



# KENTS HILL AND MONKSTON PARISH COUNCIL EQUALITY & DIVERSITY POLICY

## 1. INTRODUCTION

The Equality Act 2010 came into force in October 2010. The legislation covers a prescribed set of protected characteristics including age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. It also covers prohibited conduct including unlawful discrimination; adjustments for disabled persons; victimisation and harassment; services and public functions; premises; employment; contracts; and advancement of equality. The latter provision specifies a public sector equality duty, which applies equally to town and parish councils.

## 2. POLICY

- 2.1 The Parish Council is committed to promoting equality and diversity, providing an inclusive and supportive environment for all. In the implementation of this policy the Parish Council will:
  - 2.1.1 Ensure that people are treated solely on the basis of their abilities and potential, regardless of race, colour, nationality, ethnic origin, religious or political belief or affiliation, trade union membership, age, gender, gender reassignment, marital status, sexual orientation, disability, socio-economic background, or any other inappropriate distinction;
  - 2.1.2 Promote diversity and equality for all staff and value the contributions made by individuals and groups of people from diverse cultural, ethnic, socio-economic and distinctive backgrounds;
  - 2.1.3 Promote and sustain an inclusive and supportive work environment which affirms the equal and fair treatment of individuals in fulfilling their potential and does not afford unfair privilege to any individual or group;
  - 2.1.4 Treat part-time staff fairly and equally;
  - 2.1.5 Challenge inequality and less favourable treatment wherever practicable;

2.1.6 Promote greater participation of under-represented groups of staff by encouraging positive action to address inequality;

2.1.7 Promote an environment free of harassment and bullying on any grounds in relation to all staff, councillors, contractors and visitors attending the Council's offices or meetings. The task of promoting social inclusion, tackling unlawful discrimination and encouraging equal opportunities are key issues for Kents Hill and Monkston Parish Council and the Council is committed to:

- a. Eliminating unlawful discrimination, harassment and victimisation;
- b. Advancing equality of opportunity between different groups;
- c. Fostering good relations between different groups

### 3. COMMITMENT TO EQUALITY AND DIVERSITY

3.1 The Parish Council is committed to Equality and Diversity and to the vision of improving the quality of life for local people. The Parish Council aims to be:

- a. Accessible
- b. Accountable
- c. Fair
- d. Inclusive
- e. Proactive
- f. Professional
- g. Responsible
- h. Transparent

3.2 Kents Hill and Monkston Parish Council is committed to achieving equality of opportunity and valuing diversity in all aspects of its work:

3.2.1 Through the delivery of our services to the community by ensuring that within reason, these services are accessible to all and that we fully recognise the diversity of people's needs;

3.2.2 Through the way we recruit, employ and train our workforce to enable us to provide better services;

3.2.3 In the Parish Council's leadership role, working with partners to promote the importance of treating every individual with dignity and respect.

## 4. SCOPE OF THE POLICY

- 4.1 This policy is designed to value diversity and to ensure equality of opportunity and access to services and that no one receives less favourable treatment on the grounds of:
- a. Race (i.e. colour, ethnic or national origin, nationality or citizenship).
  - b. Gender reassignment
  - c. Disability
  - d. Sex
  - e. Sexual orientation
  - f. Age
  - g. Religion or belief
  - h. Caring for others
  - i. Trade Union or political activities
  - j. Pregnancy and Maternity
  - k. Marriage and Civil Partnership; this list is not exhaustive.

## 5. OBJECTIVES OF THE POLICY

- 5.1 To improve delivery, information and access to services we will:
- 5.1.1 Ensure all employees, contractors and users of our services are informed about our Equality and Diversity Policy.
  - 5.1.2 Apply equal opportunities principles to work undertaken for the council by external contractors, other organisations in receipt of council funding and in work with our partners.
  - 5.1.3 Rectify any elements of our work which have the potential for unlawful discrimination and prejudice.
- 5.2 To improve access and opportunity to employment and training we will:
- 5.2.1 Implement our Equality and Diversity Policy in our role as an employer.
  - 5.2.2 Demonstrate our commitment in the way the Parish Council:
    - a. recruits and selects people;
    - b. trains and develops people;
    - c. recognises the abilities that individuals demonstrate;
    - d. expects the highest standards of employee conduct and behaviour.
  - 5.2.3 Not accept any form of unfair treatment, unlawful discrimination, bullying or harassment or removal of dignity by any of our employees or to any of our employees.
  - 5.2.4 Review and develop procedures in the context of equality and diversity.
- 5.3 To promote equality and diversity with other partners we will:

- 5.3.1 Promote tolerance and respect between diverse groups and individuals.
  - 5.3.2 Acknowledge and celebrate, wherever possible, the variety of lifestyles and cultures within the town.
  - 5.3.3 Challenge all forms of unlawful discrimination within the Parish Council and the wider community.
  - 5.3.4 Support the development of communities and assist them in challenging unlawful discrimination, harassment, bullying and violence.
- 5.4 Responsibility and Liability. All members of staff remain personally responsible for ensuring that they act within the law. The Parish Clerk is responsible for ensuring that staff perform their duties in a lawful manner and that proper training and support is provided accordingly. In certain circumstances the Parish Council could be vicariously liable for actions carried out by staff purportedly in the Parish Council's name. Any member of staff may be personally liable if, whilst on Council business and despite guidance and training from the Council, they behave illegally in respect of the Equality Act 2010.

