

EQUALITY AND DIVERSITY POLICY

1 INTRODUCTION

1.1 Statement of Intent

- 1.1.1 The London Borough of Havering is committed to making sure that it provides equality of opportunity through employment and service delivery. This commitment has been reflected by the Council adopting equality of opportunity as one of its core values.
- 1.1.2 The Council recognises diversity within its workforce and values this diversity as a strength to the organisation. The Council also recognises that this diversity is essential to provide a range of services to all its customers in an equally diverse community. It will ensure that the different needs and expectations of its diverse workforce and community are met.
- 1.1.3 The Council's approach to Equality and Diversity is based on the principle of inclusion. (Increasing the diversity of people actively involved in and contributing to the development of sustainable communities). At its heart is a commitment to the value that all staff bring to the organisation because of their diverse characteristics. These cover not only race, gender and disability - the three usual areas covered in Equalities policies - but also factors such as age, marital status, sexuality, religion, background, personality and workstyle.
- 1.1.4 Havering Council will work hard to ensure that :
- As an employer, it provides an employment environment in which people have the opportunity to contribute and develop according to their individual merits and aspirations.
 - As a provider of services, which recognises the diversity of its local community, it treats each member of the community fairly and equally, in all its dealings.
- 1.1.5 The Council recognises that there is also a strong business case for placing a positive value on diversity in the workforce and in the community. Managing how staff deal with diversity will better enable the Council to provide appropriate, quality services for the whole community.
- 1.1.6 The Council, as a community leader, will aim to influence, promote and maintain the equal treatment of all members within its community to all community members.
- 1.1.7 The Council will not discriminate directly or indirectly through applying conditions or requirements which contravene legislation and/or which cannot be shown to be justified.
- 1.1.8 The Council is committed to securing and working in partnership with its community, businesses and Local and National interest groups that represent all sections of the

EQUALITY AND DIVERSITY POLICY

local community, in promoting an environment where fair and equitable services are provided to its customers.

- 1.1.9 It is the responsibility of every employee of the authority to uphold and implement this policy; and it is the direct responsibility of Elected Members and Management to plan, manage, monitor and regularly review this policy in relation to the Council's services and staffing issues.

2 AIMS & SCOPE OF THIS POLICY

2.1 The Council's Equality and Diversity policy seeks to ensure that 'equality' remains an integral and contributory part of achieving the Council's corporate aims and objectives, by addressing equality in employment and service delivery in its strategic and business planning processes.

2.2 This policy applies to every employee, member of the community, our customers and those to whom we are customers.

2.3 Havering Council is committed to:

- the elimination of unfair or unlawful discrimination against its employees, job applicants and its customers.
- the positive promotion of policies, procedures and practices designed to support equal opportunity at all stages of employment, in its provision/delivery of services to customers and with its business affairs in the community.
- the use, development and retention (wherever possible) of the full range of skills and talents of its employees, regardless of race or colour; gender or marital status; disability, religion, sexuality and any other factors which are not relevant to people's ability or potential, except where this would result in a risk to the public and/or to employee safety

2.4 The Council will act within the letter and spirit of equal opportunity legislation and related codes of practice. The Council also recognises that unfair treatment can occur on grounds not covered directly by these laws (such as age, religion and sexual orientation) and will extend the principles of equal opportunity to include individuals or groups affected by these factors.

2.5 The Council will not tolerate processes, attitudes and behaviour that amount to discrimination, including harassment, victimisation and bullying through prejudice, ignorance, thoughtlessness and stereotyping. This commitment will be demonstrated from Members, senior management and throughout the Council.

3 LEGISLATION

3.1 The Council is committed to eliminating unlawful discrimination and achieving equality of opportunity as an employer and service provider. The Council is committed to the provisions of all related legislation.

3.2 The Race Relations 1976 Act (as amended by the Race Relations Amendment Act 2000)

3.2.1 This act makes it unlawful to discriminate against anyone on the grounds of race, colour, nationality (including citizenship) or ethnic or national origin.

3.2.2 The amended act imposes positive duties on public authorities to eliminate racial discrimination and to promote racial equality in relation to jobs, training, housing, education and the provision of goods, facilities and services.

3.2.3 The act also imposes a positive duty on all major public bodies in promoting equality of opportunity and good race relations.

3.3 Sex Discrimination Act 1975 and 1986

3.3.1 This act makes it unlawful to discriminate against anyone on the grounds of gender or marital status. The act covers employment, education, provision of goods, services, facilities or accommodation.

3.4 Disability Discrimination Act 1995

3.4.1 This act makes it unlawful to discriminate against anyone on the grounds of disabilities. The act covers employment, access to goods and services, transport, education buying/renting of land or property.

3.5 Equal Pay Act 1970 (as amended) 1983

3.5.1 This act requires that employers should provide equal pay for, broadly speaking, work of equal or equivalent value for their employees.

3.6 Trade Union & Labour Relations (Conciliation) Act 1992

3.6.1 This act makes it unlawful for an employer to discriminate against/harass an employee on the grounds of membership or non-membership of a trade union or taking part in trade union activities.

