



## **Report to Cabinet**

Subject Equal Opportunities Policy

Date 18<sup>th</sup> April 2005

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### **1. Purpose of the Report**

To present to Members a revised Equal Opportunities Policy for agreement.

### **2. Background**

The council has had in place an Equal Opportunities Policy for many years. The policy covers equality in both employment and service delivery. There have been some recent changes in legislation particularly concerning discrimination on the grounds of religion and beliefs and sexual orientation. It is also anticipated that there will be legislation on age discrimination in 2006 in response to an EU Directive.

In the light of these changes, the Equal Opportunities Policy has been updated. A copy is attached as Appendix A. The aims and objectives of the Policy have not in essence changed, and concentrate on ensuring that employment practices and service delivery do not discriminate illegally and that there is a positive approach to promoting equality. However, it is also important that the Policy is specific about the particular areas in which equality is addressed, and the recent changes in legislation require the policy to be updated.

The Policy has been subject to consultation with the Trade Unions, UNISON have provided some comments and these have been assimilated into the final draft policy proposed. The Corporate Equality Group have also reviewed the policy.

A copy of this Policy is sent out to every job applicant and will be available on the internet.

The Personnel and Resources Committee on 18<sup>th</sup> April approved the Policy in respect of the personnel related aspects. Cabinet are now asked for approval of the Service Delivery aspects so that the Policy is reflective of the overall equality aims of the Council.

### **3. Recommendation**

It is recommended that the attached Equal Opportunities Policy be approved in respect of the Service Delivery aspects.



Aiming for equal opportunity

# Equal Opportunity Policy

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## STATEMENT OF INTENT

Gedling Borough Council seeks to create a culture of employment and direct or indirect service delivery through its Members, Managers and other employees, in which people can feel confident of being treated with fairness, dignity and tolerance irrespective of their personal circumstances, background or lifestyle. Discrimination consists of conduct or words or practices that disadvantage or advantage people; we will not intentionally discriminate on grounds of disability, race, colour, ethnic or national origins, religion or belief, gender, marital status, gender reassignment, sexual orientation, unrelated criminal conviction, age or trade union membership.

## STRATEGIC AIMS

**Gedling Borough Council aims to:**

- Ensure the best possible equality of opportunity in all aspects of employment and service delivery.
- Be responsive to needs of the Community and recognise that these needs will be diverse.
- Work within the law in respect of equal opportunity issues and have regard for “best practice” working methods.
- Consult with the Community as widely as possible to produce tangible results in terms of equality of service delivery.
- Work towards providing a model of good equal opportunities practices for other organisations and service providers in the Borough and to encourage a commitment to equal opportunities in the Community at large.
- Through policies and service delivery, to eliminate unlawful discrimination, to promote and foster good relations between people of different racial groups and to promote race equality.

## THE LAW AND BEST PRACTICE

In addition to the detail contained within this policy, there are other documents that have a direct impact on employment and service delivery in terms of equal opportunities and diversity.

The following summary covers major pieces of legislation and guidance documents but the list is not exhaustive:

Legislation	-	Sex Discrimination Act 1975 and 1986
		Race Relations Act 1976
		Race Relations (Amendment) Act 2000
		Local Government and Housing Act 1989
		Disability Discrimination Act 1995
		Protection from Harassment Act 1997
		Employment Equality (Religion or Belief) Regulations 2003
		Equal Pay Act 1970
		Gender Reassignment Regulations 1999
		Employment Equality (Sexual Orientation) Regulations 2003
		Rehabilitation of Offenders Act 1974

## Local Conditions of Service/ policies/ guidance notes

- Employee Handbook including relevant policies such as:
  - Harassment in the Workplace
  - Trade Union Facilities Agreement
  - Absence Management Policy
  - Statements on the Use and Storage of Criminal Record Checks
- Race Equality Scheme (May 2003)
- Corporate Equality Plan (July 2004)
- Council Review of Property (DDA) (2005)

Information about any of the above can be obtained from Personnel Services.

## **COMPLAINTS**

Measures are in place to deal fairly with any complaints arising.

Existing employees of the Council who feel they have been unfairly discriminated against in respect of their employment on matters relevant to this Equal Opportunities Policy should raise the issue in the first instance either with their line manager or, if this is inappropriate, with Personnel Services; either party will work with the individual to determine the most effective course of action to deal with the complaint. This may involve the use of both informal methods and formal procedures as appropriate.

Members of the public who express a concern over their treatment by the Council in terms of equality issues should refer the matter through the established complaints procedure. This will not affect their rights to pursue matters through external routes if legislation permits.

## **OBJECTIVES**

The Council's stated objective is to achieve Level 2 of the Local Government Equalities Standard.

As part of its ongoing work, the Council will continue to review this policy with the aim of recognising both current legislation and best practice. Such reviews will be carried out following full consultation, and in the spirit of partnership, with recognised trade unions.

## **RESPONSIBILITIES**

### **Elected Members are responsible for:**

- Formulating and determining policies that have regard for the positive impact of equal opportunity principles on quality of service delivery and employment provision.
- Monitoring statistical data submitted to Committee regarding internal employment data and service delivery information.

### **The Chief Executive is responsible for:**

- Developing strategic measures and policies to ensure equality across all employment issues within the Council.
- Instigating action to address areas of concern highlighted by trends or patterns in monitoring data.
- Encouraging continued proper regard for equal opportunities issues at a strategic level within the Authority with reference to employment and service delivery.
- Encouraging businesses within the Borough or others that provide services to the Council to establish and develop positive and effective equal opportunities policies.
- Authority is delegated to the Deputy Chief Executive who is designated as the Lead Officer for the Council's Corporate Equalities Group.

**All Heads of Service are responsible for:**

- Dealing with any individual, group or service of the Council that behaves in a way that undermines the spirit of this policy.
- Investigating complaints in a fair and effective way.
- Establishing monitoring systems to record relevant equal opportunities indicators and to report this information to Committees or Cabinet in a meaningful way appropriate to the service.
- Bringing examples of good equal opportunities practice to the attention of other Heads of Service.
- Ensuring that all services provided to the Community, be they directly delivered or delivered through a contractor or business partner, have regard as far as practicable, to the particular needs and circumstances of individuals or groups.
- Working with service users in an appropriate way, and using management information gathered through monitoring, to continually review the quality of the services delivered across a diversity of needs.
- Working within current legislation to establish that contractors providing services to the Council have due regard to equal opportunity issues.

**The Head of Personnel and Organisational Development is responsible for:**

- Supporting the implementation and periodic review of this policy.
- Ensuring that corporate employment policies are consistent with the Equal Opportunities Policy.
- Providing advice to Departments on Equal Opportunities matters, including best personnel and management practices.
- Ensuring that corporate recruitment initiatives and documentation are consistent with non-discriminatory objectives.
- Collating and analysing employee monitoring results and initiating corporate responses to the findings, where appropriate.
- Providing training to Members and managers in correct recruitment and selection techniques.
- Promoting training for Members and managers in general equal opportunities awareness.

**All Managers and Supervisors are responsible for:**

- Complying with legislation and with this policy at a practical level through their actions in recruitment, training, development, discipline and general management of employees.
- Encouraging good practices by the people they manage and for dealing appropriately with breaches of this policy.

**All Employees are responsible for:**

- Acting within the laws relating to equal opportunities and other codes of conduct and policies endorsed or adopted by the Council which govern acceptable behaviour.
- Complying, as a contractual duty, with this policy as a whole and in doing so, ensuring its application on a day-to-day basis.
- Drawing attention to managers of suspected discriminatory acts or practices.