

Argyll and Bute Council: Equality and Diversity Policy

Argyll and Bute Council—in providing goods, services and facilities—is committed to preventing unlawful discrimination of customers or the public.

Argyll and Bute Council is committed to encouraging equality and diversity among our workforce, and eliminating unlawful discrimination.

Argyll and Bute council aims for our workforce to be truly representative of all sections of society and our customers, and for each employee to feel respected and able to give their best.

The policy's purpose is to:

- make sure that we do not unlawfully discriminate against the Equality Act 2010 protected characteristics of: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race (including colour, nationality, and ethnic or national origin); religion or belief; sex; sexual orientation
- oppose and avoid **all** forms of unlawful discrimination. This includes in pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities
- ensure equality, fairness and respect for all in our employment, whether temporary, part-time or full-time.

Argyll and Bute Council commits to:

- encouraging equality and diversity in the workplace as they are good practice and make business sense
- creating a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued
- taking seriously complaints of bullying, harassment, victimisation and unlawful discrimination by employees, customers, suppliers, visitors, the public and any others in the course of the organisation's work activities.
- making opportunities for training, development and progress available to all staff, who will be helped and encouraged to develop to their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation
- making decisions about staff based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act)
- reviewing employment practices and procedures when necessary to ensure fairness, and also update them and the policy to take account of changes in the law
- monitoring the make-up of the workforce regarding information such as age, sex, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality and diversity, and in meeting the aims and commitments set out in the equality policy

These commitments include training Elected Members, managers and all other employees about their rights and responsibilities under the Equality and Diversity Policy. Responsibilities include Elected Members and staff conducting themselves in a way that helps Argyll and Bute Council to provide equal opportunities in employment, and to prevent bullying, harassment, victimisation and unlawful discrimination.

All staff should understand that they, as well as the Council, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, customers, suppliers and the public.

Bullying, harassment, victimisation and unlawful discrimination by employees will be dealt with as misconduct under the Council's grievance and/or disciplinary procedures, and any appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice.

Sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.

Elected Members are expected to comply with the requirements of the Councillors' Code of Conduct, which has a specific provision that states bullying or harassment is completely unacceptable. Any breach will be dealt with by the Standards Commission. Where a hearing held by the Standards Commission finds that a councillor has breached the Code of Conduct, the hearing will impose one of the sanctions set out in Appendix A of that document.

Equalities monitoring will include assessing how the Equality and Diversity Policy works in practice, considering and taking action to address any issues.

The policy will be reviewed every four years.

The Equality and Diversity Policy is fully supported by senior management and Council, and has been the subject of consultation with trade unions.

Details of the following, related, policies and procedures, can be found on The Hub or internet:

- Manager's Guide to Recruitment and Selection: <http://intranet.argyll-bute.gov.uk/content/talentlink-vacancy-management-system>
- Dignity at Work Policy: Eliminating Workplace Bullying and Harassment Policy and Procedure: <http://intranet.argyll-bute.gov.uk/my-hr/equality-and-diversity>
- Disciplinary Procedures and Code of Practice: <http://intranet.argyll-bute.gov.uk/my-hr/discipline>
- Grievance Procedure: <http://intranet.argyll-bute.gov.uk/my-hr/grievance>
- Employee Code of Conduct: <http://intranet.argyll-bute.gov.uk/my-hr/employee-code-conduct>
- Code of Conduct for Councillors: <https://beta.gov.scot/publications/code-conduct-councillors-9781787810778/>
- Guidance on the Councillors' Code of Conduct: http://intranet/sites/default/files/180709_cfcouncillorsguidance_july2018final.pdf

- Advice Note for Councillors on Bullying and Harassment:
<http://www.standardscommissionscotland.org.uk/uploads/files/1531127677180709AdviceNoteBullyingandHarassment.pdf>
- Equality and Socio-Economic Impact Assessment - <http://intranet.argyll-bute.gov.uk/equality-and-socio-economic-impact-assessment-egseia>
- Complaints – <https://www.argyll-bute.gov.uk/do-it-online/comments-and-complaints>
- Phased Return to Work and Other Reasonable Adjustments: Manager's Guide - <http://intranet.argyll-bute.gov.uk/content/phased-return-work-and-other-reasonable-adjustments-managers-guide>

Policy approved by: Argyll and Bute Council

Date: March 2019

Policy due for review: By March 2023