



Brentwood Borough Council

Equality, Diversity and Inclusion Policy

2021 - 2024

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Brentwood 2025
Where everyone matters

Corporate Strategy
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Introduction

Brentwood Borough Council is committed to the principles of diversity, equality of opportunity and inclusion, and recognises the importance of always adhering to these principles. All that we do will reflect our approach to equality, diversity, and inclusion in practice.

Diversity, equality, and inclusion together form a positive approach to recognise that everyone is different and can make and bring their own unique contribution, experience, knowledge, and skills to the organisation. Brentwood Borough Council promotes dignity and respect for all, and an environment where individual differences and the contributions of all employees are recognised and valued. Brentwood Borough Council will not unlawfully discriminate against any individuals including those with protected characteristics such as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex (gender) and sexual orientation in line with the Equality Act 2010.

This policy is written in accordance with all legal requirements, ACAS guidance and best practice.

Overview and Introduction

We recognise that both the people who work for us, or who we may want to recruit to do so and those who use our services are individuals with different needs which may impact on their ability to access many services in our community including our own services. In instances where we introduce, modify or change services we may, set up and deliver projects that will work expressly with specific groups in order to increase their chances of accessing the services we provide.

We will, however, also work hard to ensure that all individuals who fit the criteria for employment or access to our services truly have the opportunity to access and benefit from what Brentwood Borough Council can offer, and this policy sets out how we aim to do this.

Why this policy exists

The Equalities Act 2010 [the Act] sets out the legislation around equality, including what is required of employers in the UK. The aim of this policy is to ensure that Brentwood Borough Council operates in line with this legislation and that no service user, job applicant, employee, secondee or volunteer is unfairly or unlawfully discriminated against in their dealings with Brentwood Borough Council.

Scope

This policy applies to all areas of Brentwood Borough Council's work and to all staff, by which term we mean all employees and other workers such as agency workers, temporary workers, contractors, volunteers, interns, students on work placement, as well as Councillors who sit on the Staff Appoints Committee and anyone who is subcontracted to undertake specific duties. Wherever this policy refers to staff or

employees it includes everyone mentioned here unless specifically stated otherwise.

The principles set out in this policy will also be reflected in all contracts and project plans. We will expect anyone we sub-contract or with whom we work in partnership to work in line with this policy or to demonstrate that they have their own appropriate equality policy and practices in place.

It is a condition of employment that all employees respect and act in accordance with this policy. Failure to do so will result in disciplinary procedures being instigated which could lead to dismissal.

All employees will be required to read this policy on joining the organisation.

Roles and Responsibilities

- **All staff** are responsible for familiarising themselves and acting in accordance with this policy. Employees should inform their manager if they know or suspect that discrimination or harassment is occurring.
- **Managers** will ensure that this policy is communicated to all staff and will provide advice and guidance to staff regarding their conduct along with sources of available support. Managers are required to exercise leadership in this field by encouraging inclusion, discouraging prejudice and modelling appropriate behaviour. They must also take speedy and appropriate action to deal with any breaches of the policy, or behaviour that could lead to a breach of the policy. Any identified breaches of the policy should be dealt with using the Disciplinary, Grievance or Bullying and Harassment policies. Managers are responsible for applying employment practices, policies and procedures fairly and consistently, and for highlighting and addressing any practices which could lead to discrimination.
- **Human Resources** will ensure that this policy is implemented and operated in a reasonable and fair manner, provide advice and guidance to individual members of staff and line managers and oversee provision of any letters and documents required.

Zero tolerance

Although treating anyone differently because they have one or more of the protected characteristics is illegal, the Act only specifies two types of discrimination that apply to all of the protected characteristics: direct discrimination and victimisation.

Brentwood Borough Council has a zero-tolerance approach to any form of discrimination.

Appendix 1 sets out which types of discrimination apply to which protected characteristics

Monitoring

Brentwood Borough Council will maintain records of gender, ethnic origin, age and disability for all employees and for internal and external job applicants. This information will be collected and stored in line with the Data Protection Act 2018 (GDPR) and will only be used to monitor compliance with the principles of diversity, inclusion and equality. The information will be analysed at regular intervals by Human Resources.

Where possible, and dependent on the type of service, we will also monitor the following characteristics for the people using our services:

- Age
- Disability
- Ethnicity
- Sex
- Sexual orientation

Review

This policy will be reviewed periodically, at least as a minimum once every three years by Human Resources. It will in any case be reviewed any time it is invoked, and use suggests that changes or clarifications are needed.

