

ISLE OF WIGHT COUNCIL

EQUALITY AND DIVERSITY AT WORK

THE POLICY: CELEBRATING DIVERSITY

1. The Isle of Wight Council is committed to celebrating the diversity of the people we employ and ensuring equality of opportunity for all. To ensure that our employees work in an environment where all are given the opportunity to fulfil their personal and professional potential, we confirm that:
 - **no employee will suffer unlawful discrimination by reason of his or her race, nationality, ethnic origin, gender, marital status, disability, religious belief/faith, sexual orientation, hours of work, age, or trade union membership;**
 - **equality of opportunity is actively promoted in the workplace and individual differences are appreciated and valued;**
 - **all individuals are entitled to fair treatment, dignity and respect; and**
 - **the needs and aspirations of our staff are important and worthy of respect.**

2. This commitment is the ‘golden thread’ which runs through all aspects of an employee’s period of employment: from recruitment and selection, through terms and conditions of employment, job allocation, access to training and development, reward, performance management, appraisal and career progression to termination (and even, in some cases, beyond), and this policy should be read with this paragraph in mind.

SCOPE

3. This policy applies to all employees of the Isle of Wight Council. It also applies, where appropriate, to applicants for employment, councillors, contractors, agency workers and other non-employed workers. While some areas of the Council – such as education or fire and rescue – may have different plans for ensuring equality of opportunity within their own sphere of activity, the basic principle applies without exception to all.

RESPONSIBILITIES

4. All employees and elected members of the Isle of Wight Council have responsibilities in relation to the commitment set out in paragraph 1.

'IWCHR: LEADING THE WAY IN PEOPLE MANAGEMENT'

Family of policies:

DIGNITY AT WORK

Page 1 of 9

elected members	5. It is the responsibility of elected members to maintain a strategic overview of the Council's activities to ensure that equality of opportunity is promoted at all levels, both in the workplace and in the community; and themselves to act in a way which demonstrates their commitment to the principles of fair and equal treatment and celebration of diversity.
corporate HR	6. Advice and guidance on all aspects of equality and diversity at work can and should be obtained from corporate HR, who are also responsible for the communication, promotion, monitoring and review of corporate equality policies and procedures and providing a corporate training plan to support those policies.
managers and supervisors	7. It is every manager's responsibility to ensure that unfair discrimination does not take place in his or her work area. Managers must therefore act promptly to correct standards of behaviour which fall short of the Council's commitment to fair treatment for all, deal with complaints fairly, transparently and in confidence, critically review internal systems and procedures to ensure that they comply with principles of good practice and ensure that each member of his or her team has equal access to appropriate training and career development opportunities. Objectives relating to fair and inclusive practices will form an integral part of performance review throughout the year.
trade unions	8. Trade unions have a responsibility to work in partnership with the organisation to ensure the promotion of equality and diversity issues in the workplace.
employees	<p>9. All employees are required to apply the principles of this policy in their everyday dealings with their colleagues and, where appropriate, with the general public. This obligation involves not only ensuring that their own conduct is beyond reproach, but also being alert to instances where unacceptable behaviour in others might cause offence and taking steps to stop it, as well as providing support to other colleagues.</p> <p>10. The Council is committed to ensuring that the workplace is free from discrimination and harassment and will act promptly on complaints of discrimination or harassment. Employees must therefore make sure that they do not:</p> <ul style="list-style-type: none"> • ignore incidences of discrimination or unacceptable behaviour;

'IWCHR: LEADING THE WAY IN PEOPLE MANAGEMENT'

<p>unacceptable behaviour</p>	<ul style="list-style-type: none"> • unlawfully discriminate against anyone; • persuade, incite or encourage another person to discriminate; • harass, victimise or abuse other employees or members of the public for any reason. <p>11. In the context of this policy, ‘unacceptable behaviour’ means conduct such as harassment, bullying and victimisation on the grounds of the issues set out in this policy, whether intentional or unintentional; in other words, behaviour which demonstrates unreasonable and/or unlawful prejudice.</p>
<p>definitions</p>	<p>12. For the purpose of this policy and procedure, the definitions of the terms used within it are:</p>
<p>harassment</p>	<p>13. ‘Unwanted conduct [at work] which has the purpose or effect of violating the individual’s dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for the individual ...’ These unwanted activities relate to statutory issues: in other words, discrimination on the grounds of gender, race, nationality, disability, marital status, age, sexual orientation, trade union membership and faith or belief. Harassment may be a ‘one-off’ incident or ongoing behaviour. It may be comparatively minor, or in the worst cases it can involve actions which constitute a risk to a person’s physical or psychological health. Behaviour may amount to harassment even if it is not directed specifically at the complainant (for example, remarks made about a person to a third party).</p>
<p>gender-based harassment</p>	<p>14. Harassing behaviour can be verbal or non-verbal. Words, images (including anything from pin-ups to pornographic material and films), gestures or physical interactions which another person may regard as offensive all fall within the category of harassment and are unacceptable workplace behaviour. There is a difference between <u>sex-based</u> harassment (which is conduct related to the gender of a person) and <u>sexual</u> harassment (which is conduct of a sexual nature), but both fall within the remit of this policy.</p>
<p>bullying</p>	<p>15. Bullying can be defined as ‘activities relating to the misuse of power at work’. Often, but by no means always, this can involve the ‘superior/subordinate’ relationship, but ‘peer bullying’ and even ‘upwards bullying’ are equally problematic. Such behaviour includes persistent, unfounded or unreasonable criticism, verbal or physical abuse, ridicule</p>

