



Comprehensive Equalities Policy and Corporate Equality Scheme

Hart's Equality and Diversity Commitment has been designed to integrate with existing initiatives to provide the Council with a consistent and systematic framework through which it can incorporate equality within all stages of its activities. This policy will show that we are committed to recognising the importance of fair treatment and equal access to our services and employment and has been developed as a tool to enable the Council to mainstream gender, race and disability into our policies and practice at all levels. We recognise that to reach equality of outcome and treat everyone fairly, we need to recognise and value difference and diversity.

1 OUR OBJECTIVES ARE TO:

- Our long-term aim is to be a responsive authority in every aspect of our service activities; providing appropriate, accessible and effective services and facilities to meet the diverse needs of our community.
- Provide clear information about our services in appropriate formats and languages that meet peoples' needs
- Continue to make physical and reasonable adjustments to our premises and services to ensure that they are accessible
- Review and monitor our services to ensure that all sections of the community are receiving fair access and outcomes
- Continue to work with partner organisations to make Hart a safer place to live, work and visit, free from discrimination and harassment
- Respond promptly and fairly to any complaints that we receive about our services, including those of discrimination
- Provide training for employees and Members to develop the attitudes and behaviour which support diversity and equality
- Promote excellent customer care recognising the diversity of customers' needs.

2 THE LAW AND OUR COMMITMENT TO COMPLY WITH IT

There are many pieces of legislation that combat discrimination, whether direct or indirect, and promote equal opportunities and diversity. These are inclusive of but not limited to:

Equal Pay Act 1970
Equality Act 2006

Disability Discrimination Act 1995
Disability Discrimination Amendment Act 2005

Race Relations Act 1976
Race Relations (Amendment) Act 2000
Race Relations Act 1976 (Amendment) Regulation 2003
Racial and Religious Hatred Act 2006

Employment Rights Act 1996
Employment Act 2002
Employment Equality (Age) Regulation 2006
Employment Equality (Religion or Belief) Regulations 2003
Employment Equality (Sex Discrimination) Regulations 2005
Employment Equality (Sexual Orientation) Regulation 2003

Sex Discrimination Act 1975
Gender Recognition Act 2004
The Sex Discrimination (Gender Reassignment) Regulations 1999
Civil Partnerships Act 2004

2.1 GENDER

Sex Discrimination Act 1975

The council is committed to gender equality in line with the Sex Discrimination Act in providing an environment free from sex discrimination and sexual harassment both in terms of access to the Council's services and in employment. The areas that specifically address this are as follows:

Equal Pay Act 1970

- In accordance with this Act, the Council strives to prevent discrimination between men and women in the terms of their contracts of employment, including pay.

Recruitment and Selection

- All literature describes jobs without any gender bias and does not discriminate on the grounds of gender or marital status. Interviewers are trained to avoid making stereotypical assumptions on gender and jobs.
- It is inappropriate to ask questions at interview which are directed at childcare or family provision unless all candidates are asked this in line with a specific requirement of the job. All questions are directly suited to the purpose of the interview.

Training and Development

- Access to training facilities is fairly provided for all. Any consideration given to career development, training and so on, is based upon the individual's capabilities and organisational needs and not upon gender. All staff are encouraged and assisted in developing the skills necessary for promotion. The organisation of training courses takes account of the needs of part timers (who are disproportionately female) in fixing the days of the week of training courses.

Flexible Working

- The Council is committed to improving work life balance of all staff and supports them in achieving a balance between the demands of their jobs and personal responsibilities. A range of flexible working options is provided to support this.

Maternity, Paternity and Parental Provisions

The Council is committed to ensuring that those employees who have caring and family responsibilities are not unfairly discriminated against and positively promotes their access to employment opportunities. A supportive framework has been developed through its policies on maternity, paternity, parental, adoptive parents and time off for dependants.

Sexual Harassment

- To experience sexual harassment can be both stressful and embarrassing. The Council believes that everyone has the right to access Council services and to seek, obtain and hold employment without discrimination or harassment. The Council will provide a working environment that is free of sexual harassment and intimidation.

The Sex Discrimination (Gender Reassignment) Regulations 1999

- Gender reassignment is a process undertaken under medical supervision for the purpose of reassigning a person's sex by changing physiological or other characteristics of sex. The Sex Discrimination Act was extended in 1999 to make it unlawful to discriminate in employment on the grounds of an employee intending to, undergoing or having undergone, gender reassignment.

