

GUILDFORD BOROUGH COUNCIL EQUALITY SCHEME

2018 – 2021

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Equality Scheme

Executive Summary

1. The Council is fully committed to equality and diversity both as an employer and as a provider of services to the public. As a public body, it has general and specific duties to perform under equality and diversity legislation set out in the Equality Act 2010.
2. The Equality Scheme is the key medium through which the Council works to integrate equality and diversity considerations throughout its activities.
3. In summary, the Equality Scheme sets out:
 - a) what the Council intends to do
 - b) how the Council will meet its statutory requirements
 - c) how the Council will deliver its intentions covering:
 - equality monitoring of employees and service users
 - equality training and development of employees and councillors
 - integrating equality and diversity into performance management
 - developing and maintaining a diverse and inclusive workforce by maintaining a 'level playing field' through removing direct and/or indirect discriminatory barriers to employment, career development, training and development and all other employment policies and procedures
 - the expectations of itself and its employees
 - our definitions of harassment and bullying.
 - d) a 3-year action plan for improving equality of opportunity (Annexe 2 'Equality Scheme action plan 2018 – 2021')

1. Foreword

Our Equality Scheme outlines our commitment to this area of work. An action plan has been drafted setting out our equality objectives under a number of key headings. The actions will develop over a period of three years, progress will be reviewed annually, and the Scheme updated as necessary.

Our Equality Scheme illustrates:

- how we will promote diversity and equality as a council
- the broad actions we will take from 2018 to 2021 to improve diversity and equality within the Council, and
- how we plan to carry out our legal responsibilities under the Equality Act 2010.

We aim to deliver equality of opportunity and promote diversity through our work and operate in accordance with recognised good practice in respect of employment.

2. Introduction

2.1 We want the people and partners with whom we work to see us as promoting diversity and equality and as a leading example of good practice in employment. Our Equality Scheme covers the nine protected characteristics:

- sex (gender)
- race
- age
- disability
- gender reassignment
- marriage or civil partnership
- pregnancy and maternity
- religion and belief, and
- sexual orientation.

The Council is also mindful not to treat unfairly those who have caring responsibilities.

The Scheme helps us to:

- deal with the reality of working with, and providing services for, people regardless of the protected group(s) to which they belong
- make sure we focus on specific inequalities that are relevant to our community
- create links between everyone being different (valuing people's differences) and everyone being equally important to us and the organisations with which we work (promoting fairness).

2.2 Our commitment to diversity and equality

We believe we play an important role in leading public services and other partners across Guildford. As more and more different communities make up the population, we want to achieve the following aims:

2.3 The Council

We will:

- ensure that all our staff are clear about their roles and their responsibilities to the people and communities of Guildford
- employ a workforce which reflects, so far as reasonably practicable, the different communities we serve
- fully include and implement diversity and equality issues in delivering our services
- require councillors and staff to respect each other and other people and value differences between people
- give our staff the necessary skills to challenge and work with our partners effectively in our role as a provider of local public services
- give all staff opportunities to develop themselves and their careers so that they can achieve their full potential.

2.4 Our stakeholders

We want:

- to be an authority leading on, and fully involved in, encouraging and challenging the organisations with which we work to help them improve their approaches to diversity and equality issues
- everybody to recognise us as promoting diversity and equality such that we are able to show that our efforts have had a real effect on other organisations in the borough
- all communities who use public services in Guildford to see real benefits from the services we provide
- people from all communities to recognise us as an employer for whom they would choose to work.

3. Legislative and regulatory requirements

3.1 Equality legislation has been developed in a piecemeal way over the last 40 years or so although much of the current legislation has been developed since the year 2000.

3.2 The Equality Act 2010 replaced all other anti-discrimination legislation (listed in Annex 1) with a single Act that embraced all the provisions of the previous legislation, including equal pay.

