



Charnwood Borough Council Equal Opportunities Policy 2006-09

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ਕੌਂਸਲ ਦੇ ਦਸਤਾਵੇਜ਼ਾਂ ਦਾ ਅਨੁਵਾਦ

ਅਸੀਂ ਸਭ ਪ੍ਰਕਾਸ਼ਨਾਵਾਂ ਦੇ ਅਨੁਵਾਦ ਲਈ, ਲਿਖਤੀ ਅਤੇ ਆਡਿਓ ਟੇਪਾਂ ਦੇ ਅਨੁਵਾਦ ਦੀ ਸਹੂਲਤ ਪ੍ਰਦਾਨ ਕਰਦੇ ਹਾਂ। ਕਿਸੇ ਵਿਕਲਪਕ ਭਾਸ਼ਾ ਵਿੱਚ ਕੌਂਸਲ ਦਾ ਕੋਈ ਦਸਤਾਵੇਜ਼ ਪ੍ਰਾਪਤ ਕਰਨ ਲਈ, ਕਿਰਪਾ ਕਰਕੇ 01509 634560 'ਤੇ ਫ਼ੋਨ ਕਰੋ।

কোর্টসিলের ডকুমেন্ট (দলিলপত্র) অনুবাদ

আমাদের সকল প্রকাশনার অনুবাদের ব্যবস্থা আমরা করি এবং লিখিত ও অডিও টেপে অনুবাদ-গুলো আমরা প্রদান করি। বিকল্প কোন ভাষায় যদি কোন কোর্টসিল ডকুমেন্ট (দলিলপত্র) আপনি অনুবাদ করানো চান তাহলে অনুগ্রহ করে 01509 634560 নম্বরে টেলিফোন করুন।

翻譯區議會的公文

為求翻譯所有的刊物，我們提供文字與錄音帶的翻譯設施。要索取其他語言版本的區議會公文請致電 01509 634560。

કાઉન્સિલના દસ્તાવેજોનો તરજૂમો - ભાષાંતર કરવા વિષે

અમે બધાજ પ્રકાશનોના (પબ્લિકેશન્સ) તરજૂમા માટે લિખિત અને ઓડિઓ ટેઇપની ટ્રેન્સલેશન સગવડતા પૂરી પાડીએ છીએ. કાઉન્સિલનો દસ્તાવેજ કોઈ બીજી કે વૈકલ્પિક ભાષામાં મેળવવા કૃપા કરી 01509 634560 ઉપર ફોન કરો.

ته رجومه ی ئوراقی کونسیل (تساره وانی)

ئیمه ته رجمه ی مه کتوب یان له سه ر سترینی هه موو نوسراوه کانی کونسیل ئاماده ده که ین. بۆ وه رگرنتی ئوراقی کونسیل به زبانیکی تر، تکایه ته له فوون بکه بۆ ئه م ره قه مه: 01509634560

काउंसिल के दस्तावेज का अनुवाद

हम सभी प्रकाशनों के अनुवाद के लिए लिखित और ऑडियो टेप अनुवाद सुविधा प्रदान करते हैं। काउंसिल के दस्तावेज का किसी वैकल्पिक भाषा में अनुवाद प्राप्त करने के लिए कृपया टेलीफोन नंबर 01509 634560 डायल करें।

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I. Introduction

- 1.1 This document sets out the Council's approach to equal opportunities. It has been prepared so that Members, employees and the community as a whole are fully aware of the Council's commitment to equal opportunities in all of its activities.
- 1.2 This document is a revision of the Council's Equal Opportunities Policy adopted in March 2003.
- 1.3 This Equal Opportunities Policy is in line with the Council's Corporate Equality and Diversity Plan and the Race Equality Scheme.

