

East Ayrshire Council

Equal Opportunities Policy

Foreword

Equality, together with Quality, Access and Partnership, has been a Core Value of the Council since its inception in 1996. Our commitment to Equality is as strong today as it was then. As a Council, we place equality at the heart of everything we do and are committed to ensuring equality of opportunity and social inclusion for all our service users, visitors and employees.

The Council's Equal Opportunities Policy highlights our commitment to maintaining and building on our strengths by ensuring equality and diversity is integral to everything we do.

In serving a diverse population, the Council aims to ensure there is equality of opportunity for its residents, service users, employees, elected members, stakeholders and partner organisations irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

We first issued a policy on equal opportunities in 1996 and have since introduced numerous programmes to promote equality of opportunity for our employees and our service users. However, we recognise that in our society, groups and individuals continue to be unlawfully discriminated against and we acknowledge our responsibilities to eliminate unlawful discrimination and to promote equality of opportunity and good relations within East Ayrshire's communities.

Our aim in producing this new and comprehensive policy is to demonstrate our wholehearted commitment to continued action in tackling inequality.

Councillor Claire Maitland
Cabinet Member with responsibility for Equalities, Inclusion and Poverty

EQUAL OPPORTUNITIES POLICY

POLICY STATEMENT

- 1 East Ayrshire Council is committed to the inter-related values of Quality, Equality, Access and Partnership. This is founded in the belief that the diverse range of talents, skills, experience, cultural and social diversity and perspective found within society should also be reflected within the composition of the council's workforce, its employment practices and procedures and in the manner it delivers services to the people of East Ayrshire. As the largest employer and a provider of public services in the area, the Council recognises that it has a key role to play in tackling discrimination and disadvantage by ensuring that all communities, individuals and groups are treated with dignity and respect and respect.

“As an employer and provider of services. East Ayrshire Council will promote equality of opportunity. No employee, job applicant, customer or recipient of services will receive less favourable treatment than any other on any grounds of:

race, religion, nationality, ethnic or national origins, disability, age, sex, gender identity, sexual orientation, marital status/civil partnership, pregnancy and maternity and responsibility for dependants, employment status, address, Trade Union activity or political affiliation. Or be disadvantaged by conditions or requirements which cannot be shown to be justifiable.”

2. The Council has a duty under various legislations to promote equal opportunities and civil rights, including:
 - Human Rights Act 1998
 - Employment Act 2002
 - Scotland Act 1998
 - Local Government Act 2003
 - Equality Act 2010 including the Fairer Scotland Duty
 - Community Empowerment Act 2015

DEFINITIONS

3. Equality is described by the Equality and Human Rights Commission as ‘ensuring that every individual has an equal opportunity to make the most of their lives and talents, and believing that no one should have poorer life choices because of where, what or whom they were born, or because of other characteristics.
4. Managing diversity is ‘valuing everyone as an individual’, recognising that a ‘one-size fits all’ approach to managing people does not achieve fairness and equality of opportunity, given that people have different needs, values and beliefs.

AIMS OF THE POLICY

5. The aims of this policy are to:
 - Promote equal opportunity in employment;
 - Promote equality in service provision;

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010 and less favourable treatment in service provision and employment practice;
 - Advance equality of opportunity between people who share a protected characteristic (i.e. age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race religion or belief, sex, and sexual orientation);
 - Foster good relations between people who share a protected characteristic and those who do not;
 - Ensure supporting employment and service procedures, practices and actions plans are developed and implemented; and
 - Ensure appropriate training programmes and professional learning programmes are provided
6. The Council also appreciates that, as a public authority for the purpose of the Human Rights Act 1998, it has statutory responsibilities and will act as far as possible and at all times in accordance with the spirit of the Act, respecting the fundamental human rights of all employees, customers and members of the public.

