



# Equality Policy

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# What Is Equality?

Equality is about ensuring that every individual has an equal opportunity to make the most of their lives and talents, and believing that no one should have poorer life chances because of where, what or whom they were born, what they believe, or whether they have a disability. Equality recognises that historically, certain groups of people with particular characteristics e.g. race, disability, sex and sexuality, have experienced discrimination.

(Equality and Human Rights Commission)



# Previous Legislation

- Equal Pay Act 1970
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Disability Discrimination Act 1995
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Age) Regulations 2006

*and various amendments to each, totalling over 116 pieces of legislation!*





# Equality Act 2010

- came into force on 1 October 2010
- provides a legal framework to protect the rights of individuals and advance equality of opportunity for all
- simplifies, strengthens and harmonises the previous legislation to provide a new discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society





# Protected Characteristics

9 protected characteristics:

- Age
- Disability
- Gender
- Gender re-assignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sexual orientation



# What Is Discrimination?

1. the unjust or prejudicial treatment of different categories of people, especially on the grounds of race, age, or sex.




- *synonyms: prejudice, bias, bigotry, intolerance, narrow-mindedness, unfairness, inequity, favouritism, one-sidedness, partisanship;*

2. recognition and understanding of the difference between one thing and another.

- *"discrimination between right and wrong"*
- *synonyms: differentiation, distinction, telling the difference*



# Unlawful Discrimination

- Direct Discrimination
- Indirect Discrimination
- Discrimination by Association 
- Perception Discrimination 
- Discrimination Arising From a Disability 
- Harassment
- Victimisation





# Public Sector Equality Duty

- The Equality Act imposes a “general equality duty” on the public sector and extends the previous legal obligations on the public sector in relation to race, disability and gender to cover all nine ‘protected characteristics’.
- The general equality duty:
  - Came into effect on 5<sup>th</sup> April 2011
  - Aims to promote and protect the dignity of all persons in society
  - Is supported by specific duties which help public authorities meet the general duty







# General Equality Duty

In the exercise of its functions a public authority must have due regard to the need to:

- *eliminate discrimination*, harassment and victimisation or any other conduct prohibited by the Act in relation to the protected characteristics
- *advance equality of opportunity* between all persons
- *foster good relations* between groups of people sharing a protected characteristic and those that do not



# Equality Impact Assessments



- An equality impact assessment is a process for systematically identifying the potential impact of the Council's policies, services and functions on different groups within the community.
- The Council must conduct equality impact assessments as soon as a relevant new policy, function or service is considered.
- There are two stages to equality impact assessments:
  - A pre-screening process which will determine whether a full equality impact assessment is required.
  - If potential adverse impacts are identified then a full assessment will be required.





# Specific Duties

- To publish equality information - such information to include information relating to people with protected characteristics who are:
  - Employees
  - Affected by its policies and practices
- Prepare and publish equality objectives
  - Should support the aims of the general equality duty
  - Should be specific and measurable
  - Published so they are accessible to the public



# Role as a Service Provider

- Complying with the law
- Identifying key functions and policies and assessing the impact of these
- Striving to achieve equality for all service users
- Ensuring our policies and procedures do not discriminate



# Role as an Employer

- Complying with the law
- Promoting equality of opportunity in all aspects of employment
- Ensuring people are treated fairly in all employment related decisions
- Ensuring all employment policies, procedures, guidelines and practices reinforce our commitment to equalities





# Hate Incidents

“Something is a hate incident if the victim or anyone else think it was motivated by hostility or prejudice based on one of the following things:

- disability
- race
- religion
- transgender identity
- sexual orientation”

*(Police and Crown Prosecution Service definition of hate incidents)*





# Hate Crimes

- When hate incidents become criminal offences they are known as **hate crimes**.
- Any criminal offence can be a hate crime if it was carried out because of hostility or prejudice based on disability, race, religion, transgender identity or sexual orientation.
- When something is classed as a hate crime, the judge can impose a tougher sentence on the offender under the **Criminal Justice Act 2003**.



# Current Policy Statement

- Recognises our role and responsibilities with regards to equalities
- States we will treat all people equally and fairly
- States our aim to provide our services equitably to our diverse community
- Recognises our role as a community leader





# Purpose of Current Review

- General update – particularly to legislation references/requirements
- To ensure all current legal requirements are covered
- To reflect changes that have been implemented within the Council since the Equality Act
- To streamline the document



# Current Review – Progress

- Refreshing knowledge of the law
- Researching current best practice
- Incorporating the changes we've made since the Equality Act
- Reviewing existing policy to see what transfers across
- Updating employment section to make sure all requirements covered



# Current Review - Progress

- Regular discussions with Portfolio Holder
- Initial discussions with CPP
- Consultation with relevant internal representatives
- Inclusion of feedback/suggestions into draft policy



# Purpose of the New Policy

- Re-state our commitment to equalities
- Ensure we meet our legal obligations
- Set out how we will ensure compliance
- Outline actions the Council will take to ensure equality and opportunities for employees, residents and visitors



# Contents of New Policy

- New definition of Equality
- Policy Statement
- Scope
- Aims and Objectives
- Legal framework & relevant legislation
- Definitions



# Contents of New Policy cont.

- Requirements of the public sector equality duty, including;
  - EIA's
  - Equality objectives
- Employment requirements, covering;
  - Recruitment, selection and appointment
  - Training, learning and Development
  - Working conditions
  - Terms and Conditions of employment



# Contents of New Policy cont.

- Roles and Responsibilities
- Internal procedures
  - Monitoring
  - Complaints
- Employment Policy
- Glossary of terms
- Equality Objectives



# Timetable for Adoption

- 30/08/17 CPP / E&C Briefing
- Sept/Oct Development of content
- 10/09/17 Update to CPP
- 13/11/17 CPP to consider final draft
- 09/01/18 Report to Cabinet
- 25/01/18 Approved by Full Council

