

COUNTY BOROUGH OF BLAENAU GWENT

**EQUAL OPPORTUNITES
EMPLOYMENT POLICY**

*If you have any queries please contact the Human Resources Division,
Civic Centre, Ebbw Vale*

COUNTY BOROUGH OF BLAENAU GWENT

EQUAL OPPORTUNITIES EMPLOYMENT POLICY

INTRODUCTION

Blaenau Gwent County Borough Council is a major employer in the area and acknowledges and understands the inequality which some individuals and groups in our society experience. We are committed to a policy of equality of opportunity in all our employment practices and strive to eliminate unfair discrimination, harassment, bullying and victimisation. Equality of opportunity is one of the Authority's core strategic values, which is detailed in the Council's Community Plan.

The aim of the Council's policy on employment is:

- *To challenge discrimination and create an environment to eliminate discrimination*
- *To ensure that equalities is mainstreamed and at the core of all employment matters*
- *To ensure that all employment policies and practices are fair and transparent*
- *To ensure quality, equity and consistency in working practices and conditions*
- *To promote and implement equality of opportunity*
- *To ensure that no job applicant or employee receives less favourable treatment than another on any grounds or conditions, which cannot be justified. This means both direct and indirect discrimination. The grounds relate to gender, age, disability, family circumstance, marital status, sexual orientation, colour, nationality or ethnic or national origin, Welsh language, trade union activity or religion.*

The council recognises that services need to be delivered by a workforce that reflects the diversity of the local community and it is necessary therefore for all groups within the community to be represented at all levels and within all types of work. The Council believes that a diverse workforce will help to deliver services sensitively and effectively to a variety of needs. The objective of this policy therefore is to support the Council's strategy for mainstreaming equalities by providing a framework to eliminate discrimination and provide equal access for employment in the workplace.

This policy gives a clear framework within which all Council members, employees, managers and trade unions can work to achieve equality of opportunity in employment.

The Authority's Policy Statement on Racial Equality in Employment forms part of this policy. Work is ongoing to develop and review other equalities policy statements.

DEFINITIONS OF DISCRIMINATION

The Sex Discrimination Act 1975 and the Race Relations Act 1976 as amended by the Race Relations (amendment) Act 2000 determine three types of discrimination:

DIRECT DISCRIMINATION

This occurs when one person is treated less favourably than another person is or would be treated in similar circumstances.

INDIRECT DISCRIMINATION

This occurs when an unjustifiable requirement or condition is applied to all individuals but has a disproportionately adverse effect on one party.

VICTIMISATION

This occurs if a person is treated less favourably because they have complained about discrimination or supported someone else who has.

VICTIMISATION AND HARASSMENT

The Authority recognises that harassment and/or victimisation of employees is unacceptable. It believes that all employees have the right to be treated with dignity and respect in their workplace and that harassment is insulting and demeaning to the victim. Harassment can be defined as behaviour or remarks which cause offence and which threaten, humiliate or embarrass.

RESPONSIBILITIES

All members and employees of the Authority are expected to carry out their responsibilities under this policy to ensure that the Equal Opportunities in Employment Policy operates fairly and effectively.

- The Chief Executive has overall responsibility for making sure that the Council as a whole carries forward a co-ordinated approach to equality in employment.
- Chief Officers have a duty for ensuring that the requirements of this policy are carried out in full within their Departments. Actively promoting equal opportunities within their departments and ensuring that all employees understand and act in accordance with this policy.
- All employees have a responsibility to ensure that the council's policies and procedures relating to equal opportunities in employment are followed and ensure fairness towards colleagues and members of the public.
- The Equalities Group will take a lead role in the implementation and monitoring of the Authority's equality agenda.
- The Head of Human Resources will advise on the implementation, monitoring and further development of this policy.

