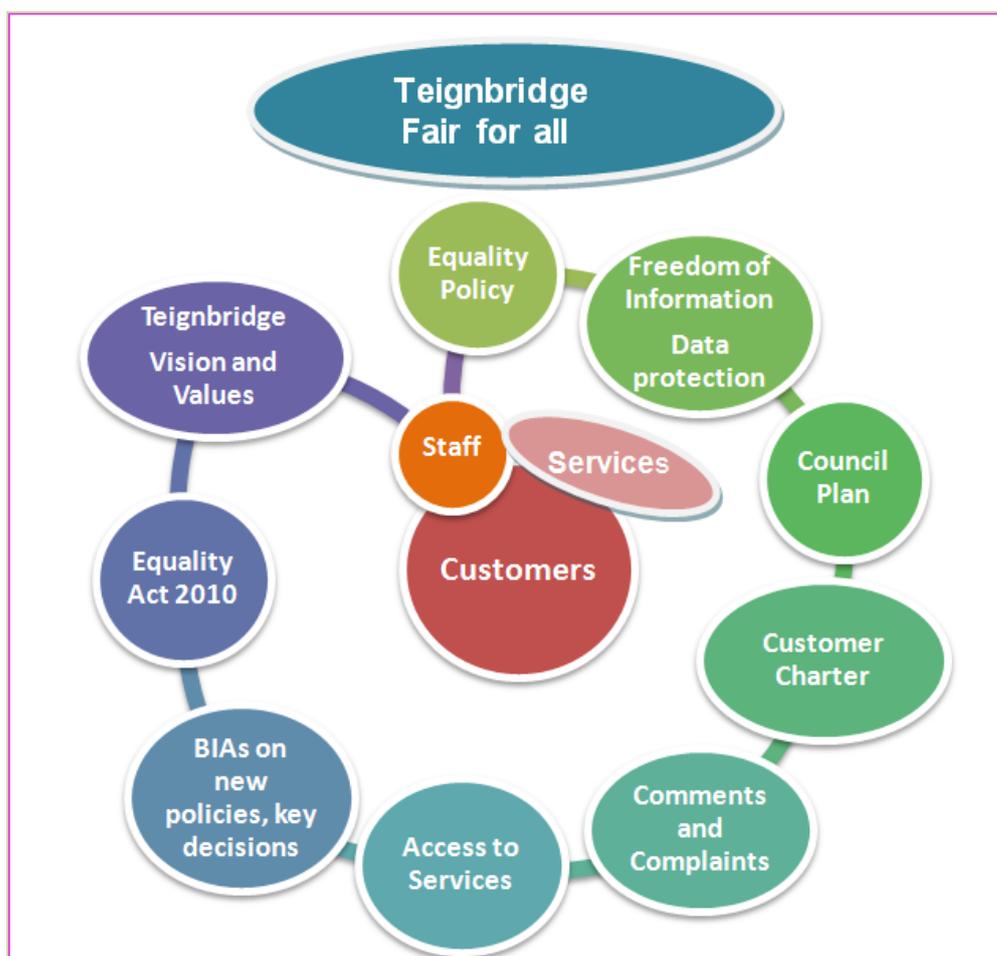


# Equality Policy

2015 - 2020



A guide for Members, staff and contractors employed by the Council about their responsibilities relating to equality of opportunity in employment, service provision and employment

## Contents

- **Fair for all**
  - Our commitment to equality
  - Council Goals
  - Vision and Values
- **Our legal duties**
- **Responsibilities**
- **Principle 1** Ensure acceptable behaviour
- **Principle 2** Respond to complaints and incidents in a positive and pro-active way
- **Principle 3** Provide access to services, facilities and information
- **Principle 4** Recruit and employ people fairly
- **Principle 5** Meet specific needs
  - Age equality
  - Gender identity
  - Disability equality
  - Racial equality
  - Religion and belief equality
  - Sexual orientation equality, marriage and civil partnership

## Fair for all

### ➤ **Our commitment to equality**

We recognise and value the diversity of the people who live and work in Teignbridge and we are committed to equality in every area of our responsibility. We believe that equality for all is a basic human right, and want to eliminate direct and indirect discrimination to ensure fairness for all.

Our staff are working hard to make sure that services and information are accessible to everyone. We have a Customer Charter and a Comments and Complaints policy so our standards of behaviour are clear, and the opportunity to comment on how we perform is available to all.

### ➤ **Council goals**

With the help of local people, we have developed goals to underpin the council's vision and everything we do towards achieving it. To find out more visit [www.teignbridge.gov.uk/councilstrategy](http://www.teignbridge.gov.uk/councilstrategy)

### ➤ **Vision and Values**

Teignbridge Council 's Vision and Values set out the ways in which we can work together and give the best service to our customers.