'IWCHR: LEADING THE WAY IN PEOPLE MANAGEMENT'

victimisation	<p>or other actions that have the effect of intimidating, threatening, undermining and/or humiliating the person at whom it is aimed. However, if it involves discriminatory issues (as outlined in para 13 above) it can be defined as harassment.</p> <p>16. This is a form of bullying. Specifically, it refers to any action which is taken to threaten, isolate, intimidate, humiliate, discredit or otherwise adversely affect an employee who has made a complaint or allegation under this policy, or others who have been involved in the complaint in some way (for example, as witnesses or supporters).</p>
OUR COMMITMENT	<p>17. Harassment, bullying and victimisation are unacceptable in the Council and are serious disciplinary offences. More information can be found in the Council’s policy ‘Preventing Harassment and Bullying at Work’.</p> <p>18. The statement of intent in paragraph 1 relates to a variety of potentially disadvantaged groups in the workforce. We recognise that people from these groups can often suffer discrimination and unfair treatment, and our more specific commitment in relation to each of these groups, which relates to all aspects of the employment relationship, is set out below.</p>
race/nationality/ ethnic origin	<p>19. The Council is committed to increasing the diversity of its workforce and to broadening knowledge and understanding of diversity issues. In order to achieve this aspiration, and to ensure that the Council complies with its obligations under the Race Relations (Amendment) Act 2000, the following activities are ongoing in the workplace:</p> <ul style="list-style-type: none"> • all services and functions will be regularly reviewed with a view to ensuring the elimination of unlawful race discrimination and to promoting equality of opportunity and good relations between people of different racial groups; • a programme of activities and training will be put in place to raise awareness of cultural issues; • monitoring of issues such as the balance of ethnic groups in the workforce and the relative impact of employment procedures on different ethnic groups will be ongoing.
gender	<p>20. The Council is committed to increasing the number of women employed in higher management positions. Proactive steps will be taken to promote this commitment,</p>

'IWCHR: LEADING THE WAY IN PEOPLE MANAGEMENT'

	including 'women into management' groups, training and development for women and the development of an environment in which gender equality is the norm.
	21. All pay and other rewards and benefits which accrue to individuals by reason of their employment with the Council will be allocated strictly according to the principles of equal pay for work of equal value.
marital status	22. No employee will be disadvantaged solely by reason of his or her marital status (other than in situations where external obligations supersede internal policy; for example, in some pensions legislation).
disability	23. People with a disability often face greater challenges in the workplace than their non-disabled colleagues, and the Council is committed to maximising the opportunities for its disabled employees.
<i>employment</i>	24. People with a disability will be encouraged to apply for jobs throughout the council and, once they are employed or if they develop a disability during their employment, they will be supported in the workplace to maximise their contribution to the work of the Council. This support will include consideration of specific adjustments to the working environment to ensure that any adverse effects arising from their disability are minimised. Examples of adjustments could include (this list is by no means exhaustive or exclusive): <ul style="list-style-type: none"> • provision of special furniture, software, etc.; • adjustments to working hours; • moving an employee to a different location if necessary; • flexibility in relation to job content.
<i>consultation</i>	25. We will make sure that we take account of the needs, views and experiences of disabled people, and staff with a disability will be consulted on a regular basis on the provision of facilities in the workplace. This consultation will take place in an appropriate forum, which could include group discussion and formal surveys. The views of the staff involved will be taken into account when reviewing services and facilities; feedback will be given to the group and to senior staff and members.
<i>access</i>	26. The Isle of Wight Council is committed to ensuring as far as is reasonably practicable equal, independent access for all

'IWCHR: LEADING THE WAY IN PEOPLE MANAGEMENT'

Family of policies:

DIGNITY AT WORK

Page 5 of 9

Equality & diversity policy v.2
 Author : Virginia Gledhill
 February 2005
 Status: approved

