



# CORPORATE EQUALITY POLICY

March 2006

## **Index of Contents**

	<b>Subject</b>	<b>Page</b>
<b>1</b>	<b>Statement of commitment to promoting Equality</b>	<b>3</b>
<b>2</b>	<b>The Stephen Lawrence Inquiry Report</b>	<b>4</b>
<b>3</b>	<b>The Legislative Framework</b>	<b>5</b>
<b>4</b>	<b>Aims and Objectives of the Policy</b>	<b>7</b>
<b>5</b>	<b>Responsibilities, scope and delivery</b>	<b>9</b>
<b>6</b>	<b>Equality and Diversity in Employment</b>	<b>11</b>
<b>7</b>	<b>Equality and Diversity in Service Delivery</b>	<b>14</b>
<b>8</b>	<b>Monitoring and Review</b>	<b>17</b>
<b>9</b>	<b>Race Equality Policy and the Race Equality Scheme</b>	<b>18</b>
<b>10</b>	<b>Policy on Gender Equality</b>	<b>19</b>
<b>11</b>	<b>Sexual Orientation and Gender Preference (Transgender) Equality Policy</b>	<b>21</b>
<b>12</b>	<b>Disability Equality Policy</b>	<b>23</b>
<b>13</b>	<b>Policy on Religion or Belief</b>	<b>25</b>
<b>14</b>	<b>Policy on Age Discrimination</b>	<b>27</b>

## ***Statement of commitment to promoting equality***

The Council recognises that all individuals have fundamental human rights and welcomes the diversity of the community living, working and learning in the Borough. As a service provider and major employer the Council is committed to promoting equality and tackling social exclusion and, as such, will integrate equality into all activities, having due regard to the need to:

- Eliminate unlawful discrimination
- To promote equality of opportunity and
- To promote good relations between all groups irrespective of their disability, race, sex, religion or belief, sexual orientation, trans gender status, age or marital status.

This list is not exhaustive and there are other forms of discrimination that are unacceptable and will not be tolerated.

**As a provider of services** - the Council will seek to develop and provide relevant, appropriate and accessible services to meet the needs of the diverse community.

**As an employer** - the Council will value the contribution of every employee and respect their individual differences. The Council will strive to eliminate unlawful or otherwise unjustifiable discrimination and promote equality in employment, training and access to employee benefits and services.

**As a partner** – the Council will highlight the needs and requirements of individuals facing discrimination, take a strategic lead in challenging discriminatory practices and policies and enter into agreements and partnerships that actively promote equality and social inclusion.

The Council will also operate monitoring and evaluation systems to ensure that the impact of services and policies and the needs and requirements of customers and employees are identified and addressed appropriately.

## ***The Stephen Lawrence Inquiry Report***

The Council acknowledges the implications of the Stephen Lawrence Inquiry and accepts the definition of institutional racism as:

***‘ the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in the process, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people’***

The Council has adopted this position not only because of the legal requirement e.g. Race Relations Act, Sex Discrimination Act, Disability Discrimination Act, but also because it is our moral position that it is wrong to discriminate on any grounds and that equally favourable treatment will be afforded to all. We also recognise that all sections of the community that make up the Borough of Barnsley have a part to play in the democratic process as voters and as community charge payers.

The Council believe that it is essential to employ the best people to run its services and as such will ensure that prejudice, stereotypes and irrelevant factors will not be used to exclude potential candidates for jobs and to stop people doing their job to the best of their ability. We also recognise that equality is part of achieving efficiency, effectiveness and best value in the use of its resources, including the way we recruit and employ.

**All of our measures relating to Equality will be designed to promote individual’s rights and we will ensure that no group is systematically denied. There are times when the right and need of differing groups will appear to conflict. However, reconciling these differences is an important part of our Equality Policy.**

## ***The Legislative Framework***

### **Race Relations Act 1976 and Race Relations (Amendment) Act 2000**

Under the Race Relations Act 1976, in respect of such matters as selection for appointments, promotion, transfers, training and dismissal, it is unlawful to treat a person less favourably than another is treated in similar circumstances on racial grounds. It is also unlawful to apply a requirement or condition which discriminates against members of a particular racial group because they are less able to comply with it than others are. The Race Relations (Amendment) Act 2000 extends the 1976 Act and places a general duty on public authorities to eliminate unlawful racial discrimination, promote race equality and good relations between persons of different racial groups as well as the specific duties for local authorities to fulfil. This includes the production of a Race Equality Scheme and employment related duties in terms of monitoring the ethnicity of job applicants and employees.

