

Equality, Diversity and Inclusion Policy and Procedure

Introduction

Cotswold District Council prides itself on being an employer of choice. With an incredibly varied role in delivering the very best for our residents, communities and businesses, our employees are committed and really make a difference.

At CDC we want to treat people fairly, value differences and remove all the barriers to preventing our people from fully participating in public life. We all have different backgrounds, strengths, personal characteristics, perspectives, and attributes that when harnessed and used collaboratively, are incredibly powerful. An inclusive and diverse culture helps each of us to benefit from a wider range of these different perspectives, experiences, and skills, creating opportunities and reducing the barriers for everyone. Our aim is to create an inclusive and diverse workforce, however creating an inclusive and diverse culture, with equality for all, is a process of continuous improvement, we never stop learning!

To support this inclusive culture, this policy:

- outlines our commitment throughout the employment lifecycle to equality, diversity and inclusion and sets out how we put this commitment into practice
- explains the behaviours we expect of our people in support of this commitment and
- sets out the key steps we take to make our culture as inclusive as possible, and how we ensure equality of opportunity throughout the employment lifecycle.

This policy does not form part of your contract of employment, and we reserve the right to amend or withdraw it at any time.

Scope

This policy applies to anyone working for us. This includes employees, contractors, volunteers, interns and apprentices. The policy also relates to job applicants and is relevant to all stages of the employment relationship.

Our Commitment to You

We believe that a culture of equality, diversity and inclusion not only benefits our organisation but supports wellbeing and enables our people to work better because they can be themselves and feel that they belong.

We are committed to promoting a working environment based on dignity, trust and respect, and one that is free from discrimination, harassment, bullying or victimisation.

We ensure that our recruitment, promotion and retention procedures do not treat people less favourably because of their:

- disability
- gender, gender identity or gender reassignment status

- marital status
- race, racial group, ethnic or national origin, or nationality
- religion or belief
- sexual orientation
- age
- civil partnership status
- pregnancy or maternity
- paternity
- educational background
- socio-economic background
- caring responsibilities
- part-time status or
- fixed-term status.

What we Expect from You

We expect you, and every one of our people, to take personal responsibility for observing, upholding, promoting and applying this policy. Our culture is made in the day-to-day working interactions between us so creating the right environment is a responsibility that we all share.

Developing this culture does not happen by accident but requires ongoing commitment and nurturing. The reality is that we live in a world where areas of difference (whether gender, sexual orientation, ethnicity or others) often translate to biases, challenges and barriers that may not be faced by others. And the more areas of difference a person brings, the more this effect can be compounded. In this way, the experiences of a black woman with a disability may be very different to the experiences of a black woman without a disability and also very different from the experiences of a white woman. This way of looking at diversity and inclusion is known as "intersectionality".

We expect you to treat your colleagues and third parties (including customers, suppliers, contractors, agency staff and consultants) fairly and with dignity, trust, and respect. Sometimes, this may mean allowing for different views and viewpoints and making space for others to contribute.

By embedding such values and constructively challenging inappropriate comments or ways of working, you can help us achieve and maintain a truly inclusive workplace culture.

Any dealings that you have with colleagues, or third parties must be free from any form of discrimination, harassment, victimisation or bullying.

If any of our people is found to have committed, authorised, or condoned an act of discrimination, harassment, victimisation, or bullying, we will take action against them including (for those to whom it applies) under our Disciplinary procedure.

We are liable for discrimination and harassment as an organisation, and you should be aware that you can also be personally liable for discrimination and harassment.

Discrimination

The Equality Act 2010 prohibits discrimination because of certain protected characteristics. These are:

- disability
- sex
- gender reassignment
- marital or civil partnership status
- race

- religion or belief
- sexual orientation
- age and
- pregnancy or maternity.

Discrimination can be intentional or unintentional and may occur directly, indirectly, by association, or by perception under the Equality Act 2010.

There are also two specific types of discrimination that apply only to disability: "discrimination arising from disability" and "failing to make reasonable adjustments" under the Equality Act 2010.

Discrimination is not always obvious and can be subtle and unconscious. This stems from a person's general assumptions about the abilities, interests and characteristics of a particular group that influences how they treat those people (known as "unconscious bias"). Such assumptions or prejudices may cause them to apply requirements or conditions that put those in particular groups at a disadvantage. Examples include:

- steering employees into particular types of work on the basis of stereotypical assumptions without considering the particular attributes and abilities of individuals
- recruiting or promoting individuals into particular roles because of assumptions about the reactions or preferences of other employees or clients and
- using different standards for different groups of employees to judge performance.

Different Types of Discrimination under the Equality Act 2010

- **Direct discrimination:** Treating someone less favourably because of a protected characteristic compared with someone who does not have that characteristic (for example choosing not to recruit someone because they are disabled and you think they "wouldn't fit in" to the team).
- **Indirect discrimination:** Where a policy, procedure or way of working that applies to everyone puts people with a particular protected characteristic at a disadvantage, compared with people who do not have that characteristic, unless there is a good reason to justify it. An example is introducing a requirement for all staff to finish work at 6pm. It is arguable that female employees, who statistically bear the larger share of childcare responsibilities could be at a disadvantage if the new working hours prevent them from collecting their children from school or nursery.
- **Associative discrimination:** Treating someone less favourably because they are associated with someone who has a protected characteristic, for example because their partner is transgender.
- **Discrimination by perception:** Treating someone less favourably because you perceive them to have a protected characteristic even if they do not, for example choosing not to promote someone because you mistakenly perceive them to be gay.
- **Discrimination arising from disability:** Treating someone unfavourably because of something connected with that person's disability and where such treatment is not justified. Examples include:
 - dismissing or failing to pay a bonus to someone because of their disability-related absence or
 - disciplining someone for losing their temper where such loss of temper was out of character and was due to severe pain caused by them having cancer.
- **Failing to make reasonable adjustments:** Employers are legally obliged to make reasonable adjustments to ensure that aspects of employment, or the employer's premises, do not put a disabled person at a substantial disadvantage. Failing to comply with this duty is unlawful. Examples of reasonable adjustments might include:
 - allocating some of the disabled person's duties to a colleague
 - changing their working hours or place of work
 - adjusting procedures for assessing job candidates and
 - modifying Disciplinary and Grievance procedures.