## Legal Duties

The Equality Act 2010 bans unfair treatment and helps achieve equal opportunities in the workplace and in wider society.

The Act covers nine protected characteristics. Every person has one or more of the protected characteristics, so the act protects everyone against unfair treatment. The protected characteristics are:

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion or belief
8. Sex
9. Sexual orientation

The Act sets out the different ways in which it is unlawful to treat someone, such as direct and indirect discrimination, harassment, victimisation and failing to make a reasonable adjustment for a disabled person. It does not allow unfair treatment in the workplace, or when providing goods, facilities and services, when exercising public functions, and in its day-to-day activities.

The Council acknowledges and welcomes its legal duties and uses the legislation and national guidance as a framework to improve or maintain standards and be accountable to the people it serves. You can see the Equality Act 2010 and the work we do to promote equality at [www.teignbridge.gov.uk/equality](http://www.teignbridge.gov.uk/equality)

## Our Responsibilities

As a provider of services and a community leader in Teignbridge it is important that the council's staff and elected Members work in a non-discriminatory and inclusive way. Employees and others working on behalf of an employer can be held personally liable for acts of unlawful discrimination where an employer has taken all reasonable steps to prevent such an act.

Everyone who uses services, facilities and information provided by the council should be treated in line with this policy. This includes service users/customers, members of the public, partners, contractors, employees, volunteers and elected Members. You can see more about the Council's Codes of Conduct and Governance at [www.teignbridge.gov.uk/constitution](http://www.teignbridge.gov.uk/constitution)

## Principle 1 : Ensure acceptable behaviour

### Treat everyone with dignity and respect:

- Treat people fairly and according to their needs. Try not to make assumptions
- Be patient and helpful particularly if someone has difficulties communicating, understanding or with mobility
- Communicate clearly
- Be courteous and polite.
- Respect property and culture, particularly when visiting people in their own places
- Respect the right to a private family life

### Think about how your actions will affect others:

- Be aware the effect your own behaviour and body language has on others. Recognise and guard your own prejudices. We all have a right to hold our own thoughts, beliefs and ideas, but this does not mean we have a right to express these if they lead to discrimination or cause offence or harass people
- Do not act in a way that would humiliate, offend, degrade, intimidate, frighten, threaten, undermine, or abuse someone. Do not promote or allow others to act in this way
- Do not use language or images which could be regarded as racist, sexist, homophobic, transphobic or insulting about disability, age, or religion and belief. Do not promote or allow this.

### **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
- Members of the public are reminded that they **do not have the right to refuse service** from staff or elected Members because of age, disability, gender reassignment, marital and civil partnership status, pregnancy and maternity, race/ethnicity, religion and belief, sex, sexual orientation, or any other factor that is not reasonable (unless there is a genuine and objective need, for example, some women may feel uncomfortable receiving certain services provided by a man).

### **Principle 2 : Respond to complaints and incidents in a positive and pro-active way**

Everyone has the right to complain in good faith about discrimination without being victimised at any time. This means people should be able to raise concerns without feeling awkward, threatened or isolated. Discrimination can include harassment, not being able to access a service or information, or being treated less favourably or unfavourably because of a protected characteristic. If someone complains about discrimination, handle the complaint properly and resolve matters positively.

#### **Handle complaints properly:**

- Handle complaints sensitively, using the complaints procedure. Listen with care
- Those receiving a complaint about discrimination should accept the incident is discriminatory (for example racist or sexist) as perceived by the victim. This is unless, and until such time it is reasonably proved otherwise (following an investigation into the matter)
- Provide or make arrangements for appropriate support for all those involved.

#### **Resolve matters positively:**

- Resolve matters as quickly as possible. Where possible, matters should be resolved informally and at source, before they escalate
- Explore the options to resolve issues. For example, mediation, advocacy, contacting appropriate personnel or agencies for advice on good practice or best course of action
- Where mistakes have happened, the organisation should admit to them (if justified, and learn from them).

#### **Respond to incidents of hate crime:**

- Take appropriate and speedy action if an incident of hate crime occurs on council property or business (such as graffiti or assault). This may involve removing graffiti or supporting people affected by the incident including signposting to specialist, independent organisations
- Report the incident to the Anti Social Behaviour Officer immediately.

### **Principle 3 : Provide access to services, facilities and information**

We aim to improve access to services, facilities and information where needed, and be honest about what we can and cannot do.

#### **Make sure information is accessible :**

- Follow communication guidelines, in particular consider the needs of potential and existing customers (whether internal or external) and take steps to make information as accessible and easy-to-read as possible. Use plain English and follow guidance on contrast, typeface and colours to suit their own needs. Our corporate style guide gives the relevant guidance
- When publishing content on the intranet and internet sites, follow web-accessibility standards and, where possible, provide information in a way that can adapt to suit particular needs.

