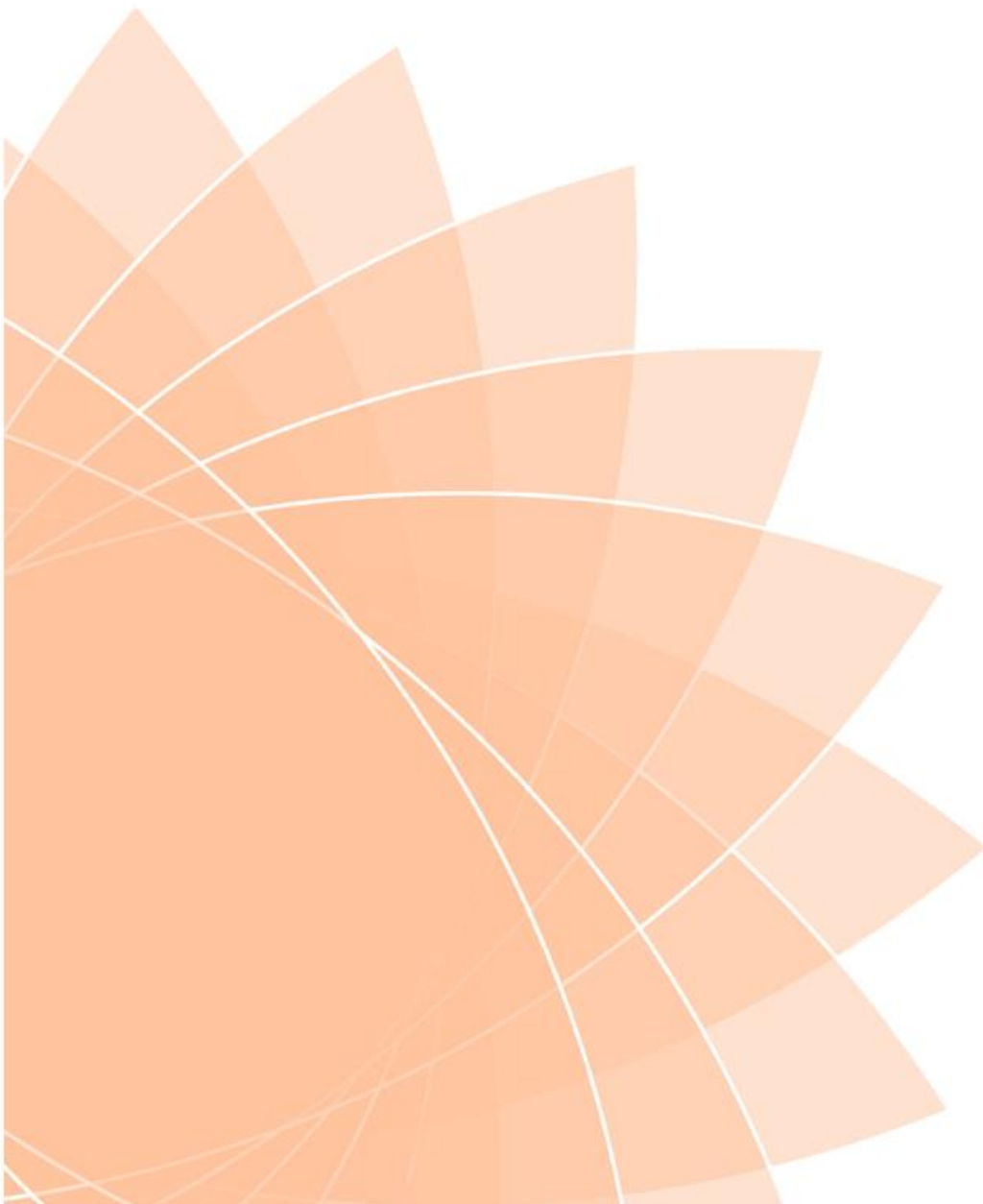


# Equality and Diversity Policy

## April 2017



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## Alternative Formats

This document can be available in large print, Braille, audio tape, electronic formats such as CD, or in a different language. Our website is ReadSpeaker enabled. For a copy please contact the Corporate Information Team at the Council using the following options:

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## **Executive summary**

North Kesteven District Council is committed to providing services which embrace diversity and promote equality of opportunity. As an employer, NKDC is committed to ensuring equality and valuing diversity within its workforce. NKDC will not tolerate any discrimination, directly or indirectly.

