

## **Somerset Equality and Diversity Policy**

### **South Somerset District Council**

#### **Introduction**

The Somerset Public Sector organisations including the Councils of Somerset (Somerset County Council, Sedgemoor District Council, South Somerset District Council, Taunton Deane Borough Council and West Somerset Council) and the health organisations of Somerset including Yeovil Hospital, Somerset Clinical Commissioning Group, Musgrove Park Hospital and Somerset Partnership, and Devon and Somerset Fire and Rescue Service are working together to deliver an effective, efficient and ambitious response to the requirements of the Equality Act 2010 by creating a streamlined single policy, single equality impact assessment process and a joint set of equality objectives.

The policy comprises a series of commitments all the partner organisations will make along with commitments that have been adapted by each partner to reflect their individual circumstances and ability to deliver within the available resources.

#### **The Joint Commitment**

This Policy is part of Somerset's public sector ambition to encourage a vibrant county where the diversity of people's different backgrounds and circumstances is appreciated and positively valued; where people are empowered and maintain independence. Tackling equalities issues, ensuring those from different backgrounds have similar life opportunities and ending discrimination are fundamental to creating cohesive communities.

By signing up to this Policy the signatories, listed below, are committed to equality of opportunity for the whole community and believe that the diversity of the community is a major strength which contributes to the social and economic prosperity of the area. The public sector commits to working within the Equality Act 2010 to ensure that no resident of, or visitor, to the area, job applicant, employee or other person associated with the public sector is treated inequitably or in an unlawful or unjustifiably discriminatory manner.

Equality is not about treating everyone the same; equality is about valuing a person 'as an equal' regardless of their characteristics and treating people according to their needs in order to achieve an equal or fair outcome. Freedom from discrimination and equality of opportunity are basic rights. Somerset's public sector is committed to challenging inequality and celebrating diversity to achieve this.

Discrimination is often unwitting – this is when someone does not realise they are discriminating unlawfully. This can happen when people develop policy and practice based upon their own needs, preferences and values and do not stop to consider the different needs of other people. The law, however, does not recognise ignorance as a defence.

This Policy applies to people who are served by the public sector; those with responsibilities as a carer, disabled people, people who are lesbian, gay, bisexual or transgender and those who are married or in a civil partnership. It applies to men and women, people who hold or do not hold a religion or belief. The policy includes tackling discrimination on account of age, economic or social background, pregnancy or maternity status, race or ethnic background.

In addition to users, this policy talks about the responsibility that people within the public sector have, those that support people to use our services and those that we buy services and goods from. Inherently this is what people can expect when they are looking to the public sector for employment, services, information or business opportunities.

When we use the term service users we mean anyone using one of our services. This could be customers, patients, service users, clients, visitors, relatives or anyone else using our services.

**Basic Principles of the Policy:**

- Managers/Lead Specialists are responsible for the application of this Policy in their work area.
- Anyone who has any form of contact or relationship with public sector organisations has a right to be treated fairly with dignity and respect. This includes councillors, customers, employees (including apprentices, temporary workers, consultants, and agency staff), partners, contractors, volunteers and visitors.
- To create a working environment that promotes dignity and respect for all. No form of intimidation, bullying, harassment or victimisation will be tolerated;
- All public sector employees are individually responsible and accountable for their own behaviour and will be made aware of this at an early stage.
- That Equality is embedded within all activity. This means ensuring that all policies and procedures, plans, practices, and service provision reflect inclusivity and incorporate our aspirations and principles of equality and diversity.

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- The public sector will develop, implement and review its policies in consultation with trade unions, staff associations, and other appropriate representatives of employees, residents, visitors, service users, partner agencies, voluntary and community organisations and the business community.
- The Somerset councils expect that Elected Members conduct themselves with integrity and in a manner that is consistent with the various policies, procedures, protocols and Codes of Conduct that apply to the role they undertake as Elected Members of the council.
- The way we operate and the images and language we use should reflect and be sensitive to the county's diverse communities, regardless of however small they may be.
- Set and review equality objectives and targets annually in relation to employment, service delivery and the carrying out of our functions.

