

TO REPORT ON EQUALITY AND DIVERSITY

Equalities Policy

Working Document (4th Draft)



Copeland Borough Council

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Foreword

Copeland Borough Council's Vision is to treat everyone fairly and with respect. This Policy outlines how Copeland Borough Council intends to meet the 'Equalities Standard for Local Government'. In adopting the Standard, the Council underlines its commitment to equality of opportunity for all, and in redressing the institutional processes that can lead to discrimination.

As community leader and service provider, the Council aims to provide equal access to services and employment for all the people of the Borough. The Council is committed to ensuring that people are not discriminated against on the grounds of race, creed, colour, disability, age, religion, gender, marital status or parental responsibilities. Through this shared commitment of all the Council's officers and elected members, our policy recognises the responsibility to ensure that issues of equality and diversity are inherently linked to all decision-making processes.

The Council's work also links directly with the Community Strategy and the West Cumbria Strategic Partnership and our current plans and policies including our Dignity at Work Policy;

2. Introduction

2.1 Accessible, Focused Services

Copeland Borough Council believes in providing high quality, flexible and accessible services to everyone in the Borough. We are committed to improving the methods by which we consult with our customers and to focus on how those comments impact upon and form improvements in service delivery.

The area of customer care is an issue the Council has sought to make many improvements to. In securing the PFI agreement for the new Council Centre, and introducing and training a new Customer Services Team; 'Copeland Direct', we are now able to accommodate customers contacting the Council by phone, or when they visit, more efficiently. The new systems put in place demonstrate our commitment to

providing services, and answering queries as quickly and accurately as possible. As part of the Council's work on 'Implementing Electronic Government', the Council is creating further improvements in customer access by providing services on-line. We will offer a text-phone service for those with hearing loss.

2.2 Equality, Equity and Social Inclusion

This policy framework has been developed in order to recognise, promote and value the diversity that exists within the Borough. It is based on principles of mutual respect, fairness, social inclusion, and a commitment to tackle inequality, injustice and discrimination.

2.3 Profile of Copeland Borough

Copeland is in West Cumbria, the most northwesterly county in England. The landscape is stunning and includes England's Deepest Lake – Wastwater - and the highest mountain – Scafell Pike. Copeland provides its residents with unique and unrivalled access to both an urban and rural lifestyle, two thirds of the Borough lies within the National Park, although a mere 4000 people live there. As an area it is unmatched in terms of physical environment and culture, and is characterised by a superb western coastline that contrasts and compliments the mountains and lakes that lie in the Lake District National Park. The Borough has a population of 70,600 as at January 2006. This figure has increased by 1.7% in the last year largely due to inward migration.

0.7% of the population is from minority ethnic communities, with the Chinese community making up the largest ethnic group. 17.4% of the working population has a disability and 20.4% of the population has a limiting long-term illness. Copeland Borough Council's workforce does not reflect the community with regards to ethnic minority and disabled people.

Copeland has a relatively low skills base with 34% of the population having no or low qualifications. The area also has an above average figure of people with low literacy skills (27.3%) and low numeracy skills (28.8%).

2.7% of our population are claiming Job Seekers Allowance this is the second highest in Cumbria and is higher than the UK average of 2.3%.

2.4 Making Complaints

The Council is committed to providing the best possible level of service to anyone receiving or with a right to receive a service from the Council. Complaints about those services are dealt with through the Council's formal complaints procedure, regardless of the complainant's race, creed, colour, sexual orientation, nationality, ethnic origins, disability, age, religion, gender, marital status, parental responsibilities or any other identifiable characteristic. Complaints are monitored to identify, highlight and rectify any possible inequalities.

The Council is also committed to making Copeland a safe place to live, work and learn. If a resident feels they have been subject to a racial incident, they will be given every assistance to report the matter which will be dealt with by a trained, designated Officer, who, if required, will liaise with other relevant agencies to provide their full support.

