



Ashbourne Town Council

Equality and Diversity Policy

Reviewed January 2023

Equality and Diversity Policy was reviewed by

Ashbourne Town Council on

Signed(Mayor)



ASHBOURNE TOWN COUNCIL

Equality and Diversity Policy

Introduction

Ashbourne Town Council has a duty to promote and encourage equality as an employer and also in its provision of its services whilst conducting public functions and we are committed to providing equal opportunities and avoiding unlawful discrimination .

Aim

Ashbourne Town Council aims to create an organisation where every individual can be their whole self and give their best, make decisions based on merit and do not discriminate, consider the needs of all individuals, and include inclusion and diversity into the heart of all their causes and activities.

All members and staff are expected to address the impacts of prejudice, stereotyping, victimisation, bias (conscious or unconscious) harassment and victimisation.

Throughout this policy we aim to reflect and recognise the diverse communities in the area we operate, build a culture that is accepting and diverse, where everyone feels safe, celebrated, encouraged, and valued, and ensure that we include equality and inclusion into every aspect of our work to ensure that we meet the needs of our members, employees, and the everyone in our town.

Legal Duties

We are bound by The Equality Act 2010, this act was implemented to replace a number of anti-discrimination laws by simplify equality law and removing inconsistencies, thus enabling a better understanding, and ensuring it is easier to comply. The purpose of the act is that everyone has the right to be treated fairly and with respect whilst at work or whilst using our services, it protects **everyone** from discrimination based on the nine “protected characteristics”

- Age.
- Disability.
- Gender reassignment – which must include people who identify as a gender that is different to that assigned at birth, gender fluid and non-binary.
- Marriage and civil partnerships.
- Pregnancy and maternity
- Race – to include colour, creed, nationality, ethnicity, or national origin.
- Religion or belief.
- Sex
- Sexual orientation.

Councillors, staff, volunteers, contractors, and consultants are protected by the Equality Act 2010

- **Direct Discrimination** this occurs where, because of a “protected characteristic” a person receives worse treatment than someone who does not have that characteristic, for example, not employing a non-binary person as you believe they will not gain the respect of the team. However different treatment because of age is not unlawful if you can justify it, for example if we wish to take a positive action and encourage and develop people in a particular age group that may be underrepresented or disadvantaged. Age is the only protected characteristic that allows employers to justify direct discrimination.
- **Indirect discrimination** this occurs when an organisation has a particular policy or way of working that applies to everyone but may put people with a “protected characteristic “ at a disadvantage, an example could be inflexible dress code that discriminates against anyone who need to dress appropriately for their religious or cultural needs.
- **Harassment** this occurs when someone makes you feel humiliated, offended, or degraded, this could be unwanted conduct towards a member of staff, insults, pranks or teasing or a member of staff displaying an emblem, flag or publication that may cause offence.
- **Victimisation** this occurs when someone is treated less favourably than someone else because they have complained about discrimination or given evidence in support of a colleague.

Ashbourne Town Council expects all Councillors, staff, volunteers, consultants, contractors, and visitors to behave in accordance with the provision set out.

Our roles and responsibilities

The Full Council, Town Clerk and staff are responsible to own and monitor the implementation of this policy.

- It is The Town Clerks responsibility to take responsibility for delivery of this policy, provide advice and if the need should arise procure training and advice on equality, diversity and inclusion.
- It is the responsibility of Councillors to act as role models and champions of equality, diversity, and inclusion.
- It is the responsibility of Councillors and staff to respond quickly and effectively to any allegations of discrimination and harassment.
- It is the responsibility of Councillors and staff to equip themselves with the knowledge and understanding of Equality and Diversity and ensure that they prioritise attendance at any training provided.

The Equality and Diversity Policy was Reviewed by Ashbourne Town Council on

Dated.....

Signed.....

Index of Terms and Definitions

We have put together list of terms and definitions to deepen your knowledge on Equality and Diversity

Disability is defined by the Equality Act 2010 as a physical or mental impairment that has a substantial and long-term adverse effect on ability to conduct normal day-to-day activities. Long-term means has lasted, or is expected to last, for 12 months. Included in this definition are:

- Physical impairments (including asthma, diabetes, epilepsy etc).
- Sensory impairments such as hearing impairment or visual impairment.
- Severe facial disfigurement.
- Progressive conditions such as cancer, multiple sclerosis, or HIV infection.
- People who have had impairment in the past but have since recovered (such as cancer, mental health issues).