### **Employment Equality (Religion or Belief) Regulations 2003**

These regulations make it unlawful to discriminate against a person, in matters relating to employment or training, promotion, transfers or dismissal because of their religion or similar belief.

### **Sex Discrimination Act 1975 (SDA) and Sex Discrimination (Gender Reassignment) Regulations**

The SDA prohibits direct and indirect sex and marital status discrimination against men and women in respect of such matters as selection for appointments, promotion, transfer or training. It is also unlawful to apply a requirement or condition, which discriminates against women because they are less able to comply with it than men are (or vice versa.)

### **Gender Recognition Act 2004**

Extends the Sex Discrimination Act to cover discrimination on the grounds of gender reassignment in employment and vocational training.

### **Equal Pay Act 1970**

The Equal Pay Act is designed to prevent discrimination between men and women in respect of their terms and conditions of employment, including pay. It requires that men and women should be paid equally where they are carrying out the same job or work of equal value as rated under a job evaluation scheme.

## **Equal Treatment Directive (EC Directive 76/207/EEC)**

This provides that there will be no discrimination on the grounds of sex, either directly or indirectly, by reference in particular to marital or family status in jobs and training.

## **The Employment Equality (Sexual Orientation) Regulations 2003**

These regulations make it unlawful to discriminate against a person, in matters relating to employment, promotion, transfers, training or dismissal on the grounds of their sexual orientation by way of treating them less favourably, violating their dignity or creating an intimidating, hostile or offensive environment for them.

## **The Disability Discrimination Act 1995 and 2005**

The Disability Discrimination Act 1995 introduced a new definition of 'disability' and 'disabled person' and made it unlawful to treat people with a disability less favourably, without objective justification. It also provides for a duty on an employer to make reasonable adjustments to working arrangements or premises if they place a disabled person at a substantial disadvantage to others.

From December 2006 the Disability Discrimination Act will be amended to place a duty on all public bodies to actively promote disability equality. This is a positive duty which will build in disability equality at the beginning of a process, rather than make adjustments at the end. It will bring about a shift

from a legal framework that relies on individual disabled people complaining about discrimination to one in which the public sector becomes a proactive agent of change.

The General Duty will require public bodies to have due regard to the need to eliminate unlawful discrimination and promote equal opportunities for disabled people, eliminate the harassment of disabled people, promote positive attitudes and the need to encourage the participation of disabled people in public life. The Specific Duty will define the framework to use in order to meet the General Duty, the main element of which will be to produce a Disability Equality Scheme.

## **Protection from Harassment Act 1997**

This act states that a person must not pursue a course of conduct which amounts to harassment and which he or she knows or ought to know amounts to harassment and provides employees with both a criminal and civil remedy for bullying at work which comes within the statutory definition of harassment.

## **Age Discrimination**

The EC Equal Treatment Directive requires legislation on age discrimination to be introduced by December 2006.

## ***Aims and Objectives of the Policy***

The aim of this policy is to ensure that the Council achieves Equality in both employment and services, by treating all of the diverse groups in the Borough of Barnsley in a fair and equitable manner, irrespective of age, race, religion, disability, ethnicity, gender, sexual orientation or marital status. The Council will also ensure that in planning, delivering, monitoring and evaluating work, equality and diversity issues are appropriately considered from the outset, and that promoting equality is central to the work of all employees.

Specific objectives towards the achievement of the policies aims are as follows:

### ***In Employment***

To achieve fairness and consistency in respect of:

- Conditions of employment
- Selection and allocation of work
- Access to training, further education, personal development and increased job satisfaction
- Recruitment, selection and promotion
- Providing an environment which will encourage harmonious and positive working relationships
- Meeting all recommendations contained in the Stephen Lawrence Inquiry Report (employment).

