



## **Donnington and Muxton Parish Council**

### **Equality Policy**

#### **1. Background**

The Equality Act 2010 replaces the existing anti-discrimination laws (such as the Race Relations Act 1976 and the Disability Discrimination Act 1995) with a single Act. The Equality Act covers the same groups that were protected by existing equality legislation – age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity. These are now called ‘protected characteristics’. It simplifies the law removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in important ways to help tackle discrimination and inequality. The Act applies to all organisations that are employers and provide a service to the public or a section of the public.

#### **2. Types of Discrimination**

2.1 Direct discrimination – occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perception discrimination below), or because they associate with someone who has a protected characteristic (see discrimination by association below).

2.2 Discrimination by association – already applies to race, religion or belief and sexual orientation. Now extended to cover age, disability, gender reassignment and sex. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

2.3 Perception discrimination – Already applies to age, race, religion or belief and sexual orientation. It is now extended to cover disability, gender reassignment and sex. This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

2.4 Indirect discrimination – already applies to age, race, religion or belief, sex, sexual orientation and marriage and civil partnership. It is now extended to cover disability and gender reassignment. Indirect discrimination can occur when you have a condition, rule, policy or even a practice in your company that applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if you can show that you acted reasonably in managing your business, ie that it is ‘a proportionate means of achieving a legitimate aim’. A *legitimate aim* might be any lawful decision you make in running your business or organisation, but if there is a discriminatory effect, the sole aim of reducing costs is likely to be unlawful. Being proportionate really means being fair and reasonable, including showing that you’ve looked at ‘less discriminatory’ alternatives to any decision you make.

2.5 Harassment is “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual”. Harassment applies to all protected

characteristics except for pregnancy and maternity and marriage and civil partnership. Employees will now be able to complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves. Employees are also protected from harassment because of perception and association.

2.6 Third party harassment – already applies to sex. Now extended to cover age, disability, gender reassignment, race, religion or belief and sexual orientation. The Equality Act makes you potentially liable for harassment of your employees by people (third parties) who are not employees of your company, such as customers or clients. You will only be liable when harassment has occurred on at least two previous occasions, you are aware that it has taken place, and have not taken reasonable steps to prevent it from happening again.

2.7 Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint. There is no longer a need to compare treatment of a complainant with that of a person who has not made or supported a complaint under the Act.

### **3. Purpose of Policy**

3.1 Donnington and Muxton Parish Council believes in providing and promoting equality of opportunity and access for all in its role as an employer and service provider. It intends this policy to improve employment opportunities for all and deliver improved services to our residents and service users. In doing so, it recognises and celebrates the contribution made by all communities to the parish's economic, social and cultural well being.

3.2 It recognises its responsibility for achieving greater community cohesion and will tackle social exclusion, inequality, discrimination and disadvantage.

3.3 It's policy defines the responsibilities of our elected members (councillors) and employees. These are designed to bring real benefits to the people living or working in the parish and those using its services.

3.4 This policy helps to promote social inclusion, service improvement, employment opportunities and equality and diversity.

3.5 It is essential that everyone is committed and involved in its delivery. The aim is to work towards a society free from discrimination, harassment and prejudice.

### **4. Vision**

4.1 The Council's vision for Equality and Diversity is for a society which:

- improves the quality of life for all by eliminating discrimination;
- builds a strong cohesive community;
- acknowledge that diversity brings an added value to the lives of all who live, work and travel to the area.

### **5. Council's Commitment**

5.1 This Parish Council aims to ensure that its services meet the varied needs and expectations of the local people and that everyone has equal access to all services regardless of age, gender, sex, sexual orientation, disability, marital status, ethnicity, religious belief, or any other individual characteristics which may limit a person's opportunity in life.

5.2 The Council will endeavour to:

- Eliminate discrimination, harassment and victimisation.
- Advance equality of opportunity between people who share a characteristic and those who do not.
- Foster good relations between people who share a characteristic and those who do not.

5.3 In order to promote equality of access to services the Council will aim to ensure the following:

- The services provided are in response to the needs of the whole community.
- The Council will monitor and take into account customer views.
- The information on services is widely available to ensure maximum awareness of provisions.
- That in advertising and publicity the Council will be presented as an authority committed to promoting equality of access to employment and services.
- That staff will be consulted and their contributions valued in the information and promotion of equality of access to Council services.
- That staff will be trained and supported in carrying out their duties in line with implementing equal opportunities policies.

## 6. **Monitoring**

6.1 The Parish Clerk will establish appropriate systems to monitor the service delivery on the basis of age, gender, sex, sexual orientation, disability, marital status, ethnicity, religious belief, or any other individual characteristics to ensure that they act fairly and without discrimination.

## 7. **Employment**

7.1 It is the policy of Donnington and Muxton Parish Council to afford equal treatment to all its employees and prospective employees. The aim of this policy is to ensure that no job applicant or employee receives less favourable treatment on the grounds of race, colour, nationality, sex or sexual orientation, marital status, physical or other handicap.

7.2 Whilst the main responsibility for providing equal opportunity rests with the Council, individual employees also have responsibilities. The elimination of discriminatory practices depends upon the co-operation of all employees. In particular employees should:

- Co-operate with measures introduced to make sure there is equality of opportunity and no discrimination.
- Ensure that they do not discriminate against colleagues.
- Draw the Parish Clerk's attention to discriminatory acts or practices.
- Not to victimise individuals on the grounds that they have made a complaint or provided information about discrimination.
- Not harass, abuse, bully or intimidate employees.

7.3 Where employees commit such acts in the course of their employment it will be considered a disciplinary matter and the appropriate action taken.