

Bath & North East Somerset Council

Equality Policy Commitment

Updated May 2024

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This document about the Bath & North East Somerset Equality Policy Commitment can be made available in a range of languages, large print, on tape, electronic and other accessible formats from the Corporate Equalities Team. Tel: 01225 396698 or e-mail: equality@bathnes.gov.uk

1. Statement of intent

1.1 Bath and North East Somerset Council is committed to equality of opportunity for the whole community and believes that the diversity of the community is a major strength which contributes to the social and economic prosperity of the area. The Council commits to working within the Equality Act 2010 to ensure that no resident of, or visitor to the area, job applicant, employee or other person associated with the Council is treated inequitably or in an unlawful or unjustifiably discriminatory manner.

1.2 The Council recognises that people from specific key groups may experience discrimination and less favourable treatment on the grounds of their protected characteristics:

Age,
Disability,
race/ethnicity,
sex,
gender reassignment,
marriage/civil partnership,
pregnancy & maternity,
religion/belief,
sexual orientation.

We also recognise that people may experience discrimination and less favourable treatment for other reasons (e.g. on the grounds of their financial or economic status, care experienced, unrelated criminal convictions, currently serving or a veteran of the armed forces, homelessness, or lack of a fixed address, political view or trade union activity).

1.3 The Council will take positive steps to stop any unfair/unlawful discrimination and harassment (see examples in Appendix 1). The Council will also take proactive steps to pay 'due regard' to the need to enhance equality, tackle discrimination and help foster good community relations when exercising its functions.

1.4 The leadership and day to day operation of this policy rests with Elected Members, the Chief Executive, Executive Directors, Directors and Heads of Service, and they must ensure that all employees within their area of responsibility, partners and contractors, are aware of the policy and understand their role in its implementation. In order to make this policy widely known and understood, all service areas of the Council will draw up strategies and action plans for implementation.

1.5 The Council will develop, implement and review its policies in consultation with trade unions, staff associations, and other appropriate representatives of employees, residents, visitors, service users, partner agencies and voluntary and community organisations.

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- 1.6 The Council will publish one or more equality objectives at least every 4 years. This is currently delivered in the form of the [Equality Improvement Plan](#), and is corporately owned, governance of the objectives will be via the Corporate Equality, Diversity and Inclusion Steering group

2. Elected Members

- 2.1 The Council is committed to treating all Elected Members fairly and equitably, irrespective of their political group membership, or their personal views, circumstances, or affiliations, and recognises the right of Elected Members to promote the interests or concerns of any political group of which they are a member.
- 2.2 The Council is committed to ensuring that equal access to Council support services will be provided to Elected Members.
- 2.3 The Council recognises that the Council process may need to be adjusted to accommodate the access needs of some Elected Members and recognises that disabled Elected Members may need assistance to exercise Council or Council related functions, and is committed to providing 'reasonable adjustment' in such circumstances.
- 2.4 The Council expects that Elected Members conduct themselves with integrity and in a manner that is consistent with the various policies, procedures, protocols, and Codes of Conduct that apply to members and the roles they undertake as Elected Members of the Council.
- 2.5 The Council is committed to ensuring that Elected Members are familiar with, and considerate of, the Equality Act 2010 and the Public Sector Equality Duty 2023 when making decisions. Equality and Diversity training will be provided as part of the induction process for all Elected Members.

3. Employment

- 3.1 Bath and North East Somerset Council is one of the largest employers in the area. In recognition of its role as a community partnership leader, and its firm commitment to equality of opportunity, the Council intends to be a champion of equal opportunity principles and practice as an employer. The Council is committed to reviewing all policies, practices and procedures in order to remove potential barriers to equality of opportunity.
- 3.2 The Council will ensure that no job applicant or employee receives less favourable treatment which cannot be shown to be justifiable.

4. Employment commitments

- 4.1 Selection criteria and procedures will ensure that individuals are selected, promoted and treated on the basis of their relevant merits and abilities. The Council will ensure that at least the chair of every selection or interview panel will be equipped and trained in fair selection procedures, and will work towards ensuring that all panel members have received this training.
- 4.2 The Council is committed to having a workforce that mirrors the diversity of the local community. The Council will encourage people from under-represented groups to apply for employment within the Council, and will enable them to obtain employment on merit.
- 4.3 Equality monitoring in employment is an essential part of the Council's Equalities commitment. The Council will monitor all stages of the recruitment and selection process. It will monitor representation within the workforce by department, pay, training, promotion, redeployment, redundancy, complaints, investigations, grievances and disciplinary proceedings.
- 4.4 The Council will commit to publishing the gender pay gap data every year.
- 4.5 The Council will strive to ensure that its employment policy, practices and arrangements are flexible and will support, as far as is lawful, reasonable and practicable, specific needs and requirements of individuals and groups. The Council will also encourage other local employers to adopt such policies.
- 4.6 The Council will work towards retaining employees who become disabled or those with progressive disability. The Council recognises that some disabled people may need assistance to attain or retain employment, and is committed to providing 'reasonable adjustment' in employment.
- 4.7 The Council is committed to consulting its staff on all employment matters and understands that the successful promotion of equality of opportunity involves the support and participation of staff, staff networks and Trade Unions.
- 4.8 The Council will not discriminate against any employee on the grounds of his or her personal views or activities except where those views are opposed and/or detrimental to the principles and values of the Council.
- 4.9 The Council is committed to providing a safe and secure environment for all staff, and to taking action against all forms of discrimination and harassment. The Council will not tolerate any harassment, whether physical or verbal, of employees by members of the public or colleagues. (See examples in Appendix 1). The Council will take prompt action on any employee grievance concerning discrimination, victimisation or harassment. The Council will provide an effective response to deal with perpetrators, and provide support for complainants.

