

St LUKES
SCIENCE AND SPORTS COLLEGE



Equality in Employment

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Date Approved: March 2013

Review Date: March 2015

Governors Committee: Personnel



CORPORATE EQUALITY IN EMPLOYMENT POLICY

Policy reformatted on: 14.6.2007
Version date: 23.12.2011

Policy & Strategy Team
Human Resources

If you require further help in the interpretation of this policy you can contact the HR Helpdesk at hrsshelp@devon.gov.uk or Schools Personnel Helpdesk at hrealaid@devon.gov.uk.

**If this document has been printed please note that it may not be the most up-to-date version.
For current guidance please refer to The Source. Version date: 23.12.2011**

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1.0 Introduction

All the provisions in the HR Policies have an equalities implication in the way they are applied. All Personnel, Training and Human Resources procedures will be applied with reference to the principles set out in the DCC Equality for Employment Standards.

The County Council is committed to the elimination of discrimination, and equal treatment in employment. This applies at all stages of employment and prospective employment including Recruitment, Selection, Learning and Training, Working Relationships, Career Development, Redundancy and Retirement. The Council is committed to treat part-time staff as equitably as full-time staff. No aspects of employment are excluded.

This complies with the principles of mainstreaming set out in Justice through Equality.

2.0 Continuous Improvement

This is a responsibility for every employee of the County Council.

Where you become aware of a difference between the DCC Equality for Employment Standards and the drafting or application of a procedure, please bring this to the attention of the Head of Employee Relations. This can then be brought forward into the annual process for review and amendment.

3.0 Equality in Employment Standards

These standards are the employment elements of the Council's Justice through Equality Policies within the Valuing Diversity framework.

These standards apply to all Devon County Council Personnel, Training and Human Resources procedures and practices. This complies with the principles of mainstreaming set out in Justice through Equality.

4.0 Age Equality

The County Council's guiding principles for promoting Age Diversity in the Council's workforce are:

- We acknowledge that older and younger workers may face stereotypes about their capabilities and prospects
- Age stereotypes diminish choice for individuals and lead to ineffective use of people in the organisation

- Age does not equate to physical or mental ability and is a poor predictor of performance
- Devon County Council rejects the use of age as a deciding factor in employment decision making
- Any different treatment must be openly justifiable on other objective criteria.

The Council will apply these principles to all employment policies, practices and decisions applied to the employees of the County Council. This includes recruitment, selection, training, promotion, reward, retirement, redundancy, transfer and career development. We will also adopt the Government's Code of Practice on Age Diversity in Employment.

5.0 Equality For Lesbian, Gay, Bisexual And Transgender People

The Council will ensure that in carrying out its duties lesbian, gay, bisexual and trans people are given equal and unprejudiced treatment. To achieve this objective the County Council will:

- ensure that policies, procedures and practices are not based on the assumption that everyone is, or should be, heterosexual
- acknowledge same sex relationships and ensure that, wherever possible, partners have equal access to the services and benefits available to heterosexual couples
- encourage the participation of lesbian, gay, bisexual and trans people in the decisions that affect their lives
- confront unlawful discrimination and tackle prejudice through learning and development
- encourage a culture of openness about sexual orientation and ensure that lesbian, gay, bisexual and trans employees have a safe and supportive environment in which to work
- ensure service users are aware that they do not have the right to refuse service from lesbian, gay, bisexual and trans staff
- ensure that recruitment and selection is carried out in accordance with organisational standards and best practice
- provide appropriate development opportunities to assist with the implementation of this Policy and ensure that staff and elected members are aware of their individual responsibilities and the organisation's commitment

- handle sensitively allegations of discrimination and harassment providing appropriate support to the alleged victim(s) in accordance with organisational policy and procedure
- manage staff fairly and appropriately, ensuring there is no discrimination in terms of attitude, work allocations, promotion or other conditions of employment
- Provide information and guidance to managers and staff on gender reassignment as well as on general appropriate language and behaviour issues that may affect people who are lesbian, gay, bisexual or trans.