Barriers can be:

- Prejudice and stereotypes
- Inflexible organisational procedures and practices
- Inaccessible information
- Inaccessible building
- Inaccessible transport

Discrimination by association : (defined by case law): This is discrimination against someone because they associate with another person who possesses a protected characteristic. For example, a man is treated less favourably at an event because of his friendship with an individual who is transgender.

Perception discrimination: (defined by case law) This is discrimination against an individual because others think (incorrectly) that they possess a protected characteristic. For example, an employee is not offered the chance to represent their company at a major event because her line manager believes she has mental health issues.

Diversity: is used to describe the process of valuing differences in individuals' attitudes, cultural perspectives, beliefs, ethnic background, sexuality, skills, knowledge, and life experiences. Diversity recognises and celebrates difference as something which is positive and beneficial to us all.

Equality: is about making sure that people are treated fairly and given fair chances. It is not about treating everyone the same. Achieving equality of outcomes means meeting diverse needs in different ways. When mentioned in policies the word equality usually implies a focus on those characteristics covered by legislation.

Equity: This means that the exercise of human rights leads to outcomes which are fair and just.

Gay/Lesbian: emotionally and sexually attracted to people of the same sex. The term gay person is most commonly applied to men. The term usually applied to women who are sexually and emotionally attracted to other women is a lesbian.

Gender: refers to the socially constructed roles, behaviours, activities, and attributes that a given society considers appropriate for men and women. It also refers to the relations between men and women, girls and boys and those between women and those between men.

Gender Mainstreaming: means ensuring that women's and men's concerns and experiences are integrated into the design, implementation, monitoring and evaluation of our strategies, policies, programmes, projects, and workplace culture. The aim of gender mainstreaming is gender equality, an outcome where women's and men's rights and needs are recognised and addressed.

Gender Reassignment: a person who is proposing to undergo, is undergoing, or has undergone a process to change their sex. To qualify for protection from discrimination a transsexual person does not have to show that they are under medical supervision.

Homosexual: A more official term for people who are sexually and emotionally attracted to members of the same sex. Not so commonly used by lesbian, gay and bisexual people to describe themselves.

Inclusion: To embrace all people irrespective of race, gender, disability, medical or other need. To remove barriers to equitable access and opportunities and to get rid of discrimination and intolerance. It affects all aspects of public life.

Mainstreaming: the seamless integration of equalities issues into the policy making and service delivery process – planning, development, implementation and evaluation. And a way to ensure that promoting equality is not reliant on the commitment of a few individuals but part of our everyday business.

Monitoring: for equality data to check if people with protected characteristics are participating and being treated equally. For example, monitoring the representation of women, or disabled people, in the workforce or at senior levels within organisations.

Positive Action: a range of lawful actions that seek to overcome or minimise disadvantages (e.g., in employment opportunities) that people who share a protected characteristic have experienced, or to meet their diverse needs.

Positive Discrimination: Treating someone with a protected characteristic more favourably to counteract the effects of past discrimination. It is generally not lawful although the duty to make reasonable adjustments is an exception when treating a disabled person more favourably may be required by law.

Race: Refers to the protected characteristic of race. It refers to a group of people defined by their race, colour, nationality (including citizenship) ethnic or national origins. It includes Anglo-Roma Gypsies, Irish, Scottish and Welsh Travellers.

Reasonable Adjustment: Where a disabled person is at a substantial disadvantage in comparison with people who are not disabled, there is a duty to take reasonable steps to remove that disadvantage by (i) changing provisions, criteria, or practices, (ii) altering, removing, or providing a reasonable alternative means of avoiding physical features and (iii) providing auxiliary aids.

Religion or Belief: includes any religion and lack of religion, in other words individuals are protected if they do not follow a certain religion or have no religion at all. Additionally, a religion must have a clear structure and belief system. Belief means any religious or philosophical belief or a lack of such belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour.

Sex: refers to whether a person is a man or a woman (of any age).

Sexual Orientation: Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

Stereotyping: making assumptions about an individual or group based on a particular attribute.

Transgender Person: Transgender is an umbrella term. It refers to someone who identifies differently from their birth sex/gender. It may also be someone who has surgery to change their sex/gender from the one they were born with (male to female or female to male). This may be someone who is designated female at birth but feels that a male identity is a better fit for them or vice versa.

Gender reassignment is a protected characteristic under the Equality Act (2010). This may be a woman who has transitioned or is transitioning to be a man, or a man who has transitioned or is transitioning to be a woman. However, the law does not require a person to undergo a medical procedure to be recognised as transgender.