

# **Equality and Diversity Protocol**



**Walsall** Council



## Document information

Document title	Equality and Diversity Protocol		
Owner	Consultation and Equalities		
Status	Draft	Version	2
Effective from	3 June 2019	Approved on	3 June 2019
Review date	June 2022		
Last updated	June 2020	Last updated by	Consultation and Equalities
Purpose	Outline the aims, expectations and practices from our Councillors, managers, employees and partners in relation to equality and diversity.		

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**Walsall** Council

## 1 Walsall Council Vision

1.1 Walsall Council's vision is that *Inequalities are reduced and all potential is maximised*. We are led by the communities we serve who help shape the services we provide and we help those communities to make a positive difference to their own lives through active civic engagement and co-operation.

1.2 The Walsall Proud Programme aims to “achieve better outcomes and customer experience, increase staff satisfaction and engagement, and improve service efficiency and performance.”

## 2 Walsall Council Purpose

2.1 Our Purpose is *to create an environment that provides opportunities for all individuals and communities to fulfil their potential*. A commitment to equality and diversity is at the core to our vision and values. The Council takes its responsibility in regard to equality and diversity very seriously. We will:

- treat people fairly, justly and with respect in both service provision and employment;
- find ways to support those who are disadvantaged or excluded;
- promote inclusion and celebrate diversity.

2.2 It is the responsibility of all Councillors, the Chief Executive, executive directors, heads of service, managers and employees to act in ways that support equality and diversity.

2.3 Equality is about giving exemplary customer service, and ensuring that customer needs, both internal and external, are identified and met. In our services we will advance equality of opportunity and foster good relations between people from different groups.

2.4 The Council believes that everyone should positively benefit from our services. Information to employees and customers about services will be provided in accessible formats, based on their particular needs, as far as reasonable and within resources available. Employees will be competent to serve diverse groups of customers and will receive training on understanding and promoting equality under the Equality Act 2010.

## 3 Principles of this Protocol

3.1 This protocol has been developed to set out the aims and objectives of the Council's approach and commitment to equality, diversity and human rights. It sets out the expectations on our Councillors, managers and employees in the Council's objective to promote equal opportunities for all our employees and customers.



3.2 The Council adopts a zero tolerance approach to all forms of unlawful and unfair discrimination because of age, disability, sex, gender identity, marital or civil partnership status, race, ethnic origin, colour, nationality, pregnancy or maternity, religion or belief (or none), sexuality, class or social background, political belief or Trade Union affiliation.

3.3 All employees, whether part time, full time or temporary and all volunteers will be treated fairly and with respect. Selection for employment, promotion, training, or any other benefit will be based on aptitude and ability. All employees will be encouraged to develop their full potential, and talent will be fully utilised to maximise organisational efficiency.

3.4 The Council is committed to meeting the needs and expectations of people who use its services. This means fair access for all, ensuring that Walsall Council employees and customers are treated with dignity and respect.

#### **4 Legislative Framework**

4.1 This protocol has been developed within the framework of existing legislation and relevant Codes of Practice. The main legal provisions are contained within the Equality Act and the Human Rights Act 1998. The Equality Act covers the main equality duties together with additional requirements for public sector authorities. Details:

[http://int.walsall.gov.uk/Equality\\_Act](http://int.walsall.gov.uk/Equality_Act)

The Human Rights Act sets out those rights in the UK which are protected by the European Convention on Human Rights. There are 16 basic human rights, which are relevant to day to day life. Details: [http://int.walsall.gov.uk/Human\\_Rights](http://int.walsall.gov.uk/Human_Rights)

4.2 Walsall Council, in its many statutory and non-statutory duties, as a local authority, recognises the following as 'protected characteristics' under the Equality Act:

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



## **5 Leadership on Equality and Diversity**

5.1 Councillors, with assistance from officers, are responsible for publicly advocating the Council vision and values of equality and diversity and directly challenging prejudice, discriminatory behaviour and attitudes.

