Bleasby Parish Council

Equality Policy

INTRODUCTION

Bleasby Parish Council has committed itself to a policy of equality of opportunity in employment and to avoiding unlawful discrimination in employment and against customers.

Although the overall responsibility for achieving, promoting and providing equality of opportunity rests with the employer (the Council) employees at every level have a responsibility to own and promote the Policy. The active co-operation of Elected Members, and all employees is, therefore, essential for the success of the Council's Equalities Policy.

This document, therefore, outlines the Council's Equalities Policy, the Council's obligations under existing legislation and its intention to abide by and comply, not only with the requirements, but also the spirit of the legislation.

EQUAL OPPORTUNITIES AND DIVERSITY IN EMPLOYMENT POLICY STATEMENT

Bleasby Parish Council positively supports the principle of equal opportunities in the provision of services and employment. It opposes all forms of unlawful or unfair discrimination.

Equality of opportunity means that service users, job seekers, contractors, suppliers and employees will be treated equally and fairly regardless of their protected characteristic.

The Council welcomes and values the diversity of its workforce, the people and the communities in the Borough, and of the people who use our services. The Council is seeking to ensure that through its policies, service delivery, employment, contracting and funding practices, we achieve the highest possible equality standards.

Bleasby Parish Council's Equalities Policy has been developed in accordance with Equality Act 2010.

OUR COMMITMENT TO DIVERSITY

Bleasby Parish Council, in the delivery of its services and in its employment of staff, will be proactive in eliminating discrimination as a result of a protected characteristic .

Bleasby Parish Council will take all reasonable action to ensure disabled persons to have access to our services and to job opportunities that arise within the Council.

Bleasby Parish Council will respect the right of people to have a private and family life and to maximise their potential in all aspects of their lives.

Bleasby Parish Council will promote dignity and respect at work.

Bleasby Parish Council will promote and work towards creating a fairer community without discrimination and prejudice.

Bleasby Parish Council will promote Equality of Opportunity.

THE LEGISLATION

The Equality Act 2010 is effective from 1 October 2010. The Act makes it unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment,

pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".

Discrimination after employment may also be unlawful, eg refusing to give a reference for a reason related to one of the protected characteristics.

Subject to limited exceptions in some circumstances for religion or belief and sexual orientation, it is unlawful to discriminate directly or indirectly, harass or victimise a member of the public based on any of the protected characteristics in the provision of services or goods.

It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

LIABILITIES

All employees must be aware of their legal obligations under existing legislation and that unlawful acts of discrimination could render the Council and employees liable to legal proceedings. However, it should be emphasised that employees may be held solely liable in civil proceedings for unlawful acts of discrimination if the Council can establish that it has taken such steps as are reasonably practicable to prevent acts of discrimination.

This may also be the case if the act is neither authorised nor a means of doing an authorised act.

DEFINITION OF TERMS AS USED IN THIS POLICY

Protected Characteristics

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

This policy document refers to five categories of discrimination which are defined as follows,

Direct Discrimination

A person (A) discriminates against another (B) if, because of a protected characteristic, A treats B less favourably than A treats or would treat others.

Associative Discrimination

A person (A) discriminates against another (B) if, because of A's association with another person who possesses a protected characteristic, A treats B less favourably than A treats or would treat others.

Perceptive Discrimination
A person (A) discriminates against another (B) if, because A perceives that B possesses a protected characteristic, A treats B less favourably than A treats or would treat others.

Dual Discrimination
A person (A) discriminates against another (B) if, because of a combination of two relevant protected characteristics, A treats B less favourably than A treats or would treat a person who does not share either of those characteristics

Indirect Discrimination
arises where A applies a provision, criterion or practice (PCP) to B or to persons with whom B does not share the relevant protected characteristic. The PCP puts or would put persons with whom B shares the protected characteristic at a particular disadvantage when compared with persons with whom B does not share the characteristic. When the PCP puts or would put B at that disadvantage and the PCP is not a proportionate means to achieving a legitimate aim.

In addition to these five areas of discrimination there is also,

Harassment
A person (A) harasses another (B) if A engages in unwanted conduct related to the protected characteristic which has the purpose or effect of violating B's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for B.

There is no requirement that the complainant possesses the protected characteristic themselves and so this covers association and perception.

Harassment also includes the unwanted conduct of third parties.

Victimisation
Is unfair treatment where a person victimises another person (B) if A subjects B to a detriment because either B does a protected act of A believes that B has done or intends to do a protected act.

REVIEWING THIS POLICY
No policy document is static and must be subject to changes. It is the Council's intention to keep this policy and its existing codes of practice, management guidelines, instructions, procedures, etc under review, to ensure that the Council's commitment to equality of opportunity as set out in its policy statement is adopted and implemented.

IMPLICATIONS OF THE POLICY
The Policy applies to all those who are employed by the Council.

Elected Members will be expected to act in accordance with the Council's Equality Policy.

In addition, the Council will seek to ensure that individuals, voluntary organisations, firms and institutions, acting on behalf of or as agents of the Council do not practice unlawful and unfair acts of discrimination.