2.2 SEXUALITY

Sexual Orientation

- "Sexual orientation" is defined as being a sexual orientation towards persons of the same sex (this covers gay men and lesbians); the opposite sex (this covers heterosexual men and women); or both sexes (this covers bisexual men and women).
- The Council recognises that individuals can be reticent of revealing their sexual preference and may experience harassment as a consequence. Accordingly, the Council will not tolerate the creation of a hostile environment, which may include offensive remarks or jokes of the publication/duplication of material, or images, which may cause offence.

2.3 FAITH, RELIGION or BELIEF

- The Council is committed to ensuring that faith, religion or belief will not be used to influence decisions about recruitment, promotion, and access to training, service delivery. Accordingly, the Council will provide an environment free from discrimination, victimisation and harassment.

2.4 AGE

- The Council will not discriminate on the basis of age. The Employment Equality (AGE) Regulation 2006 protects against discrimination on grounds of age in employment and vocational training. It prohibits direct and indirect discrimination, victimisation, harassment and instructions to discriminate.

2.5 RACE

- The Race Relations Act 1976 makes it unlawful to discriminate directly or indirectly on the grounds of colour, race, nationality (including citizenship) or ethnic or national origin, or to apply requirements of conditions which have a disproportionately disadvantageous effect on people of a particular racial group, and which cannot be justified on non-racial grounds. It also applies to discriminatory employment advertising and makes it unlawful to apply pressure to discriminate or to aid discrimination by another person.

- The Race Relations Amendment Act 2000 strengthened previous legislation and placed new duties on all public authorities. These new duties are designed to make sure that public authorities positively promote racial equality and that employment and services (including those services that are provided for them through other organisations) are fair and accessible for everyone.
- As a consequence of the new duties the Council has produced a Race Equality Policy and a Race Equality Scheme, which is reviewed every three years and includes the Council's commitment to monitoring, consultation, audit and scrutiny. This is carried through by impact assessments of all services.

Racial Harassment

- Racial harassment is unlawful race discrimination; it can be described as "Violence which may be verbal or physical and which includes attacks on property as well as the person, suffered by individuals or groups because of their race, nationality, ethnic origins, when the victim believes that the perpetrator was acting on racial grounds".
- The Council believes that everyone has the right to access Council services and to seek, obtain and hold employment without discrimination or harassment. The Council will provide a working environment that is free of racial harassment and intimidation.

2.6 DISABILITY

The Council is committed to provide equal access to its services regardless of disability. Furthermore it has an ongoing programme to enable people to access its services both through physical adjustments to buildings and through access to a range of formats through hearing loops and through Braille or large type options on its documents.

The Disability Discrimination Act 1995 (DDA) and makes it unlawful to discriminate against a disabled person in any aspect of employment for a reason connected with their disability. It defines disability as "a physical or mental impairment, which has a substantial and long-term adverse effect on a person's ability to carry out normal day to day activities".

This means that employers:

- Must not treat a disabled person less favourably because of a reason relating to their disability, without a justifiable reason
- Are required to make reasonable adjustments to working conditions or the work place where that would help to accommodate a particular disabled person

The Disability Discrimination Amendment Act 2005 introduced a positive duty on public bodies to promote equality for disabled people.

2.7 EQUALITY ACT 2006

The Equality Act 2006 establishes a single Commission for Equality and Human Rights by 2007 that replaces the three existing commissions. The Act introduces a positive duty on public sector bodies to promote equality of opportunity between women and men and eliminate sex discrimination. It also protects access discrimination on the grounds of religion or belief in terms of access to goods, facilities and services.

3 RESPONSIBILITY FOR THE POLICY AND ITS IMPLEMENTATION

The ultimate responsibility for implementing this policy and achieving change lies with the Chief Executive, Corporate Directors and Heads of Service.

However, the policy is the responsibility of all Members and employees who are all accountable for their actions and need to follow the principles and standards set out below.

Mainstreaming

Include equality and diversity principles as part of the everyday work of the Council

- Develop and implement corporate and service action plans to achieve the aims of this Policy.
- Set relevant targets and performance indicators based on an analysis of consultation and data

Training

- Ensure staff and members have the necessary knowledge and skills to implement the policy
- Ensure that all employees understand what equality means in the context of customer care and service provision and are equipped to put it into practice without prejudice
- Ensure that managers understand the requirements of our employment policies as they relate to equalities

Service Delivery

- Commit to equality action planning and equality target setting within all service areas.

