

CARNFORTH TOWN COUNCIL

**EQUALITY & DIVERSITY POLICY**

ADOPTED 21<sup>st</sup> SEPTEMBER 2011

**GENERAL STATEMENT**

Carnforth Town Council is committed to the elimination of all forms of discrimination and seeks to promote equality of opportunity for all employees.

The Town Council meets its responsibilities under the Equality Act 2010. This Act replaces previous legislation (such as the Race Relations Act 1976 and the Disability Discrimination Act 1995 ) and ensures consistency in what needs to be done to make the workplace environment fair and to comply with the law.

The Equality Act covers the same groups that were protected by existing legislation namely, age, race, religion, disability, marriage and civil partnership, gender reassignment, sexual orientation and pregnancy and maternity. These are now called 'protected characteristics' and are described below.

**PROTECTED CHARACTERISTICS**

**Age**

The Act protects people of all ages. The law already said employers cannot say someone is too old or too young for a job but older people still say they get treated unfairly in other ways that did not break the law.

**Race**

For the purpose of the Act, race includes colour, nationality, ethnic or national origins.

### **Religion or Belief**

In the Act, religion means any religion, but also a lack of religion. A religion must have a clear structure. A belief means any religious or philosophical belief. To be protected, a belief must meet certain criteria e.g. it must be a substantial aspect of human life and behavior. Denominations or sects within a religion can be considered a protected religion or religious belief.

### **Disability**

A person is disabled if he/she has a physical or mental impairment which has a substantial and long-term adverse effect on his/her ability to carry out normal day-to-day activities.

An employer has a duty to make adjustments for staff to help overcome disadvantage resulting from an impairment.

The Act includes a new protection from discrimination arising from disability. This means that it is discriminatory to treat a disabled person unfavourably because of something connected with the disability e.g. a tendency to make spelling mistakes because of dyslexia.

The Act also includes a new provision where it is unlawful to ask about a person's health ( except in certain circumstances ) before offering the candidate work.

### **Marriage and Civil Partnership**

The Act protects employees who are married or in a civil partnership against discrimination.

### **Gender Reassignment**

The Act provides protection for transsexual people. A transsexual person is one who proposes to, starts or has completed a process to change his or her gender. The Act no longer requires a person to be medically supervised, so that a man who decides to live as a woman but who does not undergo any medical procedures would be covered by the Act.

### **Sexual Orientation**

The Act protects bisexual, gay, lesbian and heterosexual people.

### **Pregnancy and Maternity**

A woman is protected during the period of her pregnancy and any statutory maternity leave to which she is entitled. During this period pregnancy and maternity discrimination cannot be treated as sex discrimination e.g a pregnant woman should not be disciplined for taking extra toilet breaks. This would be discrimination.

An employee's absence record due to a pregnancy-related illness should not be taken into account when making a decision about her employment.

A new system of shared parental leave will be introduced on or after 5th April 2015 which will allow parents to share leave and pay and which will replace additional paternity leave and pay.

Fathers and partners (including same sex partners) will be able to take up to 26 weeks' additional paternity leave (APL).

APL can only be taken once the mother has returned to work or is treated as returning to work.

APL must be taken during the first year of your child's life and can begin anytime from 20 weeks after the birth.



APL can be paid for a maximum of 19 weeks, depending on how much maternity leave and pay the mother has taken. It is paid at £138.18 per week from April 2014 – April 2015, the same rate as Statutory Maternity Pay (SMP).

### **Harassment**

Harassment is unwanted conduct related to a protected characteristic which violates a person's dignity or degrades, humiliates or intimidates that person.

### **Victimisation**

Victimisation occurs when an employee is badly treated because he/she has made a complaint under the Equality Act.

### **PURPOSE**

The purpose of this policy is to provide equal opportunities to all employees. The Council opposes all forms of direct or indirect discrimination, victimisation or harassment as outlined in the Protected Characteristics of the Equality Act 2010.

Breaches of the Act will be regarded as serious misconduct and could lead to disciplinary proceedings. Employees can bring complaints about discrimination, victimisation and harassment to the Grievance Committee.

This policy will be monitored and reviewed annually.

Date for reviewing this policy ..... 15/4/16 .....

Signature of the Mayor or Town Councillor ..... *Carly Higgison* .....