

# RMBC EQUALITY AND DIVERSITY POLICY

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## Why do we have this policy?

### Reason

Rotherham Metropolitan Borough Council is committed to working on behalf of and for *all* of its customers, residents, partners and visitors. By better understanding the diversity of communities and their specific needs, the Council is able to provide the most appropriate and responsive services; an approach that supports the Council's priorities of providing services that are customer-focused - effective, efficient and of a high quality.

The Council has set five Equality and Diversity Objectives which aim to address local equality and diversity priorities. The objectives are published in the Council's equality and diversity strategy, 'Equality for All', and are informed through the analysis of diversity monitoring data.

The Council's commitment is reinforced by the Equality Act 2010 which requires the Council to promote fairness and equality through community leadership, in employment practice and the delivery of services, where relevant.

Accordingly, in law, the Council must to have 'due regard' to the need to:

- eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by the act;
- advance equality of opportunity; and
- foster good relations between those who share a characteristic and those who do not.

### Purpose

This policy demonstrates how the Council values diversity, how it meets its responsibilities set out in legislation and how it has due regard to equality in the delivery of all its functions.

All councillors, customers and staff have the right to be treated fairly, with dignity and with respect. In particular the Equality Act 2010 specifically covers nine protected characteristics:

- Age;
- Disability;
- Gender Reassignment;
- Marriage and Civil Partnership;
- Pregnancy and Maternity;
- Race (ethnic origin, nationality, skin colour);
- Religion and Belief;
- Sex/gender;
- Sexual orientation; as well as
- any other status as identified within the European Convention of Human rights and any other domestic or relevant UK or EU law.

This policy is in place to ensure as far as possible that these rights are respected and observed across all of the Council's activities.

## 2. Who must comply with the policy?

- All Council employees
- Councillors.

- Anyone delivering services on behalf of the Council such as contractors, volunteers, partner organisations and people on work placement.

*NOTE: Schools in Rotherham have their own arrangements and are provided with guidance by the Council*

### **3. Who needs to be aware of this policy?**

- All Council employees
- All Councillors
- Members of the public
- Voluntary organisations
- Union representatives
- The partners the Council works with
- Anyone delivering services on behalf of the Council such as contractors, volunteers, partner organisations and people on work placement.

The Council undertakes to ensure that all employees, potential employees and contractors are made aware of this policy. Any acceptance of an offer of employment or contract will automatically be taken as an individual's commitment to support the principles of this policy and a pledge to demonstrate that commitment in their role with the Council.

### **4. What does the policy mean?**

The purpose of the Equality and Diversity Policy of Rotherham Metropolitan Borough Council is to encourage respect for diversity and eliminate discrimination in both its role as an employer and as a provider of services. The Council aims to create a culture that respects and values difference, that promotes fairness, dignity and respect, and that encourages individuals to develop and maximise their true potential.

The Council is also committed, wherever practicable, to achieving and maintaining a workforce that broadly reflects the local community in which it operates.

#### **The Council's Diversity Promise**

*The Council will:*

- treat everyone fairly;
- give fair access to services;
- be socially inclusive – i.e. work in ways that make people feel valued and respected;
- be transparent in all that it does; and
- value customers and staff

The Council will not tolerate homophobic, racist, sexist or any other unjust or unfair unlawful discrimination, harassment or victimisation by any of its staff, contractors or partners, including those who deliver services on its behalf or its customers. Where discrimination has taken place, action will be taken in line with Council policies and procedures listed below.

This principle applies to all conditions of employment. It also applies to the provision of and access to services, whether supplied directly by the Council, or by organisations on the Council's behalf. In providing services, the Council – or those organisations acting on its behalf – must be able to demonstrate that they have taken into account the needs and characteristics of service users, and in view of these, have considered the appropriateness and accessibility of the services being offered.

This policy both supports and is underpinned by the ***Council's Equality Strategy - 'Equality for All'*** - and its Equality Objectives which are delivered at service level through action plans in each service area.

This policy is further supported by the following Council documents:

- 2016-17 RMBC Corporate Plan and Performance Management Framework
- RMBC Corporate "Fresh Start" Improvement Plan (2015-2017)
- Prevention of Bullying and Harassment at Work Policy
- Corporate Complaints Policy
- Recruitment and Selection Policy
- [Corporate Safeguarding Policy]

### **5. How is this policy implemented?**

The policy is implemented by adherence to the following principles which guide the Council's commitment to equality and diversity:

- to create an environment in which individual differences and the contributions of all our employees, Councillors and volunteers are recognised and valued;
- to create a working environment that promotes dignity and respect for all. No form of intimidation, bullying or harassment will be tolerated;
- to ensure training, development and progression opportunities are available to all;
- to promote equality in the workplace, which it believes is good management practice and makes sound business sense;
- to regularly review all employment and volunteering practices and procedures to ensure that no job applicants, staff, elected members or volunteers are treated less favourably than others;
- to regularly review services to ensure they are accessible and appropriate to all groups within society;
- to treat breaches of the equality policy seriously and to take disciplinary action or other action when required;
- to provide information and training to all employees, Councillors and volunteers to ensure that they are fully aware of the issues relevant to Equality and Diversity and their responsibilities relating to it;
- to develop Equality Action Plans, to ensure our Equality and Diversity Policy is fully implemented;
- to ensure the policy is fully supported by the Council, Cabinet and Senior Leadership Team; and
- to monitor and review the policy not less than every three years.