3.3 The provisions of the Equality Act 2010

The Act has two main purposes, to harmonise discrimination law and to strengthen the law to support the progress on equality. It brought together and restated previous equality legislation and a number of related provisions.

The particular requirements placed on public bodies are set out in the Public Sector Equality Duty, which is summarised in paragraph 3.4.

3.4 The Public Sector Equality Duty

The purpose of the Public Sector Equality Duty is to harmonise and replace previous race, disability and gender equality duties and to extend protection to all the protected characteristics specified in the Act (as listed in paragraph 2.1). It is made up of a general duty, which is supported by specific duties.

The general duty sets out three main aims. As a public body, we must have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- advance equality of opportunity between people who share a protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not.

The Act explains that having 'due regard' for advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics
- taking steps to meet the needs of people from protected groups where these are different from the needs of other people
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The practical effect is that public bodies such as local authorities have to consider how their policies, programmes and service delivery will affect people with the protected characteristics. For example:

- 'meeting different needs' could involve taking steps to take account of disabled people's disabilities
- 'fostering good relations' could involve tackling prejudice and promoting understanding between people from different groups.

The Act states that compliance with the equality duty may involve treating some people more favourably than others. Equality is about treating people fairly, which could mean treating them differently in order to take account of their differing needs.

The Equality and Human Rights Commission (EHRC) set out the benefits of the equality duty as follows:

- it helps public authorities to avoid and eradicate discriminatory practices and integrate equality information into its core business
- it ensures services are more appropriate to users which are more efficient and cost-effective and therefore improves public satisfaction
- it builds a supportive working environment, which increases productivity. A more representative (diverse) organisation can draw on a broader range of talent

- using up to date equality information can lead to better decision-making and policy development.

The specific duties are:

- Public authorities should publish equality information annually to demonstrate compliance with the general equality duty. This includes information relating to people with protected characteristics who are:
 - its employees, or
 - affected by its policies and practices e.g. service users.
- Public authorities should prepare and publish at least one equality objective it thinks it should achieve in order to meet the general duty. This must be done at least every four years and objectives must be specific and measurable.

4. Delivering on our intentions

4.1 Equality monitoring

Our human resources database (Selima) holds data on employees and employment related matters including confidential equality information. We also collate data relating to recruitment including the diversity of job applicants. In other Council services, some equality monitoring is carried out although the information gathered varies. In Housing Advice, for example, a full monitoring form is included in the Housing Application form and the data feeds into an annual equality report.

4.2 Equality training and development

Equality training and development for councillors and employees is a key component of the Equality Scheme and is already an established area of good practice.

Councillors

Equality and diversity training has been incorporated into the induction programme for councillors, the most recent session was held in January 2017. Dementia Friends training was delivered in October 2017 and Gypsy and Traveller Workshops were held in July 2015 and February 2016. Going forward, further sessions will be arranged as required.

Employees

The Council provides a half-day general equality awareness course and a half-day of disability awareness training for all new employees as mandatory elements of the induction programme. Bespoke equality and diversity training is provided on request and has been delivered to specific teams in response to identified training needs.

In line with the Autism Act 2009, we also provide autism awareness training. This is a two-hour session which helps employees understand how to adjust their communication and interpretation of other people's actions to improve the way they work with people who may be on the autistic spectrum, whether customers or colleagues.

We have delivered Mental Health First Aid Awareness, and will be training a number of Mental Health First Aiders via a two-day course. We have provided, and will continue to provide Resilience Training, which seeks to raise awareness of stress and provide tips and techniques on how to deal with it.

We have provided Emotion Gyms specifically on topics such as depression, low mood, anxiety and dealing with anger. Emotion Gyms have now ceased but the Mental Health Awareness will pick up on these issues with basic information and signposting to sources of further support.

Further training, including how to conduct effective equality impact assessments and other specialist training such as Gypsy and Traveller awareness, is provided according to need.