### ***In Services***

To achieve fairness and consistency in respect of:

- Identifying and consulting community groups who have specific needs in relation to Council Services
- Ensuring the design and development of services is sensitive to the diverse population of Barnsley
- Ensuring equality issues become mainstreamed and are addressed within all Best Value Reviews, Service and Financial Plans, and all corporate strategies, policies and plans
- Using the Governments Equality Standard as a checklist to ensure that Directorates and Departments integrate equality into performance indicators and priorities for action
- Meeting all the recommendations contained within the Stephen Lawrence Inquiry Report (service delivery).

### ***In Community Leadership***

To promote a commitment to Equality throughout the Borough:

- Through the Council's many partnerships, encouraging promotion of equality in organisations
- By encouraging and facilitating participation in all aspects of the democratic process by all sections of the community and ensuring that proper account is taken of all views expressed
- By promoting good equality practice and challenging unacceptable practice and attitudes

### ***In Training***

To ensure that employee development plays a pivotal role in achieving the Council's aims on Equality and Diversity by:

- Briefing all managers, supervisors and employees on the Corporate Equality Policy and their specific responsibilities
- Ensuring that equal access is given to all appropriate training
- Planning and delivering in depth training to those involved in recruitment and selection, policy development and provision of front line services

The Council's Comprehensive Equality Policy will be promoted to everyone (including volunteers, partners, contractors and suppliers) who work for or in partnership with the Council, to encourage equality

in the community as a whole. The Corporate Equality Policy will also be available in hard copy format or electronically via the Council's website and the Human Resources intranet site.

### ***Equality Standard for Local Government***

To ensure that the aims and objectives of the policy are achieved the Council has adopted the Equality Standard for Local Government which will serve as a measurement of the Council's progress in achieving equality and diversity on behalf of the community, Elected Members and the workforce. A Corporate Equality Action Plan, with targets for the incremental progression through the levels of the Standard has been developed by the Executive Corporate Equality Group. Work on implementing the Equality Standard will be combined with related policy initiatives to ensure an integrated approach. This will include coordination and integration with the statutory Race Equality Scheme, community cohesion and social inclusion initiatives and strategies.

The Corporate Equality Action Plan, for the achievement of the Equality Standard for Local Government, includes a commitment and timetable to carry out Equality Impact Assessments of all existing and new major functions and policies across all strands of diversity.



## ***Responsibilities***

Each employee of the Council will have a responsibility to ensure that the equality objectives are achieved. The Policy will only succeed if everyone is treated with the same respect and dignity that they would rightly expect from others.

In order that the Corporate Equality Policy works;-

1. The Chief Executive will have overall responsibility to ensure that this policy is operated effectively throughout the Council.
2. The Cabinet will monitor progress within a strategic framework using the Government Equality Standards and the Commission for Racial Equality Standards
3. The Senior Management Team will be collectively responsible for the corporate implementation and monitoring of the policy, ensuring that it is mainstreamed within Directorates and carried out in practice.
4. The Executive Corporate Equality Group will be responsible for setting and ensuring the delivery of the performance framework for equality through the Corporate Equality Action Plan, the Race Equality Scheme and the Best Value Performance Plan.
5. Managers will also take responsibility for making the policy known within their sections to ensure that:
  - All employees understand their responsibilities
  - No discrimination takes place and any inequalities within their area of work are dealt with swiftly and appropriately.

Managers also have a particular responsibility for ensuring that a harmonious and positive working atmosphere exists. They will be responsible for addressing and eliminating any situation involving bullying, harassment and any other form of discrimination. They also have a key role to play in ensuring that they maximise the potential of all employees, whom they are responsible for.

6. All employees have a responsibility to ensure that they do not practice unlawful or unjustifiable discrimination in carrying out their duties and in dealing with customers. All employees are expected to be sensitive to the needs of the diverse community.
7. The Trade Unions are key partners in promoting and helping to ensure adherence to this policy and the involvement, support and participation of employees and their Trade Unions is essential.

