



worcestershire
county council

Equality and Diversity Policy

This policy explains the Council's vision and commitment to equality of opportunity and respect for diversity in its role as a provider of quality services to the people who live, work and visit Worcestershire, as a significant employer in the local economy and in its community leadership role.

We recognise that Worcestershire is a diverse county and this policy seeks to promote this by valuing the uniqueness of each individual.

A glossary has been included at the end of the document to explain some of the terms used in this policy.

1. Access to this Policy

This document can be made available in other languages (including British Sign Language) and alternative formats (large print, audio tape, computer disk and Braille) on request from the Corporate Diversity Manager, County Hall, Spetchley Road, Worcester, WR5 2NP, telephone 01905 766938.

Reference is made within this Policy to other related County Council policies and Plans. These can also be found on our website or can be obtained from the above address.

2. Our Vision

Worcestershire County Council is committed to the vision in the Community Strategy for Worcestershire of **a County with safe, cohesive, healthy, and inclusive communities, a strong and diverse economy and a valued and cherished environment.**

This vision is guided by a number of core values including **treating people with equality and valuing diversity; building strong, cohesive communities and promoting good community relations; and involving and listening to local people and local communities.**

The Council's Corporate Plan embraces equality and diversity through its aims, which are reflected in the objectives and actions as set out in the range of plans and strategies the Council produce.

The overall aim of this policy is to: -

- Eliminate unlawful discrimination;
- Promote equality of opportunity;
- Promote equality of access; and
- Promote good relations between diverse communities

in the Council's employment policies and practices, in our service delivery and in our engagement with partners and communities in the County.

3. The Legal Framework

The Council acknowledges its legal responsibilities in relation to equalities, including the requirements of the following legislation and any other legislation impacting on equality and diversity and subsequent regulations and case law:

- Equal Pay Act 1970
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Children Act 1989
- Disability Discrimination Act 1995
- Protection from Harassment Act 1997
- Human Rights Act 1998
- Race Relations (Amendment) Act 2000
- Special Education Needs and Disability Act 2000
- The Employment Equality (Religion or Belief) Regulations 2003
- The Employment Equality (Sexual Orientation) Regulations 2003
- Various European Directives and
- Amendments to UK legislation as they come on stream.

We will ensure that our policies and procedures are compliant with the above and forthcoming legislation; Codes of Practice and guidance published by national equalities bodies and Commissions.

4. Types of Discrimination

Discrimination occurs when a person or group of people are treated on certain grounds less favourably than another. For example, this might occur on the basis of a person's age, disability, gender, gender re-assignment, marital status, race, colour, nationality, ethnic or national origin, religion or belief, culture, sexual orientation or

other differences. It must be remembered that individuals can experience less favourable treatment for more than one reason.

There are instances when the law allows for people to be treated differently. This is when a particular requirement or condition is objectively justifiable e.g. where the holder of the job provides individuals with personal services and those services can only be provided by a particular sex or the same racial group.

Discrimination can be direct, indirect, intentional or unintentional, and can be caused by individuals, groups or institutions.

The disability legislation also imposes a duty on employers and service providers to make "reasonable adjustments" to accommodate people's disabilities. To promote diversity we endorse the Social Model of disability, which addresses the disadvantages faced by those with disabilities of whatever kind in employment, access to goods, facilities, services and premises.

Institutional racism is defined in the Stephen Lawrence Inquiry Report as "the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping."

At an Institutional level, prejudices become embedded in policies, practices, procedures and criteria for decision making. These discriminate with the effect of excluding some people in favour of others. This could lead to unequal treatment, inequitable distribution of opportunities, power and resources, which in turn could deprive some people of a better quality of life.

This collective failure of an organisation to provide appropriate and professional service or employment condition can also be because of a person's age, disability, gender, sexual orientation, religion and belief.

At an individual level, a person may hold negative attitudes and use language that could result in inappropriate discriminatory behaviour or outcomes, which are unacceptable.

