

# **Gedling Borough Council's Equality and Diversity Policy**

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## **1. Introduction**

1.1 This is Gedling Borough Council's Equality and Diversity Policy covering our commitment to enhancing equality and diversity.

1.2 This policy is part of a set of policies, guidance and information around equality and diversity which includes:

- Equality Impact Assessment and guidance – to analyse the effects of our policies, procedures, and services on people and make sure our decisions are fair, informed and lawful
- Recruitment and employment policies and standards including the Equality Policy (Employment)
- Learning and development opportunities including equality training
- Code of Conduct for Members
- Complaints, Compliments and Comments Policy
- Procurement equality standards and clauses in contracts for organisations providing services on our behalf
- Equality objectives
- Gedling Plan
- Equalities information and data about diversity characteristics and needs, community feedback and employment/community/customer data
- Equality Framework and Action Plan

1.3 Whether you are an employee, job applicant, volunteer, elected Member, customer, partner, visitor to Gedling or resident of the borough, we aim to provide you with services and opportunities without barriers to equality. If you do face any barriers we hope that we can sort them out for you.

1.4 Everyone who works for Gedling Borough Council (as an employee, contractor or volunteer) is expected to adhere to this policy.

1.5 Councillors (Members of Gedling Borough Council) are bound by their Code of Conduct.

## **2. What is Equality?**

2.1 Equality is about valuing a person 'as an equal' and treating people according to their needs and characteristics to achieve an equal or fair outcome – it is not necessarily about treating everyone the same.

2.2 An equal society values human diversity, recognising that diversity brings a range of skills, knowledge, values, styles, perspective, experience and ideas that secure the borough's future as a place where people want to live, work and prosper, and challenges the inequalities that destroy this diversity and divides our society.

2.3 By promoting and embracing equality as an organisation, we are serving our communities and improving the lives of our residents and our staff.

2.4 Equality brings quality for everyone and the creation of a fairer society where everyone can participate and achieve their potential.

2.5 As an organisation we recognise that it is only by meeting people's needs, engaging with our communities, having accessible services and a diverse workforce and respecting diversity that we will achieve equality.

### **3. Our Commitment**

3.1 Gedling Borough Council is committed to the public sector equality duty under the Equality Act 2010 ('the Act') and in the exercise of its functions we will have due regard to the need to: eliminate discrimination, harassment and victimisation, advance equality of opportunity and challenge prejudice, in order to advance the achievement of equality and fostering good relations between diverse groups in the Borough.

3.2 Gedling Borough Council is committed to promoting and providing equality and diversity in all our areas of responsibility both as a major employer and key service deliverer. We see the diversity of our Borough as a real strength, and we are committed to ensuring that equality and diversity lies at the heart of all our work and decision making across the Council.

3.3 Gedling Borough Council will challenge unfair treatment, prejudice, discrimination, harassment, victimisation and bullying on grounds of the following protected characteristics:

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

This includes discrimination by association and perception.

3.4 Together, through leadership, management supervision, personal responsibility, guidance and training we will aim to create a culture which demonstrates our commitment to equality where people can feel confident of being treated with fairness, dignity and tolerance irrespective of their personal circumstances, background or lifestyle. We will aim to ensure that everyone working for the Council

understands about equality and diversity and how to operate in a non-discriminatory and inclusive way.

3.5 The Equality Act 2010 (“the Act”) places a legal duty on the Council and those working for the Council to operate in accordance with the Act. The Council acknowledges and welcomes its legal duties and uses the legislation and national guidance as a framework to improve or maintain standards and be accountable to residents. As an organisation we are not just driven by legislative requirements and this policy and the work we do is a response to our local needs.

#### **4. How will we make sure we fulfil our commitment?**

##### **4.1 In developing plans, policies, practices and making decisions – WE WILL:**

- design our plans, policies and practices to meet the needs of all our communities by using detailed research and data, consulting and engaging with relevant stakeholders and the communities, following our legal duties and using our experience of good practice.
- make sure that our plans, policies and practices do not unfairly discriminate against people with protected characteristics by doing robust equality impact assessments, acting on the results and understanding who is affected.
- make sure that all our employees, members, volunteers, customers, partners, contractors and residents are aware of this policy, our responsibilities and commitment to equality.
- make sure that in decision making, our Members have all the relevant information needed to ensure decisions are taken in a way that promotes equality and seeks to reduce inequality.
- make sure that we fully understand and assess the equality impacts of our budget setting and savings decisions.

