Kimberley and Carleton Forehoe Parish Council

Equality and Diversity Policy

Introduction

Kimberley and Carleton Forehoe Parish Council recognises that it functions at a fundamental level of democracy and that its services affect, both directly and indirectly, the lives of all those who work for the council and all those who visit the council's various landholdings and properties and take part in activities and events organised by the council. The council will seek to ensure that no-one is disadvantaged by the application of other conditions or requirements which cannot be shown to be justified. In doing so, the council will strive to work within its resources and the appropriate legislative framework.

Legislative Background

The council acknowledges that it has a role in the pursuit of opportunity for all and it seeks to work within the context of the Equality Act 2010. The Equality Act 2010 (Disability) Regulations 2010 (the 2010 Regulations), issued pursuant to the 2010 Act came into force on 1 October 2010. The council acknowledges that certain groups and individuals within society are discriminated against and wishes to declare its commitment to working towards equality in employment and via the delivery of its services. In particular, the council will work to combat discrimination and to ensure that prospective and present employees and those who may want to use its services are not treated less favourably on the following grounds which are the identified Protected Characteristics as identified in the Equality Act.

The Protected Characteristics

- Age
- Disability
- Gender Reassignment
- Race
- Religion or Belief
- Sex
- Sexual Orientation
- Marriage and Civil Partnership
- Pregnancy and Maternity.

Age: Individuals of any age or apparent age are protected from discrimination and favourable treatment of a person because of age is not lawful.

Disability: A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day to day activities (for example using a telephone, walking, lifting, and reading). An impairment is long-term if –

- It has lasted for at least 12 months,
- It is likely to last for at least twelve months, or
- It is likely to last for the rest of the life of the person affected.

Regulations confirm that those certified as blind, severely sight impaired, partially sighted, or sight impaired by a consultant ophthalmologist will be deemed to have a disability. They also confirm that persons with cancer, HIV infection or multiple sclerosis are deemed to have a disability.

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 a person (e.g. an employer or a service provider) treats a disabled person more favourably than a non-disabled person, this does not constitute direct discrimination.

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).

Race Equality: The Parish Council has a general duty to: Eliminate unlawful racial discrimination; Promote equality of opportunity; Promote good race relations between people of different racial groups.

Religion or Belief: This must be genuinely held

Sex

Marriage & Civil Partnership

Pregnancy & Maternity: It is unlawful to discriminate against a woman if, in the protected period as identified above, she is treated unfavourably because of pregnancy.

Public Sector Equality Duty

Section 149 of the 2010 Act, which came into force on 5 April 2011, imposes on public authorities (which as specified in Schedule 19 includes principal authorities, parish councils and parish meetings without a separate parish council and, in Wales, community councils) in the exercise of their functions, a duty to take into account:

- The need to eliminate discrimination and 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 characteristics and those who do not.

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

Equal Opportunity

Kimberley and Carleton Forehoe Parish Council is committed to achieving equality of opportunity both for those who use its services and for the employees who provide them.

Equal opportunities, fairness in the workplace and providing good quality services to the local community are all inter-linked. It is recognised that individuals and groups continue to be unfairly discriminated against and it is the council's responsibility to promote good community relations, equality of opportunity and to tackle unlawful discrimination in all of its forms.

This comprehensive statement is to demonstrate the council's wholehearted commitment to action in tackling inequality. Such action is the responsibility of members and all employees of the council.

How we will reach our commitment

- To provide services that are equally accessible to all people, free from prejudice and discrimination and sensitive to the needs of all sections of the community.
- Value people and their differences and enable all employees to achieve their full potential, creating vitality within our organisation and the services we deliver.
- Seek to influence the work and contribution of partner organisations from all sectors by ensuring that equality issues and considerations are fully taken into account when developing strategies.
- Work actively towards eliminating all forms of discrimination, both of a direct and indirect nature.
- Encourage partnership and participation in the development and application of council policy and practices.

