



Leyburn Town Council

Equal Opportunities Policy



LEYBURN TOWN COUNCIL

Market and Burial Authority

PURPOSE

The purpose of this policy is to provide equal opportunities to all employees, irrespective of their characteristics (unless there are genuine occupational qualifications or objectively justified reasons for a different approach to be taken). We oppose all forms of unlawful and unfair discrimination whether it be direct or indirect discrimination, victimization or harassment on the grounds of any of the protected characteristics defined in the Equality Act 2010.

SCOPE

All employees whether full-time, part-time, fixed term contract, agency workers or temporary staff, will be treated fairly and equally. Selection for employment, promotion, training, remuneration or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the council.

OUR COMMITMENT

Every employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated. This is further defined in the Dignity at Work policy adopted by the council.

The commitment to equal opportunities in the workplace is good management practice and makes sound business sense as it seeks to utilise the talents available from the local community, representing Society as a whole.

Breaches of our equal opportunities policy will be regarded as serious misconduct and could lead to disciplinary proceedings. Employees are entitled to complain about discrimination or harassment or victimization through the council's Grievance procedure.

This policy is fully supported by all Members of the council and adopts the model contract as devised by the employee professional body in the local government sector (the Society of Local Council Clerks).

The policy will be monitored and reviewed annually/bi-annually. Other Personnel policies will be reviewed against the values stated in this main Equal Opportunities policy to ensure that the council strives to remain an Equal Opportunities employer.

Leyburn Town Council follows the "The Equality Standard for Local Authorities" and the **National Agreement on Pay and Conditions of Service ('Green Book')** provisions.

The Green Book refers to Equality at Part 2, paragraph 1 as follows:

"1.1 Employees will be afforded equal opportunities in employment irrespective of disability, gender, race, religion, age, sexuality, marital status, parental status, caring responsibilities and hours of work.

1.2 Local authorities will ensure that discriminatory practices are identified and removed and non-discriminatory practices introduced in all areas of employment including recruitment, training and promotion. Lawful positive action initiatives should be taken to achieve and maintain a representative workforce.



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Uses of Policy – Staff Handbook, Induction of staff and Members, decisions relating to Recruitment and Selection, Training and Development, Promotion, Remuneration, Retirement, cross-referenced to Grievance, disciplinary and Dignity at Work Policies.

LEGAL POSITION

It is unlawful to discriminate against an individual on the following grounds:

- **Age**
- **Race** (including segregation)
- **Religion or belief**
- **Sex**
- **Sexual orientation**
- **Gender reassignment**, which is protection for transsexuals, including less favourable treatment because of an absence related to reassignment compared to absence because of sickness or injury etc
- **Pregnancy and maternity**, protection from discrimination applies during pregnancy from conception to the end of the maternity leave. The protection is against discrimination because of pregnancy or maternity, or illness suffered as result of pregnancy; and discrimination because a woman is on maternity leave, or is exercising or seeking to exercise a right to take maternity leave. Discrimination on the grounds of pregnancy or maternity cannot be “justified”.
- **Disability**, which is a physical or mental impairment which has (or is likely to have) a substantial effect on a person’s ability to carry out day to day activities for a period of a year or more. Certain medical conditions, such as cancer, Multiple Sclerosis and HIV are a disability from the outset, whatever their impact on day-to-day activities.. Protection from discrimination covers a person who has had a disability in the past.

In the case of disability discrimination, there is no unfavourable treatment if the “discriminator” did not know or could not reasonably have known the person had a disability. More favourable treatment of disabled persons is not unlawful discrimination against non-disabled people.

As well as the usual forms of discrimination, the Act protects people from unjustified discrimination ‘arising in consequence of’ a disability, which is very broad.

There is also a duty on an employer to make ‘reasonable adjustments’ where a “provision, criterion or practice” puts a disabled person at a substantial disadvantage compared to non-disabled persons. Then a duty arises on the employer to take such reasonable steps as are necessary to avoid the disadvantage; for example, to remove, alter or provide means to avoid a physical feature; to provide an auxiliary aid or service; or to adjust a working pattern or role etc. The adjustment must be made at no charge to employee.

An employer must not ask and act on answers about the health of an applicant before offering work except where this is necessary for:

- establishing requirements or adjustments needed for an interview or assessment
- establishing the person’s ability to carry out a function intrinsic to the work
- monitoring diversity or
- checking the person has a disability which is required for the job



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- **Marriage and civil partnership:** it is unlawful to discriminate against a colleague or employee on the ground that they are married or in a civil partnership. As previously, there is no protection of single people.

Under the Equality Act 2010 these are known as “protected characteristics”.