EQUALITY AND DIVERSITY POLICY

Adopted at the **21 May 2025** meeting of Eastleigh Town Council.

Subsequent amendments agreed as follows:

Version	Owner	Date Approved	Minute Ref	Action?	Website updated	Next Review
V1 – 2025-26	Town Council					

Our Commitment

The Council is committed to providing equal opportunities in employment and to avoiding unlawful discrimination. This policy applies to all employees, councillors, volunteers and contractors while engaged in Council activities.
This policy is intended to assist the Council in putting this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination. Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in employment.

The Law

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality, caste and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics."

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

The Council will not discriminate against or harass a member of the public in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

Types of Unlawful Discrimination

- Direct discrimination is where a person is treated less favourably than another because of a protected characteristic.
- Occupational requirement: In limited circumstances, employers can directly discriminate where there is an occupational requirement that is crucial to the post and is a proportionate means of achieving a legitimate aim.
- Indirect discrimination is where a provision, criterion or practice is applied that disadvantages people with a protected characteristic and is not a proportionate means of achieving a legitimate aim.
- Harassment is unwanted conduct related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity) that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment.
- Associative discrimination is direct discrimination or harassment due to association with someone with a protected characteristic.
- Perceptive discrimination is direct discrimination or harassment based on the perception that someone has a protected characteristic, whether or not they actually do.
- Victimisation occurs when an employee is treated unfavourably because they have made or supported a complaint or raised a grievance under the Equality Act 2010 or are suspected of doing so. Protection does not extend to malicious or knowingly false complaints.
- Failure to make reasonable adjustments: Where a disabled person is placed at a substantial disadvantage and reasonable adjustments are not made.

Equal Opportunities in Employment

The Council will avoid unlawful discrimination in all aspects of employment, including recruitment, promotion, training, pay and benefits, discipline and redundancy selection.

Recruitment

Person and job specifications will be limited to requirements necessary for effective performance. Candidates will be assessed objectively, taking into account reasonable adjustments required for candidates with disabilities. Disability and personal commitments will not form the basis of employment decisions unless essential.

Working Practices

The Council will consider the potential indirectly discriminatory effect of its working practices (e.g. hours, locations, conditions) and will consider requests for changes with legitimate, non-discriminatory reasoning. Reasonable adjustments for disability will be made where needed.

Equal Opportunities Monitoring

The Council will monitor the composition of its workforce and job applicants by ethnicity, sex, gender, age, and disability. Appropriate action will be taken to address any issues identified. Data will be handled in accordance with the Council's data protection policy and privacy notices.

Dignity at Work

The Council has a section regarding dignity at work within the Employee Handbook section 6.2 - 6.4 covering bullying and harassment and detailing how such complaints are handled.

People Not Employed by the Council

The Council will not unlawfully discriminate against members of the public or service users. Bullying or harassment by suppliers, visitors or others should be reported to the Council for appropriate action.

Public Sector Equality Duty

Eastleigh Town Council acknowledges its responsibilities under the Public Sector Equality Duty (PSED), as set out in the Equality Act 2010.

In carrying out its functions, the Council has due regard to the need to:

- Eliminate unlawful discrimination, harassment, victimisation, and other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between individuals who share a protected characteristic and those who do not;
- Foster good relations between individuals who share a protected characteristic and those who do not.

The Council recognises that having due regard involves considering the impact of its decisions, policies and services on people with different protected characteristics. These characteristics are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership (in relation to eliminating discrimination only)
- Pregnancy and maternity
- Race
- Religion or belief
- Sex

- Sexual orientation

Eastleigh Town Council is committed to integrating equality considerations into all areas of its work, including service delivery, policy development, and employment practices. Where appropriate, equality impact assessments will be used to support compliance with the duty and to promote fairness, transparency, and accountability.

Training and Prevention

The Council will provide training and raise awareness of equal opportunities for those involved in recruitment or decision-making processes.
Staff will receive training to understand their rights and responsibilities under the Bullying and Harassment policy within the Employee Handbook section 6.2 – 6.4 and to support a respectful workplace environment. Additional training for managers will be provided where required.

In line with the Worker Protection (Amendment of Equality Act 2010) Act 2023, which introduces a duty on employers (from October 2024) to take reasonable steps to prevent sexual harassment in the workplace, the Council has assessed the risk of harassment (including sexual and third-party harassment) and identified reasonable measures to reduce such risks. This assessment will be reviewed annually.

The Council will take active steps to prevent third-party harassment. Where it occurs, action may include warning the harasser, banning them from Council premises, reporting criminal acts to the police, or sharing information with relevant partners.

Your Responsibilities

Every employee must assist the Council in meeting its commitment to equality and avoiding unlawful discrimination. Employees may be personally liable for breaches. Serious harassment may also be a criminal offence.
Acts of discrimination, harassment, bullying or victimisation are disciplinary matters and may constitute gross misconduct, leading to dismissal without notice.

Grievances

Employees who believe they have experienced unlawful discrimination should raise the issue using the Council's grievance within the Employee Handbook Section 5.4. Complaints involving bullying or harassment will follow the Bullying and Harassment policy within the Employee Handbook section 6.2 – 6.4.
The Council will take all complaints seriously and resolve them fairly. There will be no penalty for raising a genuine grievance, even if it is not upheld, unless the complaint is malicious or knowingly untrue.

Monitoring and Review

This policy will be reviewed regularly to ensure legal compliance and effectiveness. Monitoring will include:

- Outcomes of harassment or victimisation complaints
- Treatment of complainants and witnesses
- Disciplinary responses to repeat offenders
- Cultural or procedural issues identified
- Targeted workforce training

This policy is non-contractual and will be reviewed periodically. Information collected for monitoring will only be used for that purpose and handled according to relevant data protection legislation.