensure that individuals are aware of their personal responsibility to adhere to the Council's Equality Policy.

In order to implement this policy, the council will:-

- Have due regard to equality and the elimination of discrimination in all its significant and relevant decisions.

- Provide equality of access to the council's services by carrying out regular access audits of its landholdings and facilities.

- Provide fair employment and equal pay.

- Communicate the policy to all members (new and existing) by issuing them with a copy of this document.

- Endeavour through relevant training to ensure that members do not consciously or unconsciously discriminate in the selection or recruitment of applicants for membership of the council, employees, or the appointment of service providers.

- Provide clear information about services and facilities and where necessary make them available in a variety of formats.

- Ensure that adequate resources are made available to fulfil the objectives of this policy.

PUBLIC SECTOR EQUALITY DUTY

Section 149 of the Equality Act 2010, which came into force on 5 April 2011, imposes on public authorities (which as stated in Section 19 includes Parish Councils) a duty to take into account in the exercise of their functions:-

- The need to eliminate discrimination or harassment, victimisation and any other conduct that is prohibited by or under the Act.

- To advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

- To foster good relations between those who share protected characteristic and those who do not.

The protected characteristics of marriage and civil partnership are not covered by the provisions of Section 149.

All councillors shall have due regard to the elimination of discrimination, the advancing of equal opportunities and the fostering of good community relations in all their work, decisions and reviews.

EQUALITY OF OPPORTUNITY IN EMPLOYMENT

The council aims to provide a non discriminatory working environment in which discrimination, harassment, victimisation or bullying is unacceptable and will not be tolerated. Employment policies, procedures and practices will promote equality of opportunity and all decisions regarding recruitment, selection, training, promotion and career management will be based solely on the relevant merits and abilities of the applicant.

The council will take full account of the provisions of the Equality Act 2010 in the recruitment of staff. Section 60 of the Act relates to the recruitment process and specifically covers the enquiries that can be made before an offer of employment is made. Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a protected characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.

The council will ensure that employment policies and opportunities are of the highest quality, so that equality, equity and consistency are embedded in practices, pay and conditions. Recruitment advertisements will not request applicants from a particular age range, nor will the application form request the applicant's date of birth or other age related details. All application forms shall state that the Parish Council encourages applications from all, including and especially those from the Protected groups. In order not to discriminate against younger people, all application material will emphasise the importance of skills and potential, as well as experience. The council will ensure there is no age discrimination in relation to the dismissal of staff.

The Equality Act 2010 protects disabled persons from discrimination; this includes a duty on employers to make reasonable workplace adjustments to prevent disabled employees from being placed at a disadvantage compared to non-disabled people. This can include making adjustments to premises, such as the addition of a wheelchair accessible ramp, or making alterations to the employee's working hours. The council

will ensure that equal consideration is given to people's needs and develop flexible and responsive employment opportunities to tackle those needs. The council can decline to make adjustments that it considers to be unreasonable, for instance on the basis of affordability and whether it is a practical solution.

The council seeks to ensure that all employees receive fair and equal treatment in relation to their employment, regardless of whether they are part-time, full-time, or employed on a temporary basis. It is the duty of the council to encourage and support employees to reach their full potential within the council's resources.

ACCESS TO COUNCIL SERVICES

The council wants its services, facilities and resources to be accessible and useful to every citizen regardless of gender, age, ethnic origin, religious belief, disability, marital status, sexual orientation, or any other individual characteristic, which may unfairly affect a person's opportunities in life.

The council recognises that all persons are entitled to be treated fairly, in a consistent manner and with dignity and respect.

The council aims to ensure that all those who use its services can do so without fear of discrimination or disadvantage.

The council will monitor the physical features of its premises to consider whether they place disabled workers, job applicants or service users at a substantial disadvantage compared to other staff and service users. Where possible and proportionate, the council seeks to improve access for disabled staff and service users.

The council will consult with groups and individuals with special requirements to identify how the council's services may be improved to meet their needs.

Everyone associated with the council; members, council employees and people who work for the council (whether volunteers, temporary staff or working for a partner) will conduct themselves in a manner that maintains the council's reputation on equality and accessibility while carrying out a council function and at other times when their actions could reflect on the council's reputation.

BREACHES OF POLICY

The council will take appropriate action against any incidence of discrimination, harassment, victimisation or intimidation. All complaints should be addressed through the council's Complaints Procedure.

MONITORING AND REVIEW

The council is responsible for the monitoring and review of this policy. Any remedial action will be taken as necessary.

Agreed: January 2019.

Review Date: January 2022.

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(Chairman) (Parish Clerk)