

Equal Opportunities Employment Policy



Date created	<i>April 2014</i>
Version	<i>Final</i>
Author	<i>Lakshmi Raghavachari</i>
Directorate - Service	Customer Business and Corporate Support - Human Resources
Date last reviewed	<i>November 2023</i>
Policy review next due	<i>November 2026</i>

Equal Opportunities Employment Policy

Contents

Purpose	4
Scope	4
Principles	5
Responsibilities	5
Approach	6
People with Disabilities	6
Recruitment and Selection	7
Learning and Development	8
Genuine Occupational Requirements	8
Induction	8
Conditions of Service	8
Discipline, Dismissal, Grievance Procedures and Processes	8
Health and Safety	9
Monitoring and review	9
Associated documents and further information	9

Equal Opportunities Employment Policy

Purpose

1. The purpose of this policy is to provide equality, fairness and respect for all in our employment, whether temporary, part-time or full-time.
2. We will also ensure that we will not unlawfully discriminate because of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex and sexual orientation.
3. We will oppose and avoid all forms of unlawful discrimination. This includes in:
 - pay and benefits
 - terms and conditions of employment
 - dealing with grievances and discipline
 - dismissal
 - redundancy
 - leave for parents
 - requests for flexible working
 - selection for employment, promotion, training or other development opportunities
4. We oppose all forms of illegal discrimination, direct or indirect, and aim to eliminate illegal discriminatory practice and promote measures to combat its effects. All complaints of illegal discrimination will be taken most seriously and disciplinary action may be taken against any participant.
5. We accept our social and moral responsibilities, as a public employer in a diverse and multi-racial community, to promote equality of opportunity to ensure social harmony and equitable treatment for all.

Scope

6. This Policy aims to avoid discrimination towards anyone as a result of their association with another person who has one of the protected characteristics mentioned above (not marital status or civil partnership status) or towards anyone as a result of the mistaken perception that they have one of those protected characteristics (not marital status or civil partnership status).
7. Our policy complies with all relevant legislation and codes of practice. This document consolidates the Council's approach to its statutory responsibilities under the Equalities Act 2010, other relevant legislation and guidance proffered under any relevant Codes of Practice, regulations and procedures.

8. The Council has a separate policy on the employment and rehabilitation of people who have criminal convictions.

Principles

9. The Council will encourage equality, diversity and inclusion in the workplace as they are good practice and make business sense.
10. We will create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued.
11. We are committed to training our managers and employees about their rights and responsibilities under the policy. Responsibilities include staff conducting themselves to help the organisation provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination.
12. All staff should understand they, as well as the council, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, customers, suppliers and the public.
13. We take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, customers, suppliers, visitors, the public and any others in the course of the organisation's work activities.
14. Such acts will be dealt with as misconduct under the organisation's grievance or disciplinary procedures, and appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice.
15. Further, sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.
16. We will make decisions concerning staff based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act).

Responsibilities

17. All Managers and employees accept their responsibilities for good equal opportunities practices and work together towards a positive approach and a culture of fairness and equal treatment for all;

18. The Senior Leadership Team (SLT) has the general responsibility for the application of this Policy and the relevant Service Manager and/or Assistant Director in turn is responsible for ensuring that this Policy is implemented within each service area. They will deal with any matter arising out of the policy or, if necessary, refer it to the relevant Strategic Director as appropriate;
19. The HR Team are responsible in conjunction with Senior Leadership Team (SLT) for arranging any special advice, instruction or training that may be necessary for reviewing and the production of any relevant reports and information as required;
20. All employees and workers are required to comply with the policy and to act in accordance with its objectives so as to remove any illegal barriers to equality of opportunity;
21. We will make opportunities for training, development and progress available to all staff, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation.
22. Employees will not themselves or encourage others to practice illegal discrimination, advise management if they suspect that illegal discrimination is taking place and not victimise anyone who makes a complaint or aids a complainant. The Council will fully investigate all complaints of illegal discrimination.