#### **Provide alternative formats, translation and interpreters**

- Provide information in a different format on request if someone is unable to access the information they need in its original format (this can include providing information in large print, Braille, British Sign Language, audio and in other languages). The Council reserves the right to provide the most cost effective alternative that does not compromise quality or professionalism
- The Council also has a legal duty to anticipate reasonable adjustments for disabled people. Make information readily available in alternative formats where there is anticipated need.

#### **Make sure meetings and events are easy to access:**

- When organising meetings or events make sure you know if delegates have any specific requirements such as diet, access or communication support. Accessible venues should be used where possible and must be used if someone has this need. An accessible venue will have, as a minimum, accessible toilet facilities and wheelchair access to rooms and hallways being used
- When food and drink is provided, identify and cater for special diets and make sure different food will be separated and labelled clearly
- Take account of people's ability to get to meetings such as cost, public transport links, disabled parking bays, gradients or steps around the building.

#### **Monitor and review services:**

Business Leads and managers should ensure that services are monitored and reviewed effectively to ensure they meet equality duties:

- Carry out Business Impact Assessments to check for any positive or negative impacts a service or policy may have on different people and communities, including their ability to access a service such as transport links and the provision of information

- In line with the specific duties of the Equality Act 2010 publish information, carry out service monitoring where relevant, necessary, possible, appropriate and proportionate. Collecting personal data for diversity and equality monitoring purposes should be carried out on a voluntary and anonymous basis, in line with Data Protection law. The reasons for monitoring should be clearly stated alongside data protection rights to encourage a positive return rate. Staff should also be informed of the sensitivities of monitoring and why it is being carried out
- Involve people, including minority and disadvantaged communities, as far as possible in the design, delivery, monitoring and prioritisation of services so their needs can be met in the best way. Engagement should be meaningful and effective, in line with Council strategy, policy and legal duties to consult.

#### **Make application processes free of bias:**

- When designing or using forms that can be used for selection processes, remove questions which reveal someone's personal attributes from application forms where possible (these can include name, age, date of birth, and gender), This will prevent unwitting stereotyping and prejudice when making decisions about individuals.

#### **Principle 4 : Recruit and employ people fairly**

- Employees agency/contract workers, volunteers, people applying for a job or trainees at Teignbridge District Council must not be discriminated against because of a protected characteristic. This means that people must be given equality of opportunity in all aspects of recruitment, selection, appraisal, training, promotion/transfer, work allocation, supervision, reward, recognition, retirement, redundancy, career development and any other conditions of employment or work
- All staff must be treated fairly and their diversity valued, recognising the different experiences, skills and knowledge people have and the different contributions they make. Staff must also be provided with a work environment where they are free from harassment or other barriers from performing their role.

#### **Advertise jobs openly:**

- When advertising jobs, make sure that they draw the attention of a wide range of applications, in line with employment policies. In special circumstances, such as redundancy and redeployment, priority can be given to internal candidates
- Advertisements and interview procedures must reflect the job description and person specification (which is non-discriminatory), follow equality standards, and should promote our commitment to equality
- Tests may be used to check suitability objectively. Ensure that they are free from cultural, racial, gender or any other form of bias so that they do not indirectly discriminate
- Do not ask candidates questions (formally or informally) that are not directly relevant to the job (for example about family life or hobbies)

- Other than in the following circumstances, do not ask questions about disability or health prior to a job offer: diversity monitoring (provided this is clearly anonymous and properly separated) checking ability to carry out functions of the role or selection tests.

#### **Monitor and review employment practice:**

- Employment policies need to adhere to codes of practices and best practice to ensure they are not discriminating and are promoting equality of opportunity
- Monitoring (the collection and analysis of diversity data) must be carried out by the Council so that it can identify if there is over or under-representation of men/women, racial groups, disabled people and other relevant characteristics, and use the information to take action to address any imbalance under workforce strategy. This is a legal requirement for public services with more than 150 members of staff
- Personal data collection for monitoring purposes must be done so on a voluntary and anonymous basis, in line with data protection rules. The reasons for monitoring should be clearly stated to encourage a positive return rate. Inform staff, who are asking questions, of the sensitivities of monitoring and why it is being carried out.

### **Principle 5 : Meet specific needs**

Our approach must not be based on the assumption that everyone is white British, and/or heterosexual. The way we operate and the images and language we use should reflect and be sensitive to the diverse communities we have, however small.

The categories below reflect the 'protected characteristics' as defined within the legal framework.