PRINCIPLES

7. The following principles are key to the achievement of the policy aims:
- Equality, diversity and human rights must be at the heart of East Ayrshire Council and everything it does; and
 - All employees should feel valued and respected for who they are and the skills that they bring to work and should, in turn, treat their colleagues with courtesy and respect

EQUAL OPPORTUNITIES IN EMPLOYMENT

As An Employer

8. East Ayrshire Council recognises the importance of equality of opportunity in employment for both existing employees and job applicants. The Council accepts that social, economic and cultural processes disadvantage certain groups and individuals in society and will take positive steps to readdress the situation.
9. East Ayrshire Council will ensure that no employees or job applicant will receive less favourable treatment than any other on the grounds relating to race, religion, nationality, ethnic or national origins, disability, age, sex, gender identity, marital status/civil partnership, sexual orientation, pregnancy and maternity and responsibility for dependants.
10. East Ayrshire Council will:
- Aim for fair and equal opportunities in all areas of employment, including recruitment and selection, terms and conditions, retentions, learning and career development.
 - Ensure job descriptions and selection criteria are clear and consistent with the relevant Codes of Practice issued by the Equality and Human Rights Commission.

- Make all reasonable adjustments to facilitate continued employment within the Council for all disabled employees or employees who become disabled during employment with the Council.
- Support everyone's right to safety and dignity at work and will provide learning opportunities for Councillors and employees to make them aware of their role and responsibility to promote and maintain a safe, fair and equitable working environment.
- Build on previous good practice by regularly reviewing our employment policies and documentation by working in partnership with **Trade Unions** and listening to feedback from employees.
- Publicise employment opportunities, monitor response and encourage application from all sections of the community to help us to develop and maintain a workforce that is more representative of the population served and better able to reach under-represented groups.
- In recruitment and selection, retain selection notes for a period of six months and provide constructive feedback to applicants when requested.
- Ensure that job and person specifications relate to job requirements only.
- Aim to be a family friendly employer by offering:
 - Flexible working hours
 - Shift working
 - Home working
 - Part time working
 - Job share
 - Dependency leave
 - Paternity leave
 - Maternity leave
 - Adoption/Fostering leave
 - Carer's Leave.

11. The Council will make concerted efforts to meet all reasonable employee requests to adapt working practice to enable their cultural and religious needs to be met, and build equality-sensitive practice into planning and policy. Maintain awareness of the key festivals for different religious groups and consider how to adapt annual leave policies to offer suitable flexibility.

12. The Equal Opportunities in employment policy will apply to recruitment, selection, promotion, redeployment, training, benefits, procedures, terms and conditions of employment of all employees at East Ayrshire Council.

EQUAL OPPORTUNITIES IN SERVICE PROVISIONS

13. Legislation makes it unlawful for anyone who is concerned with the provision of goods, facilities and services to the public or a section of the public to discriminate by refusing or deliberately omitting to provide services. It is also unlawful to discriminate unfairly in the quality or terms of service provision by making it unreasonably difficult or impossible for the recipient to make use of the service.

ACCESS

14. Given that the Council provides services for all East Ayrshire residents and visitors, it is crucial that every attempt is made to provide equal access to the services for all members of the community. The Council acknowledges that it is

not sufficient to say that services are available to all. Effective methods must be developed to consult local communities and groups about standards of service and types of service provision, communicate the existence of these consultative policies and the resultant services to the community and thereafter obtain feedback on the effectiveness of service provision, reviewing policy as appropriate.

15. The Council has developed an e-learning module in relation to Delivering an Accessible Event which is available to all employees to ensure that events delivered by the Council are accessible and inclusive.

CUSTOMER FIRST CHARTER

16. 'We are committed to providing high quality services for all of the people we serve. We provide a wide range of services which we deliver and develop to meet your needs.'

East Ayrshire Customer First Charter (Currently under review)

East Ayrshire Council has developed a Customer First Charter for service users which includes an undertaking to:

- Treat them fairly and with respect
- Offer a friendly and polite service and be sensitive to their needs
- Deal with the communications promptly
- Deal with the enquiry at first point of contact, wherever possible
- Provide easy to understand information about the services we provide
- Provide alternative formats on request

The charter can be viewed [here](#).

17. In addition to the above, the Council will:
 - Ensure that employees delivering services are competent to provide an appropriate and informed response to all service users without unlawful discrimination;
 - Build equality and anti-discrimination measures into long term service planning;
 - Undertake monitoring to establish the take up of service provision of Council services and regularly review Council policies and procedures to ensure continuous improvement;
 - On request make information on key services available in a variety of formats and languages and provide translation and interpreting facilities upon as required to ensure our services are accessible to all.

