

**Teignbridge District Council
Overview and Scrutiny Committee 1
Monday 10th January 2022 Part i**

Teignbridge Equality and Diversity Policy

Purpose of Report

To provide members with the proposed Equality and Diversity Policy

Recommendation(s)

The Committee RECOMMENDS to Executive that the Equality and Diversity Policy and the proposed equality objectives contained within the document be adopted

Financial Implications

There are no financial implications contained within the report.

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Legal Implications

There are no legal implications per se arising out of this report. However, an Equality and Diversity policy and associated objectives are essential in helping the Council meet its obligations under the Equality Act 2010, including the Public Sector Equality Duties.

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Risk Assessment

Rebecca Hewitt, Community Safety and Safeguarding Officer

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Risk assessment attached as a background paper

Environmental/ Climate Change Implications

There are no significant environmental or climate change related implications associated with this report.

William Elliott Climate Change Officer

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Report Author

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Executive Member

Executive Member for Communities, Housing and IT, Councillor Martin Wrigley

Appendices/Background Papers

Equality Impact Assessment completed and circulated with the report.

1 Introduction

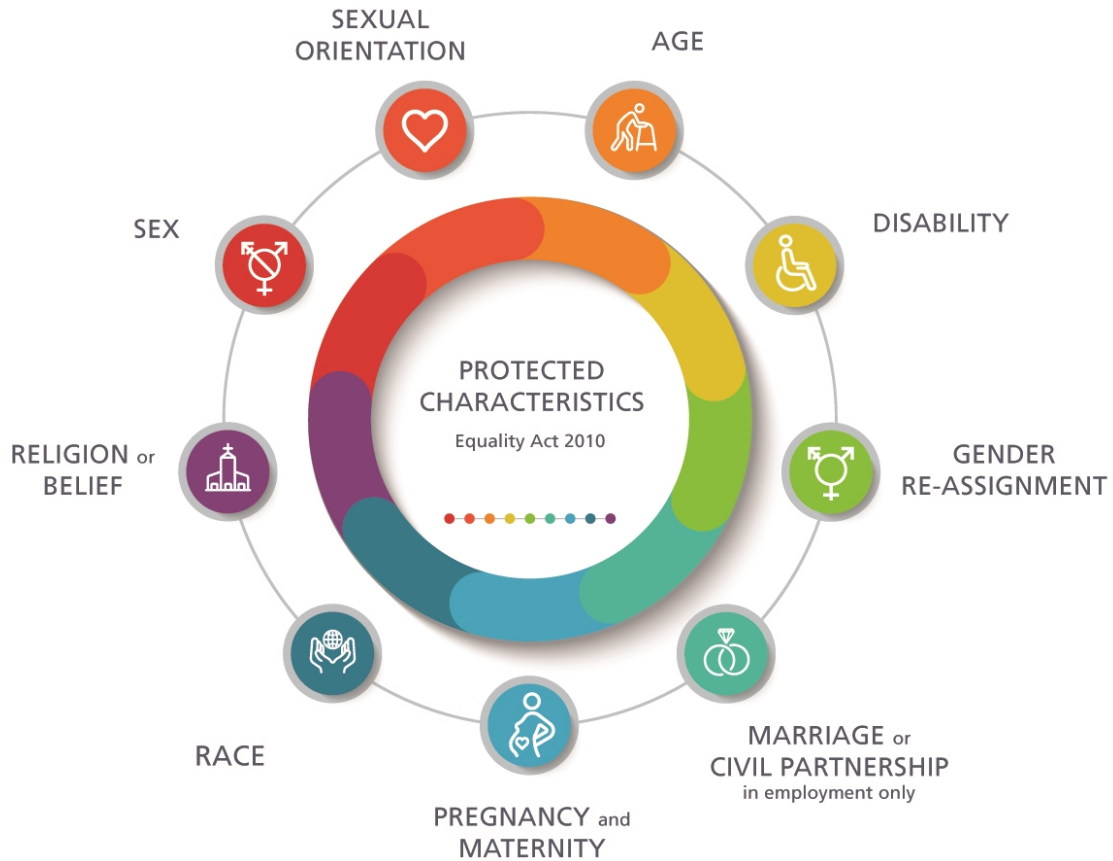
Teignbridge District Council is committed to providing equality in every area of its work delivering quality services in a fair and equitable way that promotes equality, diversity and inclusion. The Council recognises and values the diversity of the community that live, work, learn in the District.

This document sets out the Council's objectives and what it will do to achieve those aims, and provides an overarching direction for its work.

This report reflects the impact of The Equality Act 2010, which brings together previous equality legislation covering such as service delivery and employment practice and introduces the Public Sector Equality Duty, which requires the Council in the exercise of its functions to have regard to the need to;

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the 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.***

The duty applies to nine 'protected characteristics': age, disability, sex, gender reassignment, marriage and civil partnership (in relation to point a. at work), pregnancy and maternity, race, religion and belief, sexual orientation.