## **Aims of the Policy**

We will:

- Know the diversity of our community and understand its need
- Show leadership and commitment in promoting equality and challenging inequality
- Work in partnership with public, private, voluntary and community organisations to reduce the equality gaps and improve lives
- Actively engage our community to participate in decision making processes to improve the services we provide
- Provide services that meet the needs of the diversity of the community and are accessible to all
- Have a workforce where everyone is treated equally with dignity and respect.

Our duty:

We will have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Act
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

This involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low
- Tackling prejudice
- Promoting understanding

North Kesteven District Council exists to serve residents, communities, businesses and other organisations within the area. The Council has five main roles as:

- community leader
- service provider
- commissioner of services
- employer
- partner.

## 1. Introduction

**Equality** is about creating a fairer society where everyone can participate and has the opportunity to fulfil their potential. It is not about treating people the same, but recognising that everyone has different needs, which need to be met in different ways.

**Diversity** is based on everyone being different. Our commitment to diversity is about recognising, valuing and respecting differences in others and embracing the differences. We welcome the different skills, abilities and experiences that people bring into the workforce and the wider community.

The Council is both an employer and service provider and has a responsibility to ensure that everyone has the right to be treated fairly at work or when using its services. The Equality Act 2010 provides the legal support for this.

In addition, as the Council is a public sector provider it has a general equality duty to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

### **To do this we will:**

- take action to remove or minimise disadvantages suffered by persons who share a relevant protected characteristic
- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low
- tackle prejudice
- promote understanding.

## 2. Background

### **Equality Act 2010**

The Equality Act brings together separate pieces of legislation into one single Act simplifying the law and strengthening it in important ways to help tackle discrimination and inequality.

It provides a new cross-cutting legislative framework to protect the rights of individuals and advance equality of opportunity for all; to update, simplify and strengthen the previous legislation. In addition, it is intended to deliver a simple, modern and accessible framework of discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

## **Public Sector Equality Duty**

The new Public Sector Equality Duty came into force on 5 April 2011. The Equality Duty replaces the three previous duties on race, disability and gender, bringing them together into a single duty, and extends it to cover age, sexual orientation, religion or belief, pregnancy and maternity, and gender reassignment.

The Equality Duty requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations in the course of developing policies and delivering services. The aim is for public bodies to consider the needs of all individuals in their day to day work, in developing policies, in delivering services, and in relation to their own employees.

### **Specific Duties**

In addition to the general Equality Duty, set out above, Section 153 of the Equality Act gives the Government a power to impose specific duties on certain public bodies to enable them to perform the Equality Duty more effectively.

The draft specific duties focus on reducing burdens and bureaucracy on public bodies, and moving away from a process-driven approach to focus on transparency. This should allow us to do what is appropriate in our circumstances, to take responsibility for our own performance, and to be held to account by the public.

### **Protected Characteristics Introduced in the Equality Act 2010**

The new duty covers the following eight protected characteristics: age, disability, race, religion or belief, sex and sexual orientation, plus gender reassignment and pregnancy and maternity. The duty also covers marriage and civil partnership, but only relating to the elimination of unlawful discrimination. See Appendix 1 for further details.

North Kesteven District Council will also be including 'rurality' and socio-economic issues as categories to consider. Rurality relates to living in the countryside and socio-economic relates to where a person is living, their interactions with society and financial status.

## **3. Aims and Objectives**

A set of equality objectives have been established to meet the needs of the local government equality framework assessment and to meet the public sector equality duty:

- Know the diversity of our community and understand its need
- Show leadership and commitment in promoting equality and challenging inequality
- Work in partnership with public, private, voluntary and community organisations to reduce the equality gaps and improve lives
- Actively engage our community to participate in decision making processes to improve the services we provide
- Provide services that meet the needs of the diversity of the community and are accessible to all
- Have a workforce where everyone is treated equally with dignity and respect.

North Kesteven District Council's Equality and Diversity Policy is a statement demonstrating a commitment to:

- Promote equality of opportunity
- Ensure that equality and diversity is considered in decision-making, service delivery and employment.

#### 4. Behaviours and Activities

This section highlights some of the behaviours and activities required under each of the equality objectives to demonstrate that North Kesteven District Council is committed to providing services which embrace diversity and promote equality of opportunity.