5.2 Councillors are responsible for ensuring that they have considered impact of their decisions on people with 'protected characteristics'.

5.3 Councillors will consider needs of different communities through their areas of work.

5.4 The Cabinet Member whose portfolio covers equality issues is responsible for monitoring Walsall Council equality initiatives, recommending changes and improvements necessary to Cabinet.

5.5 The Chief Executive, executive directors and senior managers are responsible for developing a culture that promotes equality and values diversity, in employment and service delivery and that this protocol is fully implemented and monitored.

## **6 Roles and Responsibilities**

6.1 Walsall Council requires that all its employees have appropriate training and be competent in fulfilling the principles of this protocol. Training and competence levels will depend on the role of the employee or worker. Details:

[http://int.walsall.gov.uk/equality\\_and\\_diversity\\_training\\_and\\_competencies](http://int.walsall.gov.uk/equality_and_diversity_training_and_competencies)

6.2 Managers and supervisors

Managers and supervisors have responsibility for embedding equality objectives into plans and strategies. To fulfill this obligation, they are required to carry out equality impact assessments on key decisions, initiatives and employee restructures. This ensures that there is no unlawful adverse impact on people with 'protected characteristics'. Evidence should be included on key service decisions of consultation with customers from all equality characteristics. Details: [http://int.walsall.gov.uk/equality\\_impact\\_assessments](http://int.walsall.gov.uk/equality_impact_assessments) and

[http://int.walsall.gov.uk/diversity\\_and\\_harassment\\_monitoring](http://int.walsall.gov.uk/diversity_and_harassment_monitoring)

6.3 Managers responsible for employees, are also required to make fair employment decisions including:



- promoting a representative workforce, with fair recruitment, career development, pay, training, promotion and welfare to ensure that the workforce, as far as reasonable, reflects the make-up of the local population;
- ensuring employees are competent in equality and diversity, through regular one-to-ones, supervision and appraisals;
- challenging unfairness, and acting promptly and fairly in any instances of actual or alleged discrimination, harassment, or victimisation;
- consulting employees from all protected characteristics on key employment related decisions, such as restructures or changes to work practices;
- supporting employees with disabilities, so far as reasonable, by making reasonable adjustments to overcome barriers they may experience during their employment.

Details: [http://int.walsall.gov.uk/equality\\_at\\_work\\_procedures\\_and\\_advice.htm](http://int.walsall.gov.uk/equality_at_work_procedures_and_advice.htm)

#### 6.4 Employees

All employees have a duty to demonstrate the principles and values of this protocol in their interactions and relationships with colleagues and customers, including, but not limited to;

- acting in accordance with equality legislation, policies, protocols and good practice;
- treating everyone they come into contact with, with dignity and respect;
- not discriminating or inducing others to discriminate, harass or victimise others;
- recognising and reporting behaviour that undermines equality and diversity.

#### 6.5 The Corporate Equality Group (CEG)

Membership consists of management representatives (Equality Champions), employees (Trade Unions) and relevant advisors (such as Human Resources). Meetings are chaired by the Chief Executive or relevant executive director and take place quarterly. CEG ensures that the Council meets the requirements of Equality legislation by:

- setting equality outcomes and monitoring progress against them;
- monitoring how the Council advances equality of opportunity, as far as is reasonable within its resources and business need;
- fostering good relations between people who share one or more protected characteristics and those who do not share them;
- monitoring the composition of its workforce and the take-up of services and take positive action to redress inequalities.

Details: [http://int.walsall.gov.uk/corporate\\_equality\\_group](http://int.walsall.gov.uk/corporate_equality_group)



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## 6.6 Consultation and Equalities

Consultation and Equalities has a key role in ensuring that this protocol is adhered to in the management of council business. They will oversee this protocol by:

- maintaining a strategic overview of the equalities and human rights agenda;
- ensuring the Council is kept informed of changes in legislation, national and local initiatives;
- providing specialist advice as required on matters relating to equality and diversity in respect to employment and service provision;
- informing all employees of this protocol and of their rights to protection from all forms of discrimination, harassment or victimisation.

