



## Equality and Diversity Policy

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### Purpose

This policy sets out the Council's approach to equalities so that Members, Employees and the community as a whole are fully aware of the Council's commitment to equality in all of its activities.

### Scope

This policy applies to all employees of Keynsham Town Council employed under the conditions of service of the following bodies:

- National Joint Council for Local Government Services
- Joint Negotiating Committee for Youth Workers

Agency staff, contractors and others working on its behalf whether paid or unpaid (for example casual contracts, those on work experience, volunteers etc) are also expected to adhere to this policy.

### The Equality Act 2010

Keynsham Town Council is committed to meeting its legal and moral obligations of eliminating all forms of discrimination. The Equality Act 2010 brought together separate pieces of legislation and covers nine protected characteristics:

1. Age
  2. Disability
  3. Gender reassignment
  4. Marriage and civil partnership
  5. Pregnancy and maternity
  6. Race (which includes colour, nationality, caste and ethnic or national origins)
  7. Religion and belief
  8. Sex
  9. Sexual orientation
- These are the nine protected characteristics

Keynsham Town Council will not discriminate against or harass a member of the public in the provision of services and goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, impede disabled people from accessing a service.

## 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 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 complain or raised a grievance under the Equality Act 2020, 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.

## The Council's Responsibilities

Keynsham Town Council has been proactive in implementing the Equality Act which has included strengthening the approach to the protected characteristics as part of the Recruitment Process.

The Council will work towards creating a workforce that meets the needs of Keynsham's changing diverse population. It will ensure that no one is unfairly discriminated against when applying for a job or during the course of their employment with the Council.

All Employees have equal access to training and career development. The training needs of particular groups of Employees who are under-represented in specific occupations and management posts will receive positive attention.

Monitoring of the workforce by ethnic origin, gender and disability is currently undertaken. Monitoring of job applicants is also carried out. Where required, the Council will consider introduction of monitoring in other equality areas. The purpose of monitoring is to evaluate the effectiveness of the Equalities Policy Statement and take action where evidence shows unfair treatment or where particular protected characteristics are not adequately reflected in the workforce.

An Employee who has a concern regarding unfair discrimination or harassment should be raised with their line manager or via the grievance policy detailed in the Employee Handbook.

## Employees' Responsibilities

Keynsham Town Council requires all its Employees to behave in ways that promote equality and are non-discriminatory. This applies to the way they behave towards members of the public in the delivery of services and to other Employees in the course of their work.

Employees should participate actively in measures introduced by the Council to ensure that there is equality of opportunity and non-discrimination. Employees should also draw the attention of management to alleged unlawful or unfair discriminatory acts or practices.

## Equality Impact Assessments

Equality Impact Assessments (EIAs) are an extremely effective way of assessing and understanding how well Town Council services meet the needs of our diverse communities. EIAs also identify whether we need to change what we do and how we do it, to make sure that everyone is properly and effectively considered and that

their needs are addressed. It is important for us to ensure that the EIA is firmly embedded within all Town Council activity.

## Public Sector General Equality Duty

The General Equality Duty which came into force on 5 April 2011, 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.

Public bodies are required 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 policy, in delivering services, and in relation to their own Employees.

Keynsham Town Council aims to meet its Public Sector Equality Duty by:

1. Ensuring our staff, service users and residents receive fair and respectful treatment and are not subject to discrimination or harassment.
2. Paying 'due regard' and considering equality impacts before we make decisions affecting residents, service users or employees. This may be demonstrated through an Equality Impact Assessment or other activities/assessments.
3. Monitoring and assessing the impact of our decisions and actions, and whether they are actually reducing levels of inequality.
4. Working with communities, partners and agencies across both the Town and B&NES area to promote good relations, and where there is discrimination, challenge it.

## Our Commitment to Equality

### 1.1 Employment Practices

Keynsham Town Council considers equality in all aspects of employment, from advertising vacancies, recruitment and selection, terms and conditions of employment, training and personal development to reasons for terminating employment. We will:

- Advertise jobs in ways that reach all communities and target groups that are currently under-represented in the workforce
- Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job.

