

EQUAL OPPORTUNITIES POLICY

1. POLICY STATEMENT

- 1.1 The Council recognises that discrimination is unacceptable and that it is in the interests of the Council and its employees to utilise the skills of the total workforce.
- 1.2 It is the aim of the Council to ensure that no employee or job applicant receives less favourable facilities or treatment on grounds of sex, marital status, disability, race, colour, nationality, ethnic origin, religion, dependents or age **or** are placed at a disadvantage by imposed conditions or requirements which cannot be shown to be justified. The Council wishes to see its workforce broadly reflecting the community in which its premises are based.
- 1.3 Present numbers of staff and applicants for appointments or promotion shall be assessed on the basis of their suitability, capability and qualifications.
- 1.4 This policy and the associated arrangements shall operate in accordance with statutory requirements. In addition, full account will be taken of any Codes of Practice issued by the Commission for Racial Equality, the Equal Opportunities Commission and the Department of Employment, and guidance from the Department of Health, and other statutory bodies.

2. DEFINITIONS

- 2.1 Where discrimination against any person or group is referred to it shall be deemed to be potential discrimination within any of the categories listed in the policy statement. Two types of discrimination are covered by statute - direct and indirect.

Direct Discrimination

2.2 Direct discrimination occurs when a person or group is treated less favourably than others.

- 2.3 Segregating a person or group on the basis of their race, sex or disability is unlawful. It also is unlawful for an employer to discriminate against a job applicant whose conviction is spent.

Indirect Discrimination

- 2.4 Indirect discrimination occurs when a condition or requirement is imposed which, although applied equally to all individuals or groups, is such that:

- the proportion of persons of a group who can comply with it is significantly smaller than the proportion of persons not of that group who can comply with it;
- the Employer cannot show it as being justifiable based upon the needs of the job;
- it is to the detriment of the individuals concerned because they cannot reasonably comply with it.

- 2.5 For example, a dress policy which prevents women wearing trousers discriminates against women of a particular race or religion; a higher language standard than is actually needed to do the job discriminates on the grounds of nationality/race; a training policy which excludes part-time staff may discriminate against women, who fill the majority of part-time jobs.

3. RIGHTS OF DISABLED PEOPLE

- 3.1 The Council attaches particular importance to the needs of disabled people.

3.2 Under the terms of this policy, managers and officers are required to:

- make reasonable adjustment to maintain the services of an employee who becomes disabled, for example, training, provision of special equipment, reduced working hours. The Council will seek advice on the availability of funds from external agencies to maintain disabled people in employment;
- include disabled people in training/development programmes;

- give full and proper consideration to disabled people who apply for jobs, having regard to making reasonable adjustments for their particular aptitudes and abilities to allow them to be able to do the job.

4. VICTIMISATION AND HARASSMENT

4.1 Discrimination by victimisation occurs when a person is treated less favourably than another because he/she had asserted his/her rights under the Acts relating to discrimination or had helped another person to assert those rights.

4.2 There is a separate policy dealing with all forms of harassment.

5. MANAGERIAL RESPONSIBILITY

5.1 The responsibility for ensuring the effective implementation and operation of the arrangements will rest with the Proper Officer of the Council. Council Members and Officers shall ensure that they operate within the policy and arrangements, and that all reasonable and practical steps are taken to avoid discrimination. The Proper Officer and Chairman of the Council will ensure that:

- all Members and Officers of the Council are aware of the policy and the arrangements, and the reasons for the policy;
- grievances concerning discrimination are dealt with properly, fairly and as quickly as possible;
- proper records are maintained.

5.2 The Proper Officer will be responsible for monitoring the operation of the policy in respect of employees and job applicants, including periodic departmental audits.

6. RESPONSIBILITY OF STAFF

6.1 Whilst the responsibility for ensuring that there is no unlawful discrimination rests with the Proper Officer, the attitudes of those in Council employment and Members are crucial to the successful operation of fair employment practices. In particular, all persons should:

- comply with the policy and arrangements;
- not discriminate in their day to day activities or induce others to do so;
- not victimise, harass or intimidate other staff or groups on the grounds specified in the policy statement;
- inform the Proper Officer or Chairman of the Council if they become aware of any discriminatory practice.

7. RELATED POLICIES AND ARRANGEMENTS

7.1 All employment policies and arrangements have a bearing on equality of opportunity. The Council policies will be reviewed regularly and any discriminatory elements removed.

8. TRAINING

8.1 A series of regular briefing sessions will be held for staff on equal opportunities issues. These will be repeated as necessary. The Equal opportunities is also included in induction programmes.

8.2 Training will be provided for the Proper Officer on this policy and the arrangements. Members and Officers who have an involvement in the recruitment and selection process will receive specialist training.

9. MONITORING

9.1 The Council deems it appropriate to state its intention not to discriminate and assumes that this will be translated into practice consistently across the Council as a whole. Accordingly, the implementation of the Council's policy will be monitored on a regular basis, and recommendations to address any issues that arise will be introduced by the Council.

9.2 The information collected for monitoring purposes will be treated as confidential and it will not be used for any other purpose.

10. GRIEVANCES/DISCIPLINE

- 10.1 Employees have a right to pursue a complaint concerning discrimination or victimisation via the Grievance or Harassment Procedures
- 10.2 Discrimination and victimisation will be treated as disciplinary offences and they will be dealt with under the Disciplinary Procedure.

11. REVIEW

- 11.1 The policy and arrangements will be reviewed annually by the Proper Officer and the airman of the Council