



# **Policy on Equality**

## **Employment and Service Provision**



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**POLICY ON EQUALITY  
EMPLOYMENT AND SERVICE PROVISION**

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## **POLICY ON EQUALITY**

### **EMPLOYMENT AND SERVICE PROVISION**

#### **1. Policy Statement**

- 1.1 As the largest employer and provider of public services in West Lothian, the council has a key role to play in eliminating discrimination and promoting equality of opportunity and good relations between different groups, within its own workforce and also within the communities it serves.
- 1.2 The council recognises and values the diverse range of talents, skills, experience and perspectives that exist within society and believes that those qualities and attributes should also be reflected within the composition of its workforce, its employment practices and in the planning and delivery of its services.
- 1.3 This policy sets out the council's commitment to provide services that are inclusive and accessible and also the measures it will adopt to eliminate discrimination, promote equality of opportunity and promote good relations between different groups both within and out with the workplace.
- 1.4 Central to the council's policy is the prevention of discrimination, victimisation and harassment against service users and employees on any grounds, but particularly in relation to the following protected characteristics:  
age; disability; gender (sex); gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; and sexual orientation.
- In addition, prevention of discrimination, victimisation and harassment in relation to language, social origin, employment status, political belief, trade union membership or activity, or responsibility for dependants is key to this policy.
- 1.5 Definitions of each of the above categories are included in the Appendix to this policy.

#### **2. Aims of the policy**

The principal aim is to confirm and publicise the council's commitment to equality of opportunity and to create a policy framework around which strategies and action plans can be formulated to:

- eliminate unlawful discrimination within employment and service delivery practices and procedures
- promote equality of opportunity, social inclusion and good relations between persons of all equality target groups
- identify and remove barriers to accessing services, information and employment opportunities
- develop appropriate measures to increase levels of representation of under-represented groups

- ensure compliance with the general and specific duties placed upon the authority by current and future equality legislation
- provide relevant workforce training and awareness programmes

### **3. Scope**

The policy applies to all employees, and those providing services on behalf of and in partnership with the council.

### **4. Implementation**

4.1 This policy will be implemented through the strategies and service specific action plans set out within the council's Corporate Equalities Outcomes and work to promote mainstreaming of equality.

4.2 The council's publicised information sets out arrangements for meeting the specific duties of the public sector equality duty which require authorities to:

- Report progress on mainstreaming the general equality duty;
- Publish equality outcomes and report progress;
- Assess and review policies and practices;
- Gather, use and publish employee information;
- Publish gender pay gap information;
- Publish an equal pay statement;
- Consider award criteria and contract conditions in relation to public procurement; and
- Publish in a manner that is accessible.

4.3 Implementation of the policy will also be supported through other key employment policies and procedures relating to Bullying & Harassment at Work, Recruitment and Selection, Disciplinary and Grievance, Leave for Family Care and Management of Sickness Absence

### **5. Roles and Responsibilities**

5.1 Corporate Management Team

The council's Corporate Management Team has overall responsibility for monitoring the implementation of this policy throughout the council, both in terms of service delivery and employment matters.

5.2 Depute Chief Executives and Heads of Service

Depute Chief Executives and Heads of Service are responsible for ensuring that the policy is effectively implemented within their own services in accordance with equality action plans and strategies.

### 5.3 Service Managers

Service Managers will ensure that equality matters are integrated into policy development, decision-making, service planning and delivery and employment matters.

Managers are also responsible for ensuring that service and employment functions, policies, practices and procedures are equality impact assessed and that any resultant changes and improvements are implemented.

### 5.4 Employees

All employees have a responsibility to eliminate discrimination, advance equality of opportunity and foster good relations between persons of different groups. Employees will be supported in fulfilling those responsibilities through appropriate training and guidance.

### 5.5 Corporate Working Group on Equality (CWGE)

The CWGE is accountable to the Corporate Management Team and consists of senior representatives from the council's services.