- Know the diversity of our community and understand its need
  - 1 Know the equality profile of our service users and the wider community, and understand their changing needs
  - 2 Monitor and respond to inequalities in service delivery.
- Show leadership and commitment in promoting equality and challenging inequality
  - 1 Have schemes, policies and procedures that comply with legislation and statutory duties, to ensure that equality and diversity is fully integrated into the culture of the Council
  - 2 Promote good practice by achieving and maintaining externally recognised accreditation or awards
  - 3 Have a vision of equality which is coherently shared with, and owned by the Council, our partners and the local community
  - 4 Have service and action plans to integrate the findings from our equality analysis process
  - 5 To challenge our own and our partners' equality performance
  - 6 Commission and procure services which deliver our equality objectives
  - 7 Councillors and Officers understand the diversity and needs of our community and are committed to our equality objectives.
- Work in partnership with public, private, voluntary and community organisations to reduce the equality gaps and improve lives
  - 1 Work with partners to develop and progress equality objectives
  - 2 Improve relations across our community and deal effectively with any discrimination, harassment or hate crime incidents
  - 3 Work with others to share best practice and benchmark equality achievements
  - 4 Work with partners to review priorities to take into account the community's needs.
- Actively engage our community to participate in decision making processes to improve the services we provide
  - 1 Consult and involve different communities in decision making processes to ensure that we continue to improve our services
  - 2 Ensure all sections of our community are satisfied that we have taken their views into account
- Provide services that meet the needs of the diversity of the community and are accessible to all
  - 1 Deliver excellent services that meet the needs of, and are fully accessible to all sections of, the community
  - 2 Monitor, review and evaluate equality outcomes

- 3 Carry out equality analysis on all functions and policies, to support the decision making process for decisions on new or changed policies, procedures or working practices
  - 4 Ensure all commissioned and procured services are carried out in accordance with our equality priorities
  - 5 Improve satisfaction rates with council services.
- Have a workforce where everyone is treated equally with dignity and respect
    - 1 Recognise and value the differences, skills, abilities and experiences that people bring into the workplace
    - 2 Is committed to the workplace being free of harassment, bullying and discrimination and where people are treated with dignity and respect and allowed to develop their full potential
    - 3 Provides all employees with the training and development they need to enable us to achieve our equality objectives
    - 4 Monitor and act upon adverse trends or inequalities in employment
    - 5 Improve satisfaction levels across all staff groups
    - 6 Develop and monitor innovative employment practices.

## 5. Equality Analysis

For North Kesteven District Council, equality extends beyond just meeting statutory obligations and we recognise that only by understanding the rights, requirements and expectations of all our communities can we really deliver exceptional services. The general equality duty does not specify how public authorities should analyse the effect of their existing and new policies and practices on equality, but doing so is an important part of complying with the general equality duty.

It is up to us to choose the most effective approach for us, although case law on the meaning of the previous general equality duties makes it clear that the analysis has to be undertaken before making the relevant policy decision, and include consideration as to whether any detrimental impact can be mitigated. A written record to demonstrate that due regard had been taken is also expected. Therefore, the use of Equality Impact Assessments is important.

We need to consider all of our functions to determine which are relevant to the aims of the duty, in what way and whether this may vary according to the needs of particular protected groups. Assessing relevance will assist us in determining the main priorities for action, recognising that functions may change in the future and that this initial analysis may need to be reviewed.

Also, at the end of surveys, equal opportunity monitoring questions are asked. The monitoring of responses ensures that the Council is not discriminating against any section of society when delivering and providing services. To evidence this, the Council includes monitoring questions on survey forms which ask about the individual that is completing the form.

These questions mean North Kesteven District Council can track satisfaction and service usage by the type of individual and can ensure that people from different groups have been consulted with. In addition to this, the Council recognises that some people may have different service needs than others. This is particularly the case with people that may have some physical limitations due to age, illness or disability. Asking these questions allows the



Council to tailor services to meet these needs. North Kesteven District Council does not publish individual responses and all surveys are input and analysed by the Corporate Information Team who does not have access to any customer records. This way, personal information provided cannot be tracked back to individuals. Also, as stated on the form, the monitoring questions are entirely optional. If residents are still not comfortable with answering them, as with any other question, they are able to leave them blank.