6.0 Equality For People With Disabilities

The Council will ensure that in carrying out all of its duties people with are free from prejudice and discrimination in their everyday lives. To achieve this objective the County Council has adopted the following principles:

- All policies, procedures and practices will be reviewed to ensure they comply with the Disability Discrimination Act 1995.
- Information will be available on request through a range of media and in a range of formats (including the provision of materials in symbols, large print, Braille, British Sign Language video or audio description) and alternatives to verbal communication will be offered so that people with disabilities enjoy equal access to information and services.
- Handle sensitively allegations of discrimination and harassment providing appropriate support to the alleged victim(s) in accordance with organisational policy and procedure.
- Access to independent advocacy, self advocacy, legal and advice services for people with disabilities will be improved to enable them to take control over their own lives.
- Recruitment and selection will be carried out in accordance with organisational standards and best practice. Reasonable adjustments will be made so that applicants with disabilities and existing employees who are or become disabled are treated fairly and with proper consideration of their abilities.
- All reasonable efforts will be made to help employees who are or become disabled remain in the Council's employment.

- Employees and elected Members will receive appropriate training in disability awareness and equality and will be made aware of their responsibility for the implementation and monitoring of this Policy.
- Staff will be managed fairly and appropriately, ensuring there is no discrimination in terms of attitude, work allocations, promotion, development opportunities, conditions of employment or the work environment.
- Staff and elected Members, in consultation with disabled people, will work to find solutions to disability issues to meet needs and deliver best value for taxpayers and users of County Council services.

7.0 Sex Equality

The Council will ensure that in carrying out its duties, women and men are protected from unlawful discrimination and treated equally. To help achieve this objective the County Council will:

- encourage women and men to participate equally in the decisions which affect their lives
- work in partnership to create safer environments for women and men
- value life skills developed in the home and the community
- support employees in making personal choices about their parenting, caring and work roles
- make childcare services available to employees and elected members ensuring equality of access regardless of work location
- support and enable flexible working to help employees who wish to do so balance their lives inside and outside work
- improve development and progression opportunities for part-time workers
- ensure that female and male employees are paid the same for doing equal work and have the same service conditions apply
- ensure that employees are able to work in an environment that values them as individuals and is free from sexual harassment
- address the under-representation of women in senior management positions by improving the working environment and investing in women's development

- confront unlawful discrimination and promote sex equality through learning and development
- handle sensitively allegations of sexual discrimination and harassment providing appropriate support to the alleged victim(s) in accordance with organisational policy and procedure
- ensure that recruitment and selection is carried out in accordance with organisational standards and best practice
- manage staff fairly and appropriately, ensuring there is no discrimination in terms of attitude, work allocations, promotion or other conditions of employment
- provide appropriate development opportunities to assist with the implementation of this Policy and ensure that staff and elected members are aware of their individual responsibilities and the organisation's commitment.

8.0 Racial Equality

The County Council will ensure that all its dealings (as employer, service provider or community leader) are free from racial discrimination. The County Council will accordingly afford equal access to employment and services and will not discriminate on the grounds of race, colour, nationality, ethnic origin, cultural background or religion. In order to achieve this objective, the County Council will ensure that it is working towards the following principles:

- Service users are made clearly aware that they do not have the right to refuse service from particular members of staff on racial grounds.
- Recruitment and selection is carried out with reference to DCC standards, the Commission for Racial Equality Code of Practice and general best practice.
- Employees are given appropriate training in anti-racist practices and are made aware of their responsibility for the implementation of this Policy.
- Service users, employees, consultants, contractors, suppliers, and partners (including those in the voluntary and community sectors) are able to go about their daily business free from racial harassment and discrimination.
- Allegations of racial discrimination and harassment are handled with sensitivity, giving appropriate support to the alleged victim(s), within the context of the Macpherson definition and normal County Council policy and procedure.
- Staff are managed fairly and appropriately, ensuring there is no discrimination on racial grounds in terms of work allocations, consultation and communication,

development and training opportunities, staff appraisals, granting of leave, or grievance and disciplinary matters.

- Cultural and religious festivals and holidays are acknowledged and publicly recognised across the County Council so that leave is not unreasonably withheld from staff who may wish to celebrate them.