## 6. EQUALITY AIMS

- 6.1 **Age:** The Parish Council will eliminate unlawful age discrimination and will review policies (including retirement) to ensure that they comply.
- 6.2 **Sexual Orientation:** The Parish Council will eliminate unlawful discrimination on grounds of sexual orientation or gender.
- 6.3 **Disability:** The Parish Council will remove barriers to participation by disabled people, wherever possible. Staff who become disabled whilst working with the Council will be offered reasonable adjustments to enable them to continue working.
- 6.4 **Race/Ethnic Origin:** The Parish Council will encourage participation of minority ethnic groups in its activities.
- 6.5 **Religion:** The Parish Council will respect people from diverse religious and cultural backgrounds and will give due regard to the needs and requirements of people who adhere to a range of cultural and religious beliefs. This will include staff needs in relation to dietary requirements, and requests for leave and facilities for religious observance.
- 6.6 **Equal Pay:** The Parish Council is committed to equal pay in employment. It believes its male and female employees should receive equal pay for like work, work rated as equivalent or work of equal value.

In order to achieve this, the Council will endeavour to maintain a pay system that is transparent, free from bias and based on objective criteria.

## 7. EMPLOYEE RESPONSIBILITIES

- 7.1 Employees have a duty to co-operate with the Council to make sure that this Policy is effective in ensuring equal opportunities and in preventing unlawful discrimination, harassment or bullying. Action will be taken under the Council's disciplinary procedure against any employee who is found to have committed an act of improper or unlawful discrimination, harassment, bullying or intimidation. Serious breaches of this Equal Opportunities and Diversity Policy will be treated as potential gross misconduct and could render the employee liable to summary dismissal. Employees should also bear in mind that they can be held personally liable for any act of unlawful discrimination or harassment. Employees who commit serious acts of harassment may also be guilty of a criminal offence.
- 7.2 Employees must draw the attention of their Manager/Supervisor to suspected discriminatory acts or practices or suspected cases of harassment or bullying. They must not victimise or retaliate against an employee who has made allegations or complaints of unlawful discrimination or harassment or who has provided information about such unlawful discrimination or harassment. Such behaviour will be treated as potential gross misconduct in accordance with the Council's disciplinary procedure.
- 7.3 The Council will also take appropriate action against any third parties or Councillors who are found to have committed an act of improper or unlawful harassment against its employees.

## 8.0 REPORTING COMPLAINTS

- 8.1 All allegations of unlawful discrimination or harassment will be dealt with seriously, confidentially and speedily. The Council will not ignore or treat lightly grievances or complaints of unlawful discrimination or harassment from employees.
- 8.2 If you wish to make a complaint of unlawful discrimination, you should use the Council's grievance procedure.
- 8.3 With cases of harassment, while the Council encourages employees who believe they are being harassed or bullied to notify the offender (by words or by conduct) that his or her behaviour is unwelcome, the Council also recognises that actual or perceived power and status disparities may make such confrontation impractical.

In the event that such informal direct communication is either ineffective or impractical, or the situation is too serious to be dealt with informally, you should follow the procedure set out below.

8.4 If you wish to make a complaint of harassment, whether against a fellow employee or a third party, such as a client, customer, contractor or supplier, you should follow the following steps:

8.4.1 First of all, report the incident of harassment to your Manager/Supervisor. If you do not wish to speak to your Line Manager, you can instead speak to an alternative Manager/Supervisor or to the Parish Clerk.

8.4.2 Such reports should be made promptly so that investigation may proceed and any action taken expeditiously.

8.4.3 All allegations of harassment will be taken seriously. The allegation will be promptly investigated and, as part of the investigatory process, you will be interviewed and asked to provide a written witness statement setting out the details of your complaint. Confidentiality will be maintained during the investigatory process to the extent that this is practical and appropriate in the circumstances. However, in order to effectively investigate an allegation, the Council must be able to determine the scope of the investigation and the individuals who should be informed of or interviewed about the allegation. For example, the identity of the complainant and the nature of the allegations must be revealed to the alleged harasser so that he or she is able to fairly respond to the allegations. The Council reserves the right to arrange for another Manager/Supervisor to conduct the investigation other than the Manager/Supervisor with whom you raised the matter.

8.4.4 Once the investigation has been completed, you will be informed in writing of the outcome and the Council's conclusions and decision as soon as possible. The Council is committed to taking appropriate action with respect of all complaints of harassment which are upheld. If appropriate, disciplinary proceedings will be brought against the alleged harasser.

8.4.5 You will not be penalised for raising a complaint, even if it is not upheld, unless your complaint was either untrue or made in bad faith.

8.4.6 If your complaint is upheld and the harasser remains in the Council's employment, the Council will take all reasonable steps to ensure that you do not have to continue working alongside him or her if you do not wish to do so. The Council will discuss the options with you.

8.4.7 If your complaint is not upheld, arrangements will be made for you and the alleged harasser to continue or resume working and to repair working relationships.

8.5 Alternatively, you may, if you wish, use the Council's grievance procedure to make a complaint of harassment.

8.6 Any employee who is found to have discriminated against or harassed another employee in violation of this policy will be subject to disciplinary action under the Council's disciplinary procedure. Such behaviour may be treated as gross misconduct and could render the employee liable to summary dismissal. In addition, Managers/Supervisors who had knowledge that such unlawful discrimination or harassment had occurred in their departments but who had taken no action to eliminate it will also be subject to disciplinary action under the Council's disciplinary procedure.

## 9.0 REVIEW

Review of this policy will be carried out annually by the Full Parish Council. This policy applies to all members of the Parish Council and is applicable to Parish Councillors as volunteers.

At a Meeting of Kents Hill and Monkston Parish Council on the 8<sup>th</sup> February 2016 the aforementioned policy was approved.

Minute reference: 159/2015

To be reviewed February 2018.