

## **Newton and Noss Parish Council** **Equality & Diversity Policy**

### **Purpose**

The purpose of this policy is to communicate the commitment Newton and Noss Parish Council has to equality and diversity and to describe the actions to be taken to promote and value these as an employer and as a Local Government service providing organisation.

This document incorporates Newton & Noss Parish Council's Equal Opportunities policy but broadens its base to signal our commitment to the broader domains of diversity.

### **Scope**

This policy applies to all governance arrangements Newton and Noss has as well as to all employees, workers, volunteers and people who use Newton and Noss Parish Council services. It also sets out the Council's approach in dealing with contractors and suppliers.

### **Rationale**

Promoting and valuing diversity is central to the work and values of Newton and Noss Parish Council, helping the Council develop and deliver a modern and inclusive service and ensuring residents' participation and involvement. This policy is also necessary to comply with legislation and regulatory frameworks relating to equality including:

- Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 (SI 2011/1064)
- Draft Equality Act 2010 (Specific Duties) Regulations 2011
- Special Educational Needs and Disability Act 2001
- Protection from Harassment Act 1997
- Employment Rights Act 1996
- Employment Relations Act 1999
- Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 (SI 2000/1551)

The law and regulation is subject to regular change. Newton and Noss Parish Council will comply with any other relevant law or regulation introduced during the lifetime of this policy.

### **Newton and Noss Parish Council Policy Statement**

1. Newton and Noss Parish Council will work to create a community free from discrimination where diversity is recognised, respected and valued.
2. Newton and Noss Parish Council is committed to recognising and valuing diversity amongst its employees, Councillors and those who use its service. We will aim to ensure our workforce is truly representative of all sections of society and that our services are accessible on the basis of need.
3. Newton and Noss Parish Council is committed to ensuring ALL members of the community have the greatest possible opportunity to benefit from working for Newton and Noss Parish Council or using the Council's services.

4. Newton and Noss Parish Council will not discriminate unfairly on the grounds of any protected characteristic (see Glossary for definition).
5. Newton and Noss Parish Council is committed to creating an environment in which the contributions of ALL Councillors and people using Council services are recognised and valued.
6. No form of intimidation, bullying, harassment or hate crimes will be tolerated. Newton and Noss Parish Council will support employees, Councillors and users of the Council who challenge unfair discrimination and hate crimes. Newton and Noss Parish Council will not tolerate the abuse of those who challenge unfair discrimination and hate crimes. Action against abuse may include referral to outside agencies.
7. Newton and Noss Parish Council will support any Councillor or employee who has been the recipient of a hate crime to report the incident to the Police. Should the recipient of the hate crime prefer to make an anonymous report of the incident, Newton and Noss Parish Council will refer the recipient to Victim Support or the Citizens' Advice Bureau.
8. Training and development opportunities will be available to ALL Councillors and employees and will be based on the priorities and needs of the Council.
9. Newton and Noss Parish Council will ensure all other policies, procedures and guidance are consistent with equality legislation.
10. Newton and Noss Parish Council will work at eliminating discrimination in the community by challenging discrimination, raising awareness and involving Councillors and employees in training to support this goal.
11. Newton and Noss Parish Council will ensure that all tender responses promote equality.
12. Newton and Noss Parish Council will have regard to the statutory duties to promote equality set out in the Equality Act 2010.
13. Newton and Noss Parish Council will as far as possible ensure that equal opportunities and fairness are promoted in line with the public sector equality duty, including the fostering of good relations between those who share a relevant protected characteristic and those who do not share it.

## **Policy**

### **2.0 Implementation**

- 2.1 All employees are responsible for complying with this policy. Individual employees have a responsibility in their day-to-day conduct whilst representing Newton and Noss Parish council to fully comply with this policy and the Councils' Code of Conduct.
- 2.2 Appropriate training will be accessed as required.
- 2.3 This policy will be communicated to all employees at induction. The policy is to be communicated to people who use Newton and Noss Parish Council through incorporating it into information about Newton and Noss Parish Council services and making reference to this policy in publicity materials.

- 2.4 Initiatives developed by Newton and Noss Parish Council will be equality impact assessed to identify any negative impact on the protected characteristics in legislation. Action will be taken, where possible, to review the initiative should any negative impact be identified.