5. Achieving Equality

The Council will integrate equality of opportunity and respect for diversity into all aspects of its activity.

To achieve our aims we will:

- Positively promote equality of opportunity and respect for diversity within Worcestershire as part of the Council's community leadership role;
- Challenge all forms of unfair discrimination, whether intentional, unintentional, institutional or otherwise;
- Profile the make up of the community in order to inform our priorities;
- Develop a Corporate Equalities Scheme and Action Plan to implement this Policy;
- Undertake Equality Impact Assessments on service provision and employment and take appropriate action;
- Establish clear local targets for improvement within service areas and employment;
- Engage with and listen to the views of our communities and service users, to assist in the development of our equality agenda;
- Incorporate equality of opportunity into all policies, plans and strategies from the start;
- Develop services that are appropriate and accessible to all members of the community;
- Seek to create a workforce profile that reflects our diverse community at all levels;
- Provide appropriate training and development in equality and diversity issues for our Councillors and employees;
- Review, self-assess, audit and report progress annually on our equalities work;
- Work to develop procedures to respond to and address all forms of harassment and victimisation;
- Work with our partners in the statutory, voluntary and private sectors to ensure the best outcomes for people who live, work and visit Worcestershire.

6. Equality and Diversity in Service Provision

Service users and potential service users can expect the Council to aim to:

- Design and deliver appropriate, accessible and effective services and facilities to all members of the community;
- Provide clear and accessible information about our services, in a variety of appropriate formats and languages which meet the needs of all members of the community;
- Use effective systems for challenging, reviewing and monitoring our service delivery and to ensure that quality and equality are continuously evaluated and improved and to ensure that all sections of the community are receiving fair access and outcomes;
- Ensure that all our Councillors and employees understand what equality in service provision means by providing specific training;
- Engage with and listen to all sections of the community in identifying needs and in decisions on the way the Council plan and deliver its services;

- Ensure that all service users have equal access to our Corporate Representations Procedure;
- Monitor and evaluate service up-take in relation to age, disability, gender and race.

7. Equality and Diversity in Procurement and Contracting

In addition to complying with national and EU Public Procurement legislation, the Council aim to:

- Ensure that contractors, suppliers, volunteers and partners are aware of our position on equality and are clear about their obligation to provide services that are free from discrimination, harassment or victimisation;
- Recognise and promote the application of national guidelines and advice, in line with our own contracting procedures;
- Make sure that our selection and tendering processes positively address and include equality considerations that are in line with the procedures mentioned above;
- Provide training for relevant staff in equalities issues for procurement.

8. Equality and Diversity at Work

The Council is one of the major local employers, and as such recognises that a representative workforce provides greater sensitivity to the needs of our community. Therefore we have a key role to play in tackling inequalities and discrimination in the workplace. In order to ensure that equality underpins all aspects of our employment policies, procedures and practices, we aim to:

- Ensure that our employment, training and development policies, procedures and practices comply with this policy and do not discriminate intentionally or unintentionally against any group or individual;
- Monitor our employment processes by age, disability, gender and racial group and take action to address any inequalities that are apparent;
- Recruit employees in a manner which is fair and open;
- Ensure employees are aware of their personal responsibility to apply this policy;
- Eliminate discrimination in the provision of training and development to ensure that all employees can realise their full potential and contribute to the development of the Council;
- Ensure that all Councillors and employees undertake relevant training in equal opportunity issues to raise their awareness, understanding and importance of equal opportunities in the work place and in service delivery;
- Ensure that the content of all training and development activities reflect our commitment to equality of opportunity and diversity

- Promote a culture of fairness and respect in all employment policies, procedures and practices;
- Provide appropriate training and development opportunities to all employees;
- Take positive action to encourage under represented groups to apply for posts or specific training;
- Ensure pay structures reward all employees fairly;
- Recognise that employees have the right to work in a supportive, safe and harassment-free environment and all complaints are dealt with robustly;
- Ensure that we have in place an equal pay policy;
- Make reasonable adjustments, wherever possible, to enable the employment and redeployment of staff with disabilities;
- Maintain the Job CentrePlus “two tick” symbol ✓✓.

