

LITTLETON & HARESTOCK PARISH COUNCIL (LHPC)

Equality Diversity and Inclusion Policy

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1. Policy

LHPC will actively promote and encourage equality, diversity and inclusivity in all its activities.

The council will comply with all the requirements set out in the Equality Act 2010, including the Public Sector Equality Duty, and all other relevant legislation.

LHPC will:

- Deliver accessible and responsive services to all Littleton and Harestock residents including those with protected characteristics (see below).
- Ensure that staff and councillors, recognise the diversity of the parish and each other, and treat residents and each other equally. This is also expected of contractors, partners, those receiving grants/donations from the Parish Council, and volunteers involved in activities that may bring them into contact with the public.
- Provide equality of opportunity for all staff.
- Have a recruitment policy that reflects the diversity of the parish.
- Have a councillor co-option policy that encourages equality, diversity and inclusion.
- Meet the requirements of the Public Sector Equality Duty.
- Review and publish EDI objectives every 4 years.
- Report on compliance with the Public Sector Duty annually.

Procurement of Goods and Services

- When the Council acts as a client for third party contractors, it will act within the Equality Act and will not discriminate in researching contractors or in obtaining and presenting tenders. All information about third parties will be redacted on the initial presentation to the Council so that it can operate without bias or discrimination on any basis.
- Where LHPC requires a tendering process, or three quotes (as defined in LHPC's Financial Regulations), potential contractors will be reminded of their legal obligation to comply with the Act and will be referred to the Council's Equality, Diversity and Inclusivity Policy. Contractors will be asked to confirm that, if appointed, their service delivery will comply with our policy or provide written confirmation that they comply with the Equality Act.
- For procurement of services that do not require a tendering process or three quotes (as defined in LHPC's Financial Regulations), contractors appointed to carry out work for the Council will be reminded that when operating on behalf of the Parish Council, they must recognise the diversity of everyone they encounter and treat them equally.

Once a contractor has been instructed, or goods and services have been obtained for any Council business, the Council will assume that the contractor or company in question complies with the Act and will not tolerate any breach from anyone working for or on behalf of the Council.

2. Equality, Diversity and Inclusion Definition

Table 1: What we mean by Equality, Diversity and Inclusion.

Equality	Equality is a natural extension of diversity and is based on the idea of fairness, whilst recognising that everyone is different.
Diversity	Diversity is about the ways in which people differ. These differences should be recognised, celebrated, and treated as a natural part of society.
Inclusion	<p>Inclusion means that all people, regardless of their abilities, disabilities, or healthcare needs, have the right to be respected and appreciated as valuable members of their communities.</p> <p>Diversity refers to the traits and characteristics that make people unique, while inclusion refers to the behaviours and social norms that ensure people feel welcome.</p>

There is no such thing as the
“general public”

United Nations

Diversity is having a seat at the table
Inclusion is having a voice
Belonging is having that voice heard

Liz Fosslien

3. Equality and the Nine Legally Protected Characteristics

Table 2: The Nine Legally Protected Characteristics

Protected Characteristics	Protected Characteristics Detail
Age	A person belonging to a particular age (for example 45-year-olds) or range of ages (for example 18 to 30-year-olds).
Disability	A person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.
Marriage and civil partnership	<p>Marriage is a union between a man and a woman, or between a same-sex couple.</p> <p>Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act).</p>
Pregnancy and maternity	<p>Pregnancy refers to the period when a woman is pregnant or expecting a baby.</p> <p>Maternity refers to the period after the birth and is linked to maternity leave in an employment context.</p>

Protected Characteristics	Protected Characteristics Detail
	In a non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.
Race	This refers to a group of people defined by their race, colour, ethnicity, or nationality (including citizenship).
Religion or belief	Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition.
Sex	This refers to men and women
Sexual orientation	A person is protected whether their sexual attraction is towards their own sex, the opposite sex or to both sexes.
Gender reassignment	This is defined in the Act as the process of transitioning from one gender to another. Just as it would be illegal to discriminate against a person based on their sex, it would be equally discriminatory to do so based on someone's transitioning process from one gender to another, or on their declaration of being gender fluid/neutral, etc.

Note: Political views are not considered to be a protected characteristic.

4. Diversity and Inclusivity

LHPC will proactively promote and encourage diversity and inclusivity through the following actions.

Table 3: Diversity and Inclusivity Actions

Action Topic	Diversity and Inclusivity Action Description
Access	Create an environment that makes people feel welcome in terms of both the physical space and behaviour that they first encounter.
Attitude	Address negative attitudes to inclusion and promote and facilitate positive behaviours.
Choice	Understand what people want and how they want to get involved so that they can be given appropriate choices.
Partnerships	Work in partnership with other bodies and organisations that reflect or represent disadvantaged groups.
Communication	Use appropriate communication channels to let people know what their options are and how to get involved, and to demonstrate to the wider population how we are addressing inclusion issues.
Policy	Have policies in place to commit to and to take responsibility for being inclusive, and to make sure that people are aware of these policies.
Opportunity	Modify existing arrangements where necessary and reasonable to accommodate disadvantaged groups, increasing the choices available to them.

5. The Public Sector Equality Duty

LHPC complies with the public sector equality duty required by the Equality Act. This comprises both the General Duty and the Specific Duties.