8.1 Racial Equality in Recruitment and Selection – Recommended Best Practice

In order to achieve Racial Equality in Recruitment and Selection, the County Council will ensure that it is working towards the following principles:

- Job Descriptions and Person Specifications are non-discriminatory. This will include ensuring that qualification and experience requirements are appropriate to the job concerned and that appropriate weight is given to qualifications earned outside the UK.
- All jobs are normally advertised externally and that advertisements acknowledge that black and minority ethnic groups are under-represented in the workforce and encourage applications from this section of society.
- Proper consideration is given to advertising/promoting opportunities in the black and minority ethnic media.
- Any selection tests used are validated to ensure they are free from cultural or racial bias.
- There is regular monitoring of the ethnicity (using the most recent Census classifications) of applicants, short listed candidates and appointments by Directorate and grade.
- Such monitoring statistics are used as the basis for targeted actions to address under-representation of black and minority ethnic people in the Council's employment at all grades.

9.0 Policy on Equal Opportunities in Employment

9.1 Principles and Commitment

Devon County Council acknowledges that the experience of discrimination is a reality for people in Devon. Because of race, gender, age, disability, sexual orientation and other issues, people are denied life opportunities, find access to services more difficult, and suffer inequalities as a result. This results in injustice that needs to be addressed.

Devon County Council is committed to securing genuine equality of opportunity in all aspects of its work, including in its role as an employer. Actions to value diversity and promote equality for County Council employees are a part of the Council's strategy to tackle social exclusion throughout the communities of Devon.

The Council will not discriminate either directly or indirectly on the grounds of a person's race, colour, ethnic origin, nationality, sex, sexuality, religion, marital status, disability or age.

The Council's commitment to equal treatment in employment applies at all stages of employment and prospective employment including recruitment, selection, learning and training, working relationships, career development, redundancy and retirement. No aspects of employment are excluded. The Council is committed to treat part-time staff as equitably as full-time staff.

Members, managers, and employees need to make sure that the commitments within this Policy are translated into action. Breaches of this Policy will be treated seriously and may lead to disciplinary action, in accordance with agreed procedures. The Chief Executive has overall responsibility to ensure this Policy is consistently applied and each head of Directorate has responsibility for the implementation of this Policy in his or her Directorate.

9.2 Individual Concerns

If any employee considers that she or he is the subject of, or witnesses unequal treatment, a complaint may be made through the agreed procedures for dealing with Grievances, or the Council's policy for Whistle blowing.

The confidential advisory and mediation services established within the Council's Policy for promoting Acceptable Behaviour are also available to all employees without prejudice to their access to the Grievance Procedure.

Suspected cases of direct or indirect discrimination will be investigated. Disciplinary action may then be taken against the individual(s) concerned.

9.3 Responsibilities in Delivering this Policy

- The Management Board and its strategic Directors are responsible for providing leadership and ensuring change within Directorates.
- Managers are responsible for delivering equality in their services, providing support for staff to work together to achieve quality and to act on any staff or community complaint.

- All employees are responsible for ensuring that they work together to recognise and remove barriers to equality and justice, and behave in accordance with this Policy.
- The Equality Steering Group is responsible for co-ordinating equality work at corporate and service level and helping to move Justice through Equality into the mainstream.
- HR Service specialist staff are responsible for advising and supporting all employees and managers in applying the Policy to operational and policy matters affecting the employment of County Council staff.

9.4 Monitoring and Review of the County Council's Policy for Equality in Employment

The Council maintains data to monitor the composition of the workforce with regard to race, disability, sex, and age.

The operation of this policy is monitored and reviewed periodically by the Head of Employee Relations.

COLLECTIVE AGREEMENT

NATIONAL JOINT COUNCIL FOR LOCAL GOVERNMENT SERVICES

NATIONAL AGREEMENT ON PAY AND CONDITIONS OF SERVICE JULY 1997

Part 2, Paragraphs 1.1 and 1.2

Employees will be afforded equal opportunities in employment irrespective of disability, gender, race, religion, age, sexuality, and marital status.

Local authorities will ensure that discriminatory practices are identified and removed and non-discriminatory practices introduced in all areas of employment including recruitment, training and promotion. Lawful positive action initiatives should be taken to achieve and maintain a representative workforce.

POLICY HISTORY

Policy Date	Summary of change	Contact	Implementation Date	Review Date
14.6.2007	Policy re-formatted into new shell policy document	P&S		
	Minor correction to typo on p. 5 (Braille)	P&S	23.12.2011	