

## **BROUGHTON ASTLEY PARISH COUNCIL**

### **EQUALITY POLICY 2018**

#### **PURPOSE**

The purpose of this policy is to provide equality to all employees, irrespective of their gender, race, ethnic origin, marital status, sexual orientation, Gender Reassignment, disability, age, religion or belief, age, pregnancy or social class. Broughton Astley Parish Council opposes all forms of unlawful and unfair discrimination.

All employees of Broughton Astley Parish Council whether full-time, part-time, fixed contract, agency workers or temporary, will be treated fairly and equally. Selection for employment, promotion, training, remuneration or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents to maximise the efficiency of the organisation.

#### **STATEMENT ON EQUALITY**

Broughton Astley Parish Council recognises its obligations under the Equality Act 2010 and the spirit and intent of the related Codes of Practice:

- for the elimination of discrimination on grounds of gender, race, ethnic origin marital status, sexual orientation, gender reassignment, disability, age, religion or belief, age, pregnancy and maternity or social class and the promotion of equality of opportunity in employment; and in access to services

#### **COMMITMENT TO POLICY**

Broughton Astley Parish Council supports for the principles and practices of the Equality Act 2010 and recognises that it is the duty of all Councillors and employees to accept their personal responsibility for fostering a fully integrated community at work by respecting and adhering to the principles of equality for all.

Broughton Astley Parish Council will actively promote equality throughout the organisation through the application of policies which will ensure that individuals receive treatment that is fair and equitable and consistent with their relevant aptitudes, potential, skills, experiences and abilities. The Parish Manager will seek to ensure that all employees comply with these principles via the provision of training and monitoring of activities.

Broughton Astley Parish Council will ensure that individuals are recruited and selected, promoted and trained on objective criteria having regard to the relevant aptitudes, potential, skills, experiences and abilities. In particular, no applicant will be placed at a disadvantage by requirements or conditions which are not necessary to the performance of the job or which constitute indirect unfair discrimination. Reasonable adjustments will be taken to ensure that indirect discrimination does not apply to anyone in a detrimental position and such reasonable adjustments remove the detriment.

#### **TRAINING AND ADVERTISING**

Broughton Astley Parish Council will train, develop and promote on the basis of merit and ability only. When vacancies are advertised the Parish Council will continue to ensure that such advertising, both in placement and content, is compatible with the terms of this Policy. To this

end, opportunities will be taken through language, images or declarations, as appropriate, to show that the Parish Council is committed to Equality as an employer.

In practical terms this means that the wording of advertisements will be carefully scrutinised to ensure that any hidden direct or indirect discrimination is avoided. Every effort will be made to ensure that the advertisements are placed in newspapers and publications so that as wide a readership as possible has access to the vacancies.

### **COMMUNICATION**

The principles in this Policy will be brought to the attention of all Councillors and staff. All Councillors and employees are encouraged to bring to the attention of the Parish Manager any act of discrimination they observe.

Councillors and employees who have a disability are encouraged to bring this to the attention of the Parish Manager to enable a review of their treatment to be made. This review will include an assessment of physical features and arrangements to ensure that these do not place the disabled person at a substantial disadvantage. Where they do, then adjustments will be effected where reasonable to do so.

### **HARASSMENT**

Broughton Astley Parish Council recognises the problems that all forms of harassment and intimidation may cause at work, and is committed to ensure that such unacceptable behaviour does not take place.

Harassment is improper and inappropriate behaviour which lowers morale and interferes with the effectiveness of people at work. It is the policy of this organisation to make every effort to provide an environment free from harassment and intimidation.

All Councillors and employees are expected to comply with the policy and to ensure that such conduct does not occur. Appropriate disciplinary action including summary dismissal for serious offences will be taken against any employee who violates this policy.

### **MONITORING AND REVIEW**

The effectiveness of the Equality Policy will be monitored and reviewed on an annual basis by the Scrutiny Committee.