2. The Equality Objectives

- 2.1 To encourage and enable a skilled and diverse workforce to build a culture of equality and inclusion in everything it does
- 2.2 To deliver responsive services and customer care that is accessible and inclusive to individuals' needs
- 2.3 To understand diverse communities and embed that understanding in how policy and practice across the Council are shaped.

3. Scope of the policy

- 3.1 All employees and Elected Members must read and adhere to this policy when carrying out their duties on behalf of the Council
- 3.2 Due regard to the Public Sector Equality Duty and this Policy is to be had when making decisions and in day to day activities.
- 3.3 Everyone who uses services, facilities and information provided by the Council are to be treated in line with this policy. This includes customers, members of the public, partners, contractors, employees, volunteers and elected members.

4 Responsibilities

- 4.1 The ultimate responsibility for the provision of equal opportunities lies with the Council. The Public Sector Equality Duty cannot be delegated.

Strategic Leadership Team (SLT)	Overall responsibility for ensuring that this policy and the processes underpinning it are developed, implemented effectively, monitored and updated. SLT is required to ensure good governance of the organisation and has overall responsibility to make sure this policy is consistently applied and taken into account when setting strategic direction and reviewing performance. The Head of Community Services and Improvement has the strategic lead for equality and diversity and the implementation of this policy. Individual Heads of Service are responsible for checking that reports to committee include Equality Impact Assessments where necessary.
District Councillors	Each Teignbridge District Councillor has the personal responsibility to comply with the policy. The Executive Member for Communities, Housing and IT has lead responsibility for equality in service delivery.
Managers	Manage equality within their services, ensure that equality is clearly incorporated into policy, design and delivery of services and functions. Where relevant ensure that Equality Impact Assessments are carried out. Ensure that all employees within their services are aware of the policy and have received training in equalities and diversity and ensure that all employees within their services who are involved in recruitment and selection have received training on equal opportunities.
Employees	Ensure they understand and comply with the letter and spirit of the policy, actively participate in measures introduced by the Council to promote equality and diversity and ensure that there is no discrimination. Report to management any discriminatory practices or behaviours and support the proper investigation of complaints.
Human Resources	Ensure that the Council's recruitment, training and development and other working practices and procedures are non-discriminatory and promote equality of opportunity. Carry out corporate monitoring of employment policies and practices and publish results annually. Ensure that managers and members are aware of the content of the policy relating to employment matters and the legislative framework underpinning it

5 The Council's services

5.1 As a **provider of services** the Council will;

- make its services easier to use and accessible for everyone in Teignbridge
- make information about its services more widely available and more accessible
- make its buildings more accessible to customers
- make contacting the Council easier and more accessible to all customers

- 5.2 The Council has a number of supporting policies, structures and processes in place, in addition to this policy. These include:
- An Equality Impact Assessment toolkit to analyse the effects its policies and services have on people
 - Policies and codes of conduct covering employee, member and customer behaviour, policy and procedures for reporting incidents of bullying, discrimination and Hate Crime
 - Communication standards including policies and guidance for translations, interpreting and alternative formats, and use of Social Media
 - Procurement/commissioning standards and clauses
 - Consultation toolkit for Officers
 - Member and officers having designated responsibility for leading on equality
 - Partnership meetings which provide governance to how we work with other agencies on issues the Council cannot tackle in isolation
- 5.3 All project leaders are responsible for incorporating equality into their projects or strategies starting at the very beginning of and throughout the project so that it is a continuous process. An Equality Impact Assessment should be carried out when:
- All significant policies, strategies and projects should have the EIA form completed.
 - All budget options for each financial year will require an EIA form to be completed, this includes the annual budget, but also any significant budget changes that affect 'people'.
 - All reports to committee now require 'equality implications' to be included. Where an EIA has been completed this should be attached to the report as an appendix.
 - Significant service changes also require an EIA to be completed
- 5.4 The Council will ensure and consultations are accessible to all groups and have representation from those with protective characteristics
- 5.5 The Council will ensure that all sections of the community have equal opportunity to successfully bid for council funds.
- 5.6 The Council, in providing services and facilities, will not unlawfully discriminate against customers or the public. Service providers have an obligation to think ahead and make reasonable adjustments to address any barriers that may impede people from accessing a service by;.
- taking steps to ensure digital information complies with the Accessibility Regulations which came into force in September 2018.
 - using plain English and follow good practice guidance on font size, contrast, typeface and use of the 'alternative format statement'.
 - Where requested provide translations, face to face or telephone interpreting, and alternative formats in line with good practice guidelines. The Council reserves the right to provide the most cost effective alternative which serves as a reasonable adjustment but does not compromise quality and professionalism.

- organising meetings or events that take into account any specific requirements such as diet, access or communication support. Accessible venues will be used.

5.7 Ensuring equality in procurement and commissioning provides the opportunity to influence how others work and to promote equality.