This policy is implemented by the following procedures:

- Development of Equality Impact Needs Assessments
- Equality Action Plans within directorates/services
- People Management Strategy
- Workforce Development Strategy
- Recruitment and Selection Procedures
- Disciplinary Procedure and Rules
- Prevention of Bullying and Harassment at Work Procedures
- Grievance procedure
- Complaints procedures
- Corporate Safeguarding Policy
- Training and development

### **Roles and responsibilities**

It is expected that the following roles will show particular leadership and commitment towards respecting and promoting this policy at all times, in all aspects of their work:

- the Chief Executive;
- Strategic Directors;
- the Leader of the Council & Cabinet Members;
- Other Political Group Leader(s);
- Cabinet Member with lead responsibility for Equality & Diversity;
- All other elected Councillors;
- Service Directors and Heads of Service; and
- Service Equality Champions.

These roles and responsibilities are expanded on further below.

### **Managers' responsibilities**

Managers at all levels in the Council must demonstrate a commitment to the Equality and Diversity Policy and are responsible for encouraging staff, colleagues, partners and contractors to incorporate the principles of this policy into Council business.

Managers are responsible for monitoring individual behaviour and are expected to take immediate action where there is evidence of discrimination, harassment, bullying or any other prohibited conduct. They will be responsible for raising awareness of individual rights and responsibilities.

Managers are also responsible for supporting and encouraging staff to reach their full potential and will do so by dismantling barriers to development if found to exist.

### **Councillors' responsibilities**

All Councillors are expected to abide by the Local Code of Member Conduct and also ensure that their behaviour is consistent with the principles of this policy and their role as publicly elected officials, representing the entire population of Rotherham.

### **Group Leaders' responsibilities**

Group Leaders are responsible for informally monitoring the behaviour of Councillors in their political group and should take immediate action if there is evidence of unfair discrimination, harassment or bullying. They are also responsible for raising awareness of this policy within their political group and leading by example in adhering to it.

### **Individuals' responsibilities**

All Council employees are individually responsible and accountable for their own behaviour. Any Council employee who causes offence or makes another individual feel unsafe or undignified, or unjustly, unfairly or unlawfully prevents them from developing within the Council, whether intentionally or not, may be subject to disciplinary action by the Council and may face legal action from any complainant.

Any Council employee who feels that he or she - or another Council employee - is suffering from unfair, unjust or unlawful treatment, should take action as detailed in the Complaints and Grievance procedures. Similarly, any Council employee who witnesses another individual being treated in such a way must be able to report the incident without fear of victimisation, as defined in the Council's Whistle Blowing policy.

### **Equality and Diversity Working Group**

Rotherham Council will also work to further promote this policy and its principles through cross-cutting, corporate working - including through a corporate Equality and Diversity Working Group. This Group will work to ensure that equality and diversity is kept at the forefront of Council business across directorates and services. This corporate working will be further supported by the Corporate Equality and Diversity Policy Officer, through the provision of professional advice, training, monitoring and updating Council employees & Councillors on changes to legislation, policy and legal requirements. The Equality and Diversity Coordinator is also responsible for reviewing this policy no less than every three years.

## **6. Sources of further and supporting information**

- Government Equalities Office: [www.equalities.gov.uk](http://www.equalities.gov.uk)
- Equality and Human Rights Commission: [www.equalityhumanrights.com](http://www.equalityhumanrights.com)
- Stonewall: [www.stonewall.org.uk](http://www.stonewall.org.uk)
- ACAS: [www.acas.org.uk/index.aspx?articleid=1363](http://www.acas.org.uk/index.aspx?articleid=1363)
- Equality Framework for Local Government: [www.local.gov.uk/home/-/journal\\_content/56/10180/3476575/ARTICLE](http://www.local.gov.uk/home/-/journal_content/56/10180/3476575/ARTICLE)
- RMBC Corporate Plan (2016-2017): [link to be inserted]
- RMBC Corporate "Fresh Start" Improvement Plan (2015-2017): [www.rotherham.gov.uk/improvementplan](http://www.rotherham.gov.uk/improvementplan)
- RMBC Corporate Safeguarding Policy 2016: [link to be inserted]
- RMBC Community Strategy: In development, due for publication early 2017
- RMBC Whistleblowing Policy