Consultation

- Commit to systematic consultation with the diverse community of Hart

Ensure employment policies and practices are fair and equitable

- Ensure that we select applicants for jobs solely on the basis of their relevant experience, qualifications and skills
- Ensure that an individual's age, gender, physical impairment, faith, sexual orientation or ethnic origin is not a barrier to recruitment or career progression
- Promote the recruitment and retention of a more diverse workforce through publicity, improving physical access, workplace support and other reasonable adjustments
- Produce an annual employment report, which compares our workforce profile to that of the district.
- Ensure that the Council applies equal pay

Our Equalities Policy Framework

The Council is committed to equal opportunities in its dealings with community groups, customers and employees. In order to ensure this, the Council is committed to identifying groups within the community whose needs/requirements are less well met by Council services than those of other groups.

The Comprehensive Equalities Policy (CEP) provides the overall policy framework for our equalities work.

The Corporate Equality Scheme details how this policy will be implemented.

See Appendix 1 – Corporate Equality Scheme.

Equality Standard for Local Government

A key driver for Equality and Diversity at Hart is the Equality Standard for Local Government with its five levels:

Level 1	Commitment to a Comprehensive Equalities Policy
Level 2	Assessment and community engagement
Level 3	Setting equality objectives and targets
Level 4	Information systems and monitoring against targets
Level 5	Achievement and reviewing outcomes

4 CONTINUOUS IMPROVEMENT

- Draw on government guidance and benchmarking with other local authorities to share, adapt and implement best practice
- Review and update targets in the light of local need, experience and new legislation

5 MONITORING PROGRESS

- Use self-assessment, internal audit and the scrutiny process locally using national and local developed performance indicators.
- To monitor progress and revise targets in all areas of action.

The Council will monitor the six equality strands in the following areas:

- Recruitment and selection procedures, applied to those applying for, shortlisted and selected for positions
- Work force establishment
- Training and development opportunities, including those accepted for training.
- Disciplinary and grievance cases
- Employees leaving the Council and their reasons for doing so
- Complaints and evidence of customer satisfaction
- Take up of services to ensure there is no under or over representation of particular groups

6 REVIEW OF THE POLICY

The policy will be amended as required and will be reviewed annually to ensure that it continues to meet legislative requirements and Council objectives. Consultation with partners and other relevant parties will take place at the time when the policy is reviewed and as required by other equal opportunities legislation and results will be reported locally.

7 CONCLUSION

By following this policy the council will ensure that the employment and services it provides are fair and equitable.

The policy will enforce the commitment to develop equality objectives and targets, to consultation and impact assessment, monitoring, audit and scrutiny.

The Hart District Council Corporate Equality Scheme

Race, Gender and Disability Equality Schemes'

In accordance with the relevant legislative requirements, the council has developed, adopted and published a Race Equality Scheme (RES), a Gender Equality Scheme (GES) and a Disability Equality Scheme (DES).

Each of the Schemes includes a detailed Action Plan for working towards compliance with the various legislative requirements (see Comprehensive Equalities Policy for full list of relevant legislation).

Each of the full Scheme documents can be found at –

www.hart.gov.uk/index/your_council/corporate_information/equality_and_diversity.htm

The Hart Corporate Equality Scheme (CES) details the “general” and the “specific” duties that the council is required to comply with in order to discharge its responsibilities under the three public sector duties.

The Hart CES will also provide a framework for:-

- the provision of equal access to services of the council irrespective of race, disability or gender
- involving council Members, staff and Hart communities in the development of action plans relating to the three public sector duties
- including the provision for scrutiny, self-assessment and audit of the public sector duties
- a prioritised time-table of Equality Impact Assessments on council services, policies, strategies and, where applicable, procedures
- both predictive and retrospective Equality Impact Assessments.

The Hart CES will allow us to assess how well we are doing in meeting our equality core objectives, principles and actions.

Outcomes

In meeting our equality objectives, we will expect to achieve a number of outcomes which will show real improvements over time.

- Improved service provision which reflects the needs of the diverse communities of Hart
- Better access to services
- A caring and responsive council that meets the needs of the communities we serve
- A workforce that is representative of the community of Hart.

Equality Impact Assessments

The requirement to carry out Equality Impact Assessments (EIA) on council policies and strategies currently applies to the three public sector duties only – the race, gender and disability equality strands.

However, the council has decided that when carrying out an EIA, the full range of equality strands will be assessed for each policy or strategy. The inclusion of the faith strand, the age and the sexuality strands will enable the council to fully identify issues and recognise the different risk characteristics of each equality strand.

Predictive Equality Impact Assessments

Equality Impact Assessments will be carried out on all new policies or strategies prior to submission to Cabinet for approval. Issues highlighted by the EIA will be included within the body of the report and each EIA will include an action plan for overcoming the issues. The Service responsible for the policy/strategy will drive the action plan.