<p>religious belief/ faith</p>	<p>employees and service users to all its services and facilities; or, if this is not practicable, seeking ways to improve access.</p> <p>27. An individual's religion or belief is a matter for his or her personal conscience, and it is not for others in the workplace to judge or comment upon it. Appropriate arrangements will where it is reasonably practicable be made to accommodate individuals' particular needs in relation to their religious beliefs; however, for the avoidance of doubt, individuals who wish to take time off to celebrate a particular religious festival which falls outside the Council's normal holiday arrangements must take annual or flexi-leave to cover it. Such permission will not be unreasonably withheld. Requests to work on Christian festivals – when the workplace is closed – in lieu of time off for other festivals will be considered sympathetically; each case will be treated on its merits, taking account of the work available and the needs of the service.</p>
<p>sexual orientation</p>	<p>28. Employees are entitled as a matter of course to keep the details of their private and personal life confidential, and unless in some way it impacts upon their working life neither the employer nor their colleagues is entitled to comment upon it unless the individual makes it clear that it is a matter for discussion. Employment-related decisions will not be taken on the grounds of an individual's perceived or actual sexual orientation.</p>
<p><i>gender reassignment</i></p>	<p>29. Individuals who undergo gender reassignment will be treated in the workplace according to their gender at the appropriate time, and we will create a supportive environment in which employees can be open about their gender identity if they choose. For example, until a certain point in the treatment the individual may retain the characteristics of his or her birth gender and wish to continue to be treated as that gender; at the point at which s/he makes the move to being regarded as his or her new gender, s/he should speak confidentially to his/her manager to enable arrangements to be made to recognise the new situation. In any situations of doubt, the manager and the employee should consult corporate HR to minimise misunderstanding.</p>
<p><i>HIV</i></p>	<p>30. The Council is committed to making sure that no employee or service user is discriminated against because s/he is HIV positive, thought to be HIV positive, or because s/he associates with someone who is, or who is thought to be,</p>

'IWCHR: LEADING THE WAY IN PEOPLE MANAGEMENT'