**Age Equality:** Applies to all people of all ages. But those at most risk of prejudice and discrimination are younger and older people.

- Do not use age as a determining factor for physical or mental performance or as a deciding factor for access to services or employment including recruitment, training and promotion opportunities
- Age specific services, conditions and benefits may be provided if they meet a general or specific exception, or can be objectively justified or for positive action purposes.

**Gender Identity and Sex Equality:** Covers men, women, gender re-assignment, gender identity, pregnancy and maternity.

Those most at risk of prejudice and discrimination are women (who are often parents/carers of young children and older dependents), men with caring responsibilities and people undergoing or have undergone gender reassignment. When there is an imbalance of men and women, the minority gender may be disadvantaged.

- Managers must support staff undergoing gender reassignment so they are able to work in a safe and positive environment and follow the guidance provided by Human Resources

- Flexible working can help staff balance their lives inside and outside work. Where necessary, managers should support male and female staff making choices about their parenting, caring and work roles
- Male and female staff will be paid the same for doing work of equal value and a job evaluation system is in use
- Managers and learning providers should provide male and female staff equal opportunities for career development
- Care should be taken not to reinforce gender stereotypes in the workplace
- A positive attitude towards the rights of breast feeding mothers is necessary and mothers must not be prevented from breast feeding in public areas unless there are objective and reasonable grounds for doing so (i.e health and safety).

**Disability Equality:** Applies to disabled people (covered by definition under the Equality Act 2010) including: people with a physical impairment, sensory impairment, learning disability or difficulty, mental health condition, long term health condition or illness, cognitive impairment or severe disfigurements.

The most frequent barriers faced by disabled people include: physical access to facilities, including transport, buildings, streets, communications access (written word or images, speech or sounds) attitudes and assumptions made, or stressful situations.

- Take steps to meet the needs and achieve equal outcomes even if this requires 'more favourable treatment'. For example, adjusting an application process, providing support or advocacy.

**Make reasonable adjustments so that buildings are accessible and welcoming to disabled people:**

- Where possible, people with physical disabilities should be able to access buildings and environments through the same routes as other people. By making main entrances and routes fully accessible, people can get around the building independently and easily; access up a ramp at the rear of building can feel insulting and take longer
- Provide clear and simple signage and maps which use easy words and symbols to aid communication and information
- As part of access and improvement plans, adjust entry systems, reception points, waiting and public meeting rooms and security barriers so that people with communication or physical mobility difficulties can get through and communicate as easily as people without
- Check that automated doors allow enough time to get through
- Install hearing loop systems and train staff how to use them
- Make sure reception desks have a lowered section that is not obstructed

- Put buttons to open doors/access lifts at a height suitable for wheelchair users and keep free from obstruction to allow wheelchair users to access them
- Consider evacuation procedures for disabled people in the event of an emergency. Wheelchair accessible fire exits should be clearly signposted and where there is more than one floor, safe areas with means of communication provided
- All public buildings must have an accessible toilet.

**Racial Equality:** Applies to all people, skin colour, race national origin, nationality, settled and traveling communities of Travellers and Gypsies, ethnicity (shared history, cultural traditions, ancestral origin, language). Those most at risk of prejudice and discrimination are those from ethnic minority, communities including Travellers and Gypsies.

- We should recognise the relevance of, and prioritise, racial equality and ensure we challenge inequalities as well as celebrate diversity.

**Religion and Belief Equality:** Applies to all people – ‘believers’ and ‘non-believers’ , including those who follow a particular faith or religion, and those who do not, such as atheists and agnostics.

- Show respect when people are fasting for religious reasons by being sensitive to the requirements and implications of fasting. Managers should support staff as appropriate.

**Sexual Orientation Equality, Marriage and Civil Partnership:** Applies to all people including heterosexual people. But gay, lesbian, and bisexual people are most at risk of prejudice and discrimination.

- Acknowledge same-sex relationships and give partners equal access to services and benefits available to heterosexual and married couples
- When asking questions about marital status also include civil partnership; however people should not be expected to classify either/or unless this is relevant. Only ask questions that may reveal marital/partnership status or sexual orientation if it is essential. Where relevant, spouse/partner should be used instead of just ‘spouse’ or just husband/wife
- Encourage a culture of openness about sexual orientation, recognising at the same time that some staff may not be ‘out’ for family reasons, or for fear of how they may be treated, or may just choose not to be out, either at work or out of work. Everyone should avoid the assumption that people are heterosexual until forced to prove otherwise.

For more information visit [www.teignbridge.gov.uk/equality](http://www.teignbridge.gov.uk/equality)

If you need this information in a different format please e-mail [info@teignbridge.gov.uk](mailto:info@teignbridge.gov.uk)