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- 4.10 The Council offers equalities training to all employees, and individual participation will be considered during ongoing performance reviews.
- 4.11 The Council will ensure that all training courses provided for its staff will comply with equality of opportunity in their selection, content, methods, materials and assessment.

5. Service delivery

- 5.1 Bath and North East Somerset Council is committed to ensuring that its services are accessible, and seeks to ensure that current and potential service users do not experience barriers in accessing services. The Council will ensure that the range and quality of services provided are appropriate and sensitive to the needs of the people of Bath and North East Somerset.
- 5.2 The Council will ensure that no service user is subjected to unjustifiable discrimination or harassment in the delivery of any of the Council's services (see examples in Appendix 1). In addition it will promote equality, diversity and social inclusion amongst our partners in the services they provide.
- 5.3 In order to achieve this, the Council will ensure that equality issues are considered at the outset of all policy development and planning and become an integral part of the way that all services are delivered. Policies and practices will be monitored to ensure that services being delivered do not have an unjustifiable adverse impact. It is the responsibility of each Head of Service to ensure that actions to meet the needs of the specific key groups are included in their annual service planning.

6. Service Delivery Commitments

- 6.1 All service areas of the Council will ensure that services are responsive to the changing and diverse needs existing within the community and that service users receive equitable treatment when accessing services.
- 6.2 The Council will ensure that service users are aware of their rights and entitlements when receiving services.
- 6.3 Services, facilities and information systems will be accessible with specific provision meeting individual needs where appropriate.
- 6.4 Reasonable adjustment will be made in the provision of services for disabled people and in relation to the physical features of our facilities to reduce physical barriers to services.
- 6.5 Equality Impact Assessments will be carried out across service areas where deemed necessary to ensure that decision-makers are made aware of the equality information, potential impacts and mitigations of a decision, and action plans will be

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monitored to ensure equality of opportunity for all, including when services are publishing a consultation document.

- 6.6 Complaints about services will be dealt with promptly and will be monitored against all equality areas covered by legislation.
- 6.7 We will endeavour to ensure that all sections of the community are involved in our consultation processes.
- 6.8 We embrace the wide variety of lifestyles and cultures in Bath & North East Somerset, and we will encourage and support the opportunity for all to actively participate in community life.

7. Partnerships

- 7.1 The Council will ensure that all work undertaken in partnership is in line with our Equality Policy Commitment, and that all services provided in partnership are appropriate and sensitive to the needs of the people of Bath and North East Somerset. All Partners will receive a copy of the Council's Equality Policy Commitment. Through appropriate monitoring we shall ensure that any agency working in partnership with the Council does not practice unlawful acts of discrimination.
- 7.2 The Council will ensure that all terms of reference and other relevant partnership documentation complies with the Council's equality guidelines and all relevant legislation. It is the responsibility of each Head of Service to ensure that actions to meet the needs of the specific key groups are included in partnership plans and strategies, and that appropriate monitoring mechanisms are in place.
- 7.3. The Council will ensure that all commissioned partners adhere to our Equality Policy Commitment by the inclusion of equality as a criterion by which contracts are awarded and the inclusion of equality objectives in contract specifications.
- 7.4 Equality Impact Assessments for services will extend to services delivered in partnership where appropriate, and action plans monitored to ensure there are no significant differences in satisfaction for all groups.
- 7.5 The Council will encourage organisations which represent a range of community interests to become involved in partnership working, and will seek, wherever justifiable, to ensure that the interests of the specific key groups are explicitly represented on each partnership.
- 7.6 The Council will encourage partners to undertake equality awareness training.

8. Other parties

- 8.1 It is recognised that there are other third parties who have a relationship with the Council, either working on behalf of or with the Council, who are not partners or contractors.
- 8.2 The Council will expect these third parties to adhere to the Equality Policy Commitment and will challenge any relationship that works to its detriment. It is expected that these third parties work with the Council in the spirit of this document and that the Council would challenge and disengage from any relationship that was deemed to be working outside of this ethic.