Approach

People with Disabilities

23. The Council recognises that people with disabilities have a wide range of needs many of which in no way impair their ability to do an excellent job of work but that they may need some special consideration and assistance in or around their workplace. In view of this, the Council will continue to adopt a reasonable attitude and policy towards the employment of people with disabilities;
24. The Council will continue to give full and fair consideration to people with disabilities for all types of vacancies, providing that they meet the essential criteria for the posts in question. Job applicants with a disability who meet the essential criteria of a post will be invited to the next stage in the selection process (usually an interview) and be considered on their ability;
25. The Council is committed to ensuring that no unreasonable barriers are placed in the way of employees with disabilities who might benefit from in-service training or access to promotion opportunities;

26. Service Managers will ensure that staff are aware of the importance of treating people with disabilities fairly in job or career development opportunities;
27. If an employee becomes disabled, the Council will make every effort to ensure that he/she remains in employment including considering any reasonable practical adjustments to retain their abilities and experience;
28. Where it is reasonably possible within the resources available, the Council will consider making modifications to equipment or the workplace or allow the use of special aids to enable the employment of persons with disabilities. This may involve consultation with Access to Work or similar agencies to obtain advice and funding;
29. The Council has established and will maintain liaison and co-operation with Job Centre Plus – we are a Disability Confident Employer, Access to Work and other relevant agencies and partners in the implementation of this Policy.

Recruitment and Selection

30. The Council advertises all vacancies externally unless these are held back for the re-deployment of existing staff e.g. those who have become disabled or those at risk of redundancy;
31. The Council will place recruitment advertisements in locations that are reasonably available to all and not unjustifiably confined to those areas or locations which would exclude or disproportionately reduce the numbers of applicants from a particular group;
32. The Council will review, as necessary, methods of recruitment to eliminate those that could unfairly exclude any potential candidate from being recruited;
33. The Council will ensure that, where selection tests or requirements are specified, they are valid and relevant to the job and will not lead to indirect discrimination. We will ensure that where tests are applied as part of the selection process these apply to all applicants and where relevant that they are in line with best practice and the Recruitment and Selection Guidelines;
34. The Council will ensure that recruitment and promotion decisions will be taken on the merits and abilities of the applicants concerned. Human Resources can advise on selection and recruitment procedures in accordance with the Council's recruitment and selection policy and guidelines;
35. Specialised training will be provided to all recruiting managers as required from time to time.
36. The Council also will ensure that at interview that only questions of direct relevance to the appointment concerning personal circumstances are asked and the same questions are asked of all candidates;

37. The Council will ensure that consideration is given to taking lawful positive action initiatives to achieve and maintain a representative workforce.
38. The Policy will be brought to the attention of all Councillors or employees with responsibility for making appointments of whatever kind or level;
39. It is acknowledged that the way in which an interview is conducted may lead to cross cultural misunderstanding and that an incorrect assessment of a candidate's capabilities may result. The Council therefore require that decisions are not based on preconceived notions of the ability of any particular group to perform the duties of the post;

Learning and Development

40. Human Resources will arrange training and guidance on the terms and implementation of this policy for all employees and in particular those responsible for making decisions in relation to selection and any other issues covered by this policy;
41. The Council will continue to provide reasonable learning, development and training opportunities for all employees in accordance with its policies. All these opportunities will be planned, delivered and monitored on the basis of equality of access for all, unless there are justifiable reasons for not doing so.

Genuine Occupational Requirements

42. In implementing this policy, the Council acknowledges that certain characteristics such as being male or female may constitute a genuine occupational requirement for specific posts;

Induction

43. The Council will ensure that specific reference to this policy will be included as part of the induction process for new employees.

Conditions of Service

44. The Council will not discriminate in the interpretation of National or Local Terms and Conditions of Service or in the provision of facilities for employees and will ensure that the pay and grading of jobs will be fair and non-discriminatory.

Discipline, Dismissal, Grievance Procedures and Processes

45. In matters of discipline and dismissal, the Council will take account of any special needs of employees in terms of communication and comprehension difficulties experienced by them.
46. The Council has a responsibility to promote harmonious working relationships between employees and any employee who believes he/she has a complaint

concerning matters covered by this Policy may pursue it through the Council's Grievance Policy, Dignity at Work Policy or any other relevant policy.

Health and Safety

47. The Council will ensure that health and safety requirements are not used unreasonably as grounds for discrimination.

Monitoring and review

48. The Council will take such steps as may be reasonably appropriate to assess the effectiveness of this policy and identify practices that maybe discriminatory and take any appropriate action as required.
49. All sensitive data will be collated, stored and processed in accordance with the Data Protection Act 2018 and all personal information relating to individuals will be treated as confidential and will be used only for monitoring purposes only.

Associated documents and further information

50. Further guidance is available in the following internal documents on the intranet and through the links to external sources:

Add links to the other policies etc:

Recruitment and Selection Policy and Guidelines