IMPLEMENTATION

We will ensure:

- That the Council actively promotes equal opportunities through the application of employment policies which will ensure that individuals will receive treatment which is fair, equitable and consistent with their aptitudes, potential, skills and abilities.
- That individuals are recruited, selected, developed, promoted and treated on objective criteria having regard to relevant experience, potential, skills and abilities. In particular no applicant/employee will be placed at a disadvantage by requirements or conditions which are not necessary to the performance of the job or which constitutes indirect unfair discrimination.
- All officers making selection and promotion decisions undertake appropriate training in equal opportunities to ensure that they understand the need to promote equality of opportunity and eliminate any inconsistent treatment.
- That we monitor, review and revise our recruitment, selection, promotion, training and employment practices in line with best practice and to improve opportunities for the workforce at all levels to reflect the composition of the local communities
- All job adverts make reference to our commitment to equality of opportunity and encourage applications from all sections of the community.
- That all recruitment literature avoids any form of stereotyping and that the advertisements are accessible to all sections of the community.
- We keep under review existing and potential initiatives to create a more flexible, supportive, harmonious and family friendly working environment.
- To examine existing Human Resources procedures and practices to assess whether and to what extent they safeguard and promote equality of opportunity. Appropriate revisions will be made in the light of information obtained as a result of monitoring.
- To ensure that equalities is mainstreamed into all Human Resources policies by reviewing all policies and procedures, and to monitor the provision of services to eliminate direct and indirect discrimination.

TRAINING

The Authority will provide the training required to implement the Council's policy and acknowledges training is an essential factor in the avoidance of discrimination and the promotion of equal opportunities in employment.

- Equality of opportunity will be incorporated as an integral and core element into all relevant induction and training programmes.

- All officers who are involved in the recruitment and selection process will be given appropriate training in recruitment and selection and the application of this policy.
- A comprehensive equalities training programme will be made available based on an assessment of training needs in order to increase awareness of the existence of discrimination and prejudice towards certain sectors of society.

The Authority will ensure that all employees have equal and direct access to relevant training and development opportunities.

LEGISLATION

All relevant legislation and codes of practice have been taken into account in the development of this policy and we will constantly appraise this policy in line with legislative changes.

The Council acknowledges that at the present time legislation does not cover all types of inequality. We are committed to defining a policy that addresses all types of discrimination, harassment, bullying and victimisation and not just those that are illegal.

GENUINE OCCUPATIONAL QUALIFICATIONS

We will only specify gender or race as a genuine occupational qualification for a post where absolutely necessary and where lawful under the Sex Discrimination Act 1975 or the Race Relations Act 1976 as amended by the Race Relations (amendment) Act 2000. Where a manager decides that a post should have a Genuine Occupational Qualification they will be required to present detailed information that supports their position.

MONITORING

Equal Opportunities policies by themselves will not bring about equality. Monitoring is central to the effective implementation of equal opportunities policies. For the purposes of this policy monitoring will mean the systematic collection and analysis of data throughout all sections and activities

An annual performance report on equalities in employment will be developed and presented to the Executive Committee. Monitoring provides a benchmark from which the effectiveness of the policy can be measured and provides a clear picture of the composition of our workforce and whether particular groups of people are under represented.

The National Assembly for Wales National Performance Indicators in relation to equalities will provide a base from which to monitor the effectiveness of our equalities policy.

POSITIVE ACTION

We will promote positive action to help us to move towards the objectives of this policy, providing this is not discriminatory against any other group.

HANDLING OF COMPLAINTS

Any employee who feels that they have suffered from discrimination, victimisation or harassment should use the established grievance procedures. Action against employees who contravene this policy will be taken in accordance with the established disciplinary procedures.

TRADE UNION

The Council recognises the positive role and contribution made by the Trades Unions in developing and implementing the Council's commitment to equality of opportunity

EMPLOYMENT POLICIES

To underpin our commitment to equality in employment, the Council has developed supportive policies on flexible working, job share and part-time working. Information on these can be obtained from the Human Resources Division.

COMMUNICATION OF POLICY

The Council will ensure that all staff are aware of this policy and that appropriate steps are taken to put this into practice.