##### **4.2 In providing services – WE WILL:**

- take into account the diverse needs of our communities and provide services that are relevant to those needs.
- make sure our services are accessible to as many as possible including access to physical premises and access to information about our services and make reasonable adjustments where appropriate (see Appendix 1).
- ensure our website is maintained to address the needs of different audiences.

- engage with as many sections of the community as possible when we consult about our services.
- promote and celebrate diversity within our borough.
- treat customers fairly according to their needs, doing what matters to them and not making assumptions.
- encourage our communities to take part in public events and engage with the Council in how we deliver our services.
- keep our services under review to ensure that we are not discriminating unfairly and identify where improvements can be made.
- keep listening to the views of our residents and communities to ensure we take their views into account when reviewing or changing services.
- comply with our legal responsibilities.
- listen to complaints about our services and act promptly to deal with complaints discrimination, harassment, victimisation and bullying.

#### **4.3 In employment – WE WILL:**

- have regard to our Equality Policy (Employment).
- do everything we can to make sure our workplace is free from discrimination, oppression, bullying, harassment and victimisation and will act promptly on any complaints.
- ensure employees are made aware of the Equality Policy (Employment) and how this is relevant to them in the workplace and in the work that they do..
- treat all employees, volunteers and job applicants fairly.
- make sure that we work to relevant legislation and statutory codes.
- listen to our employees ideas for service improvement and delivery.
- provide a safe and inclusive working environment and make reasonable adjustments for employees where appropriate.
- provide a culture that promotes and advances equality within the organisation.

#### **4.4 In partnerships, procurement and commissioning services – WE WILL:**

- seek to work with organisations who have the same approach to equality and diversity as we do.
- make sure that our commitment to equality is embedded in our contract documentation and procurement processes.
- take appropriate action for any failure by our contractor's to comply with any equality condition or requirements.
- ensure any contractors or partners we work with are aware of and adhere to this policy.
- share our knowledge of our diverse communities with our contractors and partners to ensure that services are delivered in a relevant way.
- listen to the views of our partners and contractors to ensure we keep our work and practices under review and improve our services and practices when necessary.

### **5. Responsibilities**

5.1 A number of individuals and groups have specific roles in meeting our equality and diversity responsibilities. There is a clear structure in place to demonstrate our leadership and organisational commitment, challenge inequalities and drive an improvement agenda.

5.2 All Councillors are responsible for demonstrating commitment to equality and diversity in their work and decision making, and striving to improve equality in their wards.

5.3 The Leader of the Council and Cabinet Members will act as ambassadors by promoting the Council's approach to equality and diversity across the organisation and in the wider community. They have the responsibility of approving this policy, and ensuring equality considerations are taken into account when making decisions.

5.4 The Portfolio Holder for Young People and Equalities is responsible for functions in relation to equality and is supported by a Policy Advisor for Young People and Equalities. Together they will work with senior leaders to promote equality and diversity within the organisation and engage with communities to ensure equality in service delivery.

5.5 The Portfolio Holder for Young People and Equalities will chair a Strategic Equalities & Diversity Group which comprises the Leader, Deputy Leader, Policy

Advisor for Young People and Equalities, one representative from each of the opposition groups, the Chief Executive and the Director with lead responsibility for equality and diversity. Any other Cabinet Member may attend if they wish. The Group will provide leadership and act as ambassadors for equality and diversity issues, leading by example and encouraging the integration and embedment of equality and diversity in all of the council's functions; oversee, support and monitor progress of the Equality Framework and Action Plan and consult and seek representation from staff, Members, user groups, service users, residents, businesses and partners. This Strategic Equalities & Diversity Group may set up and oversee the work of a number of sub-groups (Diversity Action Groups) as required.