9. Consultation

The County Council has a Public Consultation Strategy, which is in 3 parts: -

- ✓ The Consultation Strategy
- ✓ A Consultation Toolkit –a “how to” guide to public consultation
- ✓ Ask Me – Consultation Planner and Database

The Strategy document outlines the Council’s commitment to consulting with a wide range of stakeholders - individuals, partners and community representatives in order to make appropriate decisions in relation to the range and accessibility of the services we provide.

The Council recognises that there are some groups of people we traditionally have not engaged with and therefore their views may be under represented in consultation processes. The following commitments are therefore made: -

We will:

- Provide information in accessible formats and provide access to support for those who need help to participate in consultation
- Provide practical advice, information and contacts to those running consultation processes on how best to reach these groups
- Use existing networks and community organisations where appropriate to seek advice, views and opinions
- Be creative by using different methods of consultation
- Join up consultation exercises wherever possible and join with partners to avoid “consultation fatigue”
- Assess our success in reaching hard to reach groups by including this as a criteria in our evaluation of consultation

The Toolkit identifies a range of groups the Council will aim to involve and provides contextual information, suggestions about which consultation methods would work, contacts who can help and examples of best practice.

The Ask Me – Consultation Planner and Database provides the mechanism to co-ordinate consultation across the County – ensuring that we do not duplicate and that wherever possible consultations are “joined up”

We will undertake regular employee surveys to measure satisfaction levels in relation to the working environment and the conditions we provide, and to ensure that we are developing and maintaining an anti-discriminatory organisational culture.

10. A shared responsibility

Within the Council, all Councillors and employees have a part to play in challenging discrimination and in implementing this policy. **If anyone witnesses a discriminatory incident at work, they have a duty of care to others to challenge such behaviour and practice.**

The Leader of the Council is responsible for providing leadership in the implementation of this Policy. **All County Councillors** are responsible for promoting equality and are accountable to the electorate for ensuring equality of opportunity and respect for diversity in all County Council services and employment.

The Chief Executive is responsible for providing leadership in the implementation of this policy and for ensuring that service planning and performance management systems incorporate specific equality objectives in terms of service delivery and employment.

All Directors, Heads of Service and Management Teams are responsible for implementing the policy in their service areas, allocating specific resources to ensure the delivery of equality objectives in relation to service provision and employment. They are responsible for ensuring that employees are adequately informed, trained and supported to ensure that their duties are carried out in accordance with this policy.

All managers are responsible for implementing the equality in service provision and employment and for providing support for employees to work together to achieve equality.

Human Resources have the responsibility to lead on equalities issues for employment, training and development throughout the Council.

Specialist Equality Officers have the responsibility to enable, facilitate, advise and support the equalities process throughout the Council and within their own Directorate. **The Corporate Equality Board** will be responsible for co-ordinating the

development, implementation, review and evaluation of this Policy and the Corporate Equality Scheme.

Unions and Employee Support Group support is welcomed on equalities issues and in supporting the continuous improvement of equalities policy and practice.

All employees are responsible for ensuring that they play their part in implementing this policy. They will also be responsible for improving their awareness of the barriers to equality in service provision and employment, for working towards the elimination of these barriers and for performing their duties in accordance with this policy. This expectation will be communicated to all new staff via Corporate and Directorate induction processes.

Contractors, Partners, Suppliers and Volunteers should be aware of our position on equality and be clear about their obligations to provide services that are free from discrimination, harassment and victimisation.

This Policy is recommended to **Head Teachers and Governing Bodies** to inform Equality and Diversity Policy and Practice within Schools.