### **Policy adopted:**

<b>Recruitment</b>	
<p>We want everyone to feel they can apply for a job or volunteering opportunity. Through the recruitment process we want to see the best that people can offer. We will support them when needed and make sure that what is required of them is no more than the essential requirements. The public sector specifically supports Disability Confident and will reflect this in its recruitment practices.</p>	
<b>Manager/Lead Specialist Responsibility</b>	<b>Organisational Responsibility</b>
<ul style="list-style-type: none"> <li>• Review job paperwork, asking only for the skills, experiences and qualities needed to do the job and with all job applicants being assessed against these requirements.</li> <li>• When designing competitive internal interview processes, ensure employees that have been away from the office on maternity leave or other extended leave are given the opportunity to update on current issues in the workplace to ensure they are not indirectly disadvantaged.</li> <li>• Value skills gained through non-traditional or informal work, such as voluntary work and caring responsibilities. The competencies gained through this kind of experience will be balanced against those gained through more formal methods</li> <li>• Understand requirements around Disability Confident such as;             <ul style="list-style-type: none"> <li>○ Shortlisting and interviewing all disabled applicants who meet the essential criteria.</li> <li>○ Making reasonable adjustments to the interview process such as BSL interpreters, screen readers.</li> </ul> </li> <li>• Advertise widely to address under representation of any equalities community within their teams.</li> </ul>	<ul style="list-style-type: none"> <li>• Include within all jobs a requirement to implement equality and respect diversity</li> <li>• Regularly audit the equalities profile of the workforce to identify any under-representation from Protected Characteristics. Implement an action plan to improve and target communications.</li> <li>• Consider Positive Action initiatives to address under representation across the workforce. For example, Diverse Recruiters and Reverse Mentoring initiatives.</li> </ul>

<b>Decision Making</b>	
<p>The impact of our decisions can affect all people in Somerset. Decisions need to take account of whether impacts will affect different groups differently. Decision making also needs to be clear and open so that people can understand the decisions that affect them.</p>	
<b>Employee's Responsibility</b>	<b>Elected Members' Responsibility</b>
<ul style="list-style-type: none"> <li>• Consider the potential impact on customers, communities and employees before making decisions affecting budgets, the delivery of services or affecting the working conditions of employees. Where unclear about the potential impacts, employees undertake to seek appropriate advice.</li> <li>• Undertake equality impact assessments for all applicable activities, including reviews of existing policies and services.</li> <li>• Include a standard paragraph in reports highlighting the legal responsibility to have regard to the PSED in decision making and policy setting.</li> <li>• Work with communities, community groups and organisations over proposals or changes to services, policies or functions, before implementing changes.</li> <li>• Use the feedback received from equalities communities to help shape future plans, decisions and policies.</li> <li>• Monitor the equalities impact of change programmes, service reviews and other specific activities targeted to deliver efficiency savings across the organisation.</li> </ul>	<ul style="list-style-type: none"> <li>• Read and understand Equality Impact Assessments</li> <li>• Fully consider the information within Equality Impact Assessments as part of the decision making process.</li> <li>• Ask for more information where there isn't enough to make an informed decision.</li> <li>• Target resources at communities that are under-represented in public life to help them to become fully involved in the social, cultural, political and economic life of Somerset.</li> </ul>

<b>Partnership</b>	
<p>How we work in partnership with others helps set the wider standard that we meet as a public sector. It can be an opportunity to influence other partners and make sure they are committed to equality and diversity. It is also an opportunity for us to learn different and improved ways of addressing equality and diversity.</p>	
<b>Employee's Responsibility</b>	<b>Public Sector's Responsibilities</b>
<ul style="list-style-type: none"> <li>• Share information, experience and examples of good practice on equality through links with other public, private, voluntary and community organisations in the county mindful of the legal constraints set out in data protection legislation.</li> <li>• Promote equality and diversity within partnership arrangements and in their dealings with the media.</li> </ul>	<ul style="list-style-type: none"> <li>• Work with other public, private, voluntary and community organisations in the county to ensure that equality and diversity policies and plans are adopted and implemented more widely.</li> <li>• Work with other organisations and partners, including the Local Enterprise Partnership and the Health &amp; Wellbeing Board, to develop joint plans to promote equality of opportunity and to tackle discrimination and disadvantage.</li> <li>• Learn from the equality and diversity policies and plans of other organisations.</li> </ul>