The Group has a remit to:

- generally promote and champion equality issues in the council;
- provide a forum within which to share 'best practice';
- monitor the implementation of the council's equality outcomes and progress on mainstreaming;
- report action taken to implement this policy to the Corporate Management Team and make recommendations on actions to improve promotion of equality within the council as a whole

### 5.6 Partner Organisations, Contractors and Suppliers

Partners, Contractors and Suppliers of goods and services will be expected to comply with the terms of this policy and will be asked to provide evidence on how they are meeting the general and specific duties to eliminate unlawful discrimination, advance equality and foster good relations between different groups.

## **6. Monitoring**

6.1 Each service is responsible for monitoring and reviewing their policies, procedures and work practices to ensure they promote equality and comply with legislative requirements.

6.2 The Chairperson of the CWGE will keep the Corporate Management Team apprised at appropriate intervals of the results of ongoing monitoring and equality impact assessments and recommend proposals for improvement as necessary.

6.3 In keeping with the legal requirement to publish equality monitoring information, equality monitoring information will be submitted to the Council Executive every two years as part of a progress report on mainstreaming equality.

6.4 Monitoring information including actions taken to implement the outcome of equality impact assessments will also be posted on the council's web-site and in other approved publications.

## **7. Complaints**

The council will ensure that complaints relating to equality issues are investigated fully and appropriate action taken. Complaints relating to service provision will be dealt with under the council's Corporate Complaint's Procedure. Complaints relating to employment will be dealt with under the terms of the Policy on Dealing with Complaints of Bullying and Harassment at Work and the Recruitment & Selection Policy, but only to the extent allowed by the governing legislation.

## **8. Review**

This policy will be reviewed at least every 5 years in consultation with the recognised trade unions and other appropriate parties as determined by the council.

## Glossary of Terms

For the purposes of this policy:

### **Age**

Age discrimination is as detailed in the Equality Act 2010. This covers all ages subject to the following exemption:

- where there is an objectively justifiable age limit in relation to a particular service or employment matter.

### **Disability**

The definition of 'disability' contained in the Equality Act 2010 has been adopted.

The Act defines a disability as:

'a physical or mental impairment, which has a substantial and long-term adverse effect on a person's ability to carry out day-to-day tasks'.

### **Gender Reassignment**

Gender reassignment includes someone who intends to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex as defined in the Equality Act 2010.

### **Marital Status**

This covers married persons, as specified in the Equality Act 2010.

### **Civil Partnership Status**

This covers partnerships created under the Civil Partnership Act 2004.

### **Pregnancy and Maternity**

Protection against discrimination for pregnant women or those on maternity leave is provided by the Equality Act 2010.

### **Race**

As well as race this includes colour, nationality, and ethnic or national origins, as defined in the Equality Act 2010.

'Racism' is conduct, words or practices which advantage or disadvantage people because of their colour, culture or ethnic origin, as defined in the Stephen Lawrence Inquiry report.

## **Religion or Belief**

Religion or Belief discrimination is as detailed in the Equality Act 2010. This covers any religion, religious belief or similar philosophical belief. It also covers those without religious or similar beliefs.

## **Gender (sex)**

Sex discrimination applies to men and women as detailed in the Equality Act 2010.

## **Sexual Orientation**

This is defined as:

- orientation towards persons of the same sex (lesbians and gay men)
- orientation towards persons of the opposite sex (heterosexual)
- orientation towards persons of the same sex and the opposite sex (bisexual) as defined in the Equality Act 2010.

## **Language**

This covers community languages and British Sign Language, in service provision. In employment, all reasonable efforts will be made to accommodate additional language requirements.

## **Social Origin**

This covers caste, class and other social groupings, not covered under 'race'.

## **Employment Status**

This includes people who have worked or work part time or full time, people who have been or currently are unemployed and people who have followed non-traditional employment patterns.

## **Political Belief**

Political views, ideals, activities or background. Where a post is politically restricted in terms of the Local Government and Housing Act 1989 and the Local Government Officers (Political Restrictions) Regulations 1990, restrictions will apply to the political activities of post holders.

## **Trade union membership or activity**

Trade union membership or non-membership. Participation in legitimate Trade Union activities.

## **Responsibility for dependants**

This covers people with responsibility for an adult or child who is dependent on them for their day-to-day care.