4.3 Performance management

Focusing on equality and diversity as an employer, we will achieve our aims and meet our legal responsibilities by:

- giving our staff the necessary skills, training and support including, where relevant, behavioural targets based on the Council's Organisational Culture Framework
- taking appropriate action in response to complaints of discrimination or other inappropriate behaviour
- making sure managers have the information available to allow them to make reasonable adjustments (for example, providing appropriate equipment or information in different formats or making adjustments to standard work patterns) to meet the needs of disabled staff so that they can carry out their work
- improving our monitoring systems, assessing the information we collect and acting on the results
- giving clear and positive leadership from the Council, Executive, Corporate Management Team, Senior Leaders and other management groups in the Council
- monitoring our performance and progress against the Equality Scheme action plan
- making data available to show how we have taken the view of our diverse community into account when deciding on priorities and to show the progress that we are making.

4.4 Developing and maintaining a diverse and inclusive workforce

We are committed to ensuring equal access for all to opportunities for employment, learning and development and promotion. Our aim is to develop a diverse and inclusive workforce, which respects, values and reflects the wider community it serves.

We will promote to the community that the Council values diversity and that it is a good place to work.

We work to achieve equality of opportunity in employment by making sure all employees involved in recruitment are aware that:

- no internal or external job applicant should receive less favourable treatment than another on the grounds of a protected characteristic

- they must not impose any conditions or requirements which unfairly affect applicants from one group more than those from other groups
- they must assess each individual on their capability to do any given task. This also means recognising the need for reasonable adjustments for disabled people to carry out the duties of the post
- newly appointed managers will not be able to be involved in the recruitment and selection process unless they have attended recruitment training or if this isn't available at the required time, a one to one recruitment awareness discussion with their human resources advisor.

The Council has robust policies including equal opportunities, bullying and harassment at work, staff code of conduct, grievance and discipline and through these it operates a zero tolerance policy to discrimination, harassment and victimisation. These policies will be reviewed periodically to ensure we continue to strive for a workforce and services that respects, values and responds to the diverse needs of all our stakeholders, internally and externally. All policies are equality checked and equality impact assessments (see paragraph 7) are undertaken in accordance with our Equality Scheme.

We recognise the need to ensure that our employment policies and practices do not directly, indirectly, intentionally or unintentionally discriminate against any potential or actual employees on grounds of a protected characteristic. We will also be mindful to apply the same approach to those who have carer responsibilities.

We will:

- record and monitor the number of employees in post. The Council monitors diversity through our equal opportunities monitoring forms. We use the Census 2011 categories plus others, so that we can use our data to make wider comparisons. Annual management information will be used to track the makeup of our workforce
- record and monitor applicants for employment and success rates in regard to the protected groups. Our job descriptions, person specifications and adverts are worded carefully to avoid the potential for disadvantage on equality grounds and to open up employment opportunities to all types of applicants who meet the essential criteria for a job. Using the reporting function on the Selima database, we are able to undertake monitoring and analysis in relation to employment matters
- record and monitor employees receiving training and development provided via the Corporate Training Plan
- record and monitor employees who are subject to the Council's disciplinary procedure. The Selima database will provide monitoring reports to highlight any possible adverse impact. The statistical data developed will be used to change, where necessary, policies and practices and develop an inclusive and diverse workforce
- monitor staff who use the grievance procedure including claims of bullying and harassment. We will identify any possible adverse impact and use this information to change, where necessary, employment policies and practices
- monitor the reasons employees leave our employment. Human Resources offer exit interviews to all voluntary leavers with the option of it being conducted by their line manager or an HR Advisor.

In May 2017, the Council signed the Time to Change Employers Pledge <https://www.time-to-change.org.uk/get-involved/get-your-workplace-involved/employer-pledge> The Time to Change (TTC) campaign is run by the charities Mind and Rethink Mental Illness and is funded by the Department of Health, Comic Relief and the Big Lottery Fund. The Employers Pledge is our commitment to change how we think and act about mental health in the workplace and make sure that employees feel supported who are facing these problems. Our pledge is supported by an action plan and progress is reported to the Council's Wellbeing Group by Helen Barnsley, the Time to Change Champion and Corporate Public Health Coordinator.

