



## COMPREHENSIVE EQUALITY AND DIVERSITY POLICY

### INTRODUCTION

The London Borough of Ealing is a diverse, multicultural London borough. The Council recognises and values the diversity of all people and communities in the borough and in our workforce, and is committed to meeting the needs of all of our residents and our employees.

True equality is more than simply identifying the different communities that are represented in Ealing. It is about ensuring we understand the needs of our residents from a range of diverse backgrounds and enable our diverse community to thrive. In doing this we will not only meet our legal equalities requirements; we will also meet our vision for the borough:

***Ealing will be a borough of opportunity, where people enjoy living in clean, green and cohesive neighbourhoods, as part of a community where they are able to be safe, healthy and prosperous.***

The Council recognises that to achieve its vision it needs to provide services that are tailored to people's actual needs, by treating people differently where necessary to ensure fairness. The Council also recognises respects and values diversity within its workforce as an asset and key resource in enhancing and maximising performance to effectively meet the diverse needs of its service users.

The objectives that Ealing Council and Local Strategic Partnership organisations will be aiming to achieve:

- Eliminate unlawful discrimination, harassment and victimisation.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Ensure we have a robust and accurate evidence base of equality information relating to our workforce and the community.
- Ensure equality related evidence is embedded into the decision-making process and forms an integral part of the evidence base for strategy and project development and delivery.

### PURPOSE

The purpose of this comprehensive equality and diversity policy and the Action Plan is to ensure that we have clearly outlined to our customers, employees and partners:

- How Ealing Council will realise its vision.
- Individual roles and responsibilities.
- What we understand by Equality and Diversity in Ealing Council.
- The standards the Council seeks to achieve and by when.
- Mechanisms for demonstrating progress and achievements.
- Mechanisms for feedback, learning and involvement.

## **VALUING DIVERSITY**

The Council believes that valuing diversity means actively recognising the strengths, talents and needs of every individual and all communities. This requires our nurturing the potential and maximising opportunities for all our customers, employees and partners in order that they can make their unique contribution to quality of life across the Borough. As a major employer and key service delivery agency, the Council is uniquely placed to realise its vision and goals for people who live and work in Ealing.

We will ensure that our own organisation is accessible and productive for its customers, employees and partners, generating an environment where all contributions are valued.

The Council recognises that to achieve our vision, it is essential that we recognise the reality of discrimination experienced by many communities, groups and individuals.

Despite developments and improvements to legal frameworks, such as the Equality Act 2010 and Human Rights Act 1998, negative impacts of discrimination are still a reality for too many people and communities across the UK. The reasons for this unacceptable reality are highly complex.

We are clear in Ealing Council that genuine progress is only possible if our approach to delivering on our Equality and Diversity policies systematically seeks to challenge and eradicate unfair and institutional discrimination. Barriers faced by vulnerable groups in accessing jobs, services and life enhancing opportunities must be removed and replaced by mechanisms to provide support and facilitation.

We respect everyone's right to be treated fairly and do not tolerate discrimination in any form. Respect for our residents and our colleagues are important to us. This means:

- Valuing people and diversity.
- Being open and communicating well.
- Working in partnership with others.
- Showing leadership and taking personal responsibility.
- Acting with integrity and honesty.
- Achieving excellent results in everything we do.
- Demonstrating the Council's values and behaviours.
- Taking steps to fully understand the needs of all our communities and service users.
- Considering the impact and effect our decisions, services and actions have on all groups who may be affected.

## **THE LEGAL FRAMEWORK**

In formulating this Policy, the Council recognises and values the important role played by supporting legislation and associated Codes of Practice, in defining discrimination and mechanisms to prevent and stop inappropriate practices. The Council embraces existing and scheduled legislation (listed below) as presenting opportunities for realising its vision of making a world of difference to our customers, employees and partners. The relevant legislation includes:

- The Human Rights Act 1998
- The Equality Act 2010

**The Equality Act 2010 encompasses** the following protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual Orientation

The Council is committed to meeting its statutory responsibilities to eliminate unlawful discrimination, harassment, victimisation and unfair treatment of protected groups, in respect of service delivery to its residents and within the workplace, by fully implementing all relevant legislation and ensuring that appropriate arrangements are made to meet relevant provisions of the Equality Act 2010.

The Equality Act 2010 retains the framework that was previously in place under the Equal Pay Act 1970.

**Public Sector Equality Duty** (Section 149 of 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 their activities, helping them to deliver policies and services which are efficient and effective; accessible to all; and which meet different people's needs.

The Equality Duty is supported by specific duties; these require public bodies to publish relevant, proportionate information demonstrating their compliance with the Equality Duty; and to set themselves specific, measurable equality objectives.

## **EMPLOYMENT AND RECRUITMENT OF STAFF**

The Council aims to:

- Nurture and build a diverse and representative workforce, which at all levels broadly,

represents the community it serves, enabling it to better meet the service needs of all our communities.