Any breach of this policy will be dealt with through the procedure described in section 12. Serious offences such as harassment will be treated as misconduct or gross misconduct.

11. Monitoring and Measuring Progress

The Council will monitor and evaluate the effectiveness of this Policy and the Corporate Equality Scheme through consultation with the community, its Corporate Representation Procedures, internal grievance process and annual workforce monitoring. This will include monitoring the extent to which we are meeting the aims as set out in this Policy and the Corporate Equality Scheme. Progress will also be monitored annually against equalities performance indicators and targets, which will be included in the Corporate Equalities Scheme.

Monitoring arrangements exist within the Council to monitor service provision and employment and appropriate action will be taken as a result of this ongoing monitoring and measuring.

The Corporate Equalities Board will review this Policy at least bi-annually to ensure it is appropriate and responsive to relevant legislation. Progress against the Corporate Equalities Scheme and Action Plans will be monitored and reported each year to Cabinet. Amendments to the Policy and Scheme will be made, where appropriate, in the light of experience or changes in guidance and/or legislation.

Results of monitoring and progression on equality and diversity will be published annually on our website www.worcestershire.gov.uk

12. How to provide feedback

The Council welcomes your feedback (Complaints, Comments and Compliments) on how well we are implementing this policy in the services we deliver to the public. If you believe that you have been the subject of unlawful discrimination, harassment or victimization by the Council then you should contact us by:-

Telephone 01905 766368; faxing 01905 766367; writing to Consumer Relations Unit, Corporate Services Directorate, Worcestershire County Council, County Hall, Spetchley Road, Worcester. WR5 2NP or e-mailing: astock@worcestershire.gov.uk

All feedback will be dealt with in accordance with the Council's Representations procedure.

If you believe that a Councillor has unlawfully discriminated against someone or failed to treat someone with respect then you should either:-

write to Standard Board, First Floor, Cottons Centre, Cottons Lane, London SE1 2QG

telephone them on 0800 107 2001 or email them at referrals@standardsboard.co.uk

If a member of staff feels that they been discriminated against, victimised or harassed they should speak to their Line in the first instance or if not appropriate then to their Divisional Manager, Director, Directorate Human Resource Manager, Occupational Health Officer or Trade Union Representative. For advice about individual rights and copies of relevant procedures they should contact their Directorate Human Resources Manager or look at the Staff Handbook on the Intranet.

All allegations of this nature will be taken very seriously, investigated and appropriate action taken.

GLOSSARY OF TERMS

AGE

Legislation on age discrimination is due in October 2006. The Government want to prohibit unfair practices based on inaccurate assumptions in order to remove the barriers which people of all ages face if they want to work or undertake vocational training.

ACTION PLAN

A practical and realistic plan, with an agreed timetable showing how the Policy will be implemented and by whom.

COHESIVE COMMUNITIES

A cohesive community is one, which enjoys:

- A sense of belonging for all members of the community;
- The different backgrounds of people are valued and appreciated;
- Equal access to the opportunities life presents;

- Working towards developing relationships between people from diverse backgroundS in work, schools, and local neighborhoods.

COMMUNITY STRATEGY

A 10 year plan to make Worcestershire a better place to live, work and play. Developed by local government authorities, health and learning providers, police and probation services, other public agencies, voluntary, community and environment organizations and local businesses.

CORPORATE EQUALITY SCHEME

A timetabled and realistic plan setting out how the Council will meet its aims in this Policy.

CORPORATE PLAN

This Plan sets out the contribution that the Council will make to the development of Worcestershire over a prescribed period.

CORPORATE REPRESENTATIONS PROCEDURE

The Representations Procedure enables us to show our customers that we are listening and are prepared to make changes when appropriate; it helps us to monitor customers' views as a form of quality control; it provides staff with clear guidelines for working with customers and enables us to give praise where it is due.