LHPC recognises that, as a public authority, it can be challenged in the courts if it hasn't properly considered its public sector equality duty.

General Duty

- When we make decisions about how we provide services and implement policies, LHPC will have due regard to eliminating discrimination and to the needs of people who are disadvantaged or suffer inequality.
- LHPC will have due regard to how new policies, policy changes and decisions affect people who are protected under the Equality Act.

To “have due regard” means that, in exercising its functions, LHPC will take into account the need to

- Eliminate discrimination, harassment, victimisation and any other unlawful conduct prohibited by the Equality Act
- Advance equality of opportunity between people who share and people who do not share a relevant protected characteristic
- Foster good relations between people who share and people who do not share a relevant protected characteristic

Specific Duties

LHPC will

- Publish equality objectives at least every 4 years
- Publish information to demonstrate our compliance with the public sector equality duty annually

6. Revision History

Table 4: Revision History

Version (major.minor)	Date	Author	Modifications made
Draft 0.1	17 th May 2024	CM	Draft
Draft 0.2	22 nd May 2024	CM	Minor updates
Draft 0.3	25 th May 2024	CM	Added appendix containing information from the previous Equality and Diversity Policy.
Draft 0.4	29 th May 2024	CM	Updates following feedback
Proposed 0.5	29 th May 2024	LF	Updated for website accessibility
Proposed 0.6	4 th July 2024	CM	Modified following feedback from the Parish Council
Approved 1.0	8 th July 2024	LF	Addition of a reference to grants and donations. Approved at the Parish Council meeting on 8th July 2024

Note: The revision number should be updated every time this document is modified, significant changes should result in the major number being updated, and any other minor changes should result in the minor number being updated

Appendix 1: Additional Notes

The Law

1. It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality, caste and ethnic or national origins), sexual orientation, religion, or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".
2. The Equality Act 2010 applies to public bodies and others carrying out public functions. It supports good decision-making by ensuring public bodies consider how different people will be affected by the activities, policies and services provided.
3. The Equality Act 2010 places a public sector duty on LHPC to work to:
 - Eliminate discrimination, harassment, victimisation, and any other conduct prohibited under the Act.
 - Advance equality of opportunity between persons who share a 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.
4. Discrimination after employment may also be unlawful, e.g., refusing to give a reference for a reason related to one of the protected characteristics.
5. The council will not discriminate against or harass a member of the public in the provision of services or 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, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

6. Types of Unlawful Discrimination

- 6.1. 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.

- 6.2. 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 a proportionate means of achieving a legitimate aim.
- 6.3. 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.
- 6.4. Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

- 6.5. 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.
- 6.6. Third-party harassment occurs when an employee is harassed and the harassment is related to a protected characteristic, by third parties.
- 6.7. Victimisation occurs when an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, 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.
- 6.8. 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.

Equal Opportunity Practices

7. LHPC supports the principles and practices of the Equality Act 2010 and requires all councillors and employees to accept their personal responsibility for fostering a fully integrated community at work by respecting and adhering to the principles of equality for all.
8. LHPC is will:
 - Promote a good and harmonious environment in which all persons are treated with respect and valued.
 - Promote equal opportunities for all persons.
 - Prevent occurrences of unlawful direct discrimination, indirect discrimination, harassment, and victimization.
 - Fulfill its legal obligations under the Equality Act 2010.
9. LHPC will actively promote equality throughout the organisation through the application of policies which will ensure that individuals receive treatment that is fair, equitable and consistent with their relevant aptitudes, potential, skills, experiences, and abilities.
10. LHPC will not discriminate unlawfully against those using or seeking to use the services provided by the council.
11. It is the responsibility of every employee and LHPC councillor to ensure that they do not discriminate in any way. All employees and councillors have a duty to uphold equal opportunity principles.
12. The council will not discriminate unlawfully when appointing councillors to public office, or when councillors are performing their official business.

Equal Opportunities in Employment

13. The council will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline, and selection for redundancy.

14. Recruitment

- 14.1. Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability

and personal or home commitments will not form the basis of employment decisions except where necessary.

- 14.2. The council will ensure that anyone who is involved in recruitment or other decision making complies with the council's equality and diversity policy, and refrains from any unlawful discrimination as described in section 6.

15. Working practices

The council will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the council considers it has good reasons, unrelated to any protected characteristic, for doing so. The council will comply with its obligations in relation to statutory requests for contract variations. The council will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

16. The council will support staff to help them understand their rights and responsibilities and what they can do to help create a working environment free of bullying and harassment.
17. Every employee is required to assist the council in meeting its commitment to provide equal opportunities in employment and avoid unlawful discrimination. Employees can be held personally liable as well as, or instead of, the council for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.
18. Acts of discrimination, harassment, bullying or victimisation by employees against other employees, volunteers, councillors, or others working on behalf of the council are disciplinary offences and will be dealt with under the council's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.
19. The council will take appropriate action to deal with any reports of bullying or harassment from any person against council staff, volunteers, councillors, or others working on behalf of the council.

20. Grievances

- 20.1. Employees who believe they have been unlawfully discriminated against should use the council's grievance procedure to make a complaint.
- 20.2. The council will take any complaint seriously and will seek to resolve any grievance that it upholds. Employees will not be penalised for raising a grievance, even if the grievance is not upheld, unless the complaint is both untrue and made in bad faith.