2.5 Learning Skills

It is Council policy to support and assist in interventions as a way of promoting social inclusion and combating discrimination. In particular it will take action in partnership with others to improve learning skills. It will also train its own staff to improve their awareness and understanding of the needs of its customers when providing services to them.

3 General Principles

The Council is committed to the following:-

- Equal access to all of its services where practicable whether or not they are provided directly taking full account of the rights and needs of all;

- Taking Equality and Diversity issues into account when considering all policy documents;
- Acting positively to remedy existing inequalities;
- Regular consultation with service users and access groups making special efforts to include hard to reach groups;
- Supporting and encouraging initiatives which promote equality of opportunity and social inclusion;
- Confronting unlawful discrimination, tackling prejudice and promoting equality of opportunity through learning and development;
- Providing development opportunities to assist with the implementation of this policy and ensuring that staff and elected members are aware of their individual responsibilities and the organisation's commitment;
- Ensuring that Consultants, Contractors, Suppliers and Partners are made aware of this policy and the expectation that their own policies will include as a minimum:-
 - A commitment to equal opportunities;
 - The name or position of the person responsible for the effective implementation of the policy;
- Ensuring that recruitment and selection is carried out in accordance with best practice;
- Managing staff fairly and appropriately ensuring there is no discrimination in terms of attitude, work allocations promotions of other conditions of employment;
- Handling sensitively allegations of discrimination and harassment providing appropriate support to the alleged victims in accordance with Council policy and procedure.

4. Employment Issues

4.1 Copeland Borough Council believes that all its employees have a right to a working environment in which the dignity of individuals is respected. The Council's Dignity at Work Policy and Procedure should be referred to for more details. The Council is also committed to providing a safe and healthy workplace for its employees. To this end it seeks to promote equal treatment for all employees and potential employees

irrespective of race, creed, colour, sexual orientation, nationality, ethnic origins, religion, disability, age, gender, marital status, or parental responsibilities. The Council will not tolerate discrimination, harassment, bullying or violence by or against any employee or Member.

4.2 Copeland Borough Council is committed to equality of opportunity in all its employment practices, policies and procedures. Training and awareness programmes will be developed and support mechanisms put in place, to encourage and ensure equality of opportunity.

5. Policy on Race

5.1 The Council has in place a policy on Race Equality, which was approved as a working document/Action Plan in April 2003 and will be revised contemporaneously and as a part of the Comprehensive Equality Policy. This revised policy is shown at Appendix A. The following section draws upon the main themes and strategies contained within that document.

5.2 This Scheme outlines the Council's vision to be pro-active on race in ensuring that:-

- We consider the impact on ethnic groups in service planning and provision;
- Our services are accessible and available to all members of all ethnic groups;
- We consult with all ethnic groups when considering service planning and provision;
- We develop the competencies of all staff at all levels throughout the organisation in relation to issues of race;
- The responsibility and accountability for race issues lies with management at all levels.

5.3 Copeland's Race Equality Statement

Copeland Borough Council is fully committed to complying with its statutory duties under the Race Relations Amendment Act 2002. In producing this policy, various codes of practice and recommendations produced by relevant bodies such as the Commission for Racial Equality, Improvement & Development Agency, Employers Organisation and Local Government Association including the specific recommendations from the McPherson Report. It is one of the Council's Core Values to "...treat everyone fairly, with dignity and respect, and actively promote equal opportunities for all".

- In line with the McPherson report recommendations, Copeland Borough Council has adopted the definition of a racist incident as "any incident which is perceived to be racist by the victim or any other person".
- The Council is therefore committed to "the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different racial groups".
- The Equality Standard for Local Government was established as a result of partnership working between the Commission for Racial Equality, the Disability Rights Commission, the Equal Opportunities Commission and the Employers' Organisation for Local Government. The Council has decided to adopt the Commission for Racial Equality's Equality Standard for Local Government and has set an initial target of attaining 'Level 1' by March 2006.
- As part of the Council's ethos of continuous improvement through Best Value, and now the Comprehensive Performance Assessment process, a raft of equality measures will be recommended for adoption by the Council. The Council's corporate undertaking to address equality issues will be further demonstrated in publishing this Policy.