## ***Disciplinary Offences***

The following actions by employees will be regarded as disciplinary offences and will be addressed through the disciplinary procedure:

- Discriminating against colleagues or job applicants on unjustifiable grounds
- Persuading others to discriminate unfairly
- Harassment, bullying or victimisation

### ***Scope***

Our Corporate Equality Policy applies to users of our services and visitors to our sites, Elected Members, employees, secondees, volunteers, contractors, sub contractors and partner organisations.

### ***Delivery***

#### ***Champion***

The Council has a Corporate Equality Project Lead to coordinate this work.

#### ***Executive Corporate Equality Group***

Will be responsible for setting and ensuring the delivery of the performance framework for equality through the Corporate Equality Action

Plan, the Race Equality Scheme and the Best Value Performance Plan.

### ***Lead Officers and Link Officers***

Senior managers and officers from each Directorate will co-ordinate action and ensure that service level equality targets are being met.

### ***Targets and Monitoring***

The aims and objectives of this policy will be progressed through the Corporate Equality Action Plan, which will encompass service delivery, employment issues and the Council's progress in achieving the Equality Standard for Local Government. The plan will be continually reviewed and monitored by the Executive Corporate Equality Group. In addition, equality targets will be measured by the use of Best Value Performance Indicators and monitoring of targets set in Service Delivery Plans. The results of the monitoring will be reported to the Leaders Performance Review Panel and published in a number of ways.

## ***Equality and Diversity in Employment***

This policy makes a commitment to make the full use of the talents and resources of all employees and potential employees, to achieve the Council's goals and to provide a productive and harmonious environment. A performance framework for equality will be established through the Council's Corporate Equality Action Plan, Race Equality Scheme and Best Value Performance Plan.

This section describes how the policy will be applied throughout the Council, and is based on three key principles:

1. In all aspects of employment there will be no discrimination against any person on the basis of age, gender, race, religion, disability, ethnicity, sexual orientation or marital status.
2. All promotions and appointments will be strictly on the basis of assessing the individual's capacity and ability to do the job in accordance with the criteria specified in the employee specification.
3. The Council is thus committed to making

'reasonable adjustments' to the recruitment procedures, working practices and the working environment to accommodate people with disabilities.

### ***Recruitment Publicity***

When recruiting, the Council will ensure that there is the widest possible response to advertised vacancies. All posts will be advertised and will positively encourage applications from all sections of the community and all reasonable steps will be taken to bring adverts to the attention of under represented groups.

Applications and information will be made available in a variety of formats as and when required. This may be in a relevant community language, Braille and or audio tape. The use of the National Interpretation Service will be made available as and when required.

### ***Recruitment process***

The recruitment process must result in the selection of the most suitable person for the job based on their qualifications, experience, skills and abilities in accordance with the employee specification.

### ***Selection Process***

The selection process will be carried out consistently for all jobs at all levels according to objective job related criteria, which are based on the ability to do the job.

The criteria for shortlisting will be established from the employee specification and will be based upon experience, general and special knowledge, skills and abilities, educational and professional qualifications and any additional factors. Care will be taken in specifying professional or educational qualifications as suitable experience can often be an effective substitute to qualifications. This approach will not, therefore exclude minority groups, people with disabilities or discourage people with minimum qualifications to apply.

Wherever possible experience should count as equivalent to a qualification and will be accurately assessed and recognised as a substitute for formal qualification as part of the selection process.

All interviews will be conducted by employees or Elected Members who have received the Council's Recruitment and Selection training or a suitable equivalent. All interview questions will be strictly relevant to identifying the candidate's ability to do the job, based on the employee specification criteria.

### ***Induction, Training and Development***

All employees, as part of their induction or through in-house training will be made aware of this policy and of their responsibilities under the related legislation. Certain groups of employees will receive additional training in Equality and Diversity, particularly those who are members of the Executive Corporate Equality Group, those involved in recruitment, policy development and service provision.

### ***Performance Review***

All employees will be provided with opportunities for learning, development and appropriate career development through the Performance and Development Review process. Managers responsible for carrying out Performance and Development Review interviews and identifying the development needs of the individual will ensure that their decisions are based on objective job related criteria and achievement of service objectives.

The principles within this policy will be embedded into the performance management framework.

