



# **GOSPORT BOROUGH COUNCIL'S**

## **Commitment To Equality & Diversity**

Gosport Borough Council is committed to equal opportunities for all.

If you need this document in large print, on tape, on CD, in Braille or in other languages, please ask.

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## **COMMITMENT STATEMENT**

**Gosport Borough Council is committed to equal opportunities for all and recognises the value of diversity.**

**As both a service provider and employer, the Council aims to mainstream fairness and equality into every aspect of its services and employment practices and to remove barriers to ensure equal opportunity.**

**It aims to ensure that no person receives less favourable treatment on the basis of race, disability, sex, gender re-assignment, sexual orientation, age, religion or belief, marriage or civil partnership, pregnancy or maternity.**

### **1.0 INTRODUCTION**

Under the Equality Act 2010 ('the Act'), local authorities have a general duty to have due regard to the need to eliminate discrimination and harassment; advance equality of opportunity; and foster good relations between people who share a protected characteristic and those who do not. This is known as the Public Sector Equality Duty (PSED).

This general duty is supported by specific duties and, in summary, listed public authorities in England are required to:

- publish information to demonstrate compliance with the general duty, at least annually, and;
- to prepare and publish one or more objectives, at least every four years to achieve any of the aims in the general equality duty. The information and objectives must be published in a manner that is accessible to the public.

### **2.0 PURPOSE**

This Commitment sets out how the Council intends to meet its duties under the Act.

The Council had a Single Equality Scheme in effect from 1 April 2011 until 31 March 2014. This Statement of Commitment replaces the Single Equality Scheme and reflects the latest guidance of the Equality and Human Rights Commission and the Government's Equality Office on public sector compliance to the Act.

Compliance will be monitored by the Corporate Policy and Performance Section and progress reports will be provided to senior management as

requested.

### **3.0 SCOPE**

This Commitment applies to all employees, workers, volunteers, self-employed and placements and will be reflected in arrangements with contractors. Members of the Council are required to comply with the Code of Conduct which covers equalities issues and by following this Commitment Members will be able to demonstrate compliance.

## **4.0 WHAT IS COVERED UNDER THIS COMMITMENT**

### **4.1 Public Sector Equality Duty**

The Act created a new single PSED which covers the protected characteristics of age, disability, sex, race, religion and belief, sexual orientation, gender re-assignment, marriage and civil partnership and pregnancy and maternity.

Under the general duty public bodies must have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and
- foster good relations between different groups.

The general duty is underpinned by a number of specific duties which provide a framework to help public bodies meet the general duty. Most public bodies such as local authorities must meet both the general duty and the specific duties.

This Statement of Commitment is supported in practice by additional guidance, policies and protocols which support fairness and equality and due regard to the three aims above.

## **5.0 DESIGNATION OF KEY RESPONSIBILITIES UNDER THIS COMMITMENT**

### **Chief Executive**

The Chief Executive is responsible for developing a leadership role in the Borough, promoting improved understanding of equality and diversity and ensuring this Commitment is implemented throughout Gosport Borough Council and regularly reviewed.

### **Senior Management Team**

Members of Senior Management Team provide senior level support for equality and diversity and are responsible for ensuring adherence to this Commitment.

### **Section Heads**

Section Heads have direct responsibility for the compliance of their service areas with this Commitment. They must assess the results of customer feedback, consultations, EIAs and the assessment of compliance to the Equality Monitoring Framework.

They must ensure staff understand and meet the responsibilities contained in this Commitment, that staff receives all necessary training and support, identifying any particular needs, and that the Council's policies and procedures are complied with.

### **Employees**

All employees of the Council have a responsibility to understand this Commitment and comply with its provisions in their working practice. Employees should also seek information and advice from their managers, Personnel or the corporate lead officer for equality and diversity on any aspect that requires clarification.

### **Volunteers/work experience/contractors**

Council volunteers, work experience staff or those contracted by the Council for specific services have a responsibility to act in a fair and appropriate manner, in accordance with this Commitment and all other Council policies and procedures.