PROCUREMENT

18. **In respect of supplies and those contracted to provide goods and services on behalf of the Council we will:**

Require them to comply with statutory obligations under the Human Rights Act 1998, The Equality Act 2010 and all other relevant legislation. The Council also promotes equality through our actions and we have due regard to whether an

award and conditions of contract should include considerations to enable the better performance of the public sector equality duty. In addition human rights standards recognise the right of everyone to just and favourable working conditions; in particular fair and equal pay, safe and healthy working conditions and reasonable working hours.

EQUAL OPPORTUNITIES IN THE COMMUNITY

19. As a community leader, East Ayrshire Council appreciates that it has a major part to play in the process of influencing organisations, groups and individual's resident within this area to adopt equal opportunities practices.
20. The Council recognises that issues relating to discrimination with regards to age, race, disability, sex, marital and civil partnership, religion/belief, sexual orientation, pregnancy and maternity and gender identity requires an all embracing response from local organisations and, accordingly the Council will form a range of partnerships with the wider community – private and public sector, voluntary organisations and community groups and individuals – in order to achieve elimination of all forms of discrimination, promote equality of opportunity and foster good relations.
21. Equally, the Council will endeavour to ensure that those Community Planning Partners, statutory, voluntary and community organisations with who the Council relates, will embrace equality of opportunity as a core policy of the organisation and, in respect of those bodies in receipt of grant aid it would be an expectation of the Council that they full comply with all appropriate legislation.
22. Therefore as a Community Leader the Council will:
 - Aim to be a model of good practice in its approach to Equal Opportunities and encourage to do likewise.
 - Consult widely and work with others to promote equality of opportunity in all elements of life in the communities that make up East Ayrshire.
 - Challenge all forms of negative stereotyping and the use of discriminatory and insulting language and behaviour by promoting positive images in all Council publications.
 - Encourage Community Planning Partners, voluntary and community organisations to adopt the principles of this Equal Opportunities Policy so far as appropriate in each individual case; assist voluntary and community groups in receipt of financial or other support from the Council, to develop policies and practices to ensure that the statutory requirements are met.
 - Take prompt action remove offensive, obscene or racist graffiti.
 - Acknowledge that racist, homophobic and other hate crime based on discrimination, prejudice or stereotyping is a community safety issue, and as such will act to ensure that this behaviour is addressed appropriately.

COMMUNITY ENGAGEMENT FRAMEWORK

23. To support the Council, Community Planning Partners, voluntary and community organisations adopt an inclusive approach, the Council developed a local Community Engagement Charter which sets out clear principles and standards for community engagement for all partners and communities to apply based on the National Standards for Community Engagement.
24. The framework has been developed to ensure that our communities continue to be fully engaged in our work as key partners and stakeholders. It has been designed as an overarching framework for the Council, Community Planning Partners and Community Organisations who are involved in the process of community engagement, providing a clear definition of community engagement and setting out guiding principles and standards for all partners to adopt and follow.
25. The overall aim of the framework is to provide communities, including communities of interest, with the ways and means to influence and shape the way services are planned and delivered in East Ayrshire. Our approach is to provide opportunities and support that enable communities to be actively involved in the decisions that affect them, helping them to be more inclusive and able to build on their own strengths and assets.
26. The framework for community engagement aims to ensure that communities, including communities of interest, are fully engaged and that key partners and stakeholders:
 - Establish a common understanding of, and renewed commitment to community engagement across all organisations, partners and partnerships
 - Set out clear principles and standards for community engagement for all partners and communities to apply based on the new National Standards for Community Engagement.
 - Provide a framework for working with our communities to ensure that they are fully engaged in our work as key partners and stakeholders, particularly equality groups and the hardest to reach.
27. Through the framework, we will aim to:
 - Work with, rather than doing to people to harness the knowledge, skills and experience of our communities
 - Embed an asset based, solution focussed approach in all our work
 - Promote community engagement activity which is inclusive and improves the lives of our youngest children, young people, adults and communities in East Ayrshire.
 - Improve the quality of our services and make better use of our resources.