Where review is necessary due to legislative change this will happen without delay. The policy will additionally be updated according to legislative and good practice changes and changes in internal structures and role responsibilities as and when needed.

Dissemination

This policy will be available to all new staff.

During induction the policy will be signed off as having been read and understood alongside the e-learning training.

The policy will be made available to current and prospective partners, suppliers and others on request.

Behaviours

Brentwood Borough Council is committed to achieving an inclusive and diverse workforce and to providing equal opportunity and access for all. In applying this policy, we seek to create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued.

The organisation's employment practices, policies and procedures seek to ensure that no employee or potential employee receives less favourable treatment on the

grounds of gender, race, colour, ethnic or national origin, sexual orientation, marital status, religion or belief, age, trade union membership, disability, offending background, domestic circumstances, social and employment status, gender reassignment, political affiliation, service status, educational background, language or any other personal characteristic.

Brentwood Borough Council seeks to actively promote best practice in diversity and inclusion across the organisation in areas such as pay and benefits, terms and conditions of employment, dealing with grievances and disciplinary issues, dismissal, redundancy, leave for parents, requests for flexible working and selection for employment, promotion, training or other developmental opportunities.

Both employer and employee can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination in the course of their employment, against fellow employees, customers, suppliers and the public.

Employees must conduct themselves in a manner which is in accordance with Brentwood Borough Council's stated values i.e.

- Belong
- Nurture
- Dynamic
- Smart

Policy into Practice

Brentwood Borough Council will:

- Promote our equality and diversity aims with our staff, partners and other stakeholders.
- Ensure that staff are aware of their responsibilities in implementing this policy.
- Offer training for staff to enable them to understand and implement this policy.
- Expect compliance with and commitment to this policy and take action if any individual is found not to be complying.
- Take appropriate action to deal with discrimination, harassment and victimisation by or against a member of staff.
- Carry out recruitment, selection and promotion in accordance with this policy.
- Ensure that our commitment to equality is plainly communicated in all policies and procedures and clearly evident in our practices.
- Comply with all relevant legislation including The Equality Act 2010.

Recruitment and Employment

Recruitment

Brentwood Borough Council will:

- Operate fair and inclusive recruitment and employment practices to achieve our operational needs, including use of the 2 Tick scheme for disabled applicants.
- Work to achieve equality of opportunity in all areas of employment.
- Seek to maintain a diverse workforce that reflects the diversity of the communities we serve.
- Seek to recruit the best people for the job irrespective of their status.

Terms and Conditions of Employment

We will not apply unjustifiable requirements in our terms of employment or working practices. Care will be taken to ensure that Brentwood Borough Council's policies and procedures do not include elements which will or could unfairly or adversely impact on individuals or certain groups of staff or service users.

Promotion, training and development

Selection for promotion will only be based on ability or demonstrated potential to do the job. All employees will be encouraged to take advantage of available, relevant and suitable training and development opportunities.

Online courses will be available and internal courses will be developed to meet specific training needs in relation to diversity and inclusion, and appropriate training events will be provided for all employees involved in selection for recruitment or delivering training.

The responsibilities of the employer and employee for diversity, inclusion and equality will be positively incorporated into employee training at all levels.

Working environment

All efforts will be made to make adjustments wherever reasonably practicable for disabled staff, applicants for posts or any staff member making a reasonable request.

Brentwood Borough Council aims to have a working environment and culture where everyone feels comfortable and treated with dignity and respect.

Challenging policy, practice and individuals

Brentwood Borough Council is committed to respectful forms of challenge and healthy conflict resolution. We actively encourage staff to challenge each other when they are feeling uncomfortable and expect them to do so if they notice that this policy is being breached. We will provide information so that staff can access

appropriate support to deal with equality, diversity and inclusion issues which they cannot resolve themselves.

Our services

Brentwood Borough Council is committed to equality of opportunity within the criteria for our services. Where services specifically exclude specific groups of people we will clearly set out the reasons why this is so.

Access to services

We will, wherever possible, make reasonable adjustments to how we deliver services according to individual circumstances. We aim to ensure that no individual or group applying to use our services will be treated less favourably than any other person or group of persons for any reason that cannot be justified.