4 DISCRIMINATION

4.1 What is Discrimination

4.1.1 Prejudice is the attitude and discrimination is the act. The Council recognises that discrimination can take different forms, all of which are unacceptable.

4.2 Types of Discrimination

4.2.1 Direct Discrimination & Indirect Discrimination

- Direct discrimination is where a person, in a group of people with the same or similar circumstances, is treated less favourably than the others in the group because of their race, gender, disability or sexuality
- Indirect discrimination is where an unjustifiable requirement or condition is applied, apparently, equally on all groups of people but, in practice, it's impact is greater on one particular group than on the others.

4.2.2 Institutional Discrimination

- Institutional discrimination consists of the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture, ethnic origin, gender or disability etc. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and stereotyping which further disadvantage such people.

4.3 Eliminating Discrimination

4.3.1 This policy sets out the Council's commitment to opposing all forms of discrimination and will therefore ensure that its employees, job applicants and the community it serves are not discriminated against on the basis of any of the following:

- race, colour, ethnic group or national origin
- gender or marital status
- disability
- sexuality or sexual orientation
- age
- employment status
- actual/suspected HIV/AIDS
- religion and faith
- trade union activities
- unrelated criminal offences/ex-offenders (subject to any legal or public interest constraints)
- responsibilities for children or dependants

5 HARASSMENT

- 5.1 Harassment is capable of being discriminatory and can be described as inappropriate actions, behaviour, comments or physical contact which may cause offence i.e. mental or physical anxiety or hurt to an individual. It may be related to gender, race, disability, sexuality, age, religion, nationality or any personal characteristic of an individual. Such action is considered as less favourable treatment in that people who are harassed may feel less comfortable in the service/working environment or may even decide not to pursue their right to receive the service. A separate Harassment Policy deals with this.

6 VICTIMISATION

- 6.1 Victimisation can be described as treating an individual less favourably than one would treat others because the individual has made a complaint of discrimination, given evidence about such a complaint or raised a concern under the Public Interest (Disclosure) Act 1998 and the Council's Confidential Reporting Policy (a separate policy).

7 REQUIREMENTS & RESPONSIBILITIES UNDER THE POLICY

7.1 Requirement

- 7.1.1 The Council's commitment to equality and diversity needs to be widely and effectively communicated throughout the workforce and to potential employees and contractors.

7.1.2 For this purpose:

- A statement of the Council's commitment to diversity and equal opportunity (e.g. Statement of Intent and Aim of this Policy), shall be displayed at each work location and all other Council buildings.
- The principles of equal opportunity must be integrated into all Council policies e.g. recruitment & selection, disciplinary, grievance, performance management etc.
- A copy of this Policy should be held and maintained by each Personnel cluster or Section line manager and be available for inspection by employees.
- All new entrants and contractors will be given a copy of the Council's diversity and equal opportunities statement as part of their induction package.
- Agencies and contractors working on behalf of the Council must be able to demonstrate their commitment to equal opportunities and the requirements under the Council's equality and diversity policy.

EQUALITY AND DIVERSITY POLICY

- All human resource and organisation practices will be kept under review to ensure the elimination of unjustified bias or prejudice, whether or not such discrimination is barred by legislation.
- The Council will establish performance indicators to monitor, measure and evaluate the Council's progress towards achieving its corporate equality objectives and strategy.

7.2 Responsibilities

7.2.1 The Council will

- Create an environment where equality and diversity is valued and its employees and customers are treated fairly and on an equitable basis.
- Integrate equality and diversity within the Council's Strategic and Corporate Objectives.
- Promote equality and diversity in the workplace and in providing services to the community.
- Deter discrimination by making it clear to **all** that discrimination is unacceptable and will be treated as a serious matter and a disciplinary offence.
- Provide training to Members, Managers, Supervisors, employees and others to ensure that the Council's commitment to equalities and diversity is known and understood.
- Provide appropriate training and guidance to support Managers and employees in fulfilling their individual responsibilities under this policy.
- Design its services to meet the needs of its communities as identified by the community.
- Regularly monitor and review all systems and procedures used in the provision of services to ensure equality, responsiveness, sensitivity and accessibility.
- Monitor organisational and employee performance and evaluate these against equalities objectives.
- Work in partnership with employees and unions in promoting equality and diversity in the workplace and in service provision.
- Work in partnership with the voluntary and private sector to develop good practice on issues of access.