4.5 What we expect from ourselves

We continue to aim to make the Council a positive place to work, which respects and values diversity and promotes equality. We will continue to show our commitment to valuing people's differences, treating people fairly and being a good employer.

4.6 Our commitment as an employer

- we will treat all employees fairly and consistently and in line with our legal duties and our Human Resources policies
- we will ensure that every new employee takes part in equality training and disability awareness training so that our staff have appropriate knowledge to ensure that they avoid unlawfully discriminating against others
- we will give every employee equal access to training, development and promotion, and our recruitment and promotion processes will be open and clear.

4.7 What we expect from our employees and councillors

We expect them to:

- treat each other and service users with respect and dignity, putting into practice the principles of diversity and equality in daily working life
- take responsibility for their own learning and professional development, making good use of the opportunities and resources we offer
- comply with equality and human rights legislation and act in line with our Human Resources policies and Council's Constitution codes of conduct.

4.8 Our definitions of harassment and bullying

Harassment is unwanted conduct that affects the dignity of others. It is actions or comments that are viewed as demeaning and unacceptable to the recipient or that create a hostile, degrading, humiliating or offensive environment.

Harassment includes any form of unwanted verbal, non-verbal or physical conduct of a sexual nature, for example, unwelcome sexual advances, touching, standing too close and the display of offensive materials.

Bullying can be defined as persistent, offensive, abusive, intimidating or malicious behaviour, abuse of power or sanctions which makes the recipient feel threatened, humiliated or

vulnerable or which undermines self-confidence. Examples include shouting in public, persistent or unfair criticism, criticism in the presence of others, ostracising people, threats and instilling fear, inappropriate use of email, spreading malicious rumours, constantly undervaluing effort, withholding information and removing areas of responsibility.

We believe that everyone has a responsibility to behave in a way that is not offensive to others.

All employees should be aware that although they might not agree with the views or decisions made by managers such differences of opinion are unlikely to constitute harassment.

4.9 Monitoring complaints of harassment, bullying and discrimination

We will monitor all complaints of harassment and bullying in relation to the equality profile of the alleged victim. We will also monitor complaints where the complainants believe that the harassment and/or bullying have been perpetrated because of the presumption of or actual discrimination on the grounds of one or more protected characteristics.

This information is used to assess the effectiveness of the Bullying and Harassment at Work Policy in developing and maintaining a diverse and inclusive workforce at all levels of the Council.

External complaints will continue to be investigated and where appropriate feedback will be given to individuals or teams. If improvements are identified, managers will seek advice from Human Resources to establish the most appropriate course of action.

4.10 Corporate Management Team

This is the group chaired by the Managing Director and attended by the Directors. The Team has overall responsibility for ensuring that the Council's Equality Scheme is implemented.

4.11 The Council's Executive

The Executive is responsible for approving and implementing the Council's Equality and Diversity Policy and the Equality Scheme. The portfolio responsibilities of a member of the Executive include equality and diversity (currently Councillor Nikki Nelson-Smith – Lead Councillor for Social Welfare, Heritage and the Arts).

4.12 Corporate Governance and Standards Committee

The Corporate Governance and Standards Committee is responsible for monitoring and auditing the Council's Equality and Diversity Policy.

5 Our priorities

We have identified the four key areas for this Scheme and these will provide the framework for our action plan:

5.1 Leadership and corporate commitment

The Council recognises that it has an important community leadership role to promote and encourage acceptance, fairness and equality across the borough encouraging good practice with our partnership agencies. We continue to support other service providers, employers and the third sector to work together to build stronger and safer communities.