2. Policy Statement

- 2.1 We are committed to the elimination of all forms of discrimination. We believe that the quality of life for people in the Borough, as a whole, will be improved through good practice in the pursuit of equality of opportunity.
- 2.2 We acknowledge that some people experience unequal access to services and to employment opportunities. Unequal access can often be the result of discrimination, whether intentional or not.
- 2.3 We acknowledge that promoting equality and diversity is not only good for the local community but for us as an organisation. It enhances our business performance, enables effective recruitment and improves employee satisfaction. Therefore, this policy includes both service delivery and employment issues.
- 2.4 We believe our responsibility for equality and diversity is wider than those areas currently covered by present legislation. We are committed to achieving equality for all by removing direct and indirect discrimination on the grounds of:
 - Age
 - Gender or transgender identity
 - Race, colour, nationality, national or ethnic origin, being a traveller or gypsy
 - Asylum or refugee status
 - Disability, including people with hearing or visual impairments, people with learning disability, people with a mental illness, and people living with HIV and AIDS
 - Religious belief or non-belief, or other beliefs
 - Marital status, family circumstances, or caring responsibilities
 - Sexual orientation
 - Income, employment status or housing circumstances

- Membership or non-membership of trade unions, or involvement in trade union activity
- Offending status
- Any other ground that cannot be shown to be justified

2.5 We are committed to our legal responsibilities regarding equal opportunities. These at present include:

- **Disability**
 - The Disability Discrimination act 1995 (amended 2005)
 - Draft Disability Equality Bill 2003 (To become an Act 2006)
- **Gender**
 - Equal Pay Act 1970, and the Equal Pay for Work of Equal Value Amendment 1983
 - Sex Discrimination Acts (as amended) 1975 and 1986
 - Sex Discrimination (Gender Reassignment) Regulations 1999
- **Race**
 - Race Relations Act 1976
 - Race Relations (Amendment) Act 2000
 - Race Relations (Amendment) Act 2003
- **Religion and Belief**
 - Employment Equality (Religion or Belief) Regulations 2003
- **Sexual Orientation**
 - Employment Equality (Sexual Orientation) Regulations 2003
- **Age**
 - Employment Equality (Age) Regulations 2006
- **General**
 - The Trade Union and Labour Relations (Consolidation) Act 1992
 - The Employment Relations Act 1999
 - The Employment Act 2002
 - The Public Interest (Disclosure) Act 1998
 - The Protection from Harassment Act 1997
 - The Crime and Disorder Act 1998
 - The Freedom of Information Act 2000
 - Human Rights Act 1998

2.6 Charnwood's commitment is supported by a legal duty to provide all services and employment opportunities fairly, without discrimination, and to abide by all relevant Codes of Practice. There will be a need for the Borough to review our policies and practices in the light of any future legislation.

3. The Council's Responsibility as an Employer

- 3.1 The Council's policy is that any form of discrimination against job applicants and employees is not acceptable.
- 3.2 There may be instances where posts are deemed to have Genuine Occupational Qualifications (GOQ). Anti-discrimination legislation allows the use of GOQs where a job can be reserved for reasons of authenticity or privacy or to promote the health and welfare of a particular section of the community.
- 3.3 People from minority ethnic communities, women and people with disabilities, in particular, face discrimination in employment. The Council believes that these groups should be fairly represented at all levels of its workforce.
- 3.4 The Council is committed to equality of opportunity at all stages of employment. This includes advertising jobs, the recruitment and selection process, appointment, promotion, training and development.
- 3.5 The Council believes it has a duty to tackle any imbalance that occurs as a result of the disadvantage that some people experience at work and when looking for work. This approach goes beyond a policy not to discriminate and extends to pursuing a positive strategy whenever legally possible to help disadvantaged groups of people.
- 3.6 To make sure this positive approach is successful the Council has made the following commitments:
 - a) To comply fully with legal requirements set out in relevant legislation and guidance provided in Codes of Practice;
 - b) To provide the necessary resources to plan, implement and monitor this policy;
 - c) To create an environment that promotes fair and equal opportunities;
 - d) To consult regularly with relevant community groups on the contents and implementation of the policy;
 - e) To consult with employee representatives and to make sure that the policy is known to all employees;
 - f) To make sure that all information relevant to this policy is publicly available;
 - g) To provide suitable training and guidance to all employees, especially managers, to make sure that they understand their duties under the law and under the Council's Equal Opportunities Policy;