- Treat all employees and applicants for employment fairly and ensure they are not discriminated against because of their age, disability, gender reassignment, marriage and civil partnership, pay, pregnancy and maternity, race, nationality, ethnic origins, religion or belief, sex, sexual orientation and social background.
- Regularly review its recruitment and selection procedure to ensure fair access to all jobs. People will be selected on merit, based only on their skills, abilities, experience and qualifications to carry out the duties and responsibilities of the post for which they have applied.
- Be a 'Positive about Disability' employer and regularly review our commitment. Guarantee to interview any candidate with a disability who on the basis of their application appears able to meet the requirements of the job.
- Ensure that all employees are valued and treated with dignity and respect. Where harassment, victimisation or bullying is found in the workplace this will be confronted and dealt with through the appropriate procedures. Every employee has a responsibility to challenge and report inappropriate behaviour.
- Provide fair access to training and development opportunities.
- Have due regard to equal pay legislation.
- Support employees who wish to use a mode of dress dictated by ethnic/cultural background and religious beliefs. However, where corporate clothing is used or provided or where the wearing of any apparel may conflict with health and safety regulations or this policy, the relevant Head of Service may impose restrictions.
- Consider and reasonably adapt organisational requirements or existing practices where they are contrary to employees' cultural and religious needs/or where these can be reasonably adjusted to meet the needs of employees with disability.
- Actions will include ensuring that the refreshed Workforce Strategy and Action Plan address specific areas for development around workforce equality outcomes and awareness.
- Provide a range of equality and diversity training and development to support staff deliver the Council's equality and diversity commitments.

## **EMPLOYEES ROLE AND RESPONSIBILITIES**

The contribution of the Council's workforce is critical to achieving the aims of this policy. The actions and behaviours of all employees determine equality of access and outcome and this results in how customers perceive the Council. To ensure that employees are supported to project the appropriate behaviour and actions, the Council has developed values and behaviours that apply to all employees. In addition the Intranet and website pages have been updated to reflect latest guidance for employees' reference, including an "Equalities Toolkit".

The Council is determined to maintain equality and fairness of treatment in all their dealings with employees and the public. **It is a condition of employment that all employees adhere to this policy.** The Council's code of conduct sets out expected standards of behaviour for its workforce. Any deliberate act of discrimination or serious breach of the Equality & Diversity Policy by employees will be considered as an act of gross misconduct and will result in disciplinary action, and possible dismissal.

Every employee has the right to be treated with dignity whilst at work. The council does not tolerate harassment or bullying. An employee who believes that their dignity at work has been breached has the right to make a complaint under the Council's Dignity at Work

Procedure. This includes the reporting of racist incidents. The council takes such complaints seriously and will carry out an investigation.

Each employee is responsible for ensuring their actions and decisions comply with the requirements of equality legislation. Equality and diversity forms a mandatory part of the council's e-induction programme. Training and e-learning is available to provide further information on acceptable and unacceptable behavior to ensure this. Where employees are conducting formal assessments of equality impacts for their services' proposals and decisions, advice and guidance is available on the intranet.

## **POLICIES AND PROCEDURES**

In order to ensure that the Council maintains regard for this policy, all policies, procedures and practices will be subject to review in order to assess their impact on achieving and contributing equality and diversity objectives.

Priority will be given to new policies and procedures, but a systematic review of existing policies, procedures and practices will be carried out. A policy and procedure on maintaining Dignity at Work will be periodically reviewed to support the management of equality and diversity.

To ensure that equality and diversity matters are considered as part of mainstream service development, all reports include a formal consideration of Equalities and Community Cohesion implications.

## **SERVICE DELIVERY**

The Council provides direct services, regulates, funds and commission's services. In all these roles and activities the Council is committed to fair and equitable access to service whether they are delivered directly by Council employees, in partnership with other agencies or indirectly through external contract, funding or commissioning arrangements. All departments and divisions of Ealing Council will take steps to ensure that Council functions and policies are carried out in a way that complies with statutory requirements, minimises adverse impact on any section of the community and meets the needs of all local people (as appropriately as possible).

The Council aims to:

- Ensure equal access, fair treatment and appropriate provision to the whole community regardless of age, disability, gender reassignment, marriage and civil partnership, pay, pregnancy and maternity, race, nationality, ethnic origins, religion or belief, sex, sexual orientation, social background and any other reason not connected to entitlement and availability.
- Provide quality services designed to meet a wide range of different needs in the community and regularly review them to ensure that we have not disadvantaged our customers.
- Provide appropriate services, adapting these to meet the needs of the whole community promoting equal access to services, including producing clear information about how to access our services (for example in different languages and large print).
- Provide and publicise clear information on how dissatisfied customers can complain about the services they have received and respond efficiently to complaints received. Also, clear information will be provided to enable satisfied customers to commend a

service.

