

EQUALITY OF OPPORTUNITY IN EMPLOYMENT
[ADOPTED FROM NPTCBC MAY 2014]

1. **Statement of Commitment**

- 1.1 The Council is committed to the principle of equality of opportunity in employment. The Council's policy is that no job applicant and no employee shall receive less favourable treatment than another on the grounds of age, disability, gender and gender reassignment, pregnancy and maternity, marital or civil partnership status race, language (Welsh), colour, nationality or ethnic or national origin, responsibility for dependants, sexual orientation, trade union activity or religion/belief (or non-belief) and none shall be disadvantaged by provisions, criterion or practices which cannot be justified.
- 1.2 As a major employer, the Council is committed to take positive action to eliminate discrimination and to redress past imbalances in order to provide genuine equality of opportunity.
- 1.3 The Council recognises that the quality of services will benefit from being delivered by a workforce that reflects the diversity of our communities and it is desirable, therefore, for all of the groups referred to above to be represented at all levels and within all areas of work activity.
- 1.4 The Council has sought to ensure that there is no unlawful pay discrimination within its pay structures and that pay differentials can be objectively justified primarily through the use of an equality proofed job evaluation mechanism.

2. **Scope**

- 2.1 This policy applies to the employment-related activities of all Elected Members, employees and prospective employees of the Council (other than persons employed by schools operating with fully delegated personnel powers).

3. **Welsh Language Scheme**

- 3.1 The Council is committed to the principle that in conducting its public business, both Welsh and English will be treated on the basis of equality.

4. **Legal Requirements**

- 4.1 The Council recognises its obligations under the following legislation:

Equality Act 2010
Rehabilitation of Offenders Act 1974
Welsh Language Act 1993
Human Rights Act 1998.

5. **Equality of Opportunity in Service Delivery**

5.1 The Council has a separate policy, entitled Equality of Opportunity in Service Delivery, which is complementary to this policy.

6. **Policy Responsibilities**

6.1 Whilst the Town Clerk is responsible for implementing and monitoring the operational effectiveness of the Policy, it is the duty of each Councillor, Manager and individual employee to actively promote equality of opportunity in their own sphere of activity.

7. **Positive Action**

7.1 The Council is committed to providing the positive action allowed under the law to help to redress current employment imbalances. For example, as a signatory to Positive About Disabled People, the Council guarantees a job interview to any applicant with a disability who meets the essential criteria on the person specification.

8. **Employment Practices**

8.1 The Council will actively promote equal opportunity through the application of employment policies which will ensure that individuals receive treatment which is fair, equitable and consistent with their relevant aptitudes, potential, skills and abilities.

8.2 The Council will ensure that individuals are recruited, selected, promoted and trained on objective criteria, having regard to relevant experience, potential skills and abilities. In particular no applicant or employee will be placed at a disadvantage by provisions, criterion or practices which are not necessary to the performance of the job, or which constitute indirect unfair discrimination.

8.3 The Council will ensure that all service conditions, which do not in themselves discriminate against any particular group, are applied equally to **all** employees.

9. **Training**

9.1 The Council will make all Elected Members, managers and employees aware of their responsibilities for implementing the Council's Equality of Opportunity policies and will provide training for managers/supervisors and other employees in Equal Opportunities issues.

10. **Harassment (including all forms of bullying and victimisation)**

- 10.1 The Council deplores all forms of harassment and seeks to ensure a working environment in which there are harmonious, respectful and dignified working relations between all employees.
- 10.2 The Council may take disciplinary action against any employee found to be behaving in a manner which constitutes harassment in contravention of the Council's Equality of Opportunity in Employment Policy. A Harassment at Work Policy has been established to deal with complaints of harassment and/or bullying and is included in the Staff Handbook. It differentiates between reasonable action being taken to improve performance and behaviour which constitutes bullying.
- 10.3 An employee may also be liable to criminal proceedings if it is proven that they have intentionally harassed another individual under the Criminal Justice and Public Order Act 1994, which created a criminal offence of intentional harassment.

11. **Other Employment Policies and Procedures**

- 11.1 All employment policies and procedures including Grievance, Harassment at Work, Disciplinary and Capability Procedures will be kept under review to ensure they are appropriate and adequate to cover all aspects of the Equality of Opportunity in Employment Policy. The usage of such procedures will be monitored by gender, ethnicity, disability, age etc to identify and remove any unjustified discrimination or barriers to equality of opportunity.

12. **Work Life Balance**

- 12.1 The Council has developed and continues to develop flexible working policies and schemes which aim to make jobs more accessible, whilst assisting employees to achieve a balance between their work and home life without any overall adverse impact on services provided by the Council.

13. **Consultation**

- 13.1 The Council welcomes and values the contributions of employees, trade unions, equality commissions and other stakeholder groups in the formation and promotion of equalities policies and initiatives.

14. **Services Delivered by Contractors and Partners**

- 14.1 The Council provides some of its services through contractors, agencies, consultancies and voluntary bodies. These organisations will be expected to comply with this policy, the Council's Equality of Opportunity in Service Delivery Policy, as well as the duties placed on the Council by the Public

Sector Equality Duty Wales. This applies also to those to whom the contracted organisation may sub-contract or assign service or part service provision.

14.2 Where services are provided in partnership with other bodies, the Council will endeavour to ensure that they are delivered in accordance with this policy.

15. **Complaints**

15.1 To safeguard individual rights under the policy, any **employee** who wishes to complain about the application or non-application of the policy may:

- (a) raise the matter through the normal grievance procedure;
and/or
- (b) seek trade union support in the normal way.

15.2 Any **prospective employee** who wishes to complain about the application or non-application of the policy should contact the Town Clerk.

16. **Review**

16.1 The operation and effectiveness of this policy document will be reviewed on a regular basis.

Adopted by Neath Town Council – May 2014