

# Bierton Parish Council

## Equality & Diversity Policy

### Introduction

Bierton Parish Council (BPC) is committed to promoting equality and diversity in all aspects of its work and believe that everyone, regardless of their background or characteristics, should be treated with respect and fairness.

This policy outlines the Council's commitment to creating an inclusive and diverse environment and sets out our approach to achieving equality for all. The policy aims to:

- promote equality of opportunity for all councillors, employees and volunteers, as well as for the wider community;
- prevent discrimination, harassment and victimisation;
- encourage diversity and inclusion within the Parish Council; and
- comply with legal obligations under the Equality Act 2010.

This policy applies to all councillors, employees, volunteers, contractors, and members of the public who engage with Bierton Parish Council.

### Background

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society and replaces the existing anti-discrimination laws with a single Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with.

The characteristics that are protected by the Act (Equality Act 2010 S4) are:

- Disability
- Age
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief (this includes lack of belief)
- Sex
- Sexual orientation

The Public Sector Equality Duty (PSED) within the Equality Act 2010 means that public bodies have to consider all individuals when carrying out their day-to-day work – in shaping policy, in delivering services and in relation to their own employees. It requires that public bodies have due regard to the need to:

- eliminate discrimination;
- advance equality of opportunity; and
- foster good relations between different people when carrying out their activities.

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## **Types of Unlawful Discrimination**

Direct Discrimination is where a person is treated less favourably than another because of a protected characteristic. In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect Discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim. Indirect discrimination may also occur where an individual who does not themselves have a protected characteristic suffers the same disadvantage as those who do. (indirect discrimination by association).

Harassment is where there is unwanted conduct related to one of the protected characteristics that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Associative Discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

Perceptive Discrimination is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not, in fact, have that protected characteristic.

Third-Party Harassment occurs where an employee is harassed by third parties and the harassment is related to a protected characteristic.

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

## **Equality & Diversity Principles**

Bierton Parish Council is committed to:

Eliminating Discrimination - The Council will not discriminate on the basis of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation in any of our activities or decision-making processes.

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Promoting Inclusion - The Council will actively promote an inclusive culture that values diversity and ensures that all individuals feel respected, valued and able to contribute to their fullest potential.

Equality of Opportunity - The Council will provide equal opportunities for all individuals, recognising the benefits that diversity can bring to our community and organisation.

Reasonable Adjustments - The Council will make reasonable adjustments to remove barriers and provide equal access to meetings, services, facilities and information for people with disabilities.

Prevention of Harassment - The Council will not tolerate any form of harassment, bullying, or victimisation. All complaints will be taken seriously and dealt with promptly and confidentially. The Council will not tolerate discriminatory or hate-based behaviour from any councillor, employee, contractor, volunteer or member of the public interacting with the Council.

Positive Action - The Council will take positive action measures to address underrepresentation or disadvantage faced by specific groups where proportionate and lawful under the Equality Act 2010.

## **Equal Opportunities in Employment**

The council will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

### Recruitment

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

### Working Practices

The council will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the council considers it has good reasons, unrelated to any protected characteristic, for doing so. The council will comply with its obligations in relation to statutory requests for contract variations. The council will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

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## Equal Opportunities Monitoring

The council will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

The council treats personal data collected for reviewing equality and diversity in accordance with the data protection policy. Information about how data is used and the basis for processing is provided in the council's GDPR policy.

## **Responsibilities**

All councillors and employees of Bierton Parish Council are responsible for adhering to this policy, treating others with respect, and promoting equality and diversity.

Every employee is required to assist the council to meet its commitment to provide equal opportunities in all aspects of the Council's work and responsibilities, including employment, and avoid unlawful discrimination. Employees can be held personally liable as well as, or instead of, the Council for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees or users of the Council's services are disciplinary offences and will be dealt with under the Council's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

## **Implementation**

The council will provide training and awareness programs on equality and diversity for councillors, employees and volunteers.

The Council will consider equality impacts when developing policies or making decisions and may carry out Equality Impact Assessments where appropriate.

The Council will ensure information is accessible, including providing documents in alternative formats where reasonably possible.

Contractors and service providers engaged by the Council will be expected to comply with this policy or demonstrate an equivalent equality policy.

The Council will monitor and review this policy annually to ensure its effectiveness.

The Council will investigate and address any breaches of this policy promptly and fairly.

## **Reporting and Complaints**

Any member, employee, or member of the public who believes they have been subjected to discrimination, harassment, or victimisation should report it in accordance with the Council's complaint procedure.