Access to information

Where possible information will be made available in suitable formats, such as large print or recorded, where needed to meet a service user's needs. We will also use the services of a professional interpreter service to work with people who do not have English as their first language.

Procurement: contractors, consultants, agents and partners

Brentwood Borough Council is committed to providing equality of opportunity for contractors, consultants and agents, and will apply fair, open and consistent criteria in the selection of contractors and consultants.

We will only seek to work with partners who share our commitment to equality, diversity and inclusion. We will also work with other community organisations where possible to help us understand the issues of relevance to local communities and groups within those communities and ensure that they are fully included in our work in their area.

Complaints

We will ensure that individual employees who believe they have received treatment contrary to the principles of this policy can have their grievances dealt with quickly and confidentially in accordance with relevant policies and procedures.

We will ensure that any service user, contractor, volunteer etc. making a complaint due to any incident which occurs contrary to this policy will have such complaints dealt with quickly and confidentially in accordance with the relevant processes.

Equality impact assessments

In order to support the organisation to achieve the aims of this policy, Brentwood Borough Council may undertake Equality Impact Assessments (EIAs) where applicable in relation to HR and organisational policies whenever there is a new

policy or a change to an existing policy. EIAs may also be used in relation to the development of new services and service models and as part of bids for contract funding.

Additionally, any proposed changes to policies, procedures and services will be discussed with the relevant stakeholders to ensure the impact on any group is taken in to account.

International Holocaust Remembrance Alliance definition of Antisemitism

Brentwood Borough Council adopted the International Holocaust Remembrance Alliances definition of Antisemitism in January 2017. **Please refer to the definition and examples in Appendix 2.**

The definition is not designed to be legally binding, but it can be viewed as an invaluable tool for local authorities to understand how antisemitism manifests itself. It demonstrates a commitment to engaging with the experiences of Jewish communities and supporting them against the contemporary challenges they face.

In formally adopting the IHRA definition, the council will use it on all appropriate occasions to support its policies, communications and practice.

Appendix 1 – Protected characteristics and types of discrimination

Protected characteristics

The Equalities Act 2010 identifies 9 protected characteristics i.e.

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation.

Types of Discrimination

The Act also identifies 7 types of discrimination i.e.

- Direct discrimination – treating one person less favourably than another person because they **have** a protected characteristic.
- Discrimination by association – treating one person less favourably than another because they **associate with** a person who has a protected characteristic.
- Discrimination by perception – treating someone less favourably than others because those others think that person has a protected characteristic, it applies even if the person does not in fact have the perceived protected characteristic.
- Indirect discrimination – this can occur if an employer has practices, rules or policies that apply to everyone but that create a disadvantage for people with a protected characteristic but see the section below for further information on this.
- Harassment – unwanted conduct specifically related to a protected characteristic which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.
- Harassment by a third party – when an employee experiences harassment from someone who is not employed by Brentwood Borough Council, which may include service users, this applies if Brentwood Borough Council is aware of the harassment but takes no measures to stop it from happening.
- Victimisation – when an employee is treated badly because they have made or supported a legitimate complaint or raised a legitimate grievance under the Act.

Legitimate aim

Indirect discrimination may be justified in some cases where the employer can show that it is reasonable and proportionate in achieving the organisation's aims, although this will not include an aim of cost reduction in other words, the organisation cannot discriminate against anyone with a protected characteristic because not to do so

would be too costly, or because to do so would save money. The organisation will need to demonstrate that the indirect discrimination cannot be avoided without negatively impacting on its ability to manage its business.

Reasonable adjustments

Employers have a legal duty to make reasonable adjustments to ensure disabled employees are not at a disadvantage.

Examples of reasonable adjustments are:

- **Making physical changes**, e.g. widening doorways, providing ramps, audio-visual fire alarms, additional lighting etc.
- **Providing extra aids or support**, e.g. specialist equipment (chairs, desks, keyboards), information in alternative formats such as braille or audio, extra training, supervision or assistance.
- **Changing the way things are done**, e.g. adapting policies or rules on parking, flexible working, rest breaks, sick leave etc.

Appendix 2 – Definition and examples of antisemitism

The definition reads: “Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”

Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanising, demonising, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- Denying the Jewish people their right to self-determination (e.g. by claiming that the existence of a State of Israel is a racist endeavour).
- Applying double standards by requiring of Israel a behaviour not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g. claims of Jews killing Jesus or blood libel) to characterise Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the State of Israel.