5.2 Consultation and community development and scrutiny

The Council recognises that to ensure its services meet the needs of all the diverse communities it serves, it is important to consult and engage all communities effectively.

We:

- encourage and support all sections of the community in becoming actively involved in local decision-making and community life
- ensure that the appropriate monitoring systems are in place and make resources available so that effective consultation can take place without placing unreasonable burdens on particular sections of the community
- develop consultation networks in our community that do not impose unreasonable burdens on those whose opinions we seek and that focus on the issues that are important to them
- continue to listen to the views of our communities, discussing their ideas and making sure that their views get back to the Council and its partners when they are making decisions.
- make our website as accessible as possible including to those who are blind or partially sighted or those whose first language is not English.

5.3 Service delivery and customer care

The Council recognises that all services should meet diverse needs, be accessible and ensure local people feel fairly treated and receive services appropriate to their needs.

In dealing with customers, the Council commits to and requires its employees to demonstrate good customer service by:

- speaking to all customers in an open and friendly way and addressing them with their name
- showing that they genuinely want to help
- treating the customer as an individual and not placing them at a disadvantage for any reason including their age, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity, race/ethnicity, religion or belief, sex (gender) or sexual orientation
- being patient and polite and showing respect for the customer
- keeping the customer informed.

5.4 Employment and training

We recognise and value the diversity of Guildford's communities. The Council will seek to employ and retain a diverse workforce that, so far as reasonably possible, it reflects the community we serve.

6 Carrying out our duties

6.1 Assessing our policies and consulting people

We will continue to review our policies and carry out equality impact assessments of our relevant activities to measure whether any policy, service or procedure is likely to have a negative effect, or a different effect from that which we planned, on any group of people on which we are focusing in terms of equality. We will publish summaries of the equality impact assessments on our intranet and internet sites.

We will continue to consult with staff groups and employees on the introduction of new policies and procedures to seek staff views prior to implementation.

We will conduct staff surveys annually to find out what employees think and feel about working for our Council, to ensure we support staff as effectively as possible to enable them to perform at their very best.

Customer satisfaction surveys, such as tenant surveys, will continue to be conducted and wherever possible these will include questions relating to equality and diversity.

7 How we will measure the impact of our actions

7.1 Assessing impact on equality

Assessing the impact on equality of our policies, practices and decision-making is an important part of complying with the general equality duty. This can help identify practical steps to tackle any negative impacts or discrimination, and to advance equality.

The general equality duty does not specify how to undertake assessments, it is up to each public authority to choose the most effective approach taking into account the size of the public body, the type of functions they carry out, and the nature of the decisions they are making.

Having due regard to the aims of the general equality duty is about informed decision-making, not about carrying out particular processes or producing particular documents. Assessing impact on equality involves using good equality information and analysis, and doing this at the right time, as part and parcel of decision-making.

7.2 Equality Impact Assessments

The purpose of an Equality Impact Assessments (EIA) is to ensure, at the earliest opportunity, that our services, functions, policies and practices do not directly, indirectly, intentionally or unintentionally discriminate against our service users or employees. Where any adverse impact is found, we must develop objectives that tackle the impact.

We are committed to carrying out impact assessments on our existing and proposed policies and procedures, services and functions to determine whether there are any equality implications. This is generally done using the Council's Screening and Scoping Equality Impact Assessment (EIA) form and Full Equality Impact Assessment (EIA) form, where relevant.

7.3 Our current EIA process consists of 4 stages:

Stage 1 – scoping the activity that is the subject of the EIA

Stage 2 – screening the activity for diversity relevance and any adverse impacts

Stage 3 – identifying the adverse impact and assessing whether a full EIA is necessary

Stage 4 – action planning to reduce differential impacts at either the screening stage or after a full EIA.

An equality impact assessment should take into consideration factors such as demographic data and other statistics, including census findings; available research findings; comparisons between similar policies in our own or other councils; survey data; ethnic monitoring data; one-off data-gathering exercises.

