

EQUALITIES AND DIVERSITY POLICY

1 SUMMARY

- 1.1 This report proposes an updated Equalities and Diversity Policy in line with recent and impending legislation.

2 INTRODUCTION

- 2.1.1 The Council's existing Equal Opportunities Policy is dated and the Council is now required to ensure no worker is treated less favourably than others on the grounds of race, sex, sexual orientation, religion or belief, disability or (by 2006) age. It is also good practice to include class, gender re-alignment, HIV/AIDS, caring responsibilities for dependants and unrelated criminal convictions.
- 2.1.2 Equality in terms of employment provision has been a focus for some time. With an emphasis now on customer satisfaction, it is essential that equality is also a central feature in the delivery of services. A modern, high quality service recognises the diversity of its customers and can respond to their needs. It is important the Council provides services that are appropriate to the user in both content and in the ways in which they are delivered, so that real needs are met rather than an assumption that customers will fit in with existing service provision.

3 A NEW EQUALITIES AND DIVERSITY POLICY

- 3.1.1 A revised policy, prepared by the Human Resources Manager, is attached as Appendix 1 to this report. The policy has been considered in detail by Corporate Management Board who have overall responsibility for its roll out across the authority.
- 3.1.2 The policy has been written to reflect the Equalities Standard for Local Government guidelines that set out the requirements of a comprehensive equalities policy.

4 RISK IMPLICATIONS

4.1 Strategic Risk

Equalities and Diversity must underpin all of our activities to ensure we provide relevant and accessible services to our community.

4.2 Resource Risk

The policy must be implemented. Therefore communication mechanisms and training will need to be put in place to ensure staff and managers understand their responsibilities. Departments may identify resource needs to ensure they deliver accessible services.

4.3 Operational Risk

The policy must be communicated to all staff and training provided to ensure staff and managers understand what their responsibilities are, thus ensuring we meet legislative requirements and improve our services to all sections of the community. A corporate Equalities Plan will be required to ensure this happens.

4.4 Reputation Risk

To attract, recruit and retain staff we must have clear standards for staff and ensure these are adhered to. We must meet the needs of all sections of the community if we are to provide excellent services.

7 RESOURCE IMPLICATIONS

- 7.1 Training will be provided through existing resources. Further resources may be identified at a later stage by departments to ensure they are meeting their obligations with respect to equalities and diversity.

8 LEGAL IMPLICATIONS

- 8.1 The proposed policy includes recent and proposed legislation and other areas that are seen as best practice. The policy will require to be reviewed regularly to ensure it remains compliant.

10 RECOMMENDATION

- 10.1 It is proposed that the Committee **RESOLVES**

To adopt the appended Equalities and Diversity Policy

John Honey

Corporate Director (Law, Planning and Administration)

Background Papers:-

None

For further information please contact Claudia McClellan on:-

Tel:- 01702 318162

E-Mail:- Claudia.mcclellan@rochford.gov.uk

Appendix 1

Corporate Equalities and Diversity Policy

Rochford District Council will actively promote equality of opportunity and seek to celebrate diversity in:

- The employment of staff
- The delivery and accessibility of services
- Public consultation and engagement
- Contracting and procurement

The Council recognises that discrimination can take different forms:

(a) Direct Discrimination – by treating one person less favourably than another solely because of, for example, their sex, disability or race.

(b) Indirect Discrimination - by creating a condition or requirement of service delivery which cannot be justified and which, in practice, prevents people from certain groups receiving a service or gaining employment.

(d) Institutional Racism – the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture, ethnic origin, gender or disability, etc. It can be detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and stereotyping which further disadvantage such people.

(d) Harassment - where an individual or group of individuals are harassed or abused because of their race, sex or disability. People who are harassed may feel less comfortable in the service/working environment and may even decide not to pursue their right to receive the service.

(e) Victimisation - where a person is treated less favourably because they have pursued rights to equality in employment/service delivery via the Complaints/Grievance procedure and/ or legal proceedings, or it is suspected that they will do so.

The Council will strive to eliminate both direct and indirect discrimination. In particular, we are committed to eliminating discrimination on the specific grounds of class; age; disability; colour; ethnic origin; national origin or race; religion; gender; sexuality; gender re-alignment; marital status; faith; caring responsibilities for dependants, Trade Union membership; or unrelated criminal convictions.