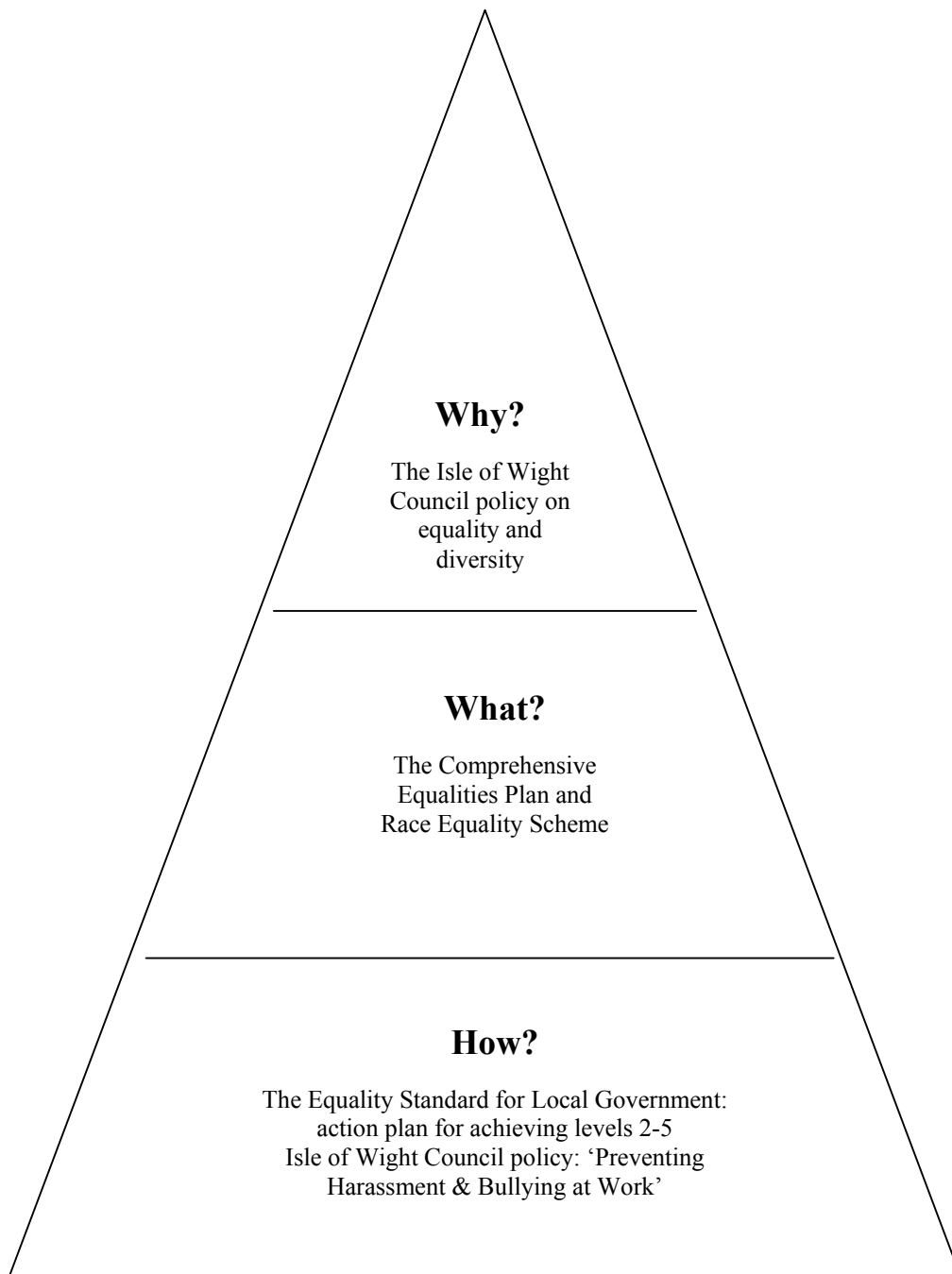
<p>hours of work</p>	<p>HIV positive. We will make sure that appropriate support is offered to employees who are HIV positive to enable them to retain their job, and if this is not possible they will be entitled to the same consideration for redeployment as other individuals with a disability in the workplace.</p> <p>31. The Council is committed to encouraging a variety of working patterns to enable workers to carry out their duties in a way which takes into account their domestic, caring and/or work-life balance responsibilities and also the Council's need for a flexible and committed workforce to carry out its obligations to the community. For this reason, all requests from workers for 'non-standard' working hours will be given careful consideration in the light of the circumstances of the worker's particular post; in general, however, the Council will view such requests positively where the demands of the service allow.</p>
	<p>32. The Council will not treat part-time workers – that is to say, employees who work less than full-time hours – in ways which are different from and less favourable than those of full-time workers. Benefits like annual leave, pay and so on will be allocated pro rata, and access to training, special leave etc. will not be granted differently to part-time workers. Similarly, employees working on fixed-term contracts will have the right to the same terms and conditions of employment – pro rata where appropriate – as their permanent colleagues.</p>
<p>age</p>	<p>33. The Council values the contribution of all its staff regardless of their age and/or stage in their working life, since the principle behind age diversity is that individuals bring different skills and abilities to their jobs according to their own experience. For this reason:</p> <ul style="list-style-type: none"> • recruitment and selection decisions will be made according to job-related criteria and the skills, experience and potential of applicants; • internal applicants for promotion or transfer opportunities will be considered only in relation to their demonstrable ability or potential to do the job; • the changing needs of employees during their working lives will be recognised, in particular through the operation of flexible working arrangements; • all employees are encouraged to maintain healthy lifestyles.

'IWCHR: LEADING THE WAY IN PEOPLE MANAGEMENT'

	<p>34. The Council operates a normal retirement age of 65; in other words, staff who do not resign or retire before they reach that age will be expected to do so then. However, employees who wish to continue working beyond that age may do so, provided that:</p> <ul style="list-style-type: none"> • they discuss the matter with their line manager at least six months before their 65th birthday and request approval; • the relevant Head of Service gives that approval; • their continued employment is reviewed at least annually; • they remain in sufficiently good health to continue working in their job.
	<p>35. If a line manager does not recommend or the Head of Service approve the individual's continued employment, the employee may pursue the matter through the grievance procedure.</p>
trade union membership	<p>36. The Council is committed to working in partnership with recognised trade unions to facilitate harmonious working relationships, to resolve difficulties as smoothly as possible and to work together for the better conduct of the organisation's business. For this reason, employees have the right to choose whether or not to belong to a trade union, and will not suffer discriminatory treatment because of their membership or non-membership.</p>
ex-offenders	<p>37. In addition to the above, applicants for employment who have a criminal record will not have their applications automatically set aside. Employment decisions will take into account the circumstances of each case, including the relevance of the offence to the post applied for, the seriousness of the offence and the length of time since its commission.</p>

'IWCHR: LEADING THE WAY IN PEOPLE MANAGEMENT'

DIVERSITY IN THE WORKPLACE: THE ISLE OF WIGHT COUNCIL STRUCTURE



The over-arching policy which ensures that the 'golden thread' of equality and diversity underpins all Council activities

The plans and aspirations to achieve our policy objectives

The specific activities which we will undertake to achieve the objectives set out in the plans

'IWCHR: LEADING THE WAY IN PEOPLE MANAGEMENT'

Family of policies:

DIGNITY AT WORK

Page 9 of 9

Equality & diversity policy v.2
Author : Virginia Gledhill
February 2005
Status: approved