



## **EAST WITTERING AND BRACKLESHAM PARISH COUNCIL EQUAL OPPORTUNITIES POLICY**

**East Wittering & Bracklesham Parish Council is committed to** ensuring that it does not discriminate in any way in fulfilling its functions, and to promoting equality of opportunity and good relations between people regardless of gender, race, disability, age, sexual orientation, religion or belief or any other factor.

**East Wittering & Bracklesham Parish Council commits to the provision of equal opportunities in respect of**

- it's legal and statute obligations
- its' recruitment procedures and employment opportunities
- provision of services for the community
- community access to services
- staff (including unpaid staff) responsibilities and duties

**Date Adopted: 13.02.20**

**Minute ref:**

## **DEFINITION**

### **Direct Discrimination**

Treating a person less favourably than others are or would be treated in the same or similar circumstances.

### **Indirect Discrimination**

When an activity or condition is applied equally to all and has a disproportionate and detrimental effect on one sex or racial group because fewer of that group can comply with it and the requirement cannot be justified in relation to the activity. When decisions are made about an individual, the only personal characteristics taken in to account will be those that, as well as being consistent with relevant legislation, are necessary to the proper performance of the work involved.

## **LEGISLATION**

The Council adheres to and has taken fully into account the following legislation in preparing this policy:

**Equal Pay Act 1970**

**Sex Discrimination Acts 1975, 1986 and 1999**

**Race Relations Act 1976 and Race Relations (Amendment) Act 2000**

**Disability Discrimination Acts 1995 and 2005**

**Human Rights Act 2000**

**Data Protection Act 1998**

**Employment Act 2002**

**The Employment Equality (Sexual Orientation) Regulations 2003**

**The Employment Equality (Religion or Belief) Regulations 2003**

**The Employment Equality (Age) Regulations 2006**

**Equality Act 2006 and 2010**

**Rehabilitation of Offenders Act 1974**

## **1. RECRUITMENT PROCEDURES AND EMPLOYMENT OPPORTUNITES**

East Wittering & Bracklesham Parish Council is committed to the achievement and active promotion of equality of opportunity in all of its employment practices. Whilst the Council reserves the right to discriminate where posts require specific features (such as discrimination by gender in the event that a gender-specific counsellor is required), the vast majority of posts will be subject to equal opportunity.

As well as accepting its responsibilities under the legislation relating to sex discrimination, race relations, age, sexual orientation and disabled persons, the Council recognises the need for an equal opportunity policy as evidence of its commitment to the elimination of discrimination and the promotion of good relations within the workplace and the community it serves.

The policy applies to potential as well as current employees and relates to all aspects of employment including recruitment, training, promotion and grievance procedures.

The policy will be made known to all employees and applicants for jobs.

No applicant or employee will receive less favourable treatment than others because of their race, sex, marital status, sexual orientation or religious belief.

### **Implementation**

This document outlines the framework for implementation of the policy. Where necessary, the Council will seek advice in order to take the correct positive action.

- a) New or vacant posts will be advertised and placed in media outlets which are reasonably accessible to all suitable candidates.
- b) Details of posts will be advertised on the Council's website. Existing employees expressing an interest in promotion or transfer will be given fair and equal consideration.
- c) Where possible, the Council will provide job information in alternative formats if requested by a disabled applicant.
- d) The Selection Process and interviews will follow a format that eliminates the risk of non compliance.
- e) If appropriate, alternative interview locations with full access will be offered for all applicants if one applicant is disabled.

- f) Date of Birth and Age should not be asked for in application forms.
- g) Requesting more than 5 years in a similar role, unless justification can be evidenced, cannot be asked. The term “experience required” should be used and not “x years experience needed/required”.
- h) Terms such as “mature”, “young enthusiastic team” and “newly qualified graduates” should not be used. If specifying graduates you should make it clear it is graduates of any age.
- i) The same terminology should be avoided at interview.

## **2. SERVICE PROVISION**

The Council will ensure that all services are equally accessible to all people free from prejudice and discrimination.

The Council aims to ensure that all employees and contractors have the information they need in order to provide equality of opportunity and that this is reflected in their conduct.

The Council will require, where legally possible, partners and contractors to have equalities policies and will seek sufficient information and evidence that compliance with equalities legislation is genuine.

The Council will fully investigate and monitor all complaints of discrimination, victimisation and harassment and take appropriate action.

The Council will ensure that the services it provides are available with equal opportunities and that community have fair access to activities, services and events. It will to this effect, adopt a planned approach to eliminating barriers that discriminate against particular groups.

