



**Bishopston Community Council**

**EQUALITY & DIVERSITY**  
**POLICY**

**May 2024**

NB: This is a non-contractual procedure which will be reviewed from time to time.

Approving committee	Full Council
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# Bishopston Community Council

## EQUALITY & DIVERSITY POLICY

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## Introduction

Bishopston community council is committed to providing equal opportunities in employment and to avoiding unlawful discrimination.

This policy is intended to assist the community council to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.

Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in employment.

## The law

It is unlawful to discriminate directly or indirectly in recruitment or employment. The characteristics that are protected by the Equality Act 2010 are:

- age
- disability
- gender reassignment
- marriage or civil partnership (in employment only)
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

The Act also provides for protection against discrimination by association, which provides protection for people who are discriminated against because someone close to them falls under the definition of one of the protected characteristics.

Discrimination after employment may also be unlawful, eg refusing to give a reference for a reason related to one of the protected characteristics.

The community council will not discriminate against or harass a member of the public in the provision of services or goods.

From October 2024, employers will need to comply with a new duty to take 'reasonable steps' to prevent sexual harassment of employees. This follows the passing of the Worker Protection (Amendment of Equality Act 2010) Act 2023.

## Types of unlawful discrimination

- Direct discrimination  
Where a person is treated less favourably than another because of a protected characteristic.

In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post

and a proportionate means of achieving a legitimate aim.

- Indirect discrimination  
Where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.
- Harassment  
Where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.
- Associative discrimination  
Where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.
- Perceptive discrimination  
Where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not, in fact, have that protected characteristic.
- Third-party harassment  
Where an employee is harassed and the harassment is related to a protected characteristic, by third parties.
- Victimisation  
Where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint.

Failure to make reasonable adjustment is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustment to enable the disabled person to overcome the disadvantage.

## Equal opportunities in employment

The community council will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

- Recruitment  
Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustment that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions

except where necessary.

- Working practices

The community council will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the council considers it has good reasons, unrelated to any protected characteristic, for doing so (refer to the community council's Flexible Working Policy).

## **People not employed by the council**

The council will not discriminate unlawfully against those using or seeking to use the services provided by the council.

Employees should report any bullying or harassment by suppliers, visitors or others to the Chair of Council and appropriate action will be taken.

## **Training**

The council aims to raise awareness of equal opportunities to those likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise. The council aims to raise awareness of all staff engaged to work at the council to help them understand their rights and responsibilities under the community council's policies (eg Grievance policy).

## **Employee responsibilities**

Every employee is required to assist the community council to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination. Employees can be held personally liable as well as, or instead of, the community council for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the community council's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

## **Grievances**

If an employee considers that they may have been unlawfully discriminated against, they should use the community council's grievance procedure to make a complaint.

The council will take any complaint seriously and will seek to resolve any grievance that it upholds. An employee will not be penalised for raising a grievance, even if their grievance is not upheld, unless the complaint is untrue and made in bad faith or vindictive.