- Manage Employees fairly and appropriately, ensuring there is no discrimination on grounds of any of the protected characteristics in terms of work allocations, consultation and communication, development and training opportunities, Employees' personal reviews, granting of leave, service reviews or grievance and disciplinary matters
- Encourage a culture of openness and ensure that all Employees have a safe and supportive environment in which to work regardless of their age, disability, gender reassignment, race, religion or belief, sex, sexual orientation
- Ensure Employees and Councillors are given appropriate equalities training and have access to training in anti-discriminatory practices
- Ensure service users are aware that they do not have the right to refuse services from Employees with any protected characteristics
- Make all reasonable efforts to help Employees who are or become disabled remain in the Council's employment
- Acknowledge and publicly recognise cultural and religious festivals and holidays so that leave is not unreasonably withheld from Employees who may wish to celebrate them
- Undertake job evaluations and carrying out a pay and grading review as part of the process to develop fair employment and equal pay policies
- Work to provide information and guidance to Managers and Employees on sexual orientation and gender reassignment as well as on general appropriate language and behaviour issues which may affect people who are lesbian, gay, bisexual or transgender
- The Council will work as flexibly as possible and in line with our Attendance Management policy and allow transgender Employees undergoing either medical or surgical procedures related to gender reassignment time off from work.
- Discrimination after employment may also be unlawful e.g. refusing to give a reference for a reason related to one of the nine protected characteristics

## **1.2 Decision-making and developing policies**

Keynsham Town Council will:

- Assess the potential impact on customers and communities of its policies and practices and take action to improve them
- Involve customers and communities in decision-making through impact assessments and engagement with local community groups
- Ensure access to decision making arenas takes into account the needs of working people, people with childcare responsibilities, young and older people (venues, time, support and formats)
- Involve and engage local people with disabilities to ensure that we design, plan and provide services to enable them to have more control over their own lives
- Work towards ensuring that all the protected characteristics are fully represented in any consultation undertaken

- Provide services for young people, and older people to meet their particular needs including the provision of targeted services for specific groups where appropriate e.g. youth groups
- Support and encourage initiatives which are set up and run by community groups and which promote social inclusion and equality of opportunity.

### 1.3 **Access to Services**

Keynsham Town Council will:

- On request, translate material, provide interpreters and use suitable communications formats as required
- Work to provide information in plain English and make available that information, on request, through a range of media and in a range of formats [including, where appropriate, the provision of materials in symbols, large print, Braille, British Sign Language video or audio description] and offer alternatives to verbal communication so people with disabilities enjoy equal access to information and services
- Ensure our website is as fully accessible as possible
- Monitor use of services by protected characteristics to ensure equality of access, and use the data to develop services which are appropriate to the needs of the whole community
- Acknowledge same sex relationships and ensure, wherever possible, partners have equal access to the services and benefits available to heterosexual couples
- Ensure all information, publicity and advertising that the Council has control and/ or influence of is non-sexist, and uses positive images and language to counteract the effects of inequality and promotes equality.

### 1.4 **Working with Partners**

Keynsham Town Council will:

- Ensure consultants, contractors, suppliers, and partners [including those in the voluntary and community sectors] are able to work and deliver services free from harassment and discrimination
- Work with Avon & Somerset Police and B&NES to increase the confidence of residents to report hate incidents;

### 1.5 **Engaging and consulting with our community**

The Town Council engages and consults with the Keynsham community regularly so that we understand our customers' views and can ensure that the services we design and deliver are appropriate and meet the needs of all.

All policies, strategies and processes within the Council are subject to Equality Impact Assessments when appropriate to ensure that they take into consideration the effect they may have on different protected characteristics.

1.6 **Buying services from others**

Keynsham Town Council will:

- Ensure that our Procurement Strategy and processes provide clear commitment to equality of opportunity and to tackling discrimination and disadvantage
- Require any company or business supplying services to be committed to equality and diversity in its employment practices and service provision, ensuring they adhere to all anti-discrimination legislation
- Monitor, if required, the practices of any contractor or business providing services to the Council or on our behalf of the Council to ensure they act in accordance with our policies and the relevant legislation on equality and diversity.

**Amendment History**

Paragraph	Detail	Committee or Town Council	Approval date
Original	Adopted	Town Council	18 <sup>th</sup> June 2019
Review	Amended version	Personnel Committee	8 <sup>th</sup> April 2024
Review	Review/adoption	Town Council	16 <sup>th</sup> April 2024
Review due			April 2025

Signed  ..... Date 16<sup>th</sup> April 2024  
Chair of Council

Signed  ..... Date 16<sup>th</sup> April 2024  
Town Clerk