The Council will:

- require any company or business that wishes to be one of our contractors or suppliers to demonstrate appropriate consideration in their policies on equality in relation to employment and service delivery
- seek to encourage any company, business or individual wishing to provide goods or services to Mid Devon District Council, to contribute to our policy by implementing fair practices in employment and training
- review our own policies and practices and where necessary make changes to them to ensure they do not discriminate or place unfair requirements on small businesses from Mid Devon
- cease issuing contracts to, purchasing from or commissioning any contractor, business or organisation, where we believe they fail to comply with our values in relation to equality and diversity
- follow good practice by having a procurement strategy that gives a clear commitment to equality of opportunity and to tackling discrimination and disadvantage.
- help combat Modern Slavery in the UK ensuring appropriate due diligence is undertaken of all suppliers, along with thorough monitoring of the supply chain

5.8 The Council will publish a document on its website annually detailing the actions taken by each department to comply with the equality Act.

6 Staff

6.1 As **an employer** the Council is committed to promoting equality, diversity and inclusion within its workforce, and eliminating unlawful discrimination. The aim is for the workforce to be representative of all sections of its community and for each employee to feel respected and able to give their best.

6.2 All employees are required to understand and put into practice their responsibilities under the Equality Act 2010, the Public Sector Equality Duty, and to adhere to the Council's code of conduct which promotes respect and equal treatment of colleagues and customers/service users. This policy explains the legal framework and the expectations and responsibilities of the Council and its employees.

6.3 The Council will

- Ensure all employees are paid equally for work of equal value
- Ensure that employees are treated fairly and have equal opportunities at work regardless of their background or status

- Ensure that all employees have the skills and understanding they need to meet the diverse needs of a diverse population
 - Take steps to achieve workforce diversity that reflects the local population and monitor the make-up of the workforce regarding information such as age, sex, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality, diversity and inclusion, and in meeting the aims and commitments set out in the equality, diversity and inclusion policy.
 - Make opportunities for training and development available to all employees and help and encourage all to develop their full potential and effectiveness.
 - Ensure decisions concerning employees such as recruitment, performance management, promotion, pay and reward, are based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act).
 - Review employment practices and procedures against an equality impact assessment framework, and update them to take account of changes in equality legislation and best practice.
- 6.4 Work to ensure an environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, where individual differences and the contributions of all employees are recognised and valued. This commitment includes training managers and all other employees about their rights and responsibilities. The Council will take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by employees, customers, suppliers, visitors, the public and any others in the course of the Council's work activities. Such acts will be dealt with as misconduct under the Council's grievance and/or disciplinary procedures, and appropriate action will be taken.
- 6.5 Make reasonable adjustments to its requirements, working practices or the physical features of the workplace where these put a disabled job applicant, employee or elected member at a substantial disadvantage. It is also unlawful discrimination where a disabled employee is at a substantial disadvantage due to the employer's unreasonable failure to provide an auxiliary aid or service to the disabled employee. Reasonable adjustments will be considered and where appropriate made to enable employees and members with a disability to take advantage of training opportunities and events
- 6.6 The Council will provide appropriate training to staff and members to help them to understand their rights and responsibilities and to increase awareness of the Council's legal duties, obligations, practices and procedures.
- 6.7 The corporate induction processes will include a basic introduction to the council's policies

7 Supporting communities

- 7.1 Through **supporting local communities** the Council will
- develop policies that promote community cohesion and resilience
 - increase the engagement of people from diverse communities in the Council's decision making processes by ensuring consultations are representative
 - support services in the voluntary and community sector that meet the diverse needs of the community
 - ensure that the potential reach into underrepresented communities of a project is considered when reviewing funding applications

8 Concerns and complaints

- 8.1 Where customers believe they have been discriminated against they should be directed to the Council's complaints procedure. Such complaints will be investigated in the normal way and reported to and monitored by the Corporate Equality and Diversity Officer.
- 8.2 Where staff believe they have been discriminated against they should first talk to their line manager or another manager within the Council to try to resolve the matter. If an informal approach does not resolve matters, or the situation is considered too serious to be dealt with informally, a formal complaint can be made using the Council's grievance procedure. In the case of grievances about bullying or harassment, the normal grievance procedure is modified so that you can choose whether to raise your grievance with your manager or directly with the human resources department.
- 8.3 Where elected members believe they have been discriminated against they should speak to the Democratic services Team Leader.

9 Monitoring

- 9.1 Performance against the Equality duties will be published on the Council's website annually
- 9.2 EIAs that accompany reports and decision will be published as an appendix to the reports

10 Policies and Procedures

This policy should be read in conjunction with the following corporate policies and procedures.

- Grievance Policy
- Safeguarding Policy
- Code of conduct
- Fair recruitment and selection
- Agile working policy and guidance
- Right to request flexible working
- Induction Policy

- [Bullying & Harassment Guidance \[links to Grievance Policy\]](#)
- [Complaints policy](#)
- [Whistleblowing policy](#)
- [EIA Guidance](#)
- [Consultation toolkit](#)