Policy into practise

- Ensure that all policies and practices are in line with relevant employment legislation, anti-discrimination legislation and good practice guidelines.
- Integrate equality of opportunity into all aspects of local authority activity.
- Recruit and value a workforce that reflects the make-up of the community.
- Ensure all employees/members understand the values and expectations of the council and the standards of behaviour that is expected from each of them.
- Make clear the action an employee who feels unfairly treated may take.
- Provide training to relevant employees/members so that they can actively put this policy into practice.
- Provide equal access to all service users and potential service users according to need.

- Give people who use or might use council services the opportunity to influence the way their needs are met.
- Seek to influence partner organisations in a collective commitment to equality of opportunity.
- In line with government guidance, encourage voluntary organisations to provide evidence of their commitment to equality in terms of their personnel policies and delivery of their services, as a criterion in determining the award of grant aid from the council.
- Ensure that the council has policies that result in services sensitive to the needs of all sections of the community.
- Use socio-economic data to ensure compliance with the policy, where appropriate
- Monitor and evaluate the effectiveness of policy and practice on a regular basis as determined by law
- Develop a well-defined complaints procedure in dealing with alleged contraventions.

Employment

1. The aim is to provide a non-discriminatory working environment where discrimination, harassment or bullying is unacceptable, and which 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 objective and job-related requirements. The Equality Act 2010 protects disabled persons from discrimination; this includes a duty on employers to make reasonable workplace adjustments to prevent disabled employees and job applicants from being placed at a disadvantage compared to non-disabled people. An example of a reasonable adjustment may be a special type of chair for a disabled visiting member of public with a back condition.

   The council, as the Employer, has a duty to make reasonable adjustments but can decline to make adjustments that it considers to be unreasonable:

   - Will the proposed adjustment resolve the problem?
   - Is it a practical solution?
   - How much will the overall cost be in making the change and is it affordable?

   These reasonable adjustments may include some of the following:

   - Making adjustments to premises.

     For example, structural or other physical changes such as: providing a ramp or moving furniture for a wheelchair user.
   - Altering the person's working hours.

2. The council will take full account of the provisions of the Equality Act 2010 when recruiting staff. Section 60 of the 2010 Act relates to the recruitment process and specifically covers the enquiries that can be made **before** employment. An employer is not permitted to ask questions about a job applicant's health before offering work.
3. Employee recruitment
    a. Advertisements for recruitment will not request applicants from a particular age range; neither will application form request dates of birth or other age-related details.
    b. All application forms shall state that the Parish Council encourages applications from all, including and especially those from the Protected Groups.
    c. In order not to discriminate against younger people, all application material will emphasise the importance of skills and potential, as well as experience.
    d. Information about job vacancies must be made available to all sections of the community.
    e. A job description and person specification must be drawn up for every vacancy and be provided to all prospective employees
4. Dismissal of staff
    a. The council will ensure that there is no age discrimination in relation to the dismissal of staff.

Access to services

The aim is to ensure that all those who receive from the council or wish to use a council service can do so without fear of discrimination or disadvantage.

All people are entitled to be treated fairly, in a consistent manner and with dignity and respect.

Service Provisions to the Public

1. All Members of the Public will be treated fairly and consistently
2. All services shall be provided without unlawful discrimination, harassment or victimisation.
3. Those using council properties and facilities will be afforded all possible assistance so as to ensure that they can access these, with special attention being given to those who find it difficult to access facilities on the grounds of their age or disability or other Protected Characteristic.
4. All application forms – including Conditions of Use forms – made to the council shall state that the council will treat all applications equitably and take due consideration of those with Protected Characteristics.
5. All licence agreements – including allotment tenancy agreements – shall refer to this Equality Information statement.

Training and Development Opportunities

1. The council is committed to ensuring equality of opportunity in the development of both its staff and councillors.
2. All employees / members will be supported to undertake the training and development which they need to help them achieve and maintain a high standard of performance and will be given encouragement and support to achieve their full potential.
3. Where employees / members with disabilities undertake training and development, appropriate arrangements will be made as necessary to ensure that all opportunities are equally accessible.

Date of Policy: May 2025

Date to be reviewed: May 2028