Harassment and Sexual Harassment

Harassment is unwanted conduct related to a protected characteristic that has the purpose or effect of:

- violating someone else's dignity or
- creating an intimidating, hostile, degrading, humiliating or offensive environment for someone else.

Sexual harassment is:

- conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment and
- less favourable treatment related to sex or gender reassignment that occurs because of a rejection of, or submission to, sexual conduct.

Victimisation

Victimisation is treating another person detrimentally either because that person has made a complaint of discrimination or harassment, or because they have supported someone else who has made such a complaint, for example by giving a witness statement that supports the allegations.

Bullying

There is no legal definition of bullying. However, we regard it as conduct that is offensive, intimidating, malicious, insulting, or an abuse or misuse of power, and usually persistent, that has the effect of undermining, humiliating, or injuring the recipient.

Bullying can be physical, verbal, or non-verbal conduct. It is not necessarily face to face and can be done by email, phone calls, online or on social media. Bullying may occur at work or outside work.

If the bullying relates to a person's protected characteristic, it may also constitute harassment and, therefore, will be unlawful.

More information around Harassment & Bullying can be found in the attached policy **INSERT HYPERLINK**

Equality of Opportunity

Recruitment

We take reasonable and appropriate steps to encourage job applications from as diverse a range of people as possible.

We will ensure anyone making a decision about recruitment does not discriminate in any way and has attended appropriate training.

Every decision-maker should challenge themselves, and other members of the recruitment selection panel, to make sure that any stereotypes, unconscious bias, or prejudice do not play any part in recruitment decisions. For example, question and check the basis of your decisions and ensure that you are making a decision on an objective criterion for the role.

Please refer to the Recruitment policy for more information. **HYPERLINK**

Disability Inclusion

Recruiting people with a disability

The recruitment team and our HR Team will consider disability in advance of a recruitment campaign so that advertising, application forms and assessments, arrangements for interviews, job descriptions and employee specifications, and selection criteria are appropriate and as inclusive as possible.

We will ask applicants at the outset if they require any reasonable adjustments to be made to the recruitment process. These may include ensuring easy access to the premises for an interview/adapting psychometric tests/replacing psychometric tests with an alternative option/providing an alternative to a telephone interview for a deaf candidate/providing a suitable chair for an interview with a candidate suffering from back problems/list other relevant examples.

If you are involved in the interview process, you must not ask job applicants about their health or disability. If you have any concerns, please seek advice from your HR Business Partner. Such approval is given only in exceptional circumstances and where there are specific legal grounds for doing so.

Talking about Disability

We understand that some people find it hard to discuss their disabilities and that disability can be invisible.

Psychological safety, where people feel able to speak up about their experiences without fear of negative consequences, is paramount to ensuring disability inclusion.

However, this is only possible if we treat people with dignity, trust and respect and we expect everyone to uphold these values.

We do not tolerate ableist language in our organisation. Ableist language is language that is negative, inappropriate or offensive towards people with a disability and may take the form of jokes or "banter". If you adopt such language, we will take action against you including (where applicable) under our Disciplinary Procedure.

Reasonable adjustments

If you have a disability, you do not have to tell us. However, we would encourage you to let us know so that we can support you, for example by making reasonable adjustments to our premises or to aspects of your role, or to our working practices.

If you are experiencing difficulties at work because of your disability, please contact your line manager to discuss potential reasonable adjustments that may alleviate or minimise such difficulties. We may need to discuss your needs with you and your medical adviser to help us get the right support in place. You will have a documented framework of the agreed reasonable adjustments, which will be reviewed on a regular basis, but will remain in situ for the duration of employment.

For colleagues who are returning from long-term disability-related absence, we have a return-to-work support programme in place.

Support

If you have a disability, or you care for someone with a disability, and need emotional support or help with practical issues, please contact your line manager in the first instance. You can also seek support & advice by contacting HR or your Trade Union representative.

Training

All staff must attend the mandatory training provided for the whole workforce via iHasco, our online training portal. If you are involved with making decisions about a person's employment, you must attend appropriate equality, diversity, and inclusion (EDI) training. All managers are required to attend EDI training.

All new starters must attend equality, diversity, and inclusion (EDI) training as part of their onboarding programme.

Every current employee must attend regular equality, diversity, and inclusion (EDI) training on at least an annual basis.

Monitoring and review

We analyse diversity and inclusion data (in compliance with our data protection obligations) on an ongoing basis to assess the impact of this policy and our equality, diversity, and inclusion strategy. We would look to address any issues identified by this data.

You are also responsible for ensuring the data we hold for you is correct, please take the time to regularly check your business world data and notify us if you have any questions, queries or concerns.

Promoting Equality, Diversity & Inclusion in the workplace

We are continually looking at ways to promote ED&I in the workplace, not only through training but also through the online portal and welcome suggestions from our employees at any time.

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