

Diversity, Equality and Discrimination Training

For casual, agency workers,
contractor staff and staff with no
electronic access

2020

Mole Valley District Council is committed to meeting all the legal requirements laid out in the Equality Act 2010, thus providing an inclusive workplace.

Equality Act 2010

The Equality Act 2010 provides an anti-discriminatory legal framework, prohibiting unlawful discrimination, harassment and victimisation in the workplace.

Equality

Mole Valley District Council strives for equality whereby employees receive the same treatment regardless of their personal characteristics.

Discrimination

Discrimination means treating a person unfairly or less favourably because of their personal characteristics.

The Equality Act 2010 protects people from being discriminated against by employers because of the following **Protected Characteristics**:

Age

An employee cannot be discriminated against because they fall into a particular age group.

Race

According to the Act, race includes colour, nationality and ethnic or national origins. An employee should be able to fulfil their potential at work, regardless of their racial identity.

Religion or belief

The workplace must understand and be sensitive to employees' religious and philosophical beliefs, or the absence thereof. A multi-faith employee network should be encouraged in order to support religious diversity.

Disability

A person is disabled if they have a physical or mental impairment which has a 'substantial' and 'long-term' negative effect on their ability to carry out normal day-to-day activities. The majority of impairments are not

visible. The Equality Act 2010 gives disabled people rights in the following areas:

- All aspects of the employment relationship including access to employment (e.g. job offers)
- Councils must make their services accessible by making a 'reasonable adjustment' to a service that a person with a disability finds impossible or unreasonably difficult to use

Gender reassignment

Refers to an employee who is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning their gender. It is necessary to support transitioning employees and help create inclusivity whereby employees are valued regardless of their gender identity.

Sex (gender)

Workplace opportunities should be available to all genders in order to ensure employees are not limited by their gender. The barriers to gender equality and diversity often include:

- Gender bias
- Lack of opportunity to balance work with personal responsibilities
- The gender pay gap
- Occupational segregation

Sexual orientation

Sexual orientation is a term used to describe an individual's sexual identity, attraction and behaviour. Fair treatment and awareness of sexual orientations should be enforced in order to create inclusivity.

Pregnancy and maternity

The workplace must not discriminate against an employee because they are pregnant or on maternity leave.

Marriage and civil partnership

Marriage can either be between a man and a woman, or between partners of the same sex. Civil partnership is between partners of the same sex. Workplace opportunities should be available to employees regardless of whether they are married or in civil partnerships. Civil partners should not be treated less favourably than married couples.

It is important to note that in many cases it is unlawful to **indirectly discriminate**. This means that although your intention may be to treat everybody the same, a rule or practice that you are applying results in more people who share a protected characteristic being subjected to a detriment (being disadvantaged in some way). To give an example – if you require somebody to be a certain height to reach something that is taller than most women you are likely to be indirectly discriminating against women (who are less likely to reach the height requirements). (In this example you will also be discriminating against somebody with a disability). It will not be a defence to say that you are treating everybody the same.

The Act also protects you if people in your life, like family members or friends, have a protected characteristic and you're treated unfairly because of that. This is called **discrimination by association**.

Mole Valley District Council will take action if an employee is found to discriminate against another employee, including disciplinary and, in serious cases, dismissal.

Certain exceptions can apply, such as the provision of **Positive Action**, whereby employers are permitted to favour certain disadvantaged groups in an attempt to overcome the disadvantages they face. There are constraints around this, so as to ensure the proposed action is proportionate and necessary and there must be clear evidence of a disadvantage. It is only likely to be relevant if you are informed specifically of the requirement, and consequent actions.

Public Sector Equality Duty

This duty places additional general and specific legal duties on all public authorities, including Mole Valley District Council, to actively eliminate discrimination and advance equality.

The **general duty** requires public authorities to:

- Actively eliminate discrimination in the workplace
- Advance equality of opportunity by taking steps to meet the needs of employees with protected characteristics
- Foster positive community relations in the workplace

The council also has to carry out a range of **specific activities** to ensure the general duties are adhered to, including:

- Completing an Equality Impact Assessment
- Publishing objectives and action plans for reducing inequality in the workplace
- Publishing relevant information about employees

Enhancing Equality in the Workplace

In accordance with Mole Valley's Respect at Work Policy, **all staff** are responsible for promoting equality in the workplace. You are expected to:

- Treat colleagues with dignity, respect and fairness
- Respect and show appreciation of other lifestyles
- Be sensitive to the feelings of others
- Be aware of your own attitudes and behaviours and of your impact on others
- Practice behaviours that create a mutually supportive and inclusive environment
- Be careful not to use stereotypes
- Make time to listen to others
- Be open and honest
- Use respectful language to ensure you don't inadvertently cause offence to others

You are required to speak up and challenge unlawful discrimination (such as those falling under the categories listed above) if you see or hear anything that concerns you.

Managers have additional responsibilities to:

- Be the main channel for communicating messages about equality
- Role model positive and inclusive behaviours, setting the standards in your team and leading by example

- Ensure all services are accessible and inclusive
- Foster positive relations between your team and with other teams
- Support employees, regardless of their background or circumstance, to thrive at work
- Be responsive to any issues raised by employees by following policy to monitor and challenge any negative behaviour in the workplace

To summarise, Mole Valley District Council commits to follow the legal requirements laid out in the Equality Act 2010. As employees of the council, you must help uphold these legal requirements and you must not discriminate against any protected characteristic. You must also enhance equality in the workplace by respecting others, fostering an inclusive environment and reporting any instance of discrimination.

Declaration:

I (*print name*)..... certify that I have read and understood the Diversity, Equality and Discrimination Training document for Mole Valley District Council.

Signature of trainee:

Date.....

The following Declarations to be completed by supervisor/line manager:

I (*print name*).....

Confirm the training of (*name of staff*) _____ and am satisfied that the above is fully aware of their responsibilities regarding diversity, equality and discrimination.

Signature of manager:.....

Date.....