<b>Service Delivery</b>		
<p>Services should be accessible at the first point of contact. This should include how they are accessed, what they deliver and how they are delivered.</p>		
<b>Employee's Responsibility</b>	<b>Manager/Lead Specialist Responsibility</b>	<b>Service Users</b>
<ul style="list-style-type: none"> <li>• To not discriminate against, harass or victimise colleagues or members of the public.</li> <li>• To make information as accessible and easy-to-read as possible. As a minimum to follow the access requirements set out in organisation Branding/Communication guidance.</li> <li>• To encourage understanding, tolerance and good relations between people from different backgrounds.</li> <li>• Involve service users and colleagues and increase the opportunities for people to influence public sector services.</li> <li>• To provide information in accessible formats on request including electronic format, Braille, large print, audio tape, community language translations and British Sign Language DVDs or provide interpreters in spoken community languages and in British Sign Language. If alternative formats are requested, work with the customer to understand the best way of achieving this and deliver in a timely manner.</li> <li>• Audit SSDC buildings and facilities for their compliance with the disability access requirement of building regulations, with plans put in place to tackle non-compliance</li> </ul>	<ul style="list-style-type: none"> <li>• Evaluate the equalities profile of customers and service users to identify if any communities are under-represented in using services and action plan to improve communications and access if needed.</li> <li>• Ensure services and the buildings they are delivered from are as accessible as they can be. This includes offering a range of ways for customers and users to access services and information.</li> <li>• Ensure that equality issues are considered at the outset of all policy development and planning.</li> <li>• It is the responsibility of Managers/Lead Specialists to ensure that the actions required to meet the needs of specific key groups are included in service planning</li> </ul>	<ul style="list-style-type: none"> <li>• To not discriminate against other service users or employees</li> <li>• Make employees aware of their access needs so they can be supported in the best way possible.</li> <li>• Customers and Service Users do not have the right to refuse service from employees for reasons of their age, disability, gender reassignment, marital or civil partnership status, pregnancy and maternity, race/ethnicity, religion and belief, sex, sexual orientation, or any other factor that is considered unreasonable. (There may be situations where there is a genuine and objective need for a customer to request a specific response, for example some women who may feel uncomfortable receiving certain services otherwise provided by a man).</li> </ul>

<b>Buying Services from others</b>	
The Public sector is a major purchaser of goods and services in order to carry out its work and deliver its services.	
<b>Organisation's Responsibility</b>	<b>Contractor's Responsibility</b>
<ul style="list-style-type: none"> <li>• Undertake equality impact assessments on outline specifications to make sure that what will be contracted will not discriminate.</li> <li>• Assess contractor compliance with Equalities at the Pre-Qualification Questionnaire stage of Procurements.</li> <li>• Comply with the Public Services (Social Value) Act 2012, for example encourage businesses and suppliers to employ and provide training to local people and to use other local businesses and suppliers as a means of supporting the County's economy and improving the employment prospects for the people of Somerset.</li> </ul>	<ul style="list-style-type: none"> <li>• Where applicable, have policies on equalities in relation to employment and service delivery or demonstrate understanding and compliance with the Public Services (Social Value) Act 2012.</li> <li>• Seek to support the public sector's diverse communities and the businesses operating in those communities.</li> <li>• Where applicable, review its own policies and practices and where necessary make changes to ensure they do not discriminate against the protected characteristics (customers, employees workers).</li> </ul>

<b>Consultation</b>	
<p>Engaging with people who deliver and receive services is vital to lasting change and improvement. This should result in a meaningful and effective change to how things are done.</p>	
<b>Employee's Responsibility</b>	<b>Organisational Responsibility</b>
<ul style="list-style-type: none"> <li>• Plan/budget for the additional costs of consultation with equality communities e.g. translation costs or paying for a community group's involvement.</li> <li>• Set up opportunities in local communities for people to be involved in planning services and influencing decision-making.</li> <li>• Feedback progress to communities in a timely fashion.</li> </ul>	<ul style="list-style-type: none"> <li>• Develop effective working relationships with all the diverse communities in Somerset through appropriate groups, forums and networks. Up to date contact lists are available from Equalities leads.</li> <li>• Promote a range of diverse methods by which communities can be effectively consulted with and involved in decision making and service planning.</li> <li>• To adopt the COUNT principle; Consult once use numerous times; to work with other partners and signatories to share or co-produce consultation in order to minimise the impact on the community through duplication.</li> </ul>

**Complaints including Bullying Harassment and Discrimination**

Everyone has the right to complain about discrimination without the fear of being victimised. This means people should be able to raise concerns without feeling awkward, threatened or isolated. Discrimination can include harassment, not being able to access a service or information, or being treated less favourably or unfavourably because of a protected characteristic.

The public sector is part of a community partnership to tackle hate crime, which is any criminal offence which is perceived by the victim or any other person to be motivated by hostility or prejudice.