- Copies of the policy will be circulated to all employees.
- Copies of the policy will be issued with Statements of Particulars.
- All recruitment advertisements will contain a statement of the Authority's commitment to equality of opportunity.

SCOPE

This policy applies to all employees of the County Borough whether employed on a permanent, temporary or casual basis.

POLICY REVIEW

This policy statement will be reviewed regularly to make sure it remains relevant and effective. It will also be updated to take account of any changes in local circumstances, priorities, legislation and codes of best practice.

ACTION PLAN

We will implement this policy via our departmental action plans. The action plans will contain the specific objectives and targets.

RACE EQUALITY POLICY STATEMENT

INTRODUCTION

The Council is committed to working towards race equality and promoting positive approaches to difference and fostering respect for people of all cultural backgrounds. We recognise that all racial groups have a right to equal opportunity.

As an Authority we are opposed to all forms of racial prejudice and discrimination and racist language or behaviour will not be tolerated and will be challenged.

We are working towards the:

- *Promotion of racial equality and the elimination of unlawful racial discrimination.*
- *Mainstreaming race equality into all activities.*
- *Positively promoting race equality.*
- *Promoting good relations between people of different racial groups.*

The legislation dealing with racial discrimination is the Race Relation Act 1976, as amended by the Race Relations (amendment) Act 2000. This Act makes it unlawful to discriminate against a person directly or indirectly, in the field of employment and places a duty on the Council to promote race equality.

All aspects of employment are covered by the amended Act, including: recruitment and selection, promotion, transfer, training, performance appraisal, pay and benefits, redundancy, dismissal and terms and conditions of work.

DEFINITION

Discrimination occurs when someone is treated less favourably on grounds of their colour, race, nationality (including citizenship) or national or ethnic origin.

The Race Relations Act identifies three main types of racial discrimination

DIRECT RACIAL DISCRIMINATION

This occurs when a person is treated less favourably on racial grounds than others are or would be treated in the same or similar circumstances. Segregating a person from others on racial grounds constitutes less favourable treatment. Racial abuse and harassment are also forms of direct discrimination.

INDIRECT DISCRIMINATION

This occurs as a result of applying a requirement or condition which, although applied equally to persons of all racial groups, is such that a considerably smaller proportion of a particular racial group can comply with it and it cannot be shown to be justified on other than racial grounds.

VICTIMISATION

This occurs if a person is treated less favourably than others because it is suspected or known that they brought proceedings under the Act, or have given evidence or information relating to such proceedings, or alleged that discrimination has occurred.

CULTURAL AND RELIGIOUS NEEDS

Where employees have particular cultural and religious needs which conflict with existing working requirements, we will consider whether it is reasonably practicable to vary or adapt these requirements to enable such needs to be met.

TRAINING

- Training will be provided to those staff identified as responsible for meeting the general and specific duties within the Act. This training will provide the following:

General understanding of race equality issues as they affect the Authority

How to introduce the Race Equality Scheme

The general and specific duties and why they are important

The concept of a Race Equality Scheme and how to develop it and put it into practice.

How to carry out assessment, consultation and monitoring and how to produce and publish results.

- Training will also be provided to raise the awareness of all employees of their duties to work in a non-discriminatory way.

MONITORING

To comply with the duty within the Act we will measure the effectiveness of employment matters in relation to race equality by:

- Collecting and monitoring information about ethnic background in relation to :

The number of,

staff in post

applicants for employment, training and promotion

staff that receive training

staff that benefit or suffer detriment as a result of it's performance assessment procedures

staff that are involved in the grievance procedures

staff that are the subject of disciplinary procedures

staff that cease employment

- Analysing the information to see if there are any differences between racial groups.

- Take any action to remove barriers and address issues arising from the monitoring.
- Publish the monitoring results on an annual basis to the Executive Committee.

C DENMEAD
HEAD OF HUMAN RESOURCES

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