- In promoting equality of opportunity, Business Unit Managers will be required to assess areas of service delivery and to consider the impact of service delivery in terms of the needs and preferences of ethnic groups.

6. Policy on Disabilities

- 6.1 The Council is aware that people with disabilities often experience discrimination and disadvantage in society largely because of attitudes and actions.
- 6.2 The Disability Rights Commission defines disability as the ‘loss, limitation or denial of rights by society, to a point where an individual is restricted or excluded from taking part in society’. The Council recognises that it is other people, organisations and systems, which create the barriers, not the disability. This prevents people with disabilities from having equal access to opportunities in life.
- 6.3 Copeland Borough Council is committed to tackling disability discrimination as both service providers and employers. It aims to make all services inclusive and accessible and to act positively to remedy existing inequalities faced by people with disabilities.
- 6.4 The Council is committed to developing and improving services for people with disabilities via the following:
- ⇒ Nominating a member of staff to deal with disability equality and access issues.
 - ⇒ Carrying out our legal duties to tackle discrimination under the Disability Discrimination Acts.
 - ⇒ Providing auxiliary aids and services where appropriate.
 - ⇒ Making changes and adaptations to buildings and other areas over which it has control to improve accessibility.
 - ⇒ Carrying out, reviewing and developing our commitments under the Employment Service ‘Positive about Disabled People’ scheme
 - ⇒ Supporting all employees with disabilities to fully develop their potential.
 - ⇒ Developing and strengthening the existing consultation mechanism with the disability community in the Borough by continuing to work in partnership and supporting Copeland Disability Forum’s Access Working Group.

- 6.5 Copeland Borough Council participates in the “Positive about Disabled People Symbol Scheme”. This scheme welcomes applicants with a disability and guarantees to interview all candidates with a disability that meet the minimum criteria for a job vacancy and to consider them on their abilities. The Council will ensure appropriate adjustments are made and support offered for all applicants attending interviews and/or other selection assessments.
- 6.6 Focus groups will be held at least annually to discuss and review the needs of these and future employees consulting disabled individuals in the planning and implementation of any office relocations and building improvements to ensure their particular needs are considered.

7. Policy on Gender

- 7.1 Copeland Borough Council is committed to eliminating sex discrimination and enabling women and men to participate on an equal basis in social, cultural, political and economic life. It is also committed to the principles of individuality and diversity. In pursuing these commitments the Council acknowledges its statutory duties under the Sex Discrimination Act 1975 (amended 1986), the Equal Pay Act 1975 (amended 1984) and the Human Rights Act 1988.
- 7.2 The Council will ensure that in carrying out its duties, women and men are protected from unlawful discrimination and treated equally. To help achieve this objective the Council will:
- Work in partnership to create safer environments for women and men
 - Encourage greater participation of women in public and political life
 - Support employees in making personal choices about their parenting, caring and work roles
 - Support and enable flexible working to help employees who wish to do so balance their lives inside and outside work
 - Improve development and progression opportunities for part-time workers
 - Ensure that female and male employees are paid the same for doing equal work and have the same service conditions apply
 - Challenge sexism by our employees, other organisations and users of our services

- Deal effectively and consistently with sexual harassment
- Aim to develop an overall workforce that better reflects an equal balance of women and men, especially at senior management levels.

8. Policy on Lesbian, Gay, Bisexual and Transgender People

8.1 Copeland Borough Council is committed to eliminating homophobic prejudice and discrimination. In pursuing these commitments the Council acknowledges its statutory duties under the Human Rights Act 1998, Local Government Act 1988, Sex Discrimination Act 1975, Sex Discrimination (Gender Reassignment) Regulations 1999 and guidance produced by the Local Government Association on ‘Supporting Inclusive Communities – Lesbians, Gay Men and Local Democracy’, March 2001.