### **3.0 Monitoring and Review**

- 3.1 The Public Sector Equality Duty places an obligation Newton and Noss Parish Council to ‘foster good relations’ between those with protected characteristics.
- 3.2 Diversity and equality will be monitored through the collection and analysis of statistical data on the gender, religion, race, ethnicity, sexuality, age, disability status and caring responsibilities of employees and Council members.

### **4.0 Raising Concerns**

- 4.1 Employees, Councillors and users of The Council who believe they have suffered any form of discrimination, harassment or victimization, or if they feel that there is wrongdoing within Newton and Noss Parish Council relating to unlawful conduct are entitled and encouraged to raise the matter through the Councils Complaints Policy.
- 4.3 Internal procedures do not replace the right of employees to pursue such matters under current legislation, although it is hoped that internal resolution can be effected wherever possible.
- 4.4 Newton and Noss Parish Council takes all reasonable steps to protect employees, Councillors and user of The Council from discrimination by third parties.
- 4.5 People who use the Council who believe they have suffered any form of discrimination, harassment or victimisation by Newton and Noss Parish Council are entitled to raise the matter through the Council’s Complaints Policy.

### **5.0 Compliance**

- 5.1 Newton and Noss Parish Council will work to challenge discrimination and work to change attitudes. Failure on the part of any Newton and Noss Parish Council member of Councillor or volunteer to comply with the Newton and Noss Parish Council Equality & Diversity Policy may result in an internal investigation and in the case of employees or Councillors, possible dismissal following the disciplinary process.

## **Glossary**

### **Managing Diversity**

The concept of managing diversity accepts that the workforce consists of a diverse population of employees and members and users will also be diverse. This diversity consists of visible and non-visible differences, including factors such as gender, age, background, race, disability, mental health status, personality and work style. It is founded on the belief that harnessing these differences will

create a productive environment where everybody feels valued and where talents are being fully used to meet organisational goals.

### **Equal Opportunities**

Treating everybody fairly and equally regardless of their background or lifestyle.

### **Protected Characteristics (as defined by the Equality Act 2010)**

Age  
Disability  
Gender  
Gender reassignment  
Marriage and civil partnership  
Pregnancy and maternity  
Race  
Religion and belief  
Sexual orientation

Newton and Noss Parish Council is committed to protect the following additional characteristics:

Diagnosis of a mental illness  
Those living with HIV and other blood borne viruses

### **Direct Discrimination**

Direct discrimination occurs when a person is treated less favourably than another because of a protected characteristic. For example, Person A discriminates against Person B because person B cares for a disabled person but is not disabled themselves.

### **Indirect Discrimination**

This includes practices which look fair, but which are unfairly discriminatory in their effect. For example, a job may include a provision, criterion or practice that is discriminatory in that it puts a person with a protected characteristic at a particular disadvantage when compared to someone who does not have that protected characteristic.

### **Disability Discrimination**

Disability discrimination occurs when, for a reason related to his/her disability, a disabled person is treated less favourably than other people, and this treatment cannot be justified unless it is a proportionate means of achieving a legitimate aim. It also occurs when an employer or service provider fails to comply with the duty to make reasonable adjustment in relation to the disabled person, and the failure cannot be justified.

### **Reasonable Adjustment**

An employer has a duty to make reasonable adjustments when either a provision, criterion or practice or a physical feature of the premises puts a disabled person at a substantial disadvantage compared to persons who are not disabled. The employer must take such steps as it is reasonable to avoid the disadvantage to the disabled person.

### **Hate Crimes**

Definition: A racist, religiously aggravated, faith, gender, disability, transphobic or homophobic incident which constitutes a criminal offence. These include:

Physical attacks;  
Offensive letters, e-mails and phone calls;  
Offensive leaflets or posters;  
Groups of people intimidating or bullying you at work;  
Verbal abuse or threats.

### **Victimisation**

Victimisation occurs when a person is treated less favourably than another because that person has, for example, asserted rights under any of the discrimination laws or has helped another person to assert such rights or given information to the relevant statutory body, or because it is suspected that the person might do any of these things.

### **Harassment**

Harassment occurs when a person engages in unwanted conduct related to a relevant protected characteristic and the conduct has the purpose or effect of violating that person's dignity, or creates an intimidating, hostile, degrading, humiliating or offensive environment for that person. If the conduct is unintentional then considerations of reasonableness apply, i.e. the perception of the person being harassed, the other circumstances of the case and whether it is reasonable for the conduct to have that effect.

Agreed and adopted by Newton & Noss Parish Council 22 September 2016.