- h) To carry out impact assessments of proposed and existing policies and procedures and change them where they are found to be actually or potentially discriminatory;
- i) To monitor the composition of the existing workforce by ethnicity, gender, disability and age to see if the policy is working and address under representation;
- j) To monitor the number of people applying for jobs, those short listed and those appointed, by ethnicity, gender, disability and age;
- k) To monitor the ethnicity of the workforce in relation to promotion and training and consider equality issues when dealing with grievances, disciplinary action, PDRs, dismissals and other reasons for leaving;
- l) To ensure that terms and conditions of employment can accommodate access needs and flexible work practices;
- m) To initiate the Council's disciplinary procedure against any employee who is considered to have breached any of the Council's policies (including the Equal Opportunities Policy) or any of its Codes of Practice. Any breach of the Council's Equal Opportunities Policy or Codes of Practice which leads to an act or acts of discrimination against others may, following an investigation and disciplinary hearing, result in dismissal on the grounds of gross misconduct;
- n) To provide procedures, support and guidance for employees and job applicants to make a complaint who believe they have been treated unfairly;
- o) To develop and implement positive action initiatives, corporately and within departments, aimed at redressing the under representation of particular groups who experience discrimination in the labour market.

4. Employees' Responsibilities

- 4.1 The Council as an employer accepts that it has a major responsibility for ensuring equality of opportunity. At the same time, the Council expects its employees to recognise their responsibilities.
- 4.2 Eliminating discrimination depends as much on the actions and attitudes of individual employees as on management. All employees can help to implement the policy more effectively by understanding those parts of the policy that are relevant to their jobs. In particular, individual employees should be aware of their responsibilities:

- a) To promote equality of opportunity and avoid unlawful discrimination;
- b) To co-operate in achieving equality of opportunity and the elimination of discrimination;
- c) To suggest new initiatives;
- d) To ensure that they do not harass, bully or intimidate their colleagues on any grounds, which includes harassment in respect of a person's gender, race, religion, sexuality, age, marital status or disability; and discourage such behaviour in others by indicating their disapproval and supporting colleagues who are the targets of such treatment;
- e) Not to discriminate against service users;
- f) Not to induce or attempt to induce others to discriminate;
- g) To inform management of suspected discriminatory acts or practices including bullying and harassment;
- h) Not to victimise individuals because they have made complaints or provided information about acts of discrimination;
- i) To seek guidance from Senior Managers or the Human Resources Team where they are in any doubt as to the legality or fairness of procedures or actions. The need to seek guidance also applies where an employee is instructed by an immediate supervisor to take action which the employee believes may be discriminatory. (Complainants will have protection under the Council's Bullying and Harassment Policy and the Council's Whistle Blowing Policy)

5. Employment (General)

- 5.1 This policy covers all aspects of recruitment, training, promotion and terms and conditions of service. The Council will ensure that appointment criteria and promotion are based solely on an individual's merit and assessed according to his or her capabilities (given that reasonable adjustments have been made for disabled individuals).
- 5.2 Positive action measures will be taken where it is found, through monitoring of the work force and the recruitment and selection process, that there is under-representation of certain groups. Positive action measures may include the provision of training targeted at people from specific groups so that they may gain appropriate experience and skills to give them an equal opportunity in competing for jobs.

- 5.3 The Council will not apply conditions or requirements which would disadvantage particular individuals or groups.
- 5.4 The Council, wherever possible, will aim to remove barriers (physical or otherwise), which prevent people from under-represented groups, for example, disabled people, women and minority ethnic groups, having the same opportunities within the area of employment.
- 5.5 If employees have particular cultural or religious needs that cannot be met under existing work requirements, the Council will consider varying or adapting those requirements, as long as this does not lead to infringement of legal requirements such as Health and Safety legislation. This might include, prayers during prescribed times for Muslims, attendance at special religious festivals, and the wearing of turbans for Sikhs. For further information see the Council's Religion or Religious Belief Policy).
- 5.6 The Human Rights Act 1998 guarantees the right to freedom of thought, conscience and religion (Article 9). Employees who celebrate religious festivals outside the traditional fixed holiday period will be allowed, subject to consultation with their manager, to take time off work using their annual leave balance, the flexible working scheme or time off in lieu.
- 5.7 Reasonable adjustments will be made for employees with disabilities.
- 5.8 All employees will be treated with respect and dignity. Harassment, verbal or physical abuse or any form of discriminatory behaviour towards any employee will not be tolerated. Any behaviour by an employee which leads to discrimination against another employee will be treated as a disciplinary offence.