<b>Employee’s Responsibility</b>	<b>Manager/Lead Specialist Responsibility</b>	<b>Service Users</b>
<ul style="list-style-type: none"> <li>• If employees feel embarrassed, humiliated, offended, distressed, alarmed, apprehensive or fearful because of someone else’s behaviour towards them, employees have the right to make a complaint and ask for the behaviour to be stopped. Employees also have the right to take up issues through their respective Grievance procedures.</li> <li>• To report all forms of bullying, harassment and intimidation.</li> <li>• Take reports of discrimination and harassment reported to them seriously and compassionately.</li> <li>• Take appropriate and speedy action if an incident of Hate Crime occurs on Public sector property or business</li> </ul>	<ul style="list-style-type: none"> <li>• Responsible for                             <ul style="list-style-type: none"> <li>○ dealing with cases of harassment in the workplace and community,</li> <li>○ treating all complaints of harassment seriously and in strict confidence</li> <li>○ protecting from victimisation anyone asking for advice,</li> <li>○ making a complaint or helping in an investigation.</li> </ul> </li> <li>• Responsible for informing customers, either in person or in writing, that access to services may be withdrawn if involved in the harassment of employees. Managers will consider the removal of services if users continue to harass or perpetrate hate crimes against public sector employees. Managers will also remove employees from situations if they are being harassed, in line with all relevant safeguarding measures.</li> <li>• Take action against employees whose behaviour may be understood as discriminatory, harassing or belittling to customers and colleagues from the Protected Characteristics.</li> </ul>	<ul style="list-style-type: none"> <li>• Customers can complain via the organisation’s respective complaints procedure which should be available on its website.</li> <li>• Customers/service users should treat employees and other customers/service users with respect and in a non-discriminatory way.</li> </ul>

**Employment, Volunteers and Agency Workers**

Employees, job applicants, apprentices, interns, trainees, agency/contract workers and volunteers must not be discriminated against because of a protected characteristic. This means that people must be provided equality of opportunity in all aspects of recruitment, selection, appraisal, training, promotion/transfer, work allocation, supervision, reward, recognition, retirement, redundancy, career development and any other conditions of employment or work environment.

<b>Employee's Responsibility</b>	<b>Manager/Lead Specialist Responsibility</b>	<b>Organisational Responsibility</b>
<ul style="list-style-type: none"> <li>• To encourage understanding, tolerance and good relations between people from different communities.</li> <li>• Listen to service users and colleagues and increase the opportunities for people to influence public sector decisions, policies and services.</li> <li>• Take responsibility to update their equalities monitoring information</li> <li>• Are supported to identify and report harassment, victimisation and discrimination.</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure that equality policies and objectives are embedded in relation to managing employees and their work.</li> <li>• Where necessary undertake on-going training in order to support the effective implementation of this policy.</li> <li>• Make sure the working environment is supportive and non-threatening by challenging and resolving discrimination or harassment, and by ensuring compliance with employees' codes of conduct.</li> <li>• Encourage employees with protected characteristics to take part in self-organised employee groups. Such groups can act as a critical friend and can be influential in advising public sector organisations on a range of areas such as policy development, strategy implementation, service provision and workforce development.</li> </ul>	<ul style="list-style-type: none"> <li>• Equality monitoring in employment is an essential part of the public sector's Equalities commitment. The public sector will monitor all stages of the recruitment and selection process. It will monitor representation within the workforce by department, pay, training, promotion, redeployment, redundancy, complaints, investigations, grievances and disciplinary proceedings</li> <li>• The public sector will strive to ensure that its employment policies, practices and arrangements are flexible and will support, as far as is lawful, reasonable and practicable the specific needs and requirements of individuals and groups. The public sector will also encourage other local employers to adopt such policies.</li> <li>• Commitment to and promotion of Disability Confident and Mindful Employer status.</li> <li>• The public sector is committed to consulting its employees on employment matters and understands that the successful promotion of equality of opportunity involves the support and participation of employees, employees groups and Trade Unions.</li> </ul>

<b>Additional Guidance and support</b>		
<b>This Policy does not sit in isolation it is supported by the following. It will also support the public sector's commitment to the following legislation.</b>		
<b>Guidance</b>	<b>Policies</b>	<b>Legislation this policy supports</b>
Armed Forces Covenant Maternity Booklet	Harassment and Bullying Policy and Procedure Equality in employment Caring for Carers Policy Parental Leave Fair Selection Right to Request Flexible Working Compassionate Leave and Family Emergencies/Maternity and Paternity Policy Reserve Forces Training and Mobilisation Volunteering at SSDC Policy	Equality Act 2010 Mental Health Act Social Policy

### **Monitoring and reporting arrangements**

As an individual organisation who has signed up to this policy and commitments within, it is important that we, South Somerset District Council, monitor and report on our response and progress, where necessary, against the commitments in this policy.

### **Monitoring and Governance**

The Somerset Equalities Officer Group will:

1. Will review the policy on an annual basis to understand the commitments each authority has agreed and how they have performed in the delivery of the commitments

**As an individual council, South Somerset District Council will:**

1. Review annually the commitments made within the policy
2. Introduce proportionate and appropriate performance reporting arrangements

### **Review**

The policy will be reviewed annually in line with changes within the Council, changes in policy and procedure and Government guidance and legislation.