## 6.7 Human Resources (HR)

HR will support Councillors, managers and employees by:

- providing specialist advice as required on matters relating to equality and diversity in respect to employment;
- ensuring processes for recruitment, selection and appraisals promote equality and diversity and that any barriers are proactively identified and reduced;
- using positive action statements to encourage applications for employment from under-represented groups;
- ensuring that Councillors and employees have fair access to opportunities, such as training, coaching, shadowing, mentoring and promotion;
- monitoring managers' performance on employment practices and workforce composition;
- publishing equality related employee data and information;
- ensuring that all HR policies and practices are in line with this protocol.

Details: [http://int.walsall.gov.uk/Human\\_Resources/](http://int.walsall.gov.uk/Human_Resources/)

## 6.8 Trades Unions

Trades Unions will support employees by

- Union equality reps having the confidence and skills to represent members effectively and in offering advice and guidance on any equality issue;
- engaging in meaningful dialogue with Council equality representatives;
- promoting equality and fairness at work by encouraging any improvements to equality policies and practices;
- raising the profile of the equality agenda within their unions.



## **7 Monitoring of the Equality and Diversity Protocol**

Effectiveness of this protocol will be monitored as part of Walsall Council standard analysis and specific reports to include the annual:

- Public Sector Equality Duty Report;
- Employment Monitoring Report;
- Review of the Protocol at CEG.

Disproportionate or adverse outcomes will be monitored and actions will be put in place by CEG to achieve improvement.

## **8 Breaches of the Equality and Diversity Protocol**

Failure to meet the requirements of this Protocol will be treated as a disciplinary offence and may constitute misconduct or gross misconduct under the Council's Disciplinary Protocol.





## 9 Glossary

<b>Age</b>	A person belongs to a particular age group, which can mean people of the same age or range of ages.
<b>Customer</b>	Anyone who uses the services of an organisation.
<b>Disability</b>	A person has a disability if she or he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.
<b>Discrimination</b>	Treating someone unfairly or differently because he or she happens to belong to or are perceived to belong to a particular group of people.
<b>Diversity</b>	The differences in the values, attitudes, cultural perspective, beliefs, ethnic background, sexual orientations, skills, knowledge and life experiences of each individual in any group of people.
<b>Equality</b>	Full opportunity and choices for people to improve their quality of life and be respected and included as equal members of society.
<b>Fair</b>	Impartial and just treatment or behaviour without favouritism or discrimination.
<b>Gender reassignment</b>	The process of changing or transitioning from one gender to another.
<b>Harassment</b>	Unwanted behaviour that has the purpose or effect of violating a person's dignity or creates a degrading, humiliating, hostile, intimidating or offensive environment.
<b>Human Rights</b>	Human rights are basic rights and freedoms that belong to every person in the world.
<b>Marriage and civil partnership</b>	Marriage is defined as a legally recognised union between two people. Both same-sex and opposite sex couples may have their relationships legally recognised as 'civil partnerships'.
<b>Pregnancy and maternity</b>	Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth.
<b>Protected characteristics</b>	The grounds upon which discrimination is unlawful and are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.



<b>Public authority</b>	Organisations and individuals that carry out public functions, including local authorities.
<b>Public sector equality duty</b>	The duty on a public authority when carrying out its functions to have due regard to the need to eliminate unlawful discrimination and harassment, foster good relations and advance equality of opportunity.
<b>Race</b>	This refers to a group of people defined by their race, colour, nationality (including citizenship) ethnic or national origins.
<b>Religion or belief</b>	Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief.
<b>Sex</b>	This refers to whether a person is a man or a woman.
<b>Sexual orientation/Sexuality</b>	Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.
<b>Trade Union</b>	An organised association of workers in a trade, group of trades, or profession, formed to protect and further their rights and interests. The recognised Unions in Walsall Council are GMB, Unison and Unite Unions.
<b>Victimisation</b>	Subjecting a person to a detriment because they have done a protected act or there is a belief that they have done a protected act.