PARTNERSHIPS

28. Partnerships are considered a vital component in the Council's drive toward Equal Opportunities. Thereon, the Council will work with the Community Planning Partners, statutory and voluntary organisations and the wider community to achieve the systematic elimination of any form of discrimination with a view to achieving a society where all are treated equally, whilst recognising the needs and values of cultural diversity. To that end the Council will encourage all organisations with which it has a relationship to adopt principles of equality of opportunity.
29. The Council will discuss with appropriate Trade Unions and other interested bodies the objectives, content and implementation of this policy.

MONITORING AND EVALUATION

30. The Equal Opportunities Policy will be one of the Council's major priorities and in order to ensure its successful implementation the following system of monitoring and evaluation will be put in place.
31. In line with good practice and to enable statistical population comparisons, all equality monitoring will be undertaken using the 2011 Census categories with local adjustments to cover the protected characteristics. The Council will undertake equal opportunities monitoring in the following areas:

Employment

- Recruitment and selection:
- Profile the Council's existing workforce;
- Report on the number of employees leaving the organisation;
- Report on cases of bullying and harassment, including disability, sexual, racial and homophobic harassment; and
- Monitor the number of disciplinaries, appeals, complaints and grievances.

Training

32. All employees of the Council in direct contact with the public or representing the Council will be given appropriate training to enable them to implement service delivery policies. This training may include, for example, the on-line Equality and Diversity Course which is available to all employees of the Council.
33. The Council will make the contents of this policy and of the [Code of Conduct](#) known to all employees and provide training and guidance for managers, supervisors and employees to ensure that they understand their responsibilities both in law and in terms of the policy.

Service Provision

34. Complaints by age, disability, ethnicity/race, gender identity, religious beliefs, pregnancy and maternity, marriage and civil partnership, sex and sexual orientation can be reported on through either the individual service, for example, housing or education services, or generally through the Council's Corporate Officer (Equality and Diversity Officer) or through the Corporate complaints

procedure which are contained within the 'A guide to making comments, suggestions and complaints' leaflet, available from council offices, libraries, community centres etc.

35. Complaints can be made by telephone, in writing, by e-mail or verbally by person. Translation and interpretation can be arranged on request.
36. The Council will monitor the usage of key services by age, disability, religious beliefs, gender identity, sexual orientation, sex etc.

CONFIDENTIALITY

37. The Council will treat the information provided for the purpose of Equal Opportunities monitoring as confidential and will not share or permit access to personal information relating to an individual in accordance with the Data Protection Act 1998 and the Electronic Communications Act 2000. The Council will use equality monitoring statistics to:
 - assess compliance with this Policy and achievement of overall aims;
 - assess progress of agreed actions to ensure continuous improvement;
 - identify areas where further action is required; and
 - respond to performance indicators.

REPORTING MECHANISMS

- .38. To report on any of the issues covered in this policy the following should be undertaken:

Employment Issues

39. If your concern relates to recruitment and selection or is related to your employment you should speak to your Line Manager or the Head of Service in the first instance, alternatively your Human Resources Officer will look into the issues for you. If you are a member of a Trade Union they also may be a valuable source of help and advice.
40. Employees are able to make disclosures about discrimination and harassment so that problems can be identified and resolved quickly within the Council and there are internal procedures for facilitating this process.
41. Discrimination and instances of harassment, bullying or abuse will not be tolerated and will be considered a very serious offence that may result in formal action being taken. Such an offence could lead to summary dismissal after a fair investigation and hearing.
42. Reference should be made to the following documents for further information:
 - Harassment and Bullying Policy and Procedures
 - Code of Conduct for Employees
 - Grievance Procedure
 - Whistle Blowing Policy and Procedures
 - Disciplinary Policy and Procedures

Service and Non Employment Issues

43. If you feel that you have been unfairly treated, or have experienced difficulty in accessing or using the services we provide then please let us know. We are always pleased to receive feedback, which plays an important part in the future development of our services. The Council has its own Complaints Policy to promote consistency and fairness in our approach information in relation to this policy can be accessed [here](#).

REVIEW

44. The policy will be reviewed on an annual basis or earlier following any changes in relevant legislation or organisational requirement.