- Ensure that wherever practicable, all services and buildings are accessible.

In addition the Council will:

- Assess organisational, departmental and individual requirements to achieve compliance with legislation.
- Respond to harassment in accordance with its Dignity at Work Policy.
- Ensure that all Council functions and policies are carried out in a way that complies with statutory requirements, minimises adverse impact on any section of the community and meets (as appropriately as possible) the needs of all local people.

## **CONSULTATION**

As part of the Corporate Consultation strategy the Council will consult with and actively listen to our customers, partners, community groups and stakeholders (including employees) on all aspects of developing and delivering this equality and diversity policy.

## **EQUALITY ASSESSMENTS**

Ealing Council is committed to Equality Assessment of all existing and proposed policies, procedures and practices to minimise disproportionate adverse impact on any particular sections of the community.

The Council has developed guidance on the “Equality Assessment Process.”

## **STANDARDS AND MONITORING**

The focus of our equality duty is likely to fall increasingly on local transparency and accountability, making the quality and use of information relating to equalities ever more important. We will need to continue to show due regard has been given to equalities consideration in our decisions, service provision and employment practices, as currently, as per wider Equalities legislation.

*A corporate **Equality & Diversity Action Plan** has been developed to ensure that the Council meets its requirements under the Equality Act and Public Sector Equality Duty, and positions itself as effectively as possible to meet the needs of groups with protected characteristics in our communities wherever feasible, while minimising bureaucracy. Progress against this action plan is reviewed quarterly by Corporate Board.*

The ban on age discrimination against adults in the provision of services and public functions came into force on 1<sup>st</sup> October, 2012. Our Equalities Guidance will provide more detailed information, to enable people to respond as fully as is reasonable to these changes. Training provided to staff will also be updated to note the changes.

Development of the Local Information System is intended to provide a single source of research and intelligence to support people in doing analysis of local equalities needs and potential impact of decisions and services. We will review our workforce monitoring data to ensure it is as up to date and comprehensive as possible, by raising awareness through publicity to encourage all employees to make sure information recorded on the councils computerised HR system is full and accurate.

The measurement will be aided by:

- Using the census as a base, develop a profile of the community. State of Ealing containing borough facts and figures. This document will be further informed by information from the 2011 Census, which will start to become available from summer 2012 onwards.
- Joint Strategic Needs Assessment is an analysis of the health and social care needs of the borough. Where the data is available, this is broken down into analysis of needs by protected characteristics.
- Resident's survey: interviews a representative sample of Ealing residents and seeks their views on living in Ealing. This data can be broken down by protected characteristics to tell us how people from different equalities groups feel about their neighbourhood and the services provided by the council.
- The data collected by individual services is used to inform the development of key strategies and plans, such as the Corporate Plan, Safer Ealing strategy, Children and Young People's Plan, Work and Skills Strategy.
- The Ealing Workforce Strategy 2011 – 2014 contains key equalities information relating to the people employed by the council. A principle aim of the strategy is for the council's workforce to reflect the local community of which it serves.
- Monitoring Recruitment and Selection, training and other personnel procedures, and measuring change in the composition of the workforce. Collecting and analysing information to check that the Council's employment policies and practices are fair and prevent discrimination.
- Reporting the results of employment monitoring on an annual basis.
- Developing the use of efficient and confidential monitoring systems to analyse and evaluate how effectively services meet the needs of the borough's diverse community. This will include monitoring information about use and non-use of services together with reviewing allocations of service ensuring equal access.

### **WHO HAS RESPONSIBILITY?**

The Council takes its responsibilities for equality of opportunity and diversity very seriously and recognises that discrimination can only be effectively eliminated in partnership with employees, service users and also our external partners.

- The Chief Executive has overall responsibility for ensuring this policy is carried out.
- Corporate Board is responsible for coordinating a strategic approach to the management of equality and diversity and will nominate a lead officer.
- Executive directors are responsible for ensuring that equality and diversity issues are mainstreamed within business plans and delivery of the services for which they have executive responsibility.
- Service Directors are responsible for ensuring that arrangements are in place to ensure effective day-to-day delivery of services and management of employees with due regard to the council's equality and diversity objectives on a basis.
- All employees have a responsibility to carry out their duties in accordance with this Equality and Diversity Policy and statutory requirements.
- The Cabinet and elected Members of the Council will promote, support and uphold this policy in all their dealings with employees, partners and our external customers.

## FURTHER INFORMATION

### External Links (Internet)

#### Government Equalities Office

<https://www.gov.uk/equality-act-2010-guidance>

#### ACAS

<http://www.acas.org.uk/index.aspx?articleid=3017>

#### Equality & Human rights Commission

<http://www.equalityhumanrights.com/>

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