

# Draft Equality and Diversity Policy – for consultation only

## 1. Purpose

This policy sets out how North Tyneside Council seeks to:

- ensure compliance with the 2010 Equality Act and Public Sector Equality Duty, and thereby
- achieve its aim that North Tyneside is a place where people feel safe and no one experiences discrimination or disadvantage because of their [characteristics](#), background or personal circumstances.

## 2. Accountability

The policy is the executive responsibility of Cabinet, and sits within the Human Resources portfolio held by the Deputy Mayor.

Oversight of the policy, its implementation and monitoring rests with Senior Leadership Team, supported by [Corporate Equality Group](#) (whose members include representatives from service areas, trades unions and our Strategic Partners) and which is chaired by a member of the Senior Leadership Team.

## 3. Legal and policy framework

The content of the policy is determined by the following:

- The [2010 Equality Act](#)
- The [Public Sector Equality Duty](#)
- Codes of practice published by the [Equality and Human Rights Commission](#)

As one of the borough's leading service providers and employers, North Tyneside Council is committed to developing the borough to be an inclusive place in which to live, work, visit and invest to achieve the ambitions of the [Our North Tyneside Plan](#).

## 4. Our commitments

To achieve our purpose (as set out in section1) North Tyneside Council will:

- Proactively embed equality and diversity considerations in everything we do and challenge others to do the same.
- Meet all our legal equality duties under the [2010 Equality Act](#), the [Public Sector Equality Duty](#) and follow codes of practice published by the [Equality and Human Rights Commission](#).
- Not tolerate discrimination, harassment and victimisation on any grounds. This includes all forms of hatred including anti- Semitism as defined by the [International Holocaust Remembrance Alliance \(IHRA\) definition and supporting guidance](#), racism, sexism, ageism, Islamophobia, homophobia and transphobia (this is not an exhaustive list).
- Publish our equality objectives, equality data and report progress in [our Annual Equality and Diversity Review](#).

- Undertake and implement the actions from [Equality Impact Assessments](#) on significant decisions, policies, plans, practices and procedures
- Ensure people with protected characteristics feel listened to and have the opportunity to be involved in making decisions about our services.
- Work to build understanding amongst residents, employees, partners and elected members of the needs of different protected groups across North Tyneside.
- Take account of, and respond to, the needs of residents and customers with protected characteristics when delivering our services.
- Work to create an environment where employees, elected members, residents and visitors are confident to be themselves.
- Strive to make our workforce more representative of the borough's population and the residents it serves, by ensuring equal access to jobs, training and career progression.
- Ensure that others providing services on our behalf follow our approach to equality.

## **5. Equality and Diversity in Employment**

This section applies to all employees and people seeking work with us. As a local employer we have a key role to play in tackling inequality and discrimination. We aim to positively promote equality of opportunity through all of our employment policies and practices: including recruitment, terms and conditions, learning and development, promotion and when ending employment.

We will:

- Provide equality of opportunity to all applicants and prospective applicants through fair recruitment and selection procedures.
- Recognise that people with particular protected characteristics, including people with disabilities or from BME communities, may experience discrimination in employment, and therefore seek to take positive and proportionate action to recruit and retain employees from such groups, while taking into consideration the duty to appoint on merit.
- Make reasonable adjustments to enable the employment and redeployment of employees with disabilities.
- Annually publish gender pay gap data and any other pay gap data required by law.
- Use the information and feedback we collect to understand more about, and respond to, employee's experience of working for North Tyneside Council.
- Ensure that all employees are considered for promotion on the basis of their merits, abilities and skill, and are given equal opportunities to progress within the Authority.
- Create an appropriate balance between work and home commitments to maximise equal opportunities for all.
- Wherever possible, give employees the training and development opportunities needed to attain their full potential to the benefit of North Tyneside Council and themselves.

- Ensure that all employees undertake equality training so that they understand its importance in the work place and in service delivery and know how to challenge any inappropriate behaviour.
- Develop an anti-discriminatory and supportive culture where employees are aware of their rights and enjoy working for North Tyneside Council.
- Respond to any allegations of discrimination, victimisation or harassment through appropriate internal processes, including our [disciplinary](#) procedures.

## **6. Equality and Diversity in Service Provision**

We and our strategic partners will seek to provide appropriate, accessible and effective services and facilities to all current and potential service users.

We will:

- Use our equality impact assessment process to help us challenge, review, monitor and improve our services, working practices and resource allocation.
- Use a range of channels to enable service users to access our services independently and appropriately.
- Ensure that the information we provide can be read or received and understood by the people for whom it is intended.
- Ensure that all buildings, facilities and services used by our customers are welcoming and accessible.
- Work with our partners to tackle any discrimination affecting groups within our communities.
- Use the equality data we collect to identify and take action to address the needs of under represented groups, those who are disadvantaged or have particular needs due to their characteristics.
- Involve residents in shaping our services through inclusive engagement and consultation.

## **7. Equality and Diversity in Procurement and Commissioning**

We will ensure that our procurement and commissioning practices fulfil our equality duties by ensuring that:

- Contractors, suppliers, and strategic and commissioned partners:
  - are aware of the authority's position on equality, we will include a commitment to equality in tender specifications
  - have an equality policy that is compliant with national and European public procurement legislation and understand their obligation to provide services that are free from discrimination, harassment or victimisation.
- Our selection and tendering processes address and include equality considerations.

- Our contract monitoring processes are inclusive of equalities considerations.
- Relevant employees receive guidance on equality issues for procurement.