The Council will treat people equally and fairly when they are:

- Seeking access to or using Council Services or those provided on the Council's behalf
- Contracting to supply goods or services to the Council

- Applying for employment with the Council or already employed and seeking access to promotion and training/personal development opportunities
- Involved in public consultation/engagement with the Council regarding its services

We aim to ensure equal access to services for the community on the basis of need and to deliver them in a manner that is sensitive to the individual. We will aim to ensure that the workforce represents the community that it serves and will adopt pro-active strategies, such as target setting, in order to achieve our objectives.

The Council will use monitoring data and proactive measures to eliminate institutional practices. We aim to create a discrimination free work environment, fair and transparent processes and practices, relevant and accessible services and active consultation/engagement with all section of the community especially those from traditionally disadvantaged groups.

We are committed to developing equality and diversity objectives and targets, systematic consultation and impact assessments, monitoring, audit and scrutiny.

The Council has adopted a 'mainstreaming' approach to equality of opportunity. This means that equality objectives are incorporated and become an integral part of management and the duties of every employee. It is the responsibility of every employee of the Council to uphold and implement this policy and the direct responsibility of managers to realise it by adopting sound practices in employment, consultation, contracting/procurement and service delivery planning. The emphasis is upon ensuring that fairness and equality of opportunity is a mainstream not a peripheral activity and that is the responsibility of managers and service providers.

The Responsibilities of all Staff

Our equalities and diversity policy needs to be translated into practice. Its principles must inform the work of every member of staff. Each of us must accept our responsibility for learning about, understanding and acting in the spirit of the Equalities and Diversity Policy. Discrimination and harassment are serious workplace issues. It should be borne in mind that individuals can be legally liable for discrimination under the relevant legislation.

Every member of staff is charged with the responsibility for contributing to the creation of a positive and supportive work environment. Similarly, these principles should be upheld in terms of service delivery.

In particular, not only should the following behaviours be avoided by staff, but they should be positively challenged:

- Any manifestation of behaviour that is perceived as personal harassment or bullying
- The intentional use of sexist, racist, homophobic, or other forms of language and images that reinforce stereotypical images.

-
- The unfavourable treatment of individuals or groups in society because of their difference to what is perceived as the norm, including making assumptions about people.
 - The use of hostile or aggressive language or actions towards individuals or groups in society. Jokes and 'off the cuff' comments that are, or can be perceived, as discriminatory and liable to reinforce negative images and stereotypes.

The base line requirement of individuals is that they treat others on a fair and equal basis. Negative and discriminatory assumptions should be challenged. All staff need to appreciate the way in which diversity in the workforce strengthens the capacity of the Council to serve local people.

The Responsibilities of Line Managers

All Council managers have a special and particular responsibility to ensure that they are fully aware of the Council's Equalities and Diversity Policy and are working to apply it to their own service. At the most basic level managers should be preventing discrimination, both direct and indirect. Managers are charged with promoting good relations between people of different groups in society and actively challenging prejudice in all its forms. They must ensure that the provision of services and the execution of other functions in their areas are carried out fairly and without discrimination. In practical terms this means working to provide equal access by all sections of the community to services in your area and to eliminate any barriers to achieving this. The aim must be to develop and maintain relevant and accessible services that meet the needs of the whole community.

Good equalities and diversity practice in service delivery means:

- Providing good quality and fully accessible services
- Treating each customer as an individual
- Recognising the specific needs and experiences that come with their membership of a particular group in the community
- Implementing consultation and service monitoring, evaluation and review arrangements and ensuring that this data is fed into policy and service development.
- Challenging and dealing with inappropriate behaviour and stereotyping, and willingly participating in arrangements to record, report and deal with racist incidents.
- Introducing, promoting and participating in initiatives which promote equal opportunities and celebrate diversity.

It does not mean:

- Providing a standard service to everyone
- Treating all people in the same way
- Being politically correct

Similarly Rochford District Council workplaces should be free from physical and verbal abuse, bullying and harassment, where staff from different backgrounds can feel welcome, comfortable and valued. Where this is not the case managers have a specific responsibility to challenge such behaviours and if necessary take action under the Council's disciplinary and grievance procedures. Managers should also foster a culture in which staff feel confident in challenging such behaviours in the workplace.

Corporate/Departmental Responsibilities

Ultimately managerial leadership must come from Corporate Management Board and Heads of Services for developing and maintaining the equalities and diversity policy. The consistent and effective promotion of the policy is a task for senior managers.

Training will be provided for Members, Officers and Managers to ensure they fully understand their legal responsibilities and commitment to the policy.

The Council will develop a Corporate Equality Plan indicating how the equalities policy will be implemented.