

**HUMAN RESOURCES POLICY UPDATE –
EQUAL OPPORTUNITIES POLICY**

Presented by the Director of Finance & Resources

EXECUTIVE SUMMARY

The purpose of this report is to seek Member approval for the revised Equal Opportunities Policy that has been updated as part of a review of all the Authority's existing Human Resources policies. The policies have been updated to take account of legislative changes, best practice and the Authority's business objectives.

RECOMMENDATION

Members Recommend to (1) the Equal Opportunities Policy attached at Authority: Appendix A to this report.

BACKGROUND

- 1 The Authority has a register of policies that ensure the organisation works efficiently and consistently towards delivering its Business Strategy. These policies are reviewed to ensure they are relevant and up to date with legislation and best practice.
- 2 There are a number of Human Resources policies and these are currently being updated and will be presented to Members for consideration and approval as and when they are reviewed.
- 3 It should be noted that the Authority implements legislative changes from the date they are introduced; and there may be a time lag between this and the relevant policies being updated.

EQUAL OPPORTUNITIES POLICY

- 4 A draft of the Equal Opportunities Policy is attached at Appendix A of this report for Members' consideration and approval.
- 5 The Equal Opportunities Policy procedure is to set out the principles and practices that the Authority will adopt to meet with its legal obligations and its commitment to treat employees, workers, casuals and applicants fairly.

- 6 The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. The aim of the Equality Act is to improve equal job opportunities and fairness for employees and job applicants and organisations should have policies in place to prevent discrimination.
- 7 The aim of the proposed policy is to ensure that the Authority complies with the relevant legislation.
- 8 The main changes to this policy are detailed below:
 - reference to the Equality Act 2010 and the types of discrimination;
 - now includes expected standards for employees;
 - refers to the Authority's Grievance Policy/procedure and Whistleblowing Policy;
 - refers to training as there is now an Equality & Diversity eLearning module; and
 - includes a flowchart for ease of use.

ENVIRONMENTAL IMPLICATIONS

- 9 There are no environmental implications arising directly from the recommendations in this report.

FINANCIAL IMPLICATIONS

- 10 There are no financial implications arising directly from the recommendations in this report.

HUMAN RESOURCE IMPLICATIONS

- 11 The new policy will be communicated to all staff and the Authority will ensure that managers are adequately trained to implement the procedures in accordance with this policy.

LEGAL IMPLICATIONS

- 12 The legal implications are set out in the body of this report.

RISK MANAGEMENT IMPLICATIONS

- 13 There are no risk management implications arising directly from the recommendations in this report.

EQUALITY IMPLICATIONS

- 14 The equality implications are set out in the body of this report.

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APPENDIX ATTACHED

Appendix A Equal Opportunities Policy

Responsibilities

All employees are responsible for their own actions and should act as role models for others during their employment with the Authority. All employees should act professionally, with consideration for others and in a fair and transparent manner when carrying out duties on behalf of the Authority.

Human Resources are responsible for ensuring all employees receive adequate training on equal opportunities.

Detail

This policy covers the following points:

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Introduction

The Equal Opportunities procedure is to set out the principles and practices that the Authority will adopt to meet with its legal obligations and its commitment to treat employees, workers, casuals and job applicants fairly. The procedure will show:

- the Authority's commitment to its employees to treat them equally, fairly and with transparency at all times
- the Authority's commitment to recruit applicants without bias, pre-judgement or at an unfair advantage
- the Authority's expectations of all employees
- guidelines and information for employees relating to equality and signposting to further information about equal opportunities
- what will happen if employees don't comply with rules about equal opportunities

The Equality Act 2010

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. It replaced previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening protection in some situations. It sets out the different ways in which it's unlawful to treat someone.

Fairness in the workplace is a vital part of a successful business and also makes good business sense in running and developing an organisation. The aim of the Equality Act is to improve equal job opportunities and fairness for employees and job applicants. Organisations should have policies in place to prevent discrimination. Under the Act, it is unlawful to discriminate against people at work because of nine areas termed in the legislation as protected characteristics:

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

Types of Discrimination

Direct Discrimination

This is where someone is treated differently and less favourably because of a protected characteristic.

