



Equality and Diversity Policy

October 2006

Policy Statement

Dover District Council (The Council) is committed to eliminating all forms of discrimination, and actively promotes equality of opportunity for everyone.

The Council recognises its duty to give dedicated services to people on equitable terms. This policy sets out how the Council intends to meet its commitments by working alongside everyone, irrespective of disability, race, gender, proposed commenced or completed reassignment of gender, sexual orientation, age, religion or belief. In addition to meeting the statutory duties covering Race, Disability and Gender or Gender reassignment, the Council is committed to including age, religion or belief, and sexual orientation within its equality promotion work.

The Council has agreed that individual schemes will be developed to support this policy.

Background

The 2005 amendment to the Disability Discrimination Act 1995 (DDA) places a duty on all public authorities to actively promote disability equality, and to produce a scheme with an action plan showing how this will be achieved. The DDA defines a disabled person as 'someone with a physical or mental impairment, which has substantial and long-term adverse effect on their ability to carry out normal day-to-day activities'.

The Race Relations Act 1976 (Section 71) places a general obligation on local authorities to promote good race relations, and the Race Relations (Amendment) Act 2000 amended and strengthened this by making it unlawful for public authorities to discriminate on racial grounds in carrying out any of their functions. The act also places a general statutory duty on public authorities to promote racial equality, prevent racial discrimination and to produce a scheme with an action plan showing how this will be achieved.

The Equality Act 2006 amends the Sex Discrimination Act 1975 to place a statutory duty on all public authorities to have due regard to the need to eliminate unlawful discrimination and harassment, to promote equality of opportunity between men and women and to produce a scheme and action plan showing how Gender Equality will be achieved. It also incorporates the duty to prohibit discrimination on grounds of religion, belief or lack of belief.

Scope

This policy applies to all employees, volunteers, placements, contractors and elected members of Dover District Council. In this document they will all be referred to "employees".

It is accepted that elected members of the Council are not employees, but they do share a responsibility with employees when representing the Council or carrying out the functions of their elected office. Therefore, all aspects of this policy apply equally to elected members.

Purpose

Disability

The duty of the Council under the Disability Discrimination Act 2005 means that the Council, in carrying out its duties, must have due regard to:

- The need to eliminate discrimination that is unlawful under the act
- The need to eliminate harassment that is unlawful under the act

- The need to promote equality of opportunity between disabled persons and other persons.
- The need to take steps to take into account a person's disabilities, even where that involves treating disabled persons more favourably than other persons.

In addition to the above there are specific duties, which are to:

- Prepare and publicise a disability and equality scheme, which aims to ensure the appropriate standards are achieved.
- Implement the scheme by December 2006
- Publish an annual report containing information about how the scheme is implemented.

The key themes of the act are to:

- Build on existing equality strategies, frameworks and schemes.
- Set realistic action points and timescales
- Have clear measurable milestones
- Involve disabled people in setting priorities
- Implement a process to assess the impact of the Council's policies and practices on equality of opportunity for disabled people.

Gender Equality

The duty of the Council under the Equality Act 2006 means that the Council, in carrying out its duties, must have due regard to:

- The need to eliminate discrimination that is unlawful under the act
- The need to eliminate harassment that is unlawful under the act

This act builds on the previous equality act in the respect that it also places additional requirements to:

- Promote equality of opportunity between men and women, not just to avoid discrimination
- Prohibit discrimination in the provision of goods, facilities, services and premises.
- Prohibit religious discrimination in the exercise of public functions.
- To take positive action, rather than waiting for individuals to take cases against the Council.

In addition to the above there are specific duties, which are to:

- Prepare and publicise a gender equality scheme and implement by April 2007
- Review the scheme every three years
- Develop, publish and regularly review an equal pay policy, which should include measures to address promotion, development and occupational segregation.
- Conduct and publish impact assessments for all legislation and major policy developments, and publish criteria for conducting them.

The key themes of the act are:

- Better-informed decision-making and policy development
- A clearer understanding of the needs of service users

- Better-quality services which meet varied needs
- More effective targeting of policy and resources
- Better results and greater confidence in public services
- A more effective use of talent in the workforce

Race Equality

The Race Relations Act 1976 (Section 71) places a general obligation on local authorities to promote good race relations. The Race Relations (Amendment) Act 2000 amends the Race Relations Act 1976 and strengthens its application to public authorities by covering areas that were previously excluded.

Authorities must have due regard to the need to:

- Eliminate unlawful racial discrimination
- Promote equality of opportunity
- Promote good relations between people of different racial groups

Authorities must consider the following steps in meeting the general duty:

- Prepare and publicise a scheme and action plan
- Identify which of their functions and policies are relevant to the duty
- Assess whether their relevant functions meet the three parts of the duty
- Consider whether any changes need to be made to meet the duty, and make changes.

Responsibilities

Chief Executive:

The Chief Executive is responsible for developing a leadership role in the District, promoting improved understanding of diversity and race relations, and ensuring that the Equality and Diversity Policy and the supporting schemes are implemented throughout Dover District Council and are reviewed regularly.

Corporate Management Team (CMT):

Members of CMT are responsible to the Chief Executive for ensuring that the Equality and Diversity Policy and supporting schemes are implemented within their service areas, and that issues of particular importance to their service area are addressed. They are also responsible for assessing the impact of the policies, strategies and functions within their service areas for good equality practice, and also for developing and working with equality targets for their departments and service areas.

Managers:

Managers are responsible for:

- The implementation and monitoring of the Equality and Diversity Policy. The implementation and monitoring of individual schemes and action plans within their service areas.
- Bringing the Policy and schemes to the attention of employees in their area, and ensuring that these employees meet their responsibilities.

- Inducting new staff with regard to individual Equality Schemes and this Equality and Diversity Policy
- Planning and supporting the workload with employees with due regard to this Policy and all of the Equalities Schemes
- Assessing the impact of work within their Service Areas for good equality practice.
- Consulting with users of their services.

Employees:

All employees of the Council have a responsibility to consider the Equality and Diversity Policy and individual Equality Schemes in the course of their work.

Members:

To engage with our community and provide leadership and support for the policy.

Human Resources:

Human resources are responsible for ensuring that appropriate training is sourced and undertaken, for employees at all levels and that recruitment procedures are in accordance with the Schemes and Duties. They are also responsible for workforce profiling in accordance with the schemes and duties, and ensuring a fair employment and equal pay policy.

Equality and Diversity Working Group

This group will meet regularly and ensure compliance with legislation, reviewing schemes, reviewing targets and updating where necessary.

Review and Monitoring

Each service area will conduct a preliminary review of its functions, strategies and formal policies, highlighting any that may have an adverse effect, for more thorough assessment. The Strategy and Consultation Group together with the Equality and Diversity Group will assist and advise throughout this process.

Local performance indicators that measure progress in implementing this policy will be developed, and reviewed quarterly. These will help to assess progress in promoting disability, gender and race tolerance and the elimination of discrimination.

The Schemes will be reviewed every three years, and new action plans drawn up in accordance with the requirements of the respective duties.

Procedures

Supporting this policy are a Disability Discrimination Scheme and Action Plan, a Race Equality Scheme and Action Plan, and an Equality Scheme and Action Plan. (The latter two are currently under development). These will identify measures to promote disability, gender and race tolerance and the elimination of discrimination.