DIGNITY, EQUALITY AND DIVERSITY POLICY

YEOVIL TOWN COUNCIL

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DIGNITY, EQUALITY AND DIVERSITY AT WORK POLICY

1. Introduction

1.1 We are committed to providing equal opportunities in employment and to avoiding unlawful discrimination.

1.2 This policy needs to be read in conjunction with the Dignity at Work Policy.

2. The Law

2.1 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".

2.2 Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

2.3 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.

3. Equality Act 2010

3.1 The introduction of the Equality Act is a framework which provides protection from direct and indirect discrimination, harassment and victimisation based on one of the following protected characteristics:

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

- Sex
- Sexual orientation

4. Types of Unlawful Discrimination

Associative Discrimination

This applies to race, religion, or belief and sexual orientation, age, disability, gender reassignment and sex. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Direct Discrimination

Direct Discrimination includes less favourable treatment “because of” a protected characteristic. This occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see Perceptive Discrimination below), or because they associate with someone who has a protected characteristic (see Associative Discrimination above).

Indirect Discrimination

Protection from indirect discrimination applies to age, race, religion or belief, sex, sexual orientation and marriage and civil partnership and disability and gender reassignment. Indirect discrimination can occur when you have a condition, rule, policy or even practice in the organisation that applies to everyone but particularly disadvantages people who share a protected characteristic.

Perceptive Discrimination

Perceptive discrimination applies to age, race, religion or belief and sexual orientation, disability, gender reassignment and sex. This is direct discrimination against an individual because others think they possess a protected characteristic. It applies even if the person does not actually possess that characteristic.

Harassment

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.

Third Party Harassment

Third party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic, by third parties.

Victimisation

Victimisation occurs when a person is mistreated because they have done something in relation to the Equality Act. For example, making or supporting a grievance or an employment tribunal claim. Instructing, causing or inducing discrimination, harassment or victimisation is prohibited for all the protected characteristics.

5. Equal Opportunities in Employment

5.1 To create an environment in which individual differences and the contributions of our staff are recognised and valued.

5.2 Every employee, worker or self-employed contractor is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated.

5.3 Training, development and progression opportunities are available to all staff.

5.4 Equality in the workplace is good management practice and makes sound business sense.

5.5 We will review all our employment practices and procedures to ensure fairness.

6. Dignity at work

6.1 The council has a sperate dignity at work policy concerning issues of bullying and harassment on any ground and how complaints of this type will be dealt with.

7. Training

7.1 The council will provide training and raise awareness of equal opportunities to those likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise.

7.2 The council will raise awareness of all staff engaged to work at the council to help them understand their rights and responsibilities under the dignity at work policy and what they can do to help created a working environment free of bullying and harassment.

7.3 The council will provide additional training to managers to enable them to deal more effectively with complaints of bullying and harassment.

8. Responsibilities

8.1 Every employee is required to assist the council to meet 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.

8.2 Acts of discrimination, harassment, bullying or victimisation against employees or customers 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.

9. Complaints

9.1 The council has a sperate grievance policy concerning how grievances are dealt with. The grievance policy complies with the 2015 ACAS Code of Practice.

Yeovil Town Council
26th September 2023
To be reviewed: September 2028
(subject to changes in legislation, recommended practice, operations)