Indirect Discrimination

Where a workplace rule, practice or procedure is applied to all employees, but disadvantages a person for a reason linked to a protected characteristic.

Discrimination by Association

Where treating someone 'less favourably' because of their association with someone linked to a protected characteristic.

Perception Discrimination

Where treating someone 'less favourably' because of a perceived protected characteristic.

Victimisation

Where treating someone unfairly because they have made or supported a complaint about someone with a protected characteristic.

Bullying and Harassment

When unwanted conduct from one employee to another causes a distressing, humiliating or offensive environment for that person.

Equality at Work

The Authority has many policies and procedures that apply fair and objectively justified criteria to ensure equality is maintained throughout a process. In all circumstances, all possible steps should be taken in order maintain equality, fairness and transparency to ensure that the Applicant does not suffer from any disadvantage in the recruitment process.

The Authority will ensure that equality, fairness and transparency for employees are applied to all employment areas including but not exhausted to:

- Employment terms and conditions
- Flexible Working
- Health & Safety
- Learning & Development and training
- Maternity, Paternity and Shared Parental Leave
- Pay and benefits

- Procurement
- Promotion and transfer opportunities
- Recruitment
- Redundancy
- Dismissal

Expected Standards

The Authority expects all employees to conduct themselves in a professional and considerate manner at all times. The Authority will not tolerate behaviour such as:

- making threats
- physical violence
- shouting (in an unprofessional, aggressive or threatening manner)
- swearing at others
- persistent rudeness
- isolating, ignoring or refusing to work with certain people
- telling offensive jokes or name calling (in any format)
- displaying offensive material such as pornography or sexist / racist cartoons, or the distribution of such material via email/ text message or any other format including social media
- any other forms of harassment or victimisation

Failing to meet the expectations set by the Authority will be considered unacceptable and will be dealt with in line with the Authority's Disciplinary procedure. Employees are responsible for, and must take ownership of their actions. Employees must understand that what they believe to be an innocent act or comment may have caused offence to others.

Monitoring

The Authority will maintain and review the employment records of all employees in order to monitor the progress of this procedure in line with GDPR requirements. Monitoring may involve:

- The collection and classification of information regarding the race in terms of ethnic/national origin and sex of all applications and current employees
- The examination by ethnic/national origin and sex of the distribution of employees and the success rate of the applicants; and
- Recording recruitment, training and promotional records of all employees, the decisions reached and the reason for those decisions.

The results of any monitoring will be reviewed at regular intervals to assess the effectiveness of the implementation of this policy. Consideration will be given, if

necessary, to adjusting this policy to afford greater equality of opportunities to all applicants and employees.

Reporting and Complaints

The Authority will treat any complaints seriously and will take action where appropriate. Employees that believe they have been treated unfairly in any way should raise their issue(s) in line with the Authority's Grievance or Whistleblowing procedures. The Authority will investigate any complaints in line with the Authority's Disciplinary procedure. The Authority may also monitor the number and outcomes of complaints raised in any period of time in order to monitor the performance of the Equal Opportunities procedure and the Authority's commitment to equal opportunities in the workplace.

All cases will be dealt with as quickly as possible and treated with the utmost confidence.

Whilst the Authority does not wish to deter employees who wish to make genuine complaints, the Authority believes that vindictive or deliberately false complaints will be viewed just as seriously and will be dealt with under the disciplinary procedure.

Training and Awareness

The Authority will provide appropriate learning and development opportunities to take place to ensure all employees are aware and understand the expectations of them during their employment. This begins during an employee's induction and is continued with ongoing learning from the Authority's e-Learning platform. Learning & Development represents a vital part of the implementation and commitment to Equal Opportunities within the Authority, and the completion of training on Equal Opportunities in the Authority is mandatory.

Individuals that do not show they have understood the Equal Opportunities may be required to complete additional training or recomplete training relating to Equal Opportunities.

