

FRETtenham PARISH COUNCIL

EQUAL OPPORTUNITIES POLICY.

DATED

20TH OCTOBER 2016

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1. POLICY STATEMENT

- 1.1 We do not discriminate against staff (The word STAFF where used in this policy ALSO INCLUDES PARISH COUNCILLORS) on the basis of their gender, sexual orientation, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, disability or age. The principle of non-discrimination and equality of opportunity applies equally to the treatment of former staff, visitors, clients, customers and suppliers by members of staff.
- 1.2 This policy, and the measures we take to implement it, have been devised on the basis of advice from the relevant governmental and professional bodies. We are committed to a programme of action to make this policy effective and to bring it to the attention of all staff.
- 1.3 This policy deals with the specific categories of staff and areas of work which we have identified as potentially giving rise to equal opportunities issues and provides more specific guidance on the parameters of our policy and approach to equal opportunities.
- 1.4 All staff have a duty to act in accordance with this policy, and therefore to treat colleagues with dignity at all times, and not to discriminate against or harass other members of staff, whether junior or senior to them. In some situations, we may be at risk of being held responsible for the acts of individual members of staff and will not therefore tolerate any discriminatory practices or behaviour.
- 1.5 This policy does not form part of any employee's contract of employment and it may be amended at any time.

2. WHO IS COVERED BY THE POLICY?

- 2.1 This policy covers all individuals including employees, councillors, contractors, casual and agency staff .
- 2.2 The policy statement in paragraph 3 applies equally to the treatment of our visitors, clients, customers and suppliers by our staff and the treatment of our staff by these third parties.

3. PERSONNEL RESPONSIBLE FOR IMPLEMENTATION OF THE POLICY

- 3.1 The Parish Council has overall responsibility for the effective operation of our equal opportunities policy and for ensuring compliance with the relevant statutory framework prohibiting discrimination. The Parish Council has delegated day-to-day responsibility for operating the policy and ensuring its maintenance and review to Councillor Brian Plumstead.
- 3.2 All Councillors have a responsibility to set an appropriate standard of behaviour, to lead by example and to ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities.

3.3 All members of staff are responsible for the success of this policy and must ensure that they familiarise themselves with the policy and act in accordance with its aims and objectives. If you have any questions about the content or application of this policy, you should contact Brian Plumstead to request training.

3.4 This policy is reviewed Annually by Brian Plumstead. Recommendations for change should be reported to the Parish Council.

4. SCOPE AND PURPOSE OF THE POLICY

4.1 This policy applies to the advertising of jobs and recruitment and selection, to training and development, to conditions of service, benefits and facilities and pay, to health and safety and to conduct at work, to grievance and disciplinary procedures and to termination of employment.

4.2 We will take appropriate steps to accommodate the requirements of workers' religions, cultures, and domestic responsibilities.

5. FORMS OF DISCRIMINATION

5.1 Discrimination may be direct or indirect and it may occur intentionally or unintentionally.

5.2 Direct discrimination occurs where someone is put at a disadvantage for a reason related to one or more of the grounds set out in paragraph 3. For example, rejecting an applicant on the grounds of their race because it is considered they would not "fit in" could be direct discrimination.

5.3 Indirect discrimination occurs where an individual is subject to an unjustified provision, criterion or practice which puts them at a particular disadvantage because of, for instance, their sex or race. For example, a height requirement would be likely to eliminate proportionately more women than men. If these criteria cannot be objectively justified for a reason unconnected with sex, it would be indirectly discriminatory on the grounds of sex.

5.4 Discrimination also includes victimisation (less favourable treatment because of action taken to assert legal rights against discrimination or to assist a colleague in that regard) and harassment.

6. RECRUITMENT AND SELECTION

6.1 We aim to ensure that no job applicant receives less favourable treatment on any of the unlawful grounds listed in paragraph 3. Our recruitment procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities. Job selection criteria are regularly reviewed to ensure that they are essential for the effective performance of the job and therefore justified on non-discriminatory grounds.

6.2 We take steps to ensure that knowledge of vacancies reaches a wide labour market. Where appropriate, use may be made of lawful exemptions to recruit suitably-qualified people to cater

for the special needs of particular groups. Vacancy advertisements shall include an appropriate short statement on our Equal Opportunities Policy and a copy of this policy shall be sent to those who enquire about vacancies.

6.3 To ensure that this policy is operating effectively with respect to recruitment and selection and the other areas identified in paragraph 4, and to identify those sections of the local community which may be under-represented in employment, we monitor applicants' racial origins, gender, disability, sexual orientation and religion and age as part of the recruitment procedure.

6.4 Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a protected characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.

6.5 Job applicants should not be asked about health or disability before a job offer is made. There are limited exceptions which should only be used with the approval of the Parish Council. For example:

(a) Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).

(b) Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.

(c) Positive action to recruit disabled persons.

(d) Equal opportunities monitoring (which will not form part of the selection or decision-making process).

Where necessary, job offers can be made conditional on a satisfactory medical check.

6.6 We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the UK Border Agency.

7. STAFF TRAINING AND PROMOTION AND CONDITIONS OF SERVICE

7.1 Staff training needs will be identified through regular staff appraisals. All staff will be given appropriate access to training where necessary.

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8. TERMINATION OF EMPLOYMENT

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- 8.1 We will also ensure that disciplinary procedures are carried out fairly and uniformly for all staff, whether they result in the giving of disciplinary warnings, dismissal or other disciplinary action.

9. DISABILITY DISCRIMINATION

- 9.1 If you are disabled, or become disabled in the course of your employment with us, you are encouraged to tell us about your condition. This is to enable us to support you as much as possible. You may also wish to advise the Parish Council of any reasonable adjustments to your working conditions or the duties of your job which you consider to be necessary, or which would assist you in the performance of your duties. The Parish Council may wish to consult with you and with your medical adviser(s) about possible reasonable adjustments. Careful consideration will be given to any such proposals and they will be accommodated where possible and proportionate to the needs of your job. Nevertheless, there may be circumstances where it will not be reasonable for us to accommodate suggested adjustments and we will ensure that we provide you with information as to the basis of our decision not to make any adjustments.

- 9.2 We will monitor the physical features of our premises to consider whether they place disabled workers, job applicants or service users at a substantial disadvantage compared to other staff. Where possible and proportionate, we will take steps to improve access for disabled staff and service users.

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10. BREACHES OF THE POLICY

- 10.1 If you believe that you may have been discriminated against you or have been subject to harassment you are encouraged to raise the matter through the Parish Council. If you are uncertain which applies to you or need advice on how to proceed you should speak to Brian Plumstead.

- 10.2 Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Staff who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations which are found to have been made in bad faith will, however, be dealt with under our Disciplinary Procedure.

- 10.3 Any member of staff who is found to have committed acts of discrimination or harassment will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. We always take a strict approach to serious breaches of this policy.

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