### ***Pay and Conditions of Service***

The Council is committed to a policy of ensuring that every employee has equal pay for like work or work of equal value. This is being achieved through a robust process of job evaluation, using the recently implemented National Joint Council Job Evaluation Scheme, supplemented by an Equal Pay Audit.

The Council will ensure that all national and local conditions of

service are applied fairly and  
***Worklife Balance***

The Council has introduced a number of flexible working options with the aim of ensuring that its workforce is fully inclusive of all groups within the community. The Council will ensure that these policies are applied fairly and consistently.

### ***Long Term Illness/Disability***

Any individual who becomes incapable of performing their duties because of long term illness or disability, may come within the scope of the Disability Discrimination Act 1995. In such circumstances reasonable adjustments to the individual's job description and to the working environment will be made in accordance with the provisions of the Act and the Council's Redeployment and Protection of Earnings Policy.

### ***Harassment***

All employees have the right to be treated with respect and to maintain their Dignity at Work. The Council has introduced a 'Dignity at Work' (Harassment and Bullying) Policy, which outlines the procedures that will be followed within the Council in relation to allegations of Harassment and Bullying. The Council has made a commitment that Harassment and Bullying will not be tolerated and any allegations will be taken seriously and dealt with appropriately.

consistently to all employees.

### ***Disciplinary and Grievance Procedures***

The Council will ensure that all employees of the Council are aware of the grievance, disciplinary, harassment and recruitment complaints procedure and will be encouraged to utilise them as appropriate. Any employee who discriminates unlawfully against a job applicant, other employee or service user will be committing an offence under the disciplinary procedure and in such cases action may be taken against them.

### ***Consultation***

The Council recognise the importance that Trade Unions can play in achieving the objectives of this policy and will, therefore, consult with the unions at every stage of introducing measures to implement, monitor and review this policy. In addition to consulting with our own employees, we will also consult members of the community to establish how we are judged as an employer.

### ***Communication***

The Council will ensure that proper account is taken of factors that can prevent effective communication with employees. Care will be taken to ensure that information is clearly understood by all and the National Interpretation Service will be utilised where appropriate.

## ***Equality and Diversity in Service Delivery***

Equality of service delivery is about the process of ensuring that all sectors of the community of Barnsley receive a fair and equal service appropriate to their needs. In this respect Barnsley Council is committed to developing and producing relevant, appropriate and accessible services that meet the needs of our diverse population and aims to integrate the promotion of equality and fairness for all into all of our activities. As such our commitment will be reflected in the following ways:

- Service and Financial Plans will include a section on Equality and Diversity and achievements against the CRE Standards.
- Consultation with appropriate minority groups will take place
- Best Value Reviews will include a review of performance on Equality and Diversity
- Individual differences will not limit access to services in any form
- Effective procedures will exist to enable individuals to make complaints

It is recognised that these objectives can only be achieved with the support of a diverse and representative workforce that is well informed and committed to

implementing this Corporate Equality Policy.

### ***Service Plans and Best Value and Service Reviews***

Service Plans and Best Value Reviews will incorporate the principles set out above to ensure the needs of all groups in the community are met. The service plans will need to reflect improvements in equality by showing that there is an increased involvement in community participation and there is an increase in satisfaction levels.

### ***Service Delivery by Contractors***

Some of the Council's services may at times be provided by external bodies. To ensure our customers receive the same value, and same standard of service, whether provided internally or externally, the Council will require any external organisation involved in the planning, procurement and delivery of services to comply with the Council's Corporate Equality Policy.

### ***Links between Employment and Service Delivery***

By building and developing a skilled and diverse workforce which understands the community that we serve and the equalities dimension of the service they provide, the employment aspects of this policy will also support equality in service delivery.

## ***Reporting and Recording of Racist Incidents***

The Council's Best value Performance Plan (BVPP) is required to include indicators which relate to the recording and reporting of racist incidents. A racist incident is defined as "any incident which is perceived to be racist by the victim or any other person".

Under the BVPP indicators we record:

1. The number of racial incidents recorded by the Authority per 1000 population,
2. the percentage of racial incidents that resulted in further action.

The Council has a policy of dealing with racial harassment on its estates and reported incidents will be investigated.

