

Equality and Diversity Protocol



Document information

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Purpose	Outline the aims, expectations and practices from our Councillors, managers, employees and partners in relation to equality and diversity.		

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1 Walsall Council Values

1.1 The Council takes its responsibility in regard to equality and diversity very seriously. We will:

- treat people fairly, justly and with respect in both service provision and employment
- find ways to support those who are disadvantaged or excluded
- promote inclusion and celebrate diversity.

1.2 It is the responsibility of all Councillors, the Chief Executive, executive directors, heads of service, managers and employees to act in ways that support equality and diversity. Where equality and diversity is not integral to our organisation, discrimination may occur.

1.3 The Council believes that, within service delivery, equality is fundamentally about giving exemplary customer service, and ensuring that customer needs are identified and met. In our services, where at all possible, we will advance equality of opportunity and foster good relations between people from different groups.

1.4 The Council also believes that all groups of customers should positively benefit from our services. Information to customers about services will be provided in accessible formats, based on their particular needs, as far as reasonable and within resources available. Employees will be competent to serve diverse groups of customers and will receive training on understanding and promoting equality under the Equality Act 2010.

2 Principles

2.1 This protocol has been developed to set out the aims and objectives of the Council's approach to equality and diversity and the overall commitment to valuing equality, diversity and human rights. It sets out the expectations on our Councillors, managers and employees in the Council's objective to promote equal opportunities for all our customers.

2.2 The Council has adopted a zero tolerance approach to all forms of unlawful and unfair discrimination on the grounds of age, disability, sex, gender identity, marital or civil partnership status, race, ethnic origin, colour, nationality, pregnancy or maternity, religion or belief (or no religion or belief), sexual orientation, class or social background, political belief or Trade Union affiliation. This protocol is in place to provide fairness for all involved in the Council's employment and service provision.



- 2.3 All employees, whether part time, full time or temporary and all volunteers will be treated fairly and with respect. Selection for employment, promotion, training, 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 organisation.
- 2.4 The Council is committed to meeting the needs and expectations of people who use its services. This means fair access for all, ensuring that the customers of Walsall are treated with dignity and respect. All groups of customers will positively benefit from our services. Information to customers about services will be provided in accessible formats, based on their particular need as far as reasonable and within resources available.
Employees will be competent to serve diverse groups of customers and will receive training to understand how to promote equality under the Equality Act 2010.

3 Legislative Framework

- 3.1 This protocol has been developed within the framework of existing legislation and relevant Codes of Practice. The main legal provisions are contained within the Equality Act 2010 and the Human Rights Act 1998.
- 3.2 The Equality Act 2010 has merged previous equality legislation into one Act of Parliament, with some areas being strengthened and others being more a consolidation of previous requirements. The Act covers the main equality duties together with additional requirements for public sector authorities. Details:
http://inside.walsall.gov.uk/equality_act-3.htm
- 3.3 The Human Rights Act 1998 sets out those rights in the UK which are protected by the European Convention on Human Rights. Human rights are based on the core principles that are relevant to day to day life, and protect freedom to control one's own life and fulfill one's potential through: being safe and protected from harm, being treated fairly and with dignity, living the life you choose, and taking an active part in the community and wider society. Details:
http://inside.walsall.gov.uk/human_rights.htm
- 3.4 Walsall Council, in its many statutory and non-statutory duties, as a local authority, recognises the following as 'protected characteristics' under the Equality Act 2010:
- Age
 - Disability
 - Gender reassignment
 - Marriage and civil partnership



- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

4 Leadership on Equality and Diversity

- 4.1 Councillors, with assistance from officers, have responsibility for publicly advocating the Council vision and values of equality and diversity and directly challenging prejudice, discriminatory behaviour and attitudes.
- 4.2 Councillors have a responsibility for ensuring that they have considered impact of their decisions on people with 'protected characteristics'.
- 4.3 Councillors will consider needs of different communities through their areas of work.
- 4.4 The Cabinet Member whose portfolio covers equality issues is responsible for monitoring Walsall Council equality initiatives, recommending changes and improvements necessary to Cabinet.
- 4.5 The Chief Executive, executive directors and senior managers have responsibility for developing a culture that promotes equality and values diversity, in employment and service delivery. They are also responsible for ensuring this protocol is fully implemented and monitored.

5 Roles and Responsibilities

- 5.1 Walsall Council requires that all its employees have appropriate training and possess competencies to fulfill the principles of this protocol. The training and competence levels will depend on the role of the employee or worker. Some roles will require specific training, competencies and conduct, for example; in children's services, social care and legal. Induction and training are provided for employees to acquire appropriate levels of competence. Details:

http://inside.walsall.gov.uk/equality_and_diversity_training_and_competencies.htm

- 5.2 Managers and supervisors
Managers and supervisors have responsibility for embedding equality



objectives in plans and strategies. In order to fulfill this obligation they are required to carry out equality impact assessments (equality analysis) on key decisions and initiatives. These are to ensure that there is no unlawful adverse impact on people with 'protected characteristics'. They should include evidence on key service decisions of consultation with customers from all equality characteristics.

