

# The Parish Council of Little Harrowden



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## EQUALITY, DIVERSITY AND INCLUSION POLICY

Procedure reviewed and adopted at the meeting of Little Harrowden Parish Council held on: 15.04.26

It incorporates and supersedes the equal opportunities policy.

**Signed:** .....

**Name:** .....

**Position:** .....

**Date:** .....

## Policy Statement

We recognise the value and worth of everyone who lives and works in the parish, and we will actively promote diversity and equal opportunities for all, regardless of age, race, disability, religion or belief, sex, pregnancy and maternity, sexual orientation, marriage and civil partnership, gender reassignment, income or wealth, upholding the provisions of the Equality Act 2010.

The Public Sector Equality Duty applies to public bodies and others carrying out public functions. It supports good decision-making by ensuring public bodies consider how different people will be affected by their activities, helping them to deliver policies, representation and services, which are efficient and effective, accessible to all and which meet different people's needs.

It is Little Harrowden Parish Council's policy to provide representation, information, facilities, services and employment to all irrespective of:

- Gender, including gender reassignment
- Marital or civil partnership status
- Religious belief or political opinion
- Race (including colour, nationality, ethnic or national origins)
- Disability
- Sexual orientation
- Age
- Pregnancy and maternity

The Council is opposed to all forms of unlawful and unfair discrimination. All people and employees will be treated fairly and will not be discriminated against on any of the above grounds. All decisions will be made objectively and without unlawful discrimination. Little Harrowden Parish Council recognises that supporting Equality is of primary importance.

We aim to create a culture that:

- Respects and values each other's differences.
- Promotes dignity, respect, equality and diversity.
- Removes barriers, bias or discrimination which would otherwise prevent individuals or groups from realising their potential and contributing fully to the community.
- Positively values diversity.
- Will challenge discrimination.
- Provides equality and fairness to all in the community

This policy is intended to assist the council to put this commitment into practice and help Councillors and employees of the Council to develop sound and effective policies that positively impact on the village, community and surrounding areas and also ensure that no employees or members commit unlawful acts of discrimination.

## Our commitment

The council is committed to providing:

- Providing equality of opportunity for all persons.
- Promoting a good and harmonious environment in which all persons are treated with respect.
- Preventing occurrences of unlawful direct discrimination, indirect discrimination, harassment and victimization.
- Fulfilling our legal obligations under equality legislation and associated codes of practice.
- Complying with our own equal opportunities policy and associated policies.
- Taking lawful affirmative and positive action where appropriate.

The council also strives to ensure that the work environment:

- Is free of harassment and bullying.
- Treats everyone with dignity.
- Recognises respect is an important aspect of ensuring equal opportunities in employment.

The council will:

- not discriminate against or harass a member of the public in the provision of services or goods
- make reasonable adjustments to overcome barriers to using the services it provides caused by disability
- make reasonable adjustments including the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make or use its services.
- encourage service providers to address any barriers that may impede disabled people from accessing the services they provide.

The Council expects all Members and Officers to be aware of and understand the Equality Act 2010.

### **Implementation of this policy**

Little Harrowden Parish Council will:

- Investigate additional access requirements to improve inclusivity for all to attend meetings, eg remote attendance/hearing loops.
- Where possible, documents will be made available in various formats or 'upon request' to meet different disability needs.
- Communicate this policy to all Councillors, Officers and members of the public.
- Incorporate equal opportunities into general practices.
- Ensure that other persons or organisations will comply with the policy in their dealings with the council.

The effectiveness of both the equality and diversity and equal opportunities policy will be reviewed annually or more often in accordance with changes in the law, and action taken as necessary.

In addition to the Council's internal procedures, any person has the right to pursue complaints of discrimination under the Equality Act 2010.

## **Equality, inclusion, diversity and opportunities in employment**

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

### **1. Recruitment**

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

### **2. Working practices**

The council will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the council considers it has good reasons, unrelated to any protected characteristic, for doing so. The council will comply with its obligations in relation to statutory requests for contract variations. The council will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

### **3. Equal opportunities monitoring**

The council will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

The council treats personal data collected for reviewing equality and diversity in accordance with the data protection policy. Information about how data is used and the basis for processing is provided in the council's privacy notices.

### **4. Data compliance**

Information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with relevant data protection legislation.

This is a non-contractual procedure which will be reviewed from time to time.

## **Dignity at work**

The Council:

- is committed to creating a workplace of dignity, respect, and courtesy, with zero tolerance for harassment and bullying.
- aims for resolution and mediation, rather than adversarial process, with employees, councillors, contractors, and interactions with the public.
- will respond sensitively and promptly to complaints.
- supports employees in understanding acceptable behaviour.
- Expects individuals (employees, councillors, contractors) to treat others with dignity, respect, and courtesy and to uphold the council's values and code of conduct.
- Will not tolerate bullying or harassment and encourage all to challenge behaviour found offensive and report it. Reports about the public or suppliers should go to the chairperson/clerk/or a councillor. Reports about councillors should go to the clerk or chair. Reports about other staff/contractors can be addressed informally or formally. Witness reports should be made in confidence.

Councillors must attend relevant training to ensure that the equality policy can be effectively delivered in everyday procedural delivery of Council activities and dealings with the public, contractors and staff.

## **Means of resolution**

The council will take appropriate action if anyone is bullied or harassed and will not tolerate retaliation or victimisation for raising concerns in good faith.

Reasonable measures may be taken to protect the complainant during investigations.

Investigations of potential disciplinary offences can be instigated.

