

HR & OD POLICIES

human resources and organisational development



Equality Policy

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1. POLICY STATEMENT

Aberdeenshire Council values all of its employees and recognises the importance of equality of opportunity. It aims to achieve this by ensuring the operation of fair and consistent employment practices that take account of the diversity of groups and individuals. Equality is regarded as an issue for all employees, who must adhere to, and can expect, certain standards of behaviour.

The Council aspires to be a productive organisation that values diversity and utilises the widest possible sources of talent from all sectors of the community.

The Council will promote equal treatment in accordance with legislation, and will strive to provide an environment free of prejudice and unlawful discrimination. Senior management will be responsible for ensuring that this is understood and adhered to by all employees of the Council. For further information please refer to the [Equality Guidance](#).

Whilst the Council is aware that any person can be affected by unfair treatment, it recognises that certain social and cultural influences may lead to groups or individuals being disadvantaged for reasons relating to one or more of the protected characteristics which are: age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, sex, sexual orientation, religion or belief. Discrimination on these grounds is viewed as unacceptable and is often unlawful. The Council aims to advise employees as to the standards of conduct that will be expected of them, and that they may expect from other employees.

Discriminatory treatment on the above grounds is seen as potentially harmful to both employees and the Council. The Council will endeavour to protect its employees from such treatment, whether by colleagues, members of the public or service users. It seeks to prevent harassment, bullying, inequality of opportunity in recruitment and selection, access to transfer, training, promotion and benefits, discrimination in terms and conditions of employment offered (including pay and grading) and other detrimental actions based on the above protected characteristics.

Any employee who feels that they have been discriminated against due to any of the protected characteristics mentioned in this policy or treated unequally and unfairly for another reason is encouraged to contact a member of HR&OD. Employees should also report an incident using the [Prejudice Incident Reporting Form](#).

The Council undertakes to provide help and advice and to offer a confidential counselling service where appropriate to employees experiencing difficulties that may

be affecting their general health and wellbeing. The [Employee Assistance Programme](#) is available to all employees.

The Council seeks to meet its legal requirements and to safeguard employees' rights.

2. SCOPE OF POLICY

This policy applies to all employees of the Council and volunteers and contractors engaged in the provision of Council services (either internally or to the public). Any breach of its terms by employees may result in action being taken under the [Disciplinary Policy](#). Volunteers and contractors may be excluded from further involvement with provision of Council services.

3. RESPONSIBILITIES

All employees/volunteers/contractors:

- Have a legal duty to have due regard or consciously consider the need to eliminate unlawful discrimination, and to promote equality of opportunity and good relations between all people including those having, or being perceived to have, one or more of the protected characteristics
- Will co-operate with measures introduced to ensure equality and non-discrimination Will ensure that their own behaviour towards colleagues, service users and members of the public is appropriate in terms of this policy
- Should be aware that discrimination can be based on a person having or being perceived as having one or more of the protected characteristics
- It can also be based on discriminating against someone because they associate with a person having, or perceived as having, one or more of the protected characteristics
- Will not induce or attempt to induce colleagues to practice unlawful discrimination
- Should report any suspected discriminatory practice, by following the guidelines set out in [Bullying and Harassment Guidance](#), or [Prejudice Incident Reporting Guidance](#).

- Will not victimise individuals who have taken action regarding discrimination and any such action, whether in the workplace or not, may result in disciplinary investigation by the Council and/or by a professional regulatory body (e.g. for teachers by the GTCS)
- Are encouraged to take action under the appropriate policies if they are subjected to any discriminatory behaviour Are reminded that this policy applies in relation to conduct at work-related social events
- Are reminded that this policy applies in relation to conduct at work-related social events
- Should note that legal action could be taken against them personally if they discriminate unlawfully.

All Supervisors and Managers will:

- Ensure that they and their staff are fully aware of this policy, its contents and their obligations
- Establish and maintain a working environment which is free from discrimination and promote equality of opportunity
- Address instances of suspected discrimination that they observe or are brought to their attention. In some cases it may be appropriate to investigate under the [Disciplinary Policy](#). All Council Policies must be applied equitably.

The Council as an employer will:

- In carrying out its functions, have due regard or consciously consider the need to eliminate unlawful discrimination, and to promote equality of opportunity and good relations between all people including those having, or being perceived to have, one or more of the protected characteristics
- Provide training and guidance to managers and other employees as appropriate on the content of this policy and also raise awareness of equality and diversity issues
- Monitor numbers of current staff, job applicants, applicants for promotion and training, grievances, disciplinary action, training and staff leaving, and analyse them by equality group

- Meet the terms set out in the Public Sector Equality Duty, including publishing equality information and setting equality objectives. Further advice is available from HR&OD and [Trade Union representatives](#).

4. EQUAL OPPORTUNITIES LEGISLATION

The list below details the key equality legislation. Please refer to the [Equality Guidance](#), or contact a member of HR&OD or your [Trade Union representative](#) for further details.

The Equality Act 2010:

The Equality Act replaces all previous antidiscrimination legislation and brings together, harmonises and extends the current equality law. It aims to make it more consistent, clearer and easier to follow.

The main changes are:

- Defines nine protected characteristics.
- Removes potentially discriminatory recruitment procedures.
- Changes definitions of disability and gender reassignment.
- Protects against perceptive and associated discrimination.
- Introduces the Public Sector Equality Duty.

Equality

Index of Documents

Policy

Revision Date	Previous Revision Date	Summary of Changes
15-08-2011	-	Creation of all Documents
15-01-2014	15-08-2011	Legislation update - removal of 3rd party harassment and rearrangement of policy information.
17-03-2014	15-01-2014	Slight changes of wording and incorporation of 2 links.
30-06-2015	17-03-2014	Format update