9. Procurement

- 9.1 The Council will ensure that all contracts comply with the Council's equality guidelines, procurement equality strategy (developed sub/regionally) and all relevant legislation; we positively promote equality through the contracting process. Through appropriate monitoring we shall ensure that individuals, voluntary organisations, firms or institutions acting on behalf or as agents of the Council do not practice unlawful acts of discrimination.
- 9.2 The Council believes in competition in awarding contracts as this:
- discourages the development of cartels and monopolies
 - encourages the development of an open and competitive market which is innovative in proposing solutions to meet our needs
- 9.3 The Council will encourage the local community to take up opportunities to contract and will seek, wherever appropriate, to offer contracts within the local community's ability to deliver, ensuring that they comply with Best Value and legislation on procurement and geographic location.
- 9.4 Contracts will be awarded on the basis of a fair and open evaluation process taking into account price, best value and ability to deliver the contract. Reasonable opportunity for feedback to unsuccessful bidders will be offered.
- 9.5 All contracts will be monitored by the Council to ensure that the goods, services or facilities being purchased are being delivered as agreed, and to ensure that the continued delivery of such remain advantageous to the Council and the community it serves.

10. Responsibility for policy implementation and monitoring

- 10.1 Elected Members, the Chief Executive and Strategic Directors will be responsible for implementing the policy and implementing monitoring of the policy.

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- 10.2 Strategic Directors, Heads of Service and all employees with supervisory responsibility are responsible, within their area of responsibility, for implementing, monitoring and promoting this policy.
- 10.3 All Council employees and those who are involved in serving the community in the name of the Council are responsible for implementing the policy. They must adhere to it as part of their conditions of service, and will be supported in doing so by their managers. Any failure to do so will be considered in accordance with the Council's Disciplinary Procedures.
- 10.4 Employees and those serving the community in the name of the Council must not:
- Ignore incidents of discrimination,
 - 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,
- 10.5 Staff will not be expected to tolerate discrimination from service users, other employees, providers or any third party.
- 10.6 The Council will inform all job applicants, employees and service users of this policy and ensure everyone understands their collective and individual responsibilities.

Appendix 1 – Examples of harassment/unacceptable behaviour

1. Harassment

Within the Equality Act 2010 harassment is defined as unwanted behaviour, based on someone's protected characteristic (or a perception that they have a particular characteristic) that the recipient finds offensive. Harassment could relate to someone's race, sex (including pregnancy/maternity), disability, sexual orientation, age, religion/belief or gender reassignment.

Unwanted behaviour could include:

- spoken or written abuse e.g. using offensive words about a particular racial group, or using phrases such as 'that's so gay' to mean something is not very good.
- offensive emails
- tweets or comments on websites and social media
- circulating or displaying offensive material or insignia (e.g. swastika).
- images and graffiti
- physical gestures (e.g. mimicking someone who is disabled)
- facial expressions
- 'banter' that is offensive to the recipient.
- negative stereotyping (e.g. "all gypsies are thieves"; "all young people are lazy")
- telling people to "go back home" or asking where they are 'really from' (implying they do not belong in the UK).

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- 'outing' someone's sexual orientation or trans identity to another person without permission.
- refusing to use the correct pro-noun for someone who has undergone gender reassignment

Anything that is unwelcome to the recipient is unwanted. The unwanted behaviour must have the purpose or effect of violating someone's dignity, or creating a degrading, humiliating, hostile, intimidating or offensive environment.

2. Sexual Harassment

Sexual harassment is defined in the Equality Act 2010 as: 'unwanted conduct [related to a person's sex] which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment'.

Examples of sexual harassment include:

- sexual comments or jokes
- physical behaviour, including unwelcome sexual advances, touching and various forms of sexual assault
- displaying pictures, photos or drawings of a sexual nature
- sending emails with a sexual content

3. Anti-Semitism and Islamophobia

As outlined in section 1, harassment on the grounds of faith/belief is covered by the Equality Act. Below are some specific examples of the types of behaviour that would constitute anti-Jewish (Anti-Semitic) or Anti-Muslim (Islamophobic) harassment. *(Jewish identity is not simply a matter of religious observance, it also covers culture, community, tradition, ethnicity and practice, and therefore patterns of observance do not necessarily mirror those of other religious groups).

Examples of Anti-Semitism and Islamophobia can include:

- Calling for, aiding, or justifying the killing, removal or harming of Jews or Muslims.
- Making false, dehumanising, demonising, or stereotypical allegations about Jews.
- Denying the genocide of the Jewish people during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Holding Jews collectively or individually responsible for actions of the state of Israel.
- Offensive Stereotyping about Muslim people "all Muslims are terrorists"
- Persistently questioning why someone wears a headscarf/doesn't drink alcohol.
- Targeting mosques with graffiti or leaving pork products to deliberately cause offence.