

LOWER PENN PARISH COUNCIL

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EQUALITY, DIVERSITY AND EQUAL OPPORTUNITIES POLICY

1. Equality Statement

Lower Penn Parish Council is determined to eliminate all forms of discrimination in all aspects of our activities and business. As an equal opportunity employer and service provider the Parish Council recognises that a number of groups can be disadvantaged. The Parish Council recognises therefore that it is essential to provide equal opportunities to everyone and without any form of discrimination. This Policy sets out the Parish Council's position on equality and equal opportunity - not only for employees but for the people for whom we provide services - and provides guidance and encouragement to employees at all levels to act fairly and prevent discrimination.

Lower Penn Parish Council is committed to ensuring that everyone who works for the Parish Council is treated with dignity and feels respected and is able to give of their best. The Parish Council aims to make sure that all employees both potential and current receive fair and equal treatment and are not discriminated against on grounds of a protected characteristic under the Equality Act 2010 (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation). The Parish Council is also committed to appointing, training, developing and promoting all individuals on the basis of merit and ability.

This Policy applies to everyone, whether permanent or temporary and covers both the Parish Council's responsibilities as a good employer and the conduct of its' employees. The Parish Council will therefore always ensure that it treats all employees fairly and without bias. Employees are expected to work towards encouraging, supporting and developing each other's abilities to maximise everyone's contribution to the business.

All Employees should respect one another and ensure the dignity of others and no-one should ever bully, abuse, intimidate, or harass any other employee of the Parish Council. No-one should victimise another employee of the Parish Council, nor induce nor attempt to induce others to practice unlawful discrimination.

In implementing all of the Parish Council's policies the Clerk will ensure that all employees are treated fairly and within the provisions and spirit of this Equality and Equal Opportunities Policy.

Special attention will be paid to ensuring the Policy is understood when using it for staff new to the Parish Council, by staff whose literacy or use of English is weak or for persons with little experience of working life.

Any proven breach of this Equality, Diversity and Equal Opportunities Policy will result in disciplinary action being taken in accordance with the Parish Council Disciplinary Procedure.

2. Definitions

Following the implementation of the Equality Act 2010 employees should be aware of the following types of discrimination and unlawful reasons for discrimination.

- **Direct Discrimination**

This occurs when a person or a policy intentionally treats a person less favourably than another on any of the above grounds.

- **Indirect Discrimination**

This is the application of a policy, criterion or practice to a person which the employer would apply to others but which is such that:

- it is detrimental to a considerably larger proportion of people from the group that the person the employer is applying it to represents;
- the employer cannot justify the need for the application of the policy on a neutral basis; and
- the person to whom the employer is applying it suffers detriment from the application of the policy.

- **Associative Discrimination**

Associative discrimination is the act of discriminating against an individual because of an association with another person who has a protected characteristic under the Equality Act 2010. The person who brings an Employment Tribunal claim would not have the protected characteristic him or herself.

- **Perception and Discrimination**

Perceptive discrimination refers to discrimination based on a perception that an individual is a member of a relevant protected group.

- **Unlawful Reasons for Discrimination and Protected Characteristics**

The Parish Council will not tolerate any bullying, harassment, discrimination or victimisation due to any of the following protected characteristics under the Equality Act 2010 or any other unlawful grounds.

- **Sex, Gender Re-assignment and Marital Status**

The Parish Council recognises that it is not permissible to treat a person less favourably on the grounds of a person's sex, because they are married or in a civil partnership or because a person intends to undergo, is undergoing or has undergone a gender reassignment.

- **Age**

The Parish Council recognises that it is not permissible to treat a person less favourably because of their age and that direct and indirect age discrimination may apply to people of all ages. The Parish Council will ensure that no such discrimination occurs against a person on the grounds of age in the areas of recruitment, promotion and training unless there is a genuine occupational qualification and in particular:-

- in the arrangements made for the purpose of determining to whom employment should be offered;
- in the terms on which that person is offered employment;
- by refusing to offer, or deliberately not offering, employment
- in the opportunities for promotion, a transfer, training, or receiving any other benefit;
- by refusing or deliberately not affording that person any such opportunity; or
- by dismissing or subjecting that person to any other detriment.