The Multi Agency Panel (MAP) will also provide a co-ordinated and comprehensive response to those who are suffering Racial Harassment.

## ***Involvement and Consultation***

Barnsley MBC recognises the role that customers, community groups and others play in helping to shape the services that we provide. In the planning and delivering of services the Council will be responsive to the needs and concerns of the community and will involve service

users through consultation, in decision making and monitoring arrangements which is addressed in the Consultation Strategy.

## ***Communication***

Accessible communications are also important in promoting equality in the provision of services. The Council will ensure that alternative formats of written documents are available, including other languages, large print, Braille and audiocassette as appropriate. Public meetings and events will be accessible to all and interpreters and sign language interpreters will be provided if requested.

Invitations and publicity for all such events should clearly state the facilities available and provide details for requests of any other facilities or services that are required. Barnsley Council will prominently display diverse images and welcome messages in the most commonly spoken community languages in addition to English in public facing reception areas, via notices or display screens as appropriate.

## ***Comments and Complaints***

The Council's Complaints Procedure may be used by members of the public who are dissatisfied with the behaviour or actions of the Council employees, the extent or non provision of a service, or the manner in which it is provided. Complaints will be monitored for equality issues.

## ***Procurement***

Barnsley Council will ensure that the procurement of goods and services is undertaken in accordance with the commitments set out in this policy. Procedures will be established to ensure that all providers have a fair and equal opportunity to compete for Council contracts.



## ***Monitoring and Review***

Monitoring will be introduced to assess the extent to which the aims and objectives of the policy are being achieved. The Governments Equality Standards and the Audit Commission Performance Indicators will be used wherever possible to act as a benchmark.

The Council is committed to ensuring that all adverse aspects in equality are removed and therefore the Equality Impact Assessment process will be used to examine and review all existing and new functions and policies to ensure that they continue to reflect the commitments within this policy.

This policy framework will be reviewed for effectiveness by the Executive Corporate Equality Group every 3 years or as otherwise required.

## ***Race Equality Policy***

Barnsley Metropolitan Borough Council's Corporate Equality Policy and Race Equality Scheme have been written to ensure compliance with the Race Relations Act 1976 (as amended 2000) and the CRE Codes of Practice. The policy accepts the fundamental principles set out in the Macpherson Report on the inquiry into the death of Stephen Lawrence relating to institutional racism and racist incidents. It also acknowledges the Council's statutory duty to promote equal opportunities and good relations under section 71 of the Race Relations Act 1976, as reinforced by the Race Relations (Amendment) Act 2000, and its responsibilities under the European Directive on Racial Discrimination.

The Council will ensure that in all its dealings, as an employer, service provider and community leader, are free from racial discrimination. The Council will accordingly afford equal access to employment and services will not discriminate on the grounds of race, colour, nationality, ethnic origin and cultural background.

The Action Plan to promote Race Equality is set out in the Race Equality Scheme.

## ***Policy on Gender Equality***

Barnsley Metropolitan Borough Council is committed to eliminating sex discrimination and enabling women and men to participate on an equal basis in social, cultural, political and economic life. It is also committed to the principles of individuality and diversity. In pursuing these commitments the Council acknowledges its statutory duty under the Sex Discrimination Act 1975 (amended 1986), the Equal Pay Act 1975 (amended 1984) and the Human Rights Act 1988.

The Council will ensure that in carrying out its duties, women and men are protected from unlawful discrimination and treated equally. To help achieve this objective the Council will:

- ensure that all functions, policies, procedures and practices are impact assessed to ensure that they comply with the duties under the above Acts and that they do not adversely affect people on the basis of their gender or marital status
- work in partnership to create a safer environment for women and men
- encourage greater participation of women in public and political life
- support employees and enable flexible working to help employees to balance their home, social and work life responsibilities
- ensure equal access to development opportunities for part time employees
- carry out an equal pay audit and ensure that any adverse impact is addressed
- create a work environment that is free from sexual harassment, bullying and victimisation and where all employees are treated with dignity and respect
- address any under representation of women in senior management positions by improving the working environment and supporting women's development programmes
- promote gender equality through learning and development
- handle allegations of discrimination and harassment sensitively and appropriately in accordance with the Council's policies and procedures
- ensure that recruitment and selection is carried out in accordance with the corporate Code of Practice
- manage employees fairly and appropriately, ensuring that there is no discrimination in terms of attitude, work allocation, promotion or other conditions of service
- ensure that Elected Members are aware of their individual responsibilities under this policy