EQUALITY AND DIVERSITY POLICY

7.2.2 Managers will

- Demonstrate commitment to the Policy by incorporating it into their service plans.
- Be responsible for the implementation and monitoring of the policy within their service areas.
- Ensure that the policies and strategies are communicated to all employees and allow for discussion and feedback. i.e. Personal Development Performance Appraisal (PDPA's) to include references to practical targets on achieving equality and diversity.
- Help create a working environment which is free from discrimination, including harassment, victimisation and bullying.
- Ensure that all employees understand their responsibilities i.e. any form of discrimination will not be tolerated and will be treated as a serious offence which could lead to disciplinary action, not excluding dismissal.
- Effectively manage and deal promptly and thoroughly with any complaints of discrimination including harassment, victimisation and bullying.
- Deal promptly with complaints of inequality from customers, members of the community and employees and ensure the matter is investigated thoroughly and any other steps taken.
- Consider their actions and ensure that there is no scope for discriminatory practices. They must ensure fairness and equality of treatment in all employment practices e.g. to assess the performance and potential of any individual on merit and without regard to stereotypes and assumptions.
- Monitor and provide quarterly reports, on service related complaints of inequality, to Executive Directors and the Corporate Equality Diversity Group.

7.2.3 Employees will

- Ensure that they understand the policy and are clear about its implications i.e. that any breach of the policy will be treated seriously and may lead to disciplinary action not excluding the sanction of dismissal.
- Ensure that they do not discriminate in any matter of employment or service provision/delivery by treating both colleagues and customers fairly, equitably and respectfully.
- Ensure that they work towards and meet equality targets set within their (PDPA) and report any factors which may impede these being met.

EQUALITY AND DIVERSITY POLICY

- Not discriminate against, harass, abuse, intimidate or victimise other employees or service users.
- Not induce or attempt to induce other employees to discriminate against, harass, intimidate or victimise other employees or service users.
- Take appropriate action if there are apparent breaches of the policy.
- Contact any of the following
 - your manager or the next tier manager
 - your Trade Union
 - your Cluster Personnel Team
 - Corporate Human Resources,in the first instance, if you feel that you have not been treated fairly under this policy.

They will ensure that a full and thorough investigation will be carried out and they will ensure that in doing so, no victimisation of any of the parties takes place.

7.2.4 Corporate Human Resources will

- Facilitate and regularly promote and report on strategic approaches and progress on Corporate strategy and equality action plans/programmes.
- Develop and support the implementation of equality and diversity action programmes.
- Analyse and report on the results of Corporate monitoring.
- Assist Executive Directors and Heads of Services with devising their local equality and diversity strategies and action plans/programmes.
- Provide corporate management information, review, monitor and evaluate equality and diversity related issues such as disciplinary, grievances, training and employment.
- Provide equality and diversity awareness and training programmes.

7.2.5 Cluster Personnel Teams will

- Ensure that procedures, practices, advice and guidance provided are consistent, and lie within the framework of the requirements under this Policy.
- Co-ordinate and analyse the results of equality monitoring within the Clusters.
- Work with and support managers within the Clusters on the implementation of this policy and any supporting action plans/programmes.

EQUALITY AND DIVERSITY POLICY

- Facilitate and provide professional advice and guidance to Managers, Supervisors, Team-Leaders and employees, regarding this policy.
- Regularly review and monitor progress towards the achievement of local equality objectives/targets.
- Maintain local/monitoring information and produce information to facilitate corporate monitoring.

7.2.6 Trade Unions

The Council recognises that the Trade Unions share its objectives of eliminating discrimination and promoting equality and diversity initiatives/programmes. Therefore, the Council encourages Trade Union involvement in promoting equality of opportunity in Havering and participation in joint initiatives and regards this as a matter for full consideration and commitment.

7.2.7 Service Users

All service users are expected not to discriminate against, induce discrimination or permit discrimination and to report any apparent instances of discrimination to an appropriate person/manager of the service.

The Council's Policy will be made known to the public and any breach of the policy may lead, subject to any legal constraints, to suspension of services to any user found to have done so.

7.2.8 The Council as Community Leader.

In addition to acting to promote equality of opportunity in the workplace and service delivery, the Council will actively promote equalities within the community by way of publicity, commitment and practical support to all groups facing disadvantage, and take responsibility for promoting equality and "Well Being" in the community at large.

8 MONITORING

- 8.1 The policy and procedure will be subject to regular review on the basis of good practice and monitoring data, to evaluate the success of initiatives and implementation of this policy and ; to provide a platform for improvement.
- 8.2 The Corporate Diversity Group will be responsible for reporting the Council progress towards achieving the aims of the policy.

9 IMPLEMENTATION OF THE POLICY

- 9.1 All employees, trade unions, agents of and contractors with the Council have a responsibility and a role to play in the implementation of this Policy. The Council will actively promote this policy and do the following to ensure that this policy is fully effective:
- Regularly review, monitor and evaluate all policies, procedures and practices both in service delivery, employment and resources allocation from an equality perspective to ensure that they conform with this policy.
 - Communicate policies and procedures to employees, service users, contractors and agents.
 - Build equality/diversity targets where appropriate into PDPA processes for staff.
 - Take appropriate action (using agreed procedures) if any employee breaches the conditions of this policy.
 - Provide training and guidance to all employees, particularly for personnel staff, line manager, supervisors and team-leaders to ensure that they understand their legal and corporate responsibilities.
 - Provide positive action training programmes (where legally permissible) to under-represented groups to redress current imbalances e.g. through recruitment, career planning and training.