Review

- September 2021

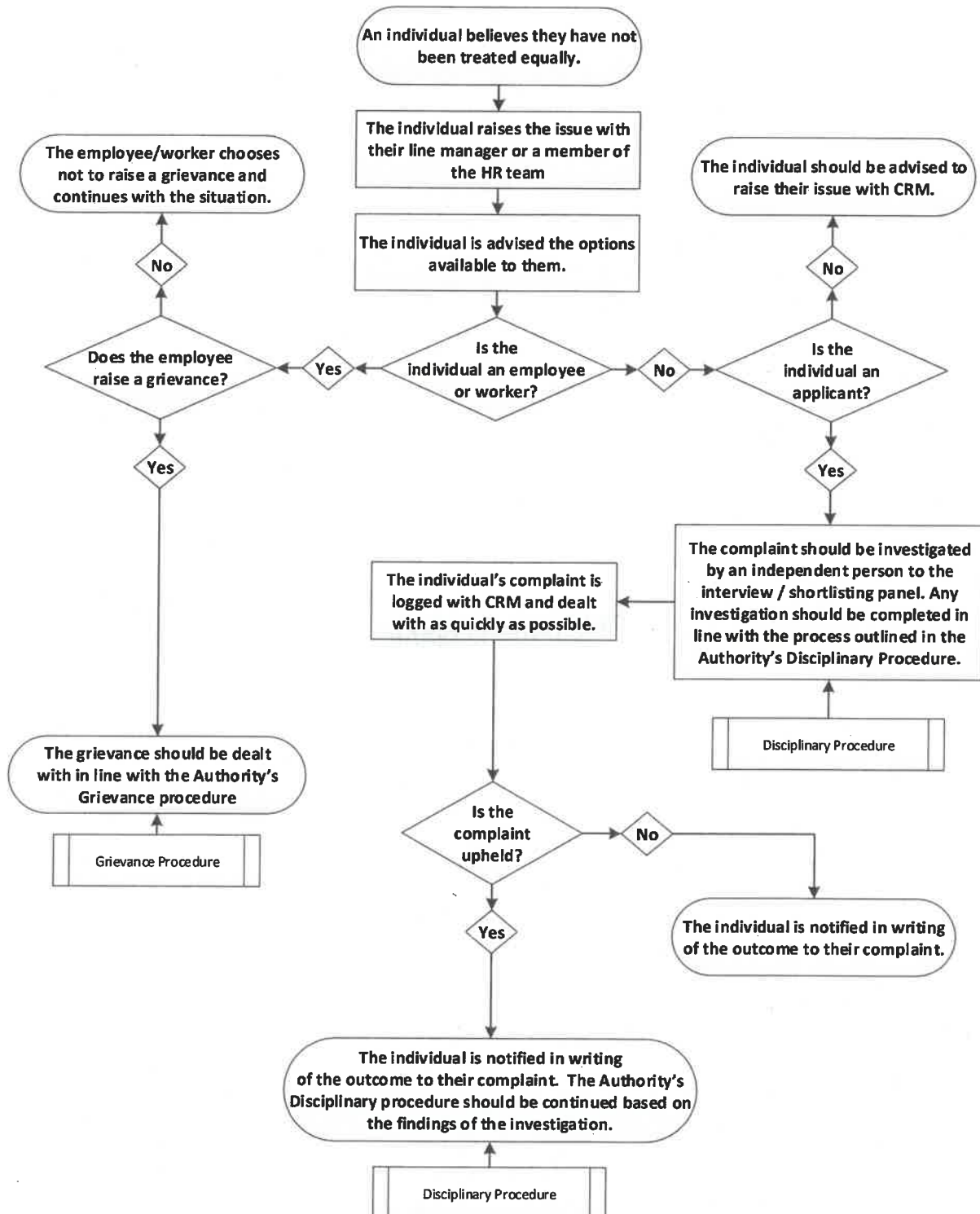
Internal Forms

- Disciplinary Procedure
- Appeals Procedure
- Grievance Procedure
- Grievance Policy
- Flexible Working Procedure
- Performance and Conduct Policy
- Recruitment Procedure
- Whistleblowing Policy
- Staff Training and Development Procedure
- Maternity Procedure
- Paternity Procedure
- Health and Safety

Sources of Information

- [ACAS - Equality Act 2010](#)
- [ACAS - Equality and Discrimination](#)
- [Equality & Human Rights Commission](#)
- [Equality and Diversity Advisory Service](#)

Flow Chart



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