- 5.6 The Chief Executive is responsible for encouraging continued proper regard for equal opportunities issues at a strategic level within the Council with reference to employment, to achieve a diverse and engaged workforce, and service delivery, to ensure responsive services and customer care; instigating action to address areas of concern highlighted by trends or patterns in monitoring data and developing strategic measures and policies to ensure equality across all employment issues within the Council.
- 5.7 Senior Leadership Team and Service Managers have responsibility for developing and encouraging a culture that promotes equality and diversity in employment and service delivery. They also have responsibility to ensure implementation and awareness of and compliance with this policy, and to investigate any complaints in relation to equality and diversity in a fair and effective way.
- 5.8 The Director of Organisational Development and Democratic Services has lead responsibility for equality and diversity within the organisation and is responsible for maintaining and reviewing this policy, providing performance management information relating to equality that informs SLT and managers, ensuring the provision of training for Members and officers in relation to equality and diversity awareness, publishing relevant equality data including equality objectives and ensuring that the Council meets its statutory responsibilities in relation to equality.
- 5.9 Service Managers are responsible for ensuring equality and diversity considerations are embedded in Service Plans and are central to service delivery, dealing with breaches of this policy and ensuring compliance with statutory responsibilities at a practical level through management of employees
- 5.10 All employees have a personal responsibility to act in accordance with Equality law and other codes of conduct and policies endorsed or adopted by the Council which govern acceptable behaviour. Employees have a personal responsibility to ensure that the Council's commitment to equality and diversity is fulfilled and that this policy is complied with. Failure to comply with this policy will always be investigated under the Council's Disciplinary Procedure and may result in disciplinary action.



5.11 All contractors, partners and volunteers should be made aware of this policy and act in compliance with it.

## **6. Monitoring and Review**

6.1 This policy will be regularly reviewed but at least every 3 years to ensure it remains fit for purpose. We will ensure that we engage with residents and staff to enable this policy to be reviewed, taking into account the views of those who use our services or work for, or with us.

## Appendix 1

### Reasonable Adjustments

1. The Equality Act 2010 (“the Act”) requires reasonable adjustments to be provided for people who are “disabled”. Under the Act this means they have a “physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day to day activities”.
2. The duty is to make “reasonable adjustments” if the way that we carry out our functions places a disabled person at a “substantial disadvantage” compared to someone who is not disabled.

### Our Legal Duties

3. Anyone providing goods, facilities or services to the public or a section of the public, or carrying out public functions, who find that there are barriers to disabled people in the way they do things must consider making adjustments. If those adjustments are reasonable they must be made.
4. The duty is ‘anticipatory’. This means a service provider cannot wait until a disabled person wants to use the service. They must think in advance about what disabled people with a range of impairments, such as visual, hearing, mobility impairment or a learning disability, might reasonably need.

### What are Reasonable Adjustments?

5. Reasonable adjustments are not defined by the Act. There is a Code of Practice which gives guidance as to the kind of adjustments that could be made. Depending on the individual’s needs, these might include, for example:
  - Providing documents or correspondence in larger print, or with a specific colour contrast, which may help people with conditions such as dyslexia
  - Giving someone more time than would usually be allowed to provide further information or comments on their complaint
  - Using the telephone rather than written communication (e.g. for someone with a visual disability)
  - Communicating with a person through their representative or advocate
  - Arranging for a single point of contact at the council’s premises

- Providing access to an 'easyread' version of our decision for those with a learning disability
  - Providing a person who uses British Sign Language (BSL) with a fully qualified interpreter
6. We will raise awareness of reasonable adjustments by:
- Publishing this policy on our website
  - Asking people whether they need any additional help or assistance.
  - Making sure that our staff are aware of their responsibilities.
  - Including a statement in our publications that invites people to contact us if they need us to adapt the way we communicate
7. We consider each request individually and aim to agree any adjustments with individuals to avoid us making incorrect assumptions about needs.

### **Our response to requests**

8. Before making an adjustment, we will take into account the Code of Practice and we need to consider some important factors, including:
- What the disadvantage would be if the adjustments were not made
  - Whether the adjustment will be effective in reducing the disadvantage
  - How practical it is to make it
  - Whether it would disrupt our other activities unreasonably
  - The cost and availability of internal resources, such as staff available, finance and also possible external help
9. Although we will try to agree a reasonable adjustment with a minimum of delay, in some cases we may need to consider the request in more detail for a longer period of time.

**Circumstances when the council decides not to meet the request for reasonable adjustments**

10. There may be circumstances where we decide not to meet the request as we might, for example, consider the request itself not to be reasonable. This might be because we need to take into account the cost or resource implications of making the adjustment. If providing the adjustment or meeting it would interfere with our ability to meet our legal obligations, we may decide the adjustment is not “reasonable”.

**Complaints about failure to provide reasonable adjustments**

11. If someone is dissatisfied with our response to their request for reasonable adjustment, or with the reasonable adjustment provided, they can complain to us about this. We will respond in accordance with our Complaints, Compliments and Comments Policy.