## **8. Our responsibilities**

Equality, and the implementation of this policy, is the responsibility of all employees, elected members and everyone who represents North Tyneside Council or delivers services on its behalf (including our Strategic Partners – Engie, Capita and Keir). More specifically:

### **8.1 As Individuals**

All employees and elected members have an individual responsibility to:

- ensure their equality training and awareness is up to date
- promote and deliver equality in the workplace and in serving local communities
- behave in a way that supports this policy and is compliant with relevant legislation and codes of practice
- report, and if they consider it safe to do so, challenge any discriminatory behaviour or practices they encounter in the course of their work.

### **8.2 As Elected Members**

Elected members also have a responsibility to:

- lead the equality and diversity agenda of North Tyneside Council
- represent and provide leadership for all groups and communities across North Tyneside
- provide a scrutiny role
- demonstrate '[due regard](#)' to the equality implications of the decisions they make.

### **8.3 As Managers**

Managers are responsible for ensuring the implementation of this policy in their service areas via their service planning process, this includes ensuring:

- the identification and elimination of discriminatory practices
- equality objectives and improvement actions identified in the Annual Equality and Diversity Review are included in service plans and progress is monitored to achieve timely delivery
- processes are in place to systematically collect and report equality performance management data
- effective equality impact assessment of significant decisions, policies, plans, practices and procedures is undertaken
- service delivery demonstrates due regard to the needs of people with protected characteristics
- employees are fully aware of their individual equality responsibilities, and those of the organisation, under the 2010 Equality Act.

### **8.4 As Trades Unions**

Unions have a responsibility to:

- represent the views and concerns of their members on equality and diversity issues
- support the continuous improvement of equality policy and practice.

## 8.5 Strategic Partners

Our Strategic Partners have a responsibility to:

- ensure compliance with the 2010 Equality Act and delivery of the Public Sector Equality Duty
- demonstrate 'due regard' to the equality implications of the decisions they make
- support North Tyneside Council to achieve the purpose of this policy – including active participation in the work of the Corporate Equality Group.

## 8.6 Partnership Boards

The Partnership Boards at which North Tyneside Council is represented are expected to:

- ensure compliance with the 2010 Equality Act
- demonstrate 'due regard' to the equality implications of the decisions they make
- support North Tyneside Council to achieve the purpose of this policy.

## 8.7 Volunteers and other partners

Volunteers and other partners (defined as those who work alongside the Authority but are not commissioned) are expected to:

- ensure compliance with the 2010 Equality Act
- support North Tyneside Council to achieve the purpose of this policy.

## **9. Governance, implementation and monitoring**

As set out in Sections 2 and 3 above, this policy is an executive responsibility of Cabinet, and sits within the Human Resources portfolio held by the Deputy Mayor.

Oversight of the policy, its implementation and monitoring rests with Senior Leadership Team, supported by Corporate Equality Group and which is chaired by a member of the Senior Leadership Team.

We assess and monitor our progress against the purpose of this policy by:

- Regular performance and progress reports to the Cabinet Champion for Equality and Diversity and the Senior Leadership Team (as set out in the Appendix).
- The activity of Corporate Equality Group, which meets to co-ordinate, identify and support the successful implementation of practical solutions to help the Authority fulfil its equality duties in accordance with the requirements of the 2010 Equality Act and Public Sector Equality Duty.
- The inclusion and delivery of actions within our service plans that contribute to the achievement of the commitments made in this policy and the corporate equality objectives and service actions identified in the Annual Equality and Diversity Review.
- Our equality impact assessment process to ensure we properly consider the potential impact of Cabinet and Full Council decisions on protected groups.
- The identification of the equality and engagement implications of the decisions recommended in our Cabinet and Full Council reports.

- Publication of equality data as required by government, including Gender Pay Gap reporting.
- Dealing with any complaints\* of discrimination, harassment and victimisation, seriously, promptly and confidentially and ensuring that any person who feels they have suffered any form of discrimination by North Tyneside Council is given guidance in making a [complaint](#).
- Managing any potential equality risks through our Risk Management Process.
- Publication on our website of our Annual Equality and Diversity Review, which reports progress reports against our Corporate Equality Objectives and service equality actions and is evaluated by the Equality and Human Rights Commission to check accessibility and compliance with the 2010 Equality Act and Public Sector Equality Duty.

\*In relation to specific types of complaints:

- Employee complaints - should an employee have any complaint in respect of their treatment in relation to this policy, this should be taken up through internal processes, such as our disciplinary processes.
- Public complaints - information on how to make a complaint can be found in our libraries, leisure centres, customer first buildings and Quadrant headquarters or [here](#).
- Complaints about the behaviour of an Elected Member - information on how to make a complaint about an Elected Member who has not acted in accordance with the Members Code of Conduct can be found [here](#).

## **Review**

This policy will be reviewed every two years and the outcome of the review will be reported to Cabinet. However we will be guided by the EHRC if any new guidance or legislation is produced before the next review date.

The next review will be undertaken by December 2020.

## Appendix – Governance Timetable

	September	October	November	December	January	February	March	April	May	June	July
<b>Corporate Equality Group</b> (every 2 months)	Meets		Review equality policy (every 2 years), CEG TOR and corporate equality objectives, progress on theme actions		Update on service actions		Identify themes for next Annual Plan/Review		Draft new Annual Plan/Review		
<b>SLT</b> (quarterly)	Written equality update			Update on policy, TOR, objectives, theme actions			Written update: proposed themes for Annual Plan/Review			New Annual Plan/Review	
<b>Deputy Mayor</b> (quarterly)		Equality Update		New objectives, theme actions update				Proposed themes for Annual Plan/Review			New Annual Plan/Review
<b>Cabinet</b>					Policy review outcome (every 2 years) and objectives						New Annual Plan/Review
<b>ECJF</b>					Policy review outcome (every 2 years) and objectives						New Annual Plan/Review