### **Engagement to support the equality analysis**

Engagement enables us and people with an interest in our work to pool their knowledge and experience on equality and good relations. This intelligence can then be used to achieve shared aims and to deliver better decision-making, for example, in policy and service development and in setting priorities for action.

## **6. Roles and Responsibilities**

The successful implementation of this Equality and Diversity Policy is dependent on all elected Members and employees understanding their roles and responsibilities.

### **Elected Members**

Elected Members of the Council play a number of important roles in relation to equality and diversity. The Executive Board is the part of the Council which is responsible for many of the decisions that give effect to the policies and strategies approved by the organisation. The Executive Board comprises the Leader and five members of the Council. In North Kesteven one of the Executive Board Members has a special interest in relation to Equality and Diversity. In addition, Members of the Overview and Scrutiny Panels review policies and their impact, and also scrutinise performance. Members in their local community leadership role can also represent the views of individuals, groups and communities and can play an important part in ensuring people's needs and views are represented.

### **Corporate Management Team (CMT)**

The main responsibility for making sure we fulfil our duties and deliver improvement actions to achieve our equality and diversity objectives rests with CMT.

### **Individual Managers**

Managers have a legal duty, as well as policy and ethical responsibilities, for the development and implementation of the Equality and Diversity Policy. They should make sure their Teams are:

- Aware of the Equality and Diversity Policy
- Have a clear understanding of the impact of the services they provide and the role they fulfil, in relation to equality and diversity.

This can be achieved through normal supervision, agreeing and setting equality and diversity targets and expectations during appraisals, the provision of equality and diversity training and development, and through a work culture which promotes values and expectations that accord with and support the Council's commitment to equality and diversity.

### **Colleagues**

Each member of staff within the Council as an individual, as well as a collective, has a duty to ensure they promote equality and diversity in their daily work and ensure that no one is unlawfully discriminated against, either directly or indirectly, on the basis of protected characteristic.

## **7. Training**

The Council is committed to providing information, guidance and signposting on equality and diversity legislation and on all NK's policies and priorities to employees and elected members. We will continue to ensure that all new employees and elected Members are briefed and make provision for equality and diversity training as part of their induction programme.

## **8. Communication**

Everyone has the right to information and support to enable them to access Council services. Many people face barriers to their understanding of information due to factors such as cultural and language differences, sensory impairment and barriers to their understanding of information. A variety of approaches need to be used to overcome these obstacles.

We all have a duty to provide information in community languages and alternative formats, but our approach to communication should go beyond our statutory duty. A new guide will be developed to support the achievement of the objectives within this Policy.

## 9. Appendix 1 – Protected characteristics introduced in the 2010 Equality Act

### Age

- This refers to a person belonging to a particular age (e.g. 32 year old) or range of ages (e.g. 18 - 30 year olds).

### Disability

- A physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities.

### Gender reassignment

- A person who is proposing to undergo, is undergoing or has undergone a process to change their sex.

### Marriage and civil partnership

- Marriage has traditionally been defined as 'a union between a man and a woman'. However, the Marriage (Same Sex Couples) Act 2013 makes the marriage of same sex couples lawful in England and Wales, while protecting and promoting religious freedom. Civil partnership describes the legal recognition of a same sex couple's relationship. Civil partners must be treated the same as married couple on a range of legal matters. However, civil partnerships, which became law in 2005, are limited to same sex couples.

### Pregnancy and maternity

- Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the context of employment. The protected period starts when a woman becomes pregnant and continues until the end of maternity leave.

### Race

- Race means a person's colour, and/or nationality (including citizenship), and/or ethnic or national origin.

### Religion and belief

- Religion or belief should be taken to mean the full diversity of religious and belief affiliations within the UK, including non-religious and philosophical beliefs.

### Sex

- This is defined as 'either a man or a woman'.

### Sexual orientation

- Sexual orientation relates to how people feel and their actions towards people of the same sex, people of the opposite sex or people of either sex.

You can see a more in-depth definition of these protective characteristics on the Office of Public Sector Information website

[http://www.opsi.gov.uk/acts/acts2010/ukpga\\_20100015\\_en\\_3#pt2-ch1](http://www.opsi.gov.uk/acts/acts2010/ukpga_20100015_en_3#pt2-ch1)