## **LEGISLATIVE FRAMEWORK**

The policy will be implemented within the framework of the new legislation, the Equality Act 2010 which came into force on 1 October 2010 and simplifies and strengthens all previous equal opportunities legislation including:

### **Equal Pay Act 1970 (Amended)**

This gives an individual a right to the same contractual pay and benefits as a person of the opposite sex in the same employment, where the man and the woman are doing: like work; work rated as equivalent under an analytical job evaluation study; or work that is proved to be of equal value.

### **Sex Discrimination Act 1975**

The Act makes it unlawful to discriminate on the grounds of sex. Sex discrimination is unlawful in employment, education, advertising or when providing housing, goods, services or facilities. It is unlawful to discriminate because someone is married, in employment or advertisements for jobs.

### **Race Relations Act 1976**

The Act prohibits discrimination on racial grounds in the areas of employment, education, and the provision of goods, facilities, services and premises.

### **Disability Discrimination Act 1995**

Outlaws the discrimination of disabled people in employment, the provision of goods, facilities and services or the administration or management of premises.

### **The Human Rights Act 1998**

Introduced in 2000, this legislation gives further effect in the UK to rights contained in the European Convention of Human Rights. This Act:

- makes it unlawful for a public body to breach Convention rights, unless an Act of Parliament meant it could not have acted differently
- allows cases to be dealt with in a UK court or tribunal; and
- requires all UK legislation to be given a meaning that complies with the Convention rights, if that is possible.

### **The Sex Discrimination (Gender Reassignment) Regulations 1999**

The Act seeks to prevent sex discrimination relating to gender reassignment. It clarified the law for transsexual people in relation to equal pay and treatment in employment and training.

### **Race Relations Amendment Act 2000**

Places a statutory duty on all public bodies to promote equal opportunity, eliminate racial discrimination and promote good relations between different racial groups.

### **Employment Equality (Religion or Belief) Regulation 2003**

The directive protects against discrimination on the grounds of religion and belief in employment, vocational training, promotion and working conditions.

### **Employment Equality (Sexual Orientation) Regulation 2003**

The directive protects against discrimination on the grounds of sexual orientation in employment, vocational training, promotion, and working conditions.

**Race Relations Act 1976 (Amendment) Regulation 2003**

Introduced new definitions of indirect discrimination and harassment, new burden of proof requirements, continuing protection after employment ceases, new exemption for a determinate job requirement and the removal of certain other exemptions.

**Civil Partnerships Act 2004**

Provides legal recognition and parity of treatment for same-sex couples and married couples, including employment benefits and pension rights.

**Gender Recognition Act 2004**

The purpose of the Act is to provide transsexual people with legal recognition in their acquired gender. Legal recognition follows from the issue of a full gender recognition certificate by a gender recognition panel.

**The Employment Equality (Sex Discrimination) Regulations 2005**

Introduces new definitions of indirect discrimination and harassment, explicitly prohibits discrimination on the grounds of pregnancy or maternity leave, and sets out the extent to which it is discriminatory to pay a woman less than she would otherwise have been paid due to pregnancy or maternity issues.

**Disability Discrimination Amendment Act 2005**

Introduces a positive duty on public bodies to promote equality for disabled people.

**Employment Equality (Age) Regulation 2006**

Protects against discrimination on grounds of age in employment and vocational training. Prohibits direct and indirect discrimination, victimisation, harassment and instructions to discriminate.

**Equality Act 2006**

Establishes a single *Commission for Equality and Human Rights* by 2007 that replaces the three existing commissions. Introduces a positive duty on public sector bodies to promote equality of opportunity between women and men and eliminate sex discrimination. Protects access discrimination on the grounds of religion or belief in terms of access to good facilities and services.

**Racial and Religious Hatred Act 2006**

The Act seeks to stop people from intentionally using threatening words or behaviour to stir up hatred against somebody because of what they believe.

**The Autism Act 2009**

Awaits *UK Autism Strategy* and guidance from Secretary of State.