- **Disability**

The Parish Council recognises that it is not permissible to treat a person with disabilities less favourably than a non-disabled person and reasonable adjustments must be made to give the person with disabilities as much access to the service and ability to be employed, trained, or promoted as a non-disabled person. The Parish Council will make reasonable adjustments to facilitate or retain the employment of a person with disabilities which may include (where possible and reasonable) :-

- making adjustments to premises;
- re-allocating some or all of a disabled employee's duties;
- transferring an employee to a role better suited to their disability;
- relocating an employee to a more suitable location for their disability;
- giving an employee time off work for medical treatment or rehabilitation;
- providing additional training or mentoring for an employee with disabilities;
- supplying or modifying equipment, instruction and training manuals for employees with disabilities; or
- any other adjustments that the Parish Council considers reasonable and necessary provided such adjustments are within the financial means of the Parish Council.

If an employee has a disability and feels that any such reasonable adjustments are needed by the Parish Council, they should contact the Clerk.

- **Race, Colour, Nationality and Ethnic Origin**

The Parish Council recognises that it is not permissible to treat a person less favourably because of their race, colour, nationality or ethnic origin.

- **Sexual Orientation**

The Parish Council recognises that it is not permissible to treat a person less favourably because of their sexual orientation.

- **Religion or Belief**

The Parish Council recognises that it is not permissible to treat a person less favourably because of their religion or belief.

- **Rehabilitation of Offenders**

The Parish Council will not discriminate against anyone who has a spent conviction under the Rehabilitation of Offenders Act 1974. If an employee commits an offence whilst in the employ of the Parish Council all the circumstances will be considered and in particular whether it affects the business adversely.

- **Equal Pay**

Men and women are entitled to be paid equally without any bias on the grounds of sex and the Parish Council will take all reasonable steps to ensure that male and female staff receive equal pay for the same work and for work rated as equivalent and for work of equal value.

1. Harassment and Bullying

Harassment and bullying in the workplace is a serious issue and must be recognised by everyone as such. It is unacceptable and unwanted behaviour which caused by the actions by another person and can be verbal,

physical, by body language or on paper and/or screen or through social media. It may include suggestions, insults and slurs of for example a sexual, racial or religious nature.

Such behaviour is offensive and can cause humiliation and distress to the person to whom it is directed and can create an unpleasant work environment and consequently interfere with job performance. It should be recognised that in all such cases it is the perception of the recipient that is important and not necessarily the intention of the other person and the Council will deal with any such issues in accordance with the Anti-Bullying and Harassment Policy.

2. Recruitment and Selection

The aim of our Equality, Diversity and Equal Opportunities Policy is also to ensure that no job applicant, employee (temporary, full or part time) or client receives less favourable treatment on any of the above grounds or is disadvantaged by conditions or requirements which cannot be shown to be justified or are irrelevant to the job and our services are provided to all sections of the community. Every employee, applicant, client and visitor will receive equal treatment with no person being discriminated against on any of the above grounds.

Selection and development decisions will be based solely on objective criteria related to the job and individual merit and these same principles will be reflected in the application of all our HR policies and procedures.

All job vacancies will be promoted in such a way to ensure that awareness of such opportunities is not restricted unjustifiably to certain individuals or groups. All recruitment literature, including advertisements, will be based on the essential and desirable requirements of the person specification that are necessary and justifiable for the effective performance of the job.

Relevant information on the job will be made available to all applicants.

All applicants will be assessed on their ability to perform the relevant duties required and against the requirements of the person specification and the selection process will be conducted by assessment against defined criteria. Wherever possible, more than one person will be involved in the recruitment, interview and selection process and will be following the Parish Council defined recruitment and selection policies. Any appointment will be on the basis of the best match between the individual and the requirements of the post, without regard to any other irrelevant factors.