### **Elected Members**

Members engage with the wider Gosport community to better understand local needs and issues and to provide leadership and support for this Commitment. As representatives of the Council, they have a responsibility to support and promote equal opportunities and practices in all aspects of their civic responsibilities.

### **Human Resources**

The Human Resources section is responsible for ensuring all employment procedures and processes including recruitment, retention and training comply with current equal opportunity in employment legislation.

It plays a key role in ensuring training needs are appropriately met and delivery mechanisms put in place with respect to equality and diversity issues in employment.

The production, review and updating of relevant equality and diversity in employment policies is the responsibility of the Human Resources section.

## **6.0 MAINSTREAMING EQUALITIES AND MONITORING PROGRESS**

Mainstreaming and monitoring of equality principles and practices throughout Council activities is achieved through a variety of means:

## **Partnerships and networks**

Through active representation in many partnerships and networks, the Council seeks to improve its understanding of local issues and local needs. Engaging with other organisations through partnerships and networks provides valuable opportunities to share information and expertise to help identify and address community concerns.

The Council understands its role as part of the fabric of the local community rather than an entity outside of it. Regular consultation with and feedback from these partnerships, formal and informal networks, assists Council staff in assessing and monitoring services in relation to local equality issues and their impact on local people.

## **Human Resources management and information systems**

Human Resources collects and monitors information to ensure equality standards are maintained throughout the Council's employment processes. Profile information on the Council's workforce, including gender and ethnicity information, is routinely collected and monitored. The monitoring of its grading structure through the job evaluation scheme and commitment to a regular equal pay audit, help to ensure that pay and grading are applied fairly and consistently across the organisation.

Personal review and training assessment processes provide the means for monitoring equality of opportunity in the development of the Council's workforce.

## **Personal reviews**

Personal reviews provide an opportunity for managers to discuss with staff areas for performance improvement with respect to customer care, service delivery and any aspect of this Commitment. Each member of staff has his/her own personal training plan that is reviewed annually to help identify training needs and allocate training resources. Refresher training on the personal review process is offered regularly to managers; all managers new to the Council are provided with training before undertaking the process. A range of training is available to staff from internal and external sources.

## **Team and Section meetings**

Team and Section meetings act as a vehicle for raising and discussing equalities issues identified within service areas. Managers can seek further information or guidance from the Personnel Section, or the Corporate Policy and Community Safety Section to address issues raised.

## **Equality impact assessments**

The Council has a corporate process for assessing the impact of its policies, strategies and functions on different groups. This equality impact assessment (EIA) process is undertaken at the development stage for proposed new

policies, strategies and functions or whenever a significant change is being considered to existing ones.

This process has been revised to specifically analyse how Council policies, strategies and functions further the three aims of the general Equality Duty. An initial assessment is completed and then to determine if the analysis and evidence provided are sufficient to reasonably assess the possible impact of the policy, strategy or function for each protected characteristic.

The lead officer for Equality & Diversity can recommend the gathering of further evidence to assess impacts, recommend specific equality actions are undertaken to mitigate potential negative impacts on groups or to further the aims of the general duty, or recommend the policy, strategy or function be halted until a full assessment is undertaken.

### **Equalities Monitoring Framework**

This provides guidance to service areas for determining the type and degree of equalities monitoring to be applied, including the recommended wording for equality monitoring questions for surveys.

### **Compliments and complaints**

Compliments and complaints received about services also help to identify the impact of good practices and any adverse impact of existing practices.

Gosport Borough Council responds to complaints from customers as quickly and as efficiently as possible and considers their suggestions for improvements. Its formal complaints procedure is detailed on the Council web site and available in different formats from the Town Hall.

Complaints received by the Council with a focus on any related to equality and diversity issues are also shared with the corporate lead officer for equality and diversity in order to assess and make recommendations for corporate actions to address them.

The comprehensive Equality and Diversity in Employment Policy ensures that staff remains aware of their responsibilities and the procedure which can be used for any complaints which may arise.

### **Procurement and funding relationships**

The duty to promote equality applies to procurement. Where an external supplier carries out a function on the Council's behalf, the Council recognises it remains responsible for meeting the duty. All contracted services and functions are assessed for relevance to the general duty and undergo the EIA process.

