

# Draft Equality, Diversity and Inclusion Policy

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## 1. Statement of Commitment

Ferndown Town Council (Council) is committed to promoting equality, diversity and providing an inclusive and supportive environment for all and eliminating unlawful discrimination (see appendix 1 for types of unlawful discrimination.)

This Policy is for the benefit of all staff, members and its service users.

This policy is intended to set out how Council will fulfil this statement of commitment and monitor its progress.

## 2. Responsibility for implementation

Council has ultimate responsibility for the initial implementation of this policy. Its role is to create HR policies that provide a framework to deliver leadership that drives an encouraging and supportive working environment.

This policy will be reviewed at least every two years, to ensure it remains commensurate with the law and best practice. The Clerk will oversee the implementation of this policy advising Council on progress and highlighting any key issues.

The Personnel Committee is responsible for monitoring the implementation of all equal opportunities policies and procedures and reporting to the Full Council.

The Clerk has overall delegated responsibility for coordinating the delivery of the day-to-day operation of all HR policies and procedures.

## 3. Employee's Responsibility and liability

Every employee has a part to play to assist Council to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination. Employees can be held personally liable as well as, or instead of, the council 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 serviced users are disciplinary offences and will be dealt with under the council's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

All Council members and staff have a responsibility to:

- Listen to what others have to say in respect of their views
- Report to your line manager or to the Town Clerk, any incidences of discrimination, bullying, harassment, verbal or physical abuse or aggression
  - Feel empowered to challenge own prejudices and those of others
- Know your individual rights and responsibilities in relation to the law
- Participate in relevant training

- Proactively promote and celebrate diversity

The Town Clerk is responsible for ensuring that all staff are aware of this policy. This policy will be available on the internet and any updates will be circulated to all staff. All staff will receive the appropriate training/ development and support to understand their responsibilities on this policy.

#### **4. Grievances**

If you (an employee) consider that you may have been discriminated against, you should use the council's grievance procedure to make a complaint.

Council will take any complaint seriously and will seek to resolve any grievance that it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and/or made in bad faith.

#### **5. Equal opportunities in employment**

Council will avoid unlawful discrimination in all aspects of employment including (but not limited to); recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

- Recruitment and selection procedures will be reviewed and updated in the light of emerging equalities legislation. All employees and councillors undertaking roles within recruitment and selection processes on behalf of the Council will be trained in recruitment & selection and equality issues.
- Positive action measures will be put in place if data monitoring identifies relevant issues. For example, to support under-represented groups in specific areas, such as women seeking management posts and the employment of ethnic minorities and disabled staff.
- All employees and councillors undertaking roles within recruitment and selection processes on behalf of the Council will be trained in recruitment & selection and equality issues.
- We will 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.

#### **6. Our Commitment as A Service Provider**

As a service provider, Council is committed against unlawful discrimination of its users. Council will not discriminate unlawfully against those using or seeking to use the services provided by Council and will ensure that our services are tailored to the needs of the individual, and that staff are aware of and responsive to the needs of different sectors of our community:

- We will work to ensure that Council information, services and events are accessible. We will work to reduce the barriers people may face due to disability or language by making reasonable adjustments and arranging appropriate translation, interpretation or transcription materials or equipment when necessary.

If you think we are not providing a service in line with this policy or if you think you have been treated unfairly in any way, you can complain to Council. You can make a

complaint by telephoning, writing or using the website - Ferndown Town Council, The Barrington Centre, Pennys Walk, Ferndown BH22 9TH, tel: 01202 892249, email [townclerk@ferndown.gov.uk](mailto:townclerk@ferndown.gov.uk), website [www.ferndown.gov.uk](http://www.ferndown.gov.uk).

## **7. Equal Opportunities monitoring and evaluation**

All Council policies and procedures will be reviewed to ensure that they comply with this Policy and to take account of changes in the law.

Annual data monitoring and action plans will be developed and maintained as appropriate in relation to areas such as age, sex, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality, diversity and inclusion, in meeting the commitments set out in this policy.

For example, we will carry out equality and data monitoring for all recruitment and selection campaigns and report our findings to the Personnel Committee.

Also, we will carry out equality monitoring activities when we consult with the community in order to ensure that the views are representative of our communities and to understand the different views different groups of people may have.

We will aim to conduct specific consultation exercises with groups shown to be under represented in our consultation campaigns.

We will carry out equality monitoring activities among service users/non-users in order to ensure services are relevant to meet their needs. We will take action to overcome under representation where needed.

The council treats personal data collected for reviewing equality and diversity in accordance with the data protection policy.

## **Appendix 1 - Types of unlawful discrimination**

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic.

In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not

matter whether or not this effect was intended by the person responsible for the conduct.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic.

Third-party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic, by third parties.

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he/she is suspected of doing so. However, an employee is not protected from victimisation if he/she acted maliciously or made or supported an untrue complaint.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.