

Biddenden Parish Council Equal Opportunities Policy

LEGAL POSITION

Under the Equality Act 2010 it is unlawful to discriminate against an individual on the following grounds:

- age
- disability
- gender reassignment/diversity
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

These are known as “protected characteristics” in section 4 of the 2010 Act.

Section 149 of the 2010 Act (see appendix) imposes a Duty on Parish Councils to take into account:

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

OUR COMMITMENT

Biddenden Parish Council

- understands its obligations under the Equality Act 2010
- is fully committed to its duty, imposed by Section 149 of the 2010 Act
- is committed to the principle of equal opportunities and declares its opposition to any form of less favourable treatment, whether through direct or indirect discrimination, on the grounds of the protected characteristics as specified in the Equality Act 2010
- is an Equal Opportunities
 - employer
 - community leader and advocate
 - provider of facilities and services
 - contractor

It is committed to the promotion, maintenance and protection of the rights of individuals. The Council is committed to making full use of the talents and resources of its employees.

The Council will ensure that all recipients of the services delivered directly by the Council are guaranteed the same opportunity.

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All policies of the Council will be designed to support the principles and practices of equal opportunity, to foster a fully integrated community and maintain racial harmony.

THE COUNCIL AS AN EMPLOYER

The Purpose of this policy is to provide equal opportunities to all employees or prospective employees, irrespective of their characteristics (unless there are genuine qualifications or objectively justified reasons for a different approach to be taken). We oppose all forms of unlawful and unfair discrimination, victimisation or harassment on the grounds of any protected characteristics as defined in the Equality Act 2010.

All employees, whether full-time, part-time, fixed contract, agency workers or temporary, will be treated fairly and equally. Selection for employment, promotion, training, remuneration or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the council.

Every employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated.

The Council will encourage and develop all employees to support and carry out the requirements of the Equal Opportunities Policy.

Breaches of our Equal Opportunities Policy will be regarded as misconduct and could lead to disciplinary proceedings.

The commitment to equal opportunities in the workplace is good management practice and makes sound business sense as it seeks to utilise the talents available from the local community, representing Society as a whole.

This policy is fully supported by all Members of the council and adopts the model contract as devised by the employee professional body in the local government sector (the Society of Local Council Clerks)

THE COUNCIL AS A COMMUNITY LEADER AND ADVOCATE

Biddenden Parish Council is committed to creating a socially inclusive and cohesive community by:

- Promoting equal opportunity and equal access to employment, services and information
- Identifying and addressing the barriers that different groups face to participation in community life
- Working towards ensuring fair and equitable resources
- Respecting the diversity of our community
- Working with others to ensure that Biddenden is a safe place to visit or in which to live and work
- Listening and responding to the views of our communities through appropriate and widespread consultation and participation mechanisms, which are accessible to all
- Ensuring all of our communications and the events we hold positively reflect and promote the diversity of our communities and are made fully accessible.

THE COUNCIL AS A PROVIDER OF FACILITIES AND SERVICES

The Council's clients have the right to expect fair and non-discriminatory treatment whilst participating in or receiving any of the Council's services or activities. All aspects of the Council's Equal Opportunities Policy impact on the manner in which it directly delivers services to and for its residents.

Biddenden Parish Council is committed to ensuring that our services and facilities are accessible to all and responsive by:

- Ensuring our customers are aware of our services and that we deliver our services in ways that are sensitive to users' needs
- Ensuring that all those in the community are able to attend Parish Council meetings and visit our open spaces
- Ensuring that the information we provide about our services is accessible to all of our community
- Consulting and involving all sections of our community in the development and monitoring of our policies, facilities and services in ways which enable people to participate.

THE COUNCIL AS A PROCURER OF GOODS AND SERVICES

Biddenden Parish Council is committed to ensuring that those contractors and others from whom we procure goods and who deliver our services share and implement our equality vision and values by:

- Demonstrating that all practicable steps are being taken to allow equal access and equal treatment in employment and service delivery for all, as appropriate to the nature of the contract concerned

The above requirements apply to all services and activities of the Council.

Adopted: 1 June 2021

Review: 2024 (or annual review due date as decided in council)

Appendix – section 149 Equality Act 2010

Public sector equality duty

(1) A public authority must, in the exercise of its functions, have due regard to the need to—

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

(2) A person who is not a public authority but who exercises public functions must, in the exercise of those functions, have due regard to the matters mentioned in subsection (1).

(3) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

(a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;

(b) 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;

(c) 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.

(4) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

(5) Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

(a) tackle prejudice, and

(b) promote understanding.

(6) Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

(7) The relevant protected characteristics are—

- age;

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- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

(8)A reference to conduct that is prohibited by or under this Act includes a reference to—

(a)a breach of an equality clause or rule;

(b)a breach of a non-discrimination rule.

(9)Schedule 18 (exceptions) has effect.