8.2 The Council will ensure that in carrying out its duties lesbian, gay, bisexual and transgender people are given equal and unprejudiced treatment. To achieve this objective Copeland Council Borough will:-

- Ensure that policies, procedures and practices are not based on the assumption that everyone is, or should be, heterosexual;
- Acknowledge same sex relationships and ensure that, wherever possible, partners have equal access to the services and benefits available to heterosexual couples;
- Encourage the participation of lesbian, gay, bisexual and transgender people in the decisions that affect their lives;
- Work with others to make communities safer and enable lesbian, gay, bisexual and transgender people to live without prejudice or fear;
- Encourage a culture of openness about sexual orientation and ensure that lesbian, gay, bisexual and transgender employees have a safe and supportive environment in which to work;
- Ensure service users are aware that they do not have the right to refuse service from lesbian, gay, bisexual and transgender staff;
- Provide information and guidance to managers and staff on gender reassignment as well as on general appropriate language and behaviour issues that may affect people who are lesbian, gay, bisexual or transgender;
- Challenge heterosexism and homophobia by our employees, other organisations, and users of our services.

8.3 Copeland Borough Council recognises that the way we deal with other forms of discrimination may not be appropriate to deal with homophobia or heterosexism. Because of the nature of these forms of discrimination, lesbians, gay men, bisexual and transgender employees and service users may not always feel able or willing to disclose who they are. This can mean that services are designed or delivered in a way that is inappropriate for these groups. We will work with individuals and groups who are part of the wider lesbian, gay, bisexual and transgender communities to make sure that our policies in this area are effective. We will also work to eliminate assumptions that all our employees, users of our services and others we work with are heterosexual.

9. Policy on people of all Religions and Beliefs

9.1 Copeland Borough Council is committed to ensuring that no person is subjected to any discrimination on the grounds of religion or belief. The Council aims to ensure that it provides services to all residents and visitors to the borough with dignity and respect for all creeds.

9.2 Employees are legally protected from discrimination and harassment at work on the grounds of religion or belief. This applies throughout the employment relationship, including during the recruitment process, in the workplace, on dismissal and, in certain circumstances, after employment has finished. It also applies to terms and conditions, pay, promotions, transfers, training and dismissals.

9.3 Definitions of religion or belief

Although legislation does not define either term, outside the area of discrimination legislation the legal system does have some experience in attempting to define religion and establish principles by which to recognise religions and this experience may provide practical guidance on interpretation. There would seem to be three essential ingredients necessary to meet the definition of a 'religion':

1. A belief in a supreme being;
2. Worship of that supreme being;

3. A group or following of people who observe the beliefs, values, customs and traditions as set down by that supreme being.

9.4 Using this guidance, the following faiths would fit the definition of 'religion':

- Christianity, including:
 - ⇒ Roman Catholicism;
 - ⇒ Protestantism;
 - ⇒ Baptist;
 - ⇒ Methodist;
 - ⇒ Presbyterian;
 - ⇒ Greek/Russian Orthodox
 - ⇒ Quaker;
 - ⇒ Jehovah's Witness;
 - ⇒ Seventh-Day Adventist;
- Buddhist;
- Hindu;
- Jewish;
- Muslim;
- Sikh;
- Rastafarian, etc.

9.5 As far as non-religious beliefs are concerned, guidance is available from judgments in the European Court of Human Rights (ECHR). The ECHR has established the principle that 'belief' means more than just mere opinions or deeply held feelings: there must be a holding of spiritual or philosophical convictions which have as identifiable formal content. In this context, the ECHR has held the following to be 'beliefs':

- Druidism;
- Pacifism;
- Veganism;
- The Divine Light of Zentrum;

- The Church of Scientology;
- The Moon Sect;
- Krishna Consciousness;
- Atheism;
- Agnosticism.