- ensure that consultants, contractors, suppliers and partners are made aware of this policy and it is expected that their own policies will include a commitment to equality principles.
- Commit to equality of opportunity in recruitment, selection, training, transfer and promotion, discipline and dismissal

## ***Sexual Orientation and Gender Preference (Transgender) Policy***

Barnsley Metropolitan Borough Council embraces freedom of expression and encourages a culture of openness and tolerance. The Council is committed to eliminating homophobic prejudice and discrimination and it is therefore recognised that employees who have a sexual orientation towards persons of the same sex (lesbians and gays), the opposite sex (heterosexuals) the same and opposite sex (bisexuals) or are transgendered or transsexual should not be subject to less favourable treatment on the grounds of their orientation or difference. In pursuing these commitments the Council acknowledges its statutory duties under the Human Rights Act 1988, the Sex Discrimination Act 1975, the Sex Discrimination (Gender Reassignment) Regulations 1999 and the Employment Equality (Sexual Orientation Religion or Belief) Regulations 2003 and the Gender Recognition Act 2004.

The Council will ensure that in carrying out its duties it will:

- ensure that policies and procedures are not based on the assumption that everyone is or should be heterosexual
- acknowledge same sex relationships and ensure that partners have equal access to services and benefits
- work in partnership to ensure a safer environment for gays, lesbians, bisexuals or transgendered people
- create a work environment that is free from intimidation, hostile, degrading, humiliating or offensive behaviour and where all employees are treated with dignity and respect
- confront unlawful discrimination and tackle prejudice through learning and development
- ensure that recruitment and selection is carried out in accordance with the corporate Code of Practice
- manage employees fairly and appropriately, ensuring that there is no discrimination in terms of attitude, work allocation, promotion or other conditions of service
- handle allegations of discrimination and harassment sensitively and appropriately in accordance with the Council's policies and procedures
- ensure that Elected Members are aware of their individual responsibilities under this policy
- ensure that consultants, contractors, suppliers and partners are made aware of this policy and it is expected that their own policies will include a commitment to equality principles.
- provide information and guidance to managers on gender reassignment as well as guidance on the use of appropriate language and behaviour issues that may affect people who are gay, lesbian, bisexual or transgender.
- commit to equality of opportunity in recruitment, selection, training, transfer and promotion, discipline and dismissal

- Reporting and recording of Homophobic Incidents. The Barnsley Partnership against Transphobia and Homophobia (BPaTH) also provide a coordinated and comprehensive response to those who suffer Homophobic Harassment.

## ***Disability Equality Policy***

Barnsley Metropolitan Borough Council is committed to eliminating discrimination against people with disabilities in employment and service provision and promoting equality of opportunity between disabled persons and others. In pursuing this commitment the Council acknowledges its statutory duties under the Disability Discrimination Acts 1995 and 2005 and the Human Rights Act 1998.

The Council will ensure that in carrying out its duties, people with disabilities are free from prejudice, discrimination and harassment in their everyday lives. To achieve this objective the Council has adopted the following principles:

- All functions, policies, procedures and practices will be impact assessed to ensure that they comply with the duties under the Disability Discrimination Acts and that they do not adversely affect people with disabilities
- In planning and delivering services the specific needs of people with disabilities will be considered and taken into account in the consultation process
- Services will be designed, planned and provided to enable people with disabilities to participate fully in public life
- Improvements in access to services will be informed through consultation with disabled people
- Barriers in the provision of joint services will be tackled through effective partnership working
- Information will be available on request through a range of media and in a range of formats and alternatives to verbal communication will be offered so that people with disabilities enjoy equal access to information and services
- Allegations of discrimination and harassment will be handled sensitively and appropriately in accordance with the Council's policies and procedures
- Recruitment and selection will be carried out in accordance with the corporate Code of Practice. Reasonable adjustments will be made so that applicants with disabilities and existing employees who are or become disabled are treated fairly and with proper consideration of their abilities
- Employees who are or become disabled will be assisted through the Redeployment and Protection of Earnings procedure, to remain in employment
- Employees will be managed fairly and appropriately, ensuring that there is no discrimination in terms of attitude, work allocation, promotion or other conditions of service