### **Informal resolution**

- Explaining to the person that their behaviour is unacceptable, potentially with support.
- If this fails or is inappropriate, concerns can be raised to the chair (or appropriate person) who may discuss the issue with the alleged perpetrator.
- Mediation may be considered.

### **Formal complaints**

- These should be made via the grievance procedure to the clerk or chair.
- An investigator will be appointed.
- The complainant will need to co-operate and provide details.
- Investigations will be carried out promptly, sensitively, and confidentially.
- Potential disciplinary action against the perpetrator may result.
- Complaints about councillors may be referred to the Monitoring Officer.

Making allegations in good faith is protected, but making false allegations is a serious responsibility and may lead to disciplinary action.

Victimisation is also a serious issue the council will address, potentially with disciplinary action.

### **People not employed by the council**

The council will not discriminate unlawfully against those using or seeking to use the services provided by the council.

Users should report bullying or harassment by suppliers or others to the council who will take appropriate action.

### **Training**

The council will raise awareness of equality, diversity, inclusion and opportunities to:

- those likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise.
- all staff engaged to work at the council to help them understand their rights and responsibilities under the dignity at work procedures listed here and what they can do to help create a working environment free of bullying and harassment.
- All councillors must attend training to ensure that they understand equality, diversity and inclusion where appropriate.

### **Your responsibilities**

Every employee is required to assist the council to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination. Employees can be held personally liable as well as, or instead of, the council for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the council's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

### **Grievances**

If you consider that you may have been unlawfully discriminated against, you should use the council's grievance procedure to make a complaint. If your complaint involves bullying or harassment, the grievance procedure is modified as set out in the dignity at work policy.

The council will take any complaint seriously and will seek to resolve any grievance that it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

## **Equality, Diversity and Inclusion law**

It is unlawful to discriminate directly or indirectly in recruitment or employment because of "protected characteristics":

- Age
- Disability
- Pregnancy and maternity
- Sex and/or Sexual orientation
- Gender reassignment
- Race (which includes colour, nationality, caste and ethnic or national origins)
- Religion or belief
- Marital or civil partnership status
- Discrimination after employment (e.g. refusing to give a reference for a reason related to a protected characteristic).

### **Types of unlawful discrimination**

#### **Direct discrimination:**

- When a person is treated less favourably than another because of a protected characteristic.
- In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement.
- Any occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

#### **Indirect discrimination**

- A provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic such that it would be to the detriment of people who share that protected characteristic compared with people who do not & it cannot be shown to be a proportionate means of achieving a legitimate aim.

#### **Harassment**

- Unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity
- Creating an intimidating, hostile, degrading, humiliating or offensive environment.
- It does not matter whether or not this effect was intended by the person responsible for the conduct.

#### **Associative discrimination**

- An individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

#### **Perceptive discrimination**

- An individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic.

#### **Third-party harassment**

- When an employee is harassed by third parties and the harassment is related to a protected characteristic.

#### **Victimisation**

- An employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he/she is suspected of doing so.
- However, an employee is not protected from victimisation if he/she acted maliciously or made or supported an untrue complaint.

#### **Failure to make reasonable adjustments**

- When a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic AND
- The employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

## The Equality Act 2010

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. It replaced previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening protection in some situations.

This Act prohibits discrimination based on nine protected characteristics:

- age,
- disability,
- gender reassignment,
- marriage and civil partnership,
- pregnancy and maternity,
- race,
- religion or belief,
- sex,
- sexual orientation.

It also covers direct and indirect discrimination, harassment, and victimisation, and requires public bodies to consider equality when carrying out their functions.

### Key aspects:

**Protected Characteristics:** The Act defines nine protected characteristics, ensuring equal treatment for individuals in various aspects of life.

**Prohibition of Discrimination:** It prohibits direct and indirect discrimination, as well as harassment and victimisation.

**Public Sector Equality Duty:** Public bodies have a duty to consider equality issues when exercising their functions, aiming to eliminate discrimination, advance equality of opportunity, and foster good relations.

**Reasonable Adjustments:** The Act also requires employers to make reasonable adjustments for disabled employees.

**Protection from Victimisation:** Individuals are protected from being unfairly treated for taking action under the Act, or for supporting someone else who is

### Application:

The Act applies in various scenarios, including employment, education, and the provision of goods and services.

## Public Sector Equality Duty (PSED)

The Public Sector Equality Duty (PSED) is part of the Equality Act 2010 and came into force on April 5, 2011.

This duty replaced separate equality duties for race, disability, and gender and requires public authorities to consider the need to eliminate unlawful discrimination, advance equality of opportunity, and foster good relations when carrying out their functions.

The PSED is a legal requirement in Great Britain for public bodies to consider and promote equality in their work. It ensures that public authorities consider the impact of their policies and decisions on individuals with protected characteristics.

Key Aspects of the PSED:

- **Scope:** applies to all public authorities, including central government, local councils, schools, hospitals, and other public services.
- **Purpose:** aims to make society fairer by tackling discrimination and providing equal opportunities for all.
- **Requirements:** Public authorities must consider how their policies and decisions affect people with protected characteristics. This includes considering how to:
  - Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by Equality Act 2010.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
- **Protected Characteristics:** applies to protected characteristics as defined in the Equality Act 2010, including age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- **Due Regard:** public authorities must have due regard for the need to meet these equality objectives when exercising their functions.
- **Monitoring and Review:** public authorities should regularly review their policies and services to ensure they are addressing the equality duty effectively.
- **Remedies:** individuals can take action, such as making complaints or legal action, if they believe a public authority has failed to comply with the PSED.