9.6 The Council undertakes where possible to make arrangements to accommodate different types of religion and their observances, including:-

- Dress:
- Prayer:
- Festivals:
- Diet:

10. Policy on People of all Ages

10.1 Age Discrimination

Ageism is discrimination about people based on assumptions and stereotypes about their age. This can be directed against anyone but is directed predominantly against the young or the old. By 2010 almost 40% of the UK workforce will be aged 45 or over. Currently in Copeland the predominance of people over 45 is even more marked. From 1 October 2006 the law will change and discrimination against individuals on the grounds of age will be illegal. In order to prepare for this legal change, and for the likely changes in retirement ages, the Council will need to revise its policy and practice. This work will take place during the first half of 2006. In the meantime there are some principles which everyone should observe to avoid ageism. This will ensure that the Council provides appropriate services and manages its workforce to achieve effectiveness and efficiency.

10.2 As an employer the Council should strive to have a workforce that reflects the population it serves, achieving a balance of gender, ethnic group, disability and age. Age diversity at work means employing people of all ages, and not discriminating against someone because of how old they are.

Therefore we will adopt the following principles:

- We will recruit people based on skills, ability and potential
- We will select based on skills and ability
- We will promote on ability or potential
- We will offer training and development to encourage all employees
- We will select for redundancy (if we need to) based on an analysis of people's skill, unbiased by considerations of age

- We will consider individual and business needs in considering our policy on retirement, to promote flexibility and effectiveness
- We will include age as a factor in reviewing the balance of our workforce to help us develop strategies in workforce planning

10.3 Employment

In 2006 it will become illegal to discriminate in employment on the basis of age. As preparation for this legislation we shall work towards ensuring:-

- That where it exists arbitrary age discrimination is removed;
- That the use of age and age-related criteria is challenged in every aspect of employment and decision-making.

11. Impact Assessment and Action Plan

11.1 As part of working towards achieving Level 2 of the Equality Standard in Local Government, the Council will carry out Equality Impact Assessments through all its departments. This will produce detailed Action Plans to help further promote Equality and Diversity.

11.2 As part of its preparatory work, the Council has developed an indicative skeleton Action Plan, which is shown at 11.3 below. That Plan will be further developed and expanded upon through 2006/07.

11.3 Skeleton Equalities Action Plan

Issue	Action	By Who	By When
Raise awareness with Members	E Learning Package	All Members	Dec 06
Embed equality issues in planning	Increased awareness for all disability issues	Heather Morrison	Continuing
Promote what we have done	Article in Copeland Matters	Malcolm Stephenson/ Ian Curwen	Continuing
Ensure adequate training	Roll out training	Martin Jepson/ Hilary Mitchell	Dec 06

Customer Care Training	Organise training	Hilary Mitchell	06/07
Remote Working		Hilary Mitchell	06/07
Access issues: Copeland Centre & Moresby	Ensure access for disabled. Ensure no-one excluded	Chris Lloyd/ David Mullen/ Jane Salt	Dec 05
Improve BVPI's 16a & 17a			
Check all policies comply with legislation	Managers to check policies	All Managers	
Tenders	Ensure equalities issues dealt with in procurement	Martin Jepson/ Clinton Boyce	Dec 06
Work with Partners		Corporate Team	06/07
Monitor equality forms	Monitor & feedback details of equality forms	Len Gleed	06/07
Text phones	Purchase	Martin Stroud	March 06
Better promotion on the web		Jane Salt	06/07
Cultural Events	Consider multi-cultural events	Arts Development	06/07
More use of libraries	Noticeboards	Malcolm Stephenson/ Ian Curwen/ Tim Capper	March 06
Needs of the communities	Consult with hard to reach groups	Malcolm Stephenson/ Ian Curwen	06/07
Provide & promote other languages	Issue a guide for translation services	Ian Curwen	06/07
Celebrate the Wilberforce Bi-Centenary including eg Giving an apology for slavery		Malcolm Stephenson/ Ian Curwen	06/07