If an assessment demonstrates that a current policy, service or function results in a greater adverse impact, or if opportunities arise which would allow a greater equality of opportunity to be promoted, we will ensure that the policy, service or function is revised.

Where a full EIA is identified as necessary, all completed full EIAs and associated action plans will be consulted with internal and external stakeholders prior to implementation.

8 Our arrangements for publishing equality information

We will publish on our website:

- the Equality Scheme and action plan
- a summary of the results of equality impact assessments and consultations
- a summary of the results of monitoring
- our Annual Workforce Profile Report.

9. Concluding statement

We welcome and encourage comments on and questions about our Equality Scheme. Should you wish, at any time, to raise issues about this Scheme or about other equality and diversity matters at Guildford Borough Council please contact Lucy Richards, Human Resources Partner (Equalities), on 01483 444013 or lucy.richards@guildford.gov.uk

Useful information

The Equality Act 2010

The following legislation was merged into one act and formed the Equality Act 2010:

- Equal Pay Act 1970
- Sex Discrimination Act 1975
- Race Relations Act 1976 (RRA)
- Disability Discrimination Act 1995
- Race Relations (Amendment) Act 2000
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Disability Discrimination Act 2005 (DDA 2005)
- Employment Equality (Age) Regulations 2006
- Equality Act 2006 (This remains in force as far as it relates to the constitution and operation of the Equality and Human Rights Commission)
- Equality Act (Sexual Orientation) Regulations 2007

The Human Rights Act 1998

This is related to but separate from the Equality Act 2010 and remains fully in force.

The Human Rights Act came into effect in October 2000. The Act enables people in the United Kingdom to take cases about their human rights to a UK court. Previously people had to take complaints about their human rights to the European Court of Human Rights in Strasbourg. Whilst not a piece of legislation that is aimed primarily at particular groups in society, the Human Rights Act outlines the sixteen basic rights of citizens of the United Kingdom. These rights do not only affect matters of life or death like freedom from torture and killing, they affect people's rights in everyday life. This includes what they can say or do, their benefits, their right to a fair trial and other similar basic entitlements.

The rights contained within the Act are:

- right to life
- prohibition of torture
- prohibition of slavery and forced labour
- right to liberty and security
- right to a fair trial
- no punishment without law
- right to respect for private and family life
- freedom of thought, conscience and religion
- freedom of expression
- freedom of assembly and association
- right to marry
- prohibition of discrimination
- protection of property

- right to education
- right to free elections
- abolition of the death penalty.

For more information on the Human Rights Act, please visit the Equality and Human Rights Commission website <http://www.equalityhumanrights.com>

UN Convention on the Rights of People with Disabilities

The text of this Convention was agreed at the United Nations (UN) in December 2006. The UK signed the Convention on 30 March 2007 and ratified it on 8 June 2009 albeit with reservations on some of the articles in the convention, i.e. those that it felt not (yet) willing to take steps to implement fully.

Its purpose is to reinforce that basic human rights, i.e. as set out in the Human Rights Act, should be available, fully, to disabled people.

The Equality and Human Rights Commission

The Equality and Human Rights Commission is the regulatory body responsible for enforcing the Equality Act 2010.

The Commission was established in 2006 and was formed from the previous regulatory bodies responsible for promoting equality and diversity, which were:

- The Equal Opportunities Commission (EOC)
- The Commission for Race Equality (CRE)
- The Disability Rights Commission (DRC)

They also took on responsibility for protecting and promoting equality and human rights for everyone.

Their aim is to make Britain fairer by safeguarding and enforcing the laws that protect people's rights to fairness, dignity and respect. Their role is to help organisations, such as public authorities, achieve their responsibilities rather than catch them out when they fail although they also have a range of enforcement powers, which range from guidance and assistance to investigations and court action.

To find out more about the Equality and Human Rights Commission please visit their website <http://www.equalityhumanrights.com>