



# **Equality & Diversity Policy**

**Final**

## Document Location

This document is held by Lichfield District Council, and the document owner is the Head of Corporate Services

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## Revision History

Revision Date	Summary of changes
February 2018	Revised Draft for consultation
April 2018	Updated to focus on employee issues

## Approvals

Name	Approved	Date
Leadership Team	Amendments requested	February 2018
ELG	to 4 <sup>th</sup> June	April 2018
Leadership Team		20 June 2018
Employment Committee		3 July 2018

## Document Review Plans

This document is subject to regular review. Updates shall be made in accordance with business requirements and changes will be with agreed in consultation with the Employee Liaison Group.

## Distribution

The document will be available on Brian.

## **Lichfield District Council**

### **Equality & Diversity Policy**

#### **Introduction**

Lichfield District Council recognises that diversity within our workforce is an asset that should be valued. We aim to ensure our workforce is truly representative of all sections of society and our customers, and for each employee to feel respected and able to give their best.

The council will work to ensure that every employee is treated fairly during the whole of their working life by reducing discrimination in employment on the grounds of the characteristics protected by equalities legislation and will strive to ensure that people are not disadvantaged for other reasons not covered by the Equality Act. This policy therefore applies to all employees, regardless of tenure and should be a principle adopted by all contractors, suppliers and partners who work on our behalf.

All types of harassment, victimization and bullying in the workplace are unacceptable. The council recognises that harassment can take many forms and can be subtle and insidious in nature. This policy covers identifying, reporting, and supporting victims. All staff and councilors sign codes of conduct which include a statement against harassment and as such the council will not tolerate harassment of or by an employee.

#### **Purpose of the policy**

The policy's purpose is to:

- provide equality, fairness and respect for all in our employment, whether temporary, part-time or full-time.
- not unlawfully discriminate because of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex (gender) and sexual orientation.
- 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, and selection for employment, promotion, training or other developmental opportunities.

#### **Equal opportunities in employment**

Person and job specifications will be created for all contracted positions and shortlisting decisions will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where this necessary and can be justified.

The organisation will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for

variations to these standard working practices and will refuse such requests only if the organisation considers it has good reasons, unrelated to any protected characteristic, for doing so. The organisation will comply with its obligations in relation to statutory requests for contract variations. The organisation will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

The Council will also 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

The organisation will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

### **Dignity at work**

The organisation has a separate policy concerning issues of bullying and harassment on any ground, and how complaints of this type will be dealt with. The prevention of Bullying Policy can be found [here](#).

### **Customers, suppliers and other people not employed by the organisation**

The organisation will not discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by the organisation. All policies and service provision changes must undergo an equality impact assessment. Details on how to do this can be found [here](#).

Employees should report any bullying or harassment by customers, suppliers, contractors, partners, visitors or others to their manager who will take appropriate action.

### **Training**

The organisation will provide training to all existing and new employees and others engaged to work at the organisation to help them understand their rights and responsibilities under our equality duty and prevention of bullying policy.

The organisation will provide additional training to managers to enable them to deal more effectively with complaints of bullying and harassment.

The organisation will provide training in equality and diversity to managers and others likely to be involved in recruitment, equality impact assessments or other decision making where equality issues are likely to arise.

### **Equal Pay**

In applying the principals of the Equality Act 2010, we are committed to promoting equal pay across all our jobs to both existing employees and to new employment opportunities. We operate a pay system that is based on objective criteria and free from bias. In the promotion of equal pay all managers will ensure that:

- where an existing job changes or additional duties become a requirement of the post, an evaluation of the post will be undertaken to ensure that the salary and grade awarded is correct, fair and non-discriminatory to other posts;

- where a new position is created, the line manager and departmental director will produce a job description and the post will be evaluated prior to advertisement and approval. The evaluation will be based on the duties and responsibilities defined in the job description to ensure that a fair and accurate grade is applied;
- where a post holder is appointed to a newly created post, the jobholder will undertake a job evaluation interview six months from the start date to ensure that the post has been evaluated correctly as the post develops.
- adequate and appropriate training and guidance is available for managers and supervisory staff involved in decisions on pay and benefits.

To support this aim an Equal Pay audit will be carried out every 4 years to ensure the integrity of the pay structure and the effectiveness of our policies to support it.

### **Gender Pay**

Each year we will collate, analyse and publish our Gender Pay Gap in line with the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017. Our current report can be found [here](#).

### **Manager's Responsibility**

It is every manager's responsibility to ensure the promotion and continuation of equality in employment for all their staff and service users. In addition managers are expected to:

- ensure that their services are, as far as practicable, responsive to different individual needs;
- meet particular, reasonable needs of individuals to remain in work;
- be responsible for ensuring that all employees are fully aware of their individual responsibilities and of the Council's legal obligations with regard to equality and diversity.

### **Employee responsibilities**

Every employee is required to assist the organisation to meet its commitment to provide equal opportunities in employment and service provision or practice and avoid unlawful discrimination.

Employees can be held personally liable as well as, or instead of, the organisation for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the organisation's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

### **Grievances**

If an employee considers they have been unlawfully discriminated against, they may use the organisation's [grievance procedure](#) to make a complaint. If the complaint involves bullying or harassment, the grievance procedure is modified as set out in the [prevention of bullying policy](#).

The organisation will take any complaint seriously and will seek to resolve any grievance that it upholds. Employees will not be penalised for raising a grievance, even if the grievance is not upheld, unless the complaint is both untrue and made in bad faith.

Use of the organisation's grievance procedure does not affect the right to make a complaint to an employment tribunal. Complaints to an employment tribunal must normally be made within three months beginning with the act of discrimination complained of.

### **Monitoring and review**

This policy will be monitored periodically by the organisation to judge its effectiveness and will be updated in accordance with changes in the law. In particular, the organisation will monitor the ethnic and gender composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will review its equality and diversity policy in accordance with the results shown by the monitoring. If changes are required, the organisation will implement them.

This will be undertaken annually as part of our annual Equality Statement and assessed every 4 years as part of the Equal Pay Audit.

### **Public Sector Equality Duty**

The importance of having an equality and diversity policy is recognised by the requirements of the public sector equality duty, which came into force on 5 April 2011. The first arm of the general public sector equality duty, which applies to all of the protected characteristics of:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

The protected characteristics under the Equality Act 2010 requires public authorities to have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010. The second and third arms of the general duty, which apply to all of the protected characteristics except for marriage and civil partnership, require public authorities to have due regard to the need to advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and those who do not.

The general duty is supplemented by a number of specific equality duties, which came into force on 10 September 2011, by virtue of the Equality Act 2010 (Specific Duties) Regulations 2011 (SI 2011/2260). The 2011 Regulations provided for two specific duties: the duty to publish equality information and the duty to publish equality objectives, which are available [here](#).