In promotion of the activities, services and events, literature, posters and leaflets should be produced in fonts and colours that suit those with sight problems and adhere as a minimum, to latest guidelines, in this regard. This equally applies to websites and social media outlets.

Where activities, events and services are directly aimed at groups frequently discriminated against in a proactive way, marketing should be carried out in a sensitive way and where required in a confidential manner.

### 3. **ACCESS TO SERVICES**

The Council will ensure fair and equitable access to its services. This includes physical access to venues and venues will be changed where this cannot be guaranteed.

Where applicable, corridors must be left clear and free, not only as a fire health and safety precaution but also to guarantee free access for wheelchairs and mobility equipment. Lighting should reach minimum legal requirements.

Any new builds and refurbishments must be planned and built with equal access as a primary concern.

Literature, posters and leaflets should be produced in fonts and colours that suit those with sight problems and adhere as a minimum, to latest guidelines, in this regard. This equally applies to websites and social media outlets.

#### **4. STAFF RESPONSIBILITIES AND DUTIES**

Staff includes paid and unpaid in casual, short or long term contracts, as well as volunteers regardless of length of service.

- a) The Council expects all its staff to accept the duty it imposes upon itself not to discriminate, either in employment practices or in the provision of facilities and services to the public, by reference to race, colour, ethnic origin, sex, marital status, religion, sexual orientation or disability.

If you are found to be:-

- I. Unlawfully discriminating against (or harassing) a service user, colleague or job applicant;
- II. Inducing or inciting others to commit unlawful discrimination; or
- III. Victimising someone who has made a complaint of unlawful discrimination

then you can expect to face serious disciplinary consequences – including the possibility of dismissal.

**If you feel you are the subject of unlawful discrimination or harassment you must tell your manager or a the Parish Clerk immediately.**

- b) **Conditions:** The Council will apply fairly conditions of service regarding payments, holidays, antenatal and maternity care and other entitlements and benefits. Equal pay reviews will be periodically undertaken.
- c) **Flexible working:** The Council will give serious consideration to all reasonable requests for adjustment of working hours or for other non standard working arrangements to accommodate caring responsibilities for children or dependent relatives or for other reasons. In particular this applies to parents under 6 or disabled children under 18. This is subject always to the requirements of maintaining an effective service.
- d) **Age discrimination:** The Council will ensure that within its employment practices it does not unjustifiably discriminate or indirectly discriminate on the grounds of age. This includes matters such as recruitment and selection, training, pay, benefits and other contractual terms and bullying and harassment.

- e) **Retirement age:** The Council will ensure that all retirements from the Council's employment are fair and that all staff approaching the age of retirement have the right to request to continue working.
  
- f) **Disability:** The Council will ensure that unjustifiable discrimination on the grounds of disability does not take place within our employment practices and that the obligations placed on the employers by the Disability Discrimination Acts 1995 and 2005 are adhered to. This includes ensuring that the requirement to make reasonable adjustments for existing and potential staff with a disability is fulfilled. This requirement will also be fully taken into account when the Council's Absence Management Policy is being used.



## **MONITORING**

Current EU, Human Rights and Parliamentary legislation has a direct bearing and effect regarding this policy. As a result the Board of Trustees has a responsibility to its staff and community to ensure that this policy reflects the most recent legislation. Any changes in EU, Human Rights and Parliamentary legislation must be reflected in this policy at the earliest possible opportunity.

## **COMPLAINTS PROCEDURE**

East Wittering & Bracklesham Parish Council will not tolerate any acts of discrimination or harassment. Due to the serious nature and legality of complaints in this arena, all complaints are requested to be put in writing. Any Councillor, staff member or volunteer that receives a verbal complaint must encourage the complainant to put their complaint in writing. Verbal complaints cannot be dealt with under this policy.

Written complaints should be addressed to the Parish Clerk of East Wittering & Bracklesham Parish Council, who will decide on the severity of the complaint. Issues that can be dealt with at a managerial level will be done so. Serious, on-going and un-resolved complaints will be escalated to the Parish Council or District Monitoring Officer, having final arbitration in matters of resolution and responsibility for policy amendments arising from a complaint and / or new legislation.

If any member of staff believes that they have been unjustifiably discriminated against or treated unfairly on the grounds referred to in this policy then they are entitled to take action using the Council's Grievance Procedures and / or Harassment at Work Policy. Should formal disciplinary action be necessary in relation for example to an allegation of harassment, this would be carried out under the Council's Disciplinary Procedures.