Contractors which currently or intend to supply goods or services on behalf of the Council must provide evidence that they have systems in place to ensure equal access and treatment in their own employment practices and in the services they provide. The Council provides information to potential

contractors on its equality commitments as part of its Invitation to Tender documentation and ensures these commitments are part of its Contractual Agreements.

Post-contract monitoring is undertaken to assess equality performance indicators, collate reports of any complaints from service users - including any related to harassment - and service audits to check on any problems in relation to the equalities in the specification.

### **Guides and toolkits**

Current good equality practice is mainstreamed throughout the Council by the development of guidance notes and toolkits provided on the Council's Infonet and through the Staff Bulletin.

### **Training**

The Council delivers equality training to staff through an Equality and Diversity e-learning programme. The training modules are updated as necessary to reflect new legislation and good practice and all staff is required to renew training every three years. New employees complete this training during their induction period. Training, awareness raising events and information are also delivered to staff and elected Members..

## Glossary of Relevant Terms

## Appendix A

**Alternative formats** (usually) written materials available in other ways, such as braille, large print, but can also be audio/visual.

**Age** a person belonging to a particular age (for example 32 year olds) or range of ages (for example 65 to 80 year olds).

**Antisemitism** is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.

**Associative discrimination** is direct discrimination against someone because they associate with another person who possesses a protected characteristic. This applies to race, religion or belief and sexual orientation and recently extended to cover age, disability, gender reassignment and sex.

**Customer** includes those receiving goods or services from the Council, our partners, Councillors and workforce. This includes all people and organisations that interact with the Council both internally and externally.

**Direct discrimination** occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have or because they associate with someone who has a protected characteristic.

**Disability** means a physical or mental impairment which has a substantial and long term adverse effect on a person's ability to carry out normal day-to-day activities. People who have had a disability in the past are also protected.

**Disciplinary procedure** is the process for employers to use in dealing with situations of employee misconduct and/or poor performance.

**Diversity** means recognising and valuing differences between people.

**Due regard** is consciously considering the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations.

**Ethnicity/ethnic minority community** is an ethnic group that is numerically smaller than the predominant white group in Britain.

**Equality opportunity** means ensuring people have fair access regardless of a protected characteristic.

**Gender reassignment** refers to the process to change his or her gender.

**Grievance procedure** is the process for concerns, problems or complaints that employees raise with their employer.

**Harassment** is 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'.

**Hate Crime** is defined as 'any criminal offence which is perceived, by the victim or any other person, to be motivated by hostility or prejudice towards someone based on a personal characteristic.'

**Hate Incident** is any incident, which may or may not constitute a criminal offence, which is perceived by the victim or any other person, as being motivated by prejudice or hate. Incidents can involve harassment, threats or intimidating behaviour and verbal and physical assaults. Hate incidents do not always need a specific victim, but the motivation must be present.

**Homophobia** encompasses a range of negative attitudes and feelings toward homosexuality or people who are identified or perceived as being lesbian, gay, bisexual or transgender (LGBT).

**Inclusivity** means not excluding people, on the grounds of a protected characteristic.

**Indirect discrimination** can occur when there is a condition, rule, policy or even a practice in an organisation that applies to everyone but particularly disadvantages people who share a protected characteristic.

**Islamophobia** is the fear, hatred of, or prejudice against the Islamic religion or Muslims generally.

**Perceptive discrimination** is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic. This applies to age, race, religion or belief and sexual orientation, disability, gender reassignment and sex.

**Protected characteristics** are: Age, disability, gender reassignment, pregnancy & maternity, marriage & civil partnership, race, religion/belief, sex; and sexual orientation.

**Race** a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

**Religion or belief** includes any religion. It also includes a lack of religion, in other words people are protected if they do not follow a certain religion or have no religion at all.

**Reasonable adjustments** mean changing things to help someone overcome disadvantage, if someone is put at a substantial disadvantage due to a disability.

**Sex** is the biological difference between men and women.

Sexual orientation means an individual's sexual orientation towards:

- People of the same sex (gay or lesbian)
- People of the opposite sex (heterosexual) and;
- People of both sexes (bisexual).

**Victimisation** occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

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