Retrospective Equality Impact Assessments

It is necessary to revisit existing policies and strategies and carry out an EIA. This work will be carried out as an annual plan and services, policies and strategies will be “risk-assessed” and prioritised so that those with the biggest impact are assessed first.

Service Equality Impact Assessments

All services of the council are required to carry out a service-based EIA and are responsible for meeting the requirements of their action plan. Service EIA's are required to be reviewed at least annually.

Corporate Equalities Group

The council has established a Corporate Equalities Group (CEG) that is responsible for progressing all equalities issues within the organisation. Membership of the CEG is drawn from both within and without the organisation. Membership as at 2008 includes:-

Corporate Director (Chairman)
Councillor with responsibility for the People & Partnerships Portfolio
Chair, Hart Access Group
Human Resources Manager
Senior Planning Policy Officer
Hampshire County Council Minority Achievement Officer
Chief Solicitor and Monitoring Officer
Chief Executive Hart Voluntary Action
Community & Partnerships Manager
Environmental Health and Licensing Manager

The CEG meets monthly to identify areas for improvement and to review progress against the action plan. Resources for actions are allocated by the CEG and additional resource is brought in as appropriate.

CompPolicy.&CESCABAdoptedNOV08

STRUCTURE FOR EQUALITIES AT HART

This table details the links between the policies and schemes by which Hart District Council delivers equalities objectives.

<p>WHY?</p>	<p>The Comprehensive Equalities Policy:</p> <ul style="list-style-type: none"> • The over-arching policy that ensures that the “golden thread” of equality and diversity underpins all council activities 	
<p>WHAT?</p>	<p>The Corporate Equality Scheme: incorporates -</p> <ul style="list-style-type: none"> • Race Equality Scheme • Disability Equality Scheme • Gender Equality Scheme 	<p>Future inclusion of -</p> <ul style="list-style-type: none"> ✓ Age ✓ Faith, Religion or Belief ✓ Sexuality
<p>HOW?</p>	<p>The Equality Standard Framework:</p> <ul style="list-style-type: none"> • Equality Impact Assessment • Quality Equality Action Plans 	<p>Must include -</p> <ul style="list-style-type: none"> ✓ Policies/Strategies ✓ Services/Functions

General and Specific Duties – Public Sector Duties

RACE DUTY	DISABILITY DUTY	GENDER DUTY
<p>General Duty –promote racial equality</p> <p>And have due regard to –</p> <ul style="list-style-type: none"> • The elimination of unlawful racial discrimination • The promotion of equality of opportunity • The promotion of good relations between people of different racial groups 	<p>General Duty – promote equality for disabled people</p> <p>And have due regard to –</p> <ul style="list-style-type: none"> • The promotion of equality of opportunity between disabled people and other people • The elimination of discrimination against disabled people • The elimination of harassment of disabled people • The promotion of positive attitudes towards disabled people • Encouraging the involvement of disabled people in public life • Taking account of disabled people's disabilities even where that involves treating disabled people more favourably than others 	<p>General Duty – promote gender equality</p> <p>And have due regard to –</p> <ul style="list-style-type: none"> • The elimination of unlawful discrimination • The promotion of equality of opportunity between men and women and take active steps to promote gender equality when carrying out functions and/or activities

RACE DUTY	DISABILITY DUTY	GENDER DUTY
<p>Specific Duty – publication of a Race Equality Scheme that:-</p> <ul style="list-style-type: none"> • Details the functions and policies that are relevant to meeting the general duty of the RES • Shows arrangements for assessing and consulting on the likely impact of proposed policies and for monitoring adverse impact • Details arrangements for publishing results of assessments • Ensures public access to information and services provided • Details arrangements for training staff and Members on the Race duty and how the council will monitor employment procedures and practices 	<p>Specific Duty – publication of a Disability Equality Scheme that:-</p> <ul style="list-style-type: none"> • Sets out the methodology that will be used in assessing the impact of existing and proposed activities or policies on disabled people • Demonstrates that disabled people have been involved in producing the Scheme and developing the Action Plan • Sets out a plan for the actions that will be taken to fulfil the general duty 	<p>Specific Duty – publication of a Gender Equality Scheme that:-</p> <ul style="list-style-type: none"> • Details specific gender equality goals and how these will be achieved • Develops and establishes an equal pay policy • Sets out the methodology that will be used in assessing the impact of existing and proposed activities or policies on men and women and how any negative effects will be mitigated

ALTERNATIVE FORMATS

This document is available in alternative formats – other languages, Braille and large print. It is also downloadable from our website at www.hart.gov.uk.