Due regard will be given within the recruitment and selection methods to those with special needs, such as a disability or for religious or belief requirements. Reasonable adjustments to the interview and selection arrangements, job tasks and/or working environment will be discussed with candidates who has a disability to enable that individual to take attend for interview and take up the job role if appointed.

3. Employment

Lower Penn Parish Council is fully committed to providing a working environment that offers equal treatment and equal opportunities to all employees and where every employee is treated with respect and dignity. The Parish Council will ensure that no employee receives less favourable treatment, and that, wherever possible, they are given the help they need to attain their full potential to the benefit of the Parish Council and themselves.

Equally, all employees have a personal responsibility to treat others fairly, value and respect them and as explained later ensure that no one is harassed, victimised, bullied or discriminated against in the workplace.

The Clerk is responsible overall for ensuring that the policy is fairly and consistently applied in all areas under their control and eliminating any unfair practices of which they are aware, whether or not a complaint has been made.

The Clerk will promote a work environment in which people have the confidence to report, in good faith, incidents which are discriminatory or personally offensive, and have been briefed to react quickly to complaints, investigating them objectively and thoroughly and taking any required action promptly.

All our employees and applicants to Lower Penn Parish Council will be given equal access to all aspects of employment which includes:-

- recruitment and selection processes, assessment testing and interviewing;
- job specification and evaluation processes;
- application of benefits and terms and conditions of employment;
- operational working conditions and requirements (with Legislative requirements);
- application of employee relations procedures;
- opportunities for training and development;
- performance management;
- operation of grievance and disciplinary procedures;
- transfers and promotions;
- dealing with complaints of all forms of discrimination, harassment or victimisation; and
- creating a fair working environment free of discrimination where there is mutual trust, respect and understanding, and where performance and ability are rewarded brings many benefits.

The Parish Council aims to encourage the training and development of all its employees. Whilst there will be times when availability of funds will limit the training options available, any restrictions on training opportunities will not directly or indirectly discriminate on the grounds of a protected characteristic or other non-material factor. All employees will be considered for career development and promotion solely on the basis of their merits, abilities and potential.

4. Compliance

Lower Penn Parish Council provides a variety of services to the community. In doing so the Parish Council will ensure that all members of the public receive the highest possible standards of service at all times and that its actions do not discriminate directly or indirectly against any individual or group. The Parish Council will also ensure that any contractors or consultants working on its behalf are made aware of the Council's Equality, Diversity and Equal Opportunities Policy and conform with this Policy when providing services for or under the Parish Council name.

To safeguard employees' individual rights, if an employee believes that the Parish Council has applied unfair treatment to them within the scope of this Policy the matter may be raised through the Council's Grievance Procedure. The Parish Council will make reasonable adjustments for the benefit of employees who acquire a disability to ensure our facilities are conducive to their employment. If employees have any suggestions concerning ways that this can be done, they should contact the Clerk.

The Clerk is responsible overall for the effective operation of this Policy and should be supported in its implementation by the Council. Our Policy cannot be maintained without everyone's support so employees should:-

- not be afraid to stand up against bullying and harassment;
- make sure their behaviour and language does not cause misunderstanding or offence to others;
- if they think things can be improved, discuss them with the Clerk;
- if they feel that they are experiencing bullying, discrimination, harassment or victimisation, tell the Clerk who can take action to address it through the Parish Council's Anti-Bullying and Harassment Policy.

Such steps as may be appropriate to ensure that this Policy remains effective will be taken and the Disciplinary Procedure will be used in the case of a breach.

5. Review

This Policy and procedures will be reviewed periodically or as appropriate to assess their effectiveness and any appropriate changes made in consultation with our employees.

This policy was adopted 5th September 2024 for a period of 2 years or until legislation changes.