6. Advertising of Vacancies

- 6.1 Advertisements for vacancies will make the following statement:

“We base selection on job related criteria. Women, disabled people and ethnic minorities are particularly welcome to apply as they are under-represented at senior levels. Disabled people who meet the essential criteria will be interviewed.”

- 6.2 In addition to the normal recruitment advertising procedures, where justifiable, specialist agencies/media may also be used to encourage applicants from particular groups within the community.
- 6.3 Advertisements shall not imply that there is a preference for a particular group of applicants, unless there is a Genuine Occupational Qualification which limits a post to a particular group, in which case this will be clearly stated.
- 6.4 All vacant posts will be advertised both internally and externally at the same time, using whatever channel is appropriate to reach a good cross section of the community. All vacancies will be advertised in the Job Centre and on the “Jobs Go Public” Website. However, a balance should be maintained

between ensuring sufficiently wide advertising coverage and controlling advertising costs.

- 6.5 All job advertisements will be monitored by the Human Resources Unit to ensure that they comply with the job description and the person specification and do not lead to discrimination.
- 6.6 Advertising literature will actively encourage under-represented groups to apply for jobs with the Council.
- 6.7 All vacancies will be advertised in accordance with the Council's policy on appointments and promotion, which is available from the Human Resources Unit (it is also contained in the Employee Handbook).

7. Selection and Recruitment Process

- 7.1 When a post becomes vacant the job description and person specification will be reviewed before the job is advertised.
- 7.2 The job description will be a clear, concise and accurate representation of the duties and responsibilities of the post. The person specification will cover only the qualities essential and desirable to the post. No unnecessary requirements will be included. All relevant knowledge, skills and experience will be considered alongside formal qualifications.
- 7.3 Application forms are designed to ascertain relevant information about the applicant's suitability for the post applied for.
- 7.4 All applicants will be requested to complete a form for equal opportunities monitoring purposes only, detailing gender, age, marital status, ethnic group and disability (registered or not). The information given on this form will not be used as part of the selection process. Alternative formats will be considered for people unable to fill in the application form, for example, audio tape or disc versions will be accepted.
- 7.5 A criminal record will not debar an applicant from equal treatment in the recruitment and selection process, where the offence is considered irrelevant to the duties and responsibilities of the post (See Recruitment of Ex-offenders Policy).
- 7.6 The process of short-listing candidates for interview will be based on an assessment of the requirements from the person specification against the details contained on the individual's application form.
- 7.7 Internal candidates who wish to apply for job vacancies will go through the same recruitment and selection process as external candidates.
- 7.8 Short-listing and interviewing will be carried out by at least two trained people.
- 7.9 All employees involved in the recruitment and selection process are required to undergo the Council's recruitment and selection training, which includes coverage of relevant equal opportunities issues. Any Councillors involved in the appointment of staff must also have been trained in interviewing and selection techniques.

- 7.10 A common set of questions will be compiled based on the criteria from the person specification. The initial question to each candidate will be drawn from those questions. No questions will be asked which may lead to stereotyping of the person or assumptions of the person's capabilities.
- 7.11 All persons involved in the selection interview will complete a standard interview form detailing reasons for rejection/selection. The Human Resources Unit will keep these for a minimum period of six months.
- 7.12 When any form of testing is used as part of the recruitment procedure, steps will be taken to ensure that it is appropriate and an unbiased means for assessing the skills and attributes necessary for the job.
- 7.13 The Council will interview any disabled applicant who meets the essential criteria contained in the person specification.
- 7.14 The Council will try to ensure that recruitment agencies, where they are used, operate to the same standards as the Council and comply with this Equal Opportunities Policy.

8. Training and Development

- 8.1 The Council believes that providing training and development opportunities for employees is an essential part of providing good quality services and in the development of the organisation.
- 8.2 To promote equality of opportunity the Council acknowledges that all staff need to be encouraged to take up training and development opportunities to help them to contribute fully to achieving the objectives of the organisation and to develop their careers.
- 8.3 In particular, staff from under-represented groups within the Council's departments will be encouraged to participate in training and development initiatives.
- 8.4 All employees will be given equal access to training and development opportunities that are relevant to their career development as agreed through their Performance Development Review process and Service Delivery Plan. Access to training through the Performance Development Review Process will be closely monitored by managers to ensure equality of opportunity for all employees.
- 8.5 All employees will be informed about the training and development opportunities organised by the Council.
- 8.6 Equal opportunities training is compulsory for all employees. This is to ensure that employees understand their responsibilities under the Equal Opportunities Policy not to discriminate against any service user or fellow employee.
- 8.7 Training for Councillors will be in accord with the Improvement and Development Agency's "Charter for Member Development", as adopted by the Council.

