

# Glaphorn Parish Council

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## EQUAL OPPORTUNITIES & DIVERSITY POLICY

*This Equal Opportunities & Diversity Policy, is based on a format supplied by National Association of Local Councils (NALC), and was re-adopted by the Council at its Meeting held on 18<sup>th</sup> May 2017.*

### Introduction

The Equality Act 2010 makes your rights not to be discriminated against stronger. Discrimination means treating someone worse than other people because of who they are. The groups of people who have the right not be discriminated against have also been extended. People who belong to these groups have protected characteristics. It doesn't matter whether any of these characteristics apply to you, or the people in your life, if you are treated worse because someone thinks you belong to a group of people with protected characteristics, this is discrimination.

The Act now also protects you if people in your life, such as family members, friends or co-workers have a protected characteristic and you are treated less favourably because of that. For example, you are discriminated against because your son is gay.

The Equality Act 2010 covers you at work and when you use services, such as shops, hotels or gyms, hospitals or other free services.

Glaphorn Parish Council is an equal opportunities employer. Our aim is to be fair to everybody and to ensure that no job applicant or employee receives more or less favourable opportunities or treatment on the grounds of, for example:

- Age
- Race
- Colour
- Ethnic or national origin
- Nationality (subject to nationality rules)
- Sex / Gender
- Transgender
- Sexual orientation
- Marital status
- Disability
- Religion or religious affiliation / Belief
- Part-time working
- Trade union membership and duties

There may be limited exceptions for positive action which is allowed by relevant legislation.

No-one will be disadvantaged by conditions or requirements which cannot be shown to

be genuinely necessary for objective reasons. In addition, care should be taken when selection criteria such as sift conditions are set as some applicants may find these more difficult to meet due to their sex, race, marital status or disability etc.

Equal opportunities and equal treatment are the cornerstones of our recruitment and employment policy.

### **Personal development**

Glaphorn Parish Council is committed to encouraging all staff to make full use of their skills and talents and to helping staff reach their full potential. Everyone will have equal access to any course which is appropriate to an individual's current job or development within Glaphorn Parish Council. We will encourage the development of the individual's skills and knowledge for use in their work.

Where necessary, training will be provided to assist any individual who is under-represented in any area of work or range to move into the area of their choice. This is the only form of positive action allowed on the basis of sex or race under Section 47 and 48 of the Sex Discrimination Act 1975 and Section 37 of the Race Relations Act 1976. Statistical information will be used to monitor this policy. (Some forms of positive action are also allowed by the Disability Discrimination Act 1995.)

### **Discrimination**

Discrimination is unequal treatment of an individual because of their membership of a particular class or group, such as sex, race or trade union. It may be direct, for example, refusing to send someone on a training course because they are married or have children. It may be indirect, for example, declaring a post as being suitable only for a full-time member of staff without proper justification (that means establishing the need for a full-time member of staff rather than part-timers or job sharing).

Discrimination may be subtle and unconscious. It may not be easy to identify. For example, discrimination sometimes results from general assumptions about the capabilities, characteristics and interests of particular groups or individuals, which are allowed to influence the treatment of staff or job applicants.

Without appropriate awareness and safeguards, discrimination may occur in any area of recruitment and employment including:

- Inappropriate questioning at interview
- Inappropriate appointment to post
- Allocation of volumes and/or type of work
- Transfer decisions
- Promotion and progression opportunities
- Annual leave allocation
- Special leave requests
- Application of disciplinary action

## **Sexual harassment**

Sexual harassment may involve unwelcome sexual comments or innuendo, looks and gestures, displays of pin-ups or physical contact by one individual aimed at another, and which is only directed at that other person because of their sex.

Sexual harassment cannot be dismissed as a 'bit of harmless fun'. It can lead to an uncomfortable and alienating working environment.

## **Racial harassment**

Racial harassment is offensive or hostile behaviour, which has the purpose or effect of creating discomfort, distress, exclusion or isolation and is based upon someone's race (colour, nationality or ethnic origins) or is directed at them because of their race. If the comment or behaviour is offensive to the individual, it will amount to racial harassment.

## **Harassment/bullying**

As with sexual or racial harassment, any form of harassment or bullying will have the effect of causing undue stress on individuals and of demotivating them. Harassment of any kind will not be tolerated and serves to undermine the good team spirit which Companies House wishes to encourage.

## **Sex/Gender Harassment**

Unlawful sex discrimination happens when someone is treated unfairly because of their gender. Women, men and transsexual people can all experience sex discrimination. Sex discrimination also includes treating someone less favourably because they are married or in a civil partnership: for example, by not hiring married women.

## **Disability harassment**

Offensive or hostile behaviour or comments aimed at an individual because he or she is disabled, will also be harassment.

## **Resolving problems**

Everyone must be sensitive to the effects their words and actions have on their colleagues and need to ensure that their attitudes towards others carry no trace of discrimination which can affect working relationships, behaviour or judgement.

Staff who are experiencing or are concerned about discrimination or harassment should discuss the problem with their line manager who must take appropriate action to try to resolve it, if possible. (If you do not feel able to discuss the problem with the Chairman initially you may speak to any member of the Council). The advice of the Trade Union Representatives if applicable may also be sought.

The Chairman should be aware of any problem developing at an early stage and take corrective action to ensure that the situation is resolved in a conciliatory and effective

manner and that staff do not feel excluded.

Staff are encouraged to make clear to their colleagues if conduct or comments are offensive to them.

### **Complaints procedure**

If there are reasons why you do not feel you are able to speak to the Chairman in the first instance, there are a number of different people you can speak to including:

- Any member of the Council

However, the duty of confidentiality does not apply if:

- There has been a breach of the law
- There has been a breach of Glapthorn Parish Council Disciplinary Procedures.
- There is a risk of harm to the individual or to others.
- The disclosure is in the context of legal or disciplinary procedures.

In any event, if the Chairman fails to act effectively to stop the discrimination or harassment, the individual may seek the assistance of any member of the Council.

Where appropriate, a full enquiry will be conducted into the complaint and if it is considered that the behaviour of the individual is unlawful, unfair or unacceptable, disciplinary action will be taken by Glapthorn Parish Council against that individual, as laid down in the Disciplinary Policy.

All staff are subject to the disciplinary rules and should remember that unfounded allegations of unfair treatment can themselves be distressing to the recipients of such complaints. Such unfounded allegations may lead to further disciplinary proceedings.

### **Further information and relevant legislation**

- Race Relations Act 1976
- Employment Equality [Age] Regulations 2006
- Sex Discrimination Act 1975
- Sex Discrimination (Gender Reassignment) Regulations 1999
- Gender Recognition Act 2004
- Employment Equality [Sexual Orientation] Regulations 2003
- Disability Discrimination Act 1995
- Disability Discrimination Act 2005(Amendment)
- Employment Equality [Religion or Belief] Regulations 2003
- Equality Act 2006
- Equal Pay Act 1970
- Human Rights Act 1998
- Racial and Religious Hatred Act 2006
- Special Educational Needs and Disability Act 2001