DIRECT DISCRIMINATION

This is treating a person, without justification, less favourably than another, particularly because of one's feelings, assumptions or prejudices about the characteristics, attributes or circumstances of that person. This can include certain forms of harassment or abuse.

DISABILITY

The definition of a disability is broad: " A physical or mental impairment which has a substantial and long term adverse effect on a person's ability to carry out normal day to day activities."

THE DISABILITY DISCRIMINATION ACT 1995:

Prohibits discrimination on the grounds of disability. This occurs when disabled people are treated less favorably on the grounds of their disability or a failure to make a reasonable adjustment to accommodate someone with a disability.

DIVERSITY

Diversity literally means "variety". Valuing diversity means valuing people and recognising that everyone is unique/different but of equal worth.

EMPLOYMENT EQUALITY (RELIGION AND BELIEF) REGULATION 2003:

Prohibits direct or indirect discrimination, victimization and harassment on the grounds of following, or not following, a belief or Religion. Religion or belief is

defined as being any religion, religious belief or similar philosophical belief. This does not include any philosophical or political belief unless it is similar to religious belief. It will be for the Employment Tribunals and other Courts to decide whether particular circumstances are covered by the regulations.

EMPLOYMENT EQUALITY (SEXUAL ORIENTATION) REGULATION 2003:

Same as above but on the grounds of a person's actual or perceived sexual orientation, or on the basis of the actual or perceived sexual orientation of those with whom the person associates. Orientation towards persons of the same sex (lesbians and gay men); Orientation towards persons of the opposite sex (heterosexual); Orientation towards persons of the same sex and the opposite sex (bisexual).

EQUALITY IMPACT ASSESSMENT

A systematic way of finding out whether a policy (or proposed policy) affects different groups differently.

EQUALITY OF OPPORTUNITY

This means treating people fairly without bias or discrimination, and always within the law. Everyone should be entitled to the same opportunities without regard to race, gender, sexual orientation, religion/belief, disability, age or personal circumstances.

HARASSMENT

Unwanted conduct, which has the purpose of violating another person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment.

INDIRECT DISCRIMINATION

This is applying, without justification, a request or condition to which, on the face of it applies to everyone but which, in practice forms a greater obstacle to a person, or group of persons, with particular characteristics, attributes or circumstances.

MONITORING

The process of collecting, analysing and evaluating information to measure performance, progress or change.

PROCUREMENT

The contractual or other arrangements the Council makes to obtain goods, works or services from an outside organisation.

PREJUDICE

Literally means "pre-judgement", forming a view about a person in advance. For example, racial prejudice is having a negative opinion or attitude about an individual or group based solely upon their race or skin colour.

RACISM

All those ideas, beliefs, actions, customs, practices and policies that have the effect of disadvantaging and/or discriminating against people because of their skin colour, culture or ethnic origin.

THE SEX DISCRIMINATION ACT 1975 AND 1986:

Prohibits direct and indirect discrimination, victimisation, and harassment on the grounds of sex or marital status.

SEX DISCRIMINATION (GENDER RE-ASSIGNMENT) REGULATIONS 1999:

Same as above but on the grounds of gender re-assignment.

SOCIAL INCLUSION

This is when all members of the community have equal access to health, social care and educational opportunities that many others take for granted.

SOCIAL EXCLUSION

This term describes what happens to people who are deprived of good quality housing, suffer unemployment, low incomes, poor health or live in areas of high level crime.

UNWITTING RACISM

This can arise because of lack of understanding, ignorance or mistaken beliefs. It can arise from well intentioned but patronising words or actions. It can arise from unfamiliarity with the behavior or cultural traditions of people or families from minority ethnic communities.”

VICTIMISATION

Treating people less favourably because of action they have taken under or in connection with the new legislation – for example, made a formal complaint of discrimination or given evidence in a tribunal case.

WHISTLEBLOWING

A procedure by which employees of the County Council can formally raise serious concerns about inappropriate conduct or activities within the organizations.