9. Employees who become disabled

- 9.1 The Council acknowledges that people can become disabled during their working life and that this can create difficulties for a newly disabled person who wishes to return to work.
- 9.2 The Council will consider reasonable adjustments to ensure that staff who become disabled may continue working.
- 9.3 The Council will consider re-training where necessary for employees who become disabled during their employment.

10. Service Delivery

- 10.1 The Council believes in providing good quality services in a fair and equitable way to all groups and individuals in the community. The Council is committed to providing its services in a manner which is fair and which does not lead to discrimination in the way that those services are delivered.
- 10.2 One of the priority areas for the Council is to identify changing community needs and expectations, whilst recognising the diversity of local communities.
- 10.3 Equalities monitoring systems have been established within many service delivery areas. It is intended that all services provided to the public will integrate their equalities monitoring processes within their performance management and service delivery planning process. This will go some way to ensuring that equalities issues become fully integrated into all relevant areas of service delivery.
- 10.4 The Council will also gather information through the variety of forums and panels it is represented on to ensure we are responding to the changing need within the community.
- 10.5 All services will undergo an equalities self-assessment, based on the *Equality Standard for Local Government framework*, to measure their level of achievement against the *Equality Standard*. The overall level of achievement will be reported to the Audit Commission.
- 10.6 The Council requires tenderers to satisfy certain equal opportunities criteria when being considered for the award of new contracts or the renewal of existing contracts. The Council has published a separate policy on Equalities and Council Contracts.
- 10.7 Consulting with service users is a very important part of providing accessible, relevant services. The Council will, wherever appropriate, continue to consult with its service users from all sections of the community, including those who are potentially 'hard to reach' (See Hard to Reach Toolkit on the Council's Intranet pages).
- 10.8 The Council recognises that people with disabilities have specific access requirements to enable them to use its services. Where access is difficult and where an adjustment cannot be made because of practical or cost reasons, an

alternative arrangement will be offered so that a person with a disability is still able to access the service.

- 10.9 The Council will make reasonable adjustments to enable members of the public to access information. Information on services will be provided in formats such as Braille, large print, on audio tape, on disc and in community languages.
- 10.10 Language interpreters, including sign language, will be provided where appropriate.

11. Working in Partnership

- 11.1 The Council will work together with its partners, statutory and voluntary, local and national and the Local Strategic Partnership to promote equality and diversity and the elimination of discrimination. This will include actions within the Community Strategy and the emerging Local Area Agreements.
- 11.2 The Council will endeavour, wherever possible, to consult with appropriate local and national organisations when reviewing service delivery.
- 11.3 The Council is committed to supporting community based projects that promote equality of opportunity and the celebration of diversity within the Borough.
- 11.4 The Council as part of its commitment to community development provides community grant support to the voluntary sector and parish councils.

12. Complaints against the Council

- 12.1 A person wishing to make a complaint about any matter where they feel the actions of the Council, or any of its employees or representatives, falls short of the commitments made within this Policy, should follow the procedure outlined below.
- 12.2 If you have a complaint, these are the steps to follow:
- Step 1 Complain to the person dealing with the issue and give them a chance to put it right. You will receive a reply within 15 working days.
 - Step 2 Raise the matter with the Service Development Officer for that department. You will receive a reply within 20 working days.
 - Step 3 Ask for your complaint to be considered by the Corporate Service Development Officer who is available on 01509 634596 or by emailing complaints@charnwood.gov.uk. You will receive a reply within 20 working days.
- 12.2 For further information:
- Phone (01509) 263151
 - visit our website www.charnwood.gov.uk/democracy/councillors.html
 - Email information@charnwood.gov.uk

13. Review of this Policy

- 13.1 This Policy will be subject to an annual review and every three years a full review of the Policy will be carried out.
- 13.2 The Council will aim to consult as widely as possible with local communities, relevant organisations, and Council employees and their representatives on improving the effectiveness of this policy.