Details:

Equality Impact Assessments:

http://inside.walsall.gov.uk/equality_impact_assessments.htm

Diversity Monitoring

http://inside.walsall.gov.uk/diversity_and_harassment_monitoring.htm

Managers responsible for employees, are also required to make fair employment decisions including:

- promoting a representative workforce, for example; fair recruitment, career development, pay, training, promotion and welfare of staff to ensure that Walsall Council's workforce, as far as reasonable, reflects the make up of the local population.
- ensuring employees are competent in equality and diversity, through regular one-to-one meetings, supervision and appraisals.
- challenging unfairness, and acting promptly and fairly in any instances of actual or alleged discrimination, harassment, or victimisation, in areas for which they are responsible;
- consulting employees from all protected characteristics on key employment related decisions, such as restructures or changes to work practices.
- supporting employees with disabilities, as far as reasonable, by putting in place reasonable adjustments, to overcome barriers they may experience during their employment with Walsall Council.

Details: http://inside.walsall.gov.uk/equality_at_work_procedures_and_advice.htm

5.3 Employees

All Walsall Council employees have a duty to demonstrate the principles and values of this protocol in their interactions and relationships with colleagues and customers. This includes, but is not limited to;

- acting in ways that are in accordance with equality legislation, policies, protocols and good practices



- treating everyone they come into contact with, with dignity and respect
- ensuring that they do not discriminate or induce others to practice discrimination, harassment or victimisation
- recognising and reporting behaviour that undermines equality and diversity.

5.4 The Corporate Equality Group (CEG)

Membership of CEG consists of representatives of management (Equality Champions), employees (Trade Unions and/or employee networks) and relevant advisors, (e.g. Human Resources and Procurement). CEG meetings are chaired by the Chief Executive or relevant executive director. The meetings take place quarterly with the aim of overseeing that the Council meets the requirements of the Equality Act, Public Sector Equality Duty and Human Rights Act in the following areas:

- setting equality outcomes and monitoring progress against them
- monitoring how the Council advances equality of opportunity, as far as is reasonable within its resources and business need
- fostering good relations between people who share one or more protected characteristics and those who do not share them.
- monitoring the composition of its workforce and the take-up of services and take positive action to redress inequalities.

Details: http://inside.walsall.gov.uk/corporate_equality_group-3.htm

5.5 Consultation and Equalities

Consultation and Equalities has a key role in ensuring that this protocol is adhered to in the management of council business. They will oversee this protocol by:

- maintaining a strategic overview of the evolving equalities and human rights agenda
- ensuring the Council is kept informed of changes in legislation, national and local initiatives
- providing specialist advice as required on matters relating to equality and diversity in respect to employment and service provision
- informing all employees of this protocol and of their rights to protection from discrimination, harassment or victimisation, including perceived and associated discrimination

5.6 Human Resources (HR) will support Councillors, managers and employees by:

- providing specialist advice as required on matters relating to equality and



- diversity in respect to employment
- ensuring processes for recruitment, selection and appraisals promote equality and diversity
 - ensuring that barriers to recruitment opportunities are pro-actively identified and reduced
 - using positive action statements to encourage applications for employment from under-represented groups
 - ensuring that Councillors, employees with the council have fair access to opportunities such as training, coaching, shadowing, mentoring and promotion
 - monitoring of managers' performance on employment practices and the composition of the workforce
 - publishing equality related employee data and information
 - ensuring that all human resources policies and practices are in line with this protocol.

Details: http://inside.walsall.gov.uk/index/human_resources.htm

6 Monitoring of the Equality and Diversity Protocol

Effectiveness of this protocol will be monitored as part of Walsall Council standard analysis and specific reports to include:

- Annual Public Sector Equality Duty report
- Annual Employment Monitoring Report

Disproportionate or adverse outcomes will be monitored and actions will be put in place by the Corporate Equality Group to achieve improvement.

7 Breaches of the Equality and Diversity Protocol

Failure to meet the requirements of this Protocol will be treated as a disciplinary offence and may constitute misconduct or gross misconduct under the Council's Disciplinary Protocol.



8 Glossary

Age	A person belongs to a particular age group, which can mean people of the same age or range of ages.
Customer	Anyone who uses the services of an organisation.
Disability	A person has a disability if she or he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities
Discrimination	Treating someone unfairly or differently because he or she happens to belong to or are perceived to belong to a particular group of people.
Diversity	The differences in the values, attitudes, cultural perspective, beliefs, ethnic background, sexual orientations, skills, knowledge and life experiences of each individual in any group of people.
Equality	Full opportunity and choices for people to improve their quality of life and be respected and included as equal members of society.
Gender reassignment	The process of changing or transitioning from one gender to another
Harassment	Unwanted behaviour that has the purpose or effect of violating a person's dignity or creates a degrading, humiliating, hostile, intimidating or offensive environment
Human Rights	Human rights are basic rights and freedoms that belong to every person in the world.
Marriage and civil partnership	Marriage is defined as a legally recognised union between two people. Same-sex couples may, instead, have their relationships legally recognised as 'civil partnerships'
Pregnancy and maternity	Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth.
Protected characteristics	These are the grounds upon which discrimination is unlawful. The characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
Public authority	Organisations and individuals that carry out public functions, including local authorities.



Public sector equality duty	The duty on a public authority when carrying out its functions to have due regard to the need to eliminate unlawful discrimination and harassment, foster good relations and advance equality of opportunity
Race	This refers to a group of people defined by their race, colour, nationality (including citizenship) ethnic or national origins.
Religion or belief	Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief
Sex	This refers to whether a person is a man or a woman
Sexual orientation	Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes
Victimisation	Subjecting a person to a detriment because they have done a protected act or there is a belief that they have done a protected act