- Elected members will be made aware of their individual responsibilities under this policy
- Consultants, contractors, suppliers and partners will be made aware of this policy and it is expected that their own policies will include a commitment to equality principles.
- Information and guidance will be provided to managers on disability issues and on their responsibilities under the Disability Discrimination Acts 1995 and 2005.
- Commit to equality of opportunity in recruitment, selection, training, transfer and promotion, discipline and dismissal



## ***Policy on Religion or Belief***

Barnsley Metropolitan Borough Council recognises an employees' right to religious freedom and encourages the expression of faith. Managers and employees have a right to have different beliefs and all employees should accept these rights and not discriminate or victimise colleagues as a result.

In pursuing this commitment the Council acknowledges its statutory duties under the Employment Equality (Religion or Belief) Regulations 2003.

The Council will afford equal access to employment and services to all regardless of their religion and in achieving these objectives will:

- Ensure that all faith communities are involved in the planning of services through consultation
- Consider advertising and promoting services in the faith media
- Ensure that the use of services is monitored by ethnicity to ensure equality of access and that the use of data is used to develop services which are appropriate to the needs of the whole community
- Ensure that recruitment and selection is carried out in accordance with the corporate Code of Practice and the CRE Code of Practice.
- work in partnership to ensure a safer environment for all religious groups in the community
- create a work environment that is free from intimidation, hostile, degrading, humiliating or offensive behaviour and where all employees are treated with dignity and respect
- confront unlawful discrimination and tackle prejudice through learning and development
- manage employees fairly and appropriately, ensuring that there is no discrimination in terms of attitude, work allocation, promotion or other conditions of service
- handle allegations of discrimination and harassment, on religious grounds sensitively and appropriately in accordance with the Council's policies and procedures
- sensitively and appropriately in accordance with the Council's policies and procedures
- ensure that Elected Members are aware of their individual responsibilities under this policy
- ensure that consultants, contractors, suppliers and partners are made aware of this policy and it is expected that their own policies will include a commitment to equality principles.

- Provide information and guidance to managers on different religions, customs, practices and festivals
- Commit to equality of opportunity in recruitment, selection, training, transfer and promotion, discipline and dismissal
- Ensure that all requests made by employees in respect of the observance of their religion will be treated equally, fairly and with due regard to other colleagues

## ***Policy on Age Discrimination***

Barnsley Metropolitan Borough Council is committed to eliminating age discrimination and promoting age diversity in the workforce. In pursuing this commitment the Council acknowledges its duty to give full consideration to the EC Equal Treatment Directive which will require legislation on age discrimination to be introduced by December 2006.

In working towards eliminating age discrimination the Council will:

- Promote greater social inclusion for people of all ages
- Ensure that young and older people are involved in the planning of services through consultation
- Ensure that age is not used as a criterion to restrict access to services and that services will be provided on the basis of need, regardless of age
- Ensure that the use of services is monitored by age to ensure equality of access and that the use of data is used to develop services which are appropriate to the needs of the whole community
- Ensure that recruitment and selection is carried out in accordance with the corporate Code of Practice.
- Work in partnership to ensure a safer environment for all age groups in the community
- Create a work environment that is free from intimidation, hostile, degrading, humiliating or offensive behaviour and where all employees are treated with dignity and respect
- Confront unlawful discrimination and tackle prejudice through learning and development
- Manage employees fairly and appropriately, ensuring that there is no discrimination in terms of attitude, work allocation, promotion or other conditions of service
- Handle allegations of discrimination and harassment sensitively and appropriately in accordance with the Council's policies and procedures
- Ensure that Elected Members are aware of their individual responsibilities under this policy
- Ensure that consultants, contractors, suppliers and partners are made aware of this policy and it is expected that their own policies will include a commitment to equality principles.
- Commit to equality of opportunity in recruitment, selection, training, transfer and promotion, discipline and dismissal