



**Commitment
to
Equality & Diversity**

**Draft
January 2024**

Gosport Borough Council is committed to equal opportunities for all.

If you need this document in large print, on CD or Memory Stick, in Braille or in another language, please ask.

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Revised January 2024

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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

The Equality Act 2010 created a new statutory duty on public authorities known as the Public Sector Equality Duty (PSED). This is Gosport Borough Council's framework document outlining its commitment to meeting the requirements of the PSED across its organisation and functions as both an employer and service provider.

This framework is based on the latest PSED guidance released by the Government's Equalities Office in December 2023.

2.0 The Public Sector Equality Duty

The PSED 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 duty requires decision-makers to understand and take account of the consequences of their choices, having due regard to the aim of eliminating conduct prohibited by the act, advancing equality of opportunity and fostering good relations.

The level of "due regard" considered sufficient in any particular context depends on the facts. The Guidance states the duty should always be applied in a proportionate way depending on the circumstances of the case and the seriousness of the potential equality impacts on those with protected characteristics. Making decisions without having due regard to the duty can be unlawful.

The general duty is under-pinned by specific duties that 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. The number of employees a public body has determines the specific duties to which it must be compliant.

The Council has on average 230 employees and therefore must comply with the following specific duties:

- publish information on general duty compliance with regard to people affected by your policies and practices every year;
- prepare and publish one or more objectives, at least every four years to achieve any of the aims of the general duty. The information and objectives must be published in a manner that is accessible to the public;
- publish information on general duty compliance with regard to your employees every year.

This Statement of Commitment is supported in practice by additional guidance, policies and protocols that support fairness and equality, due regard and development of good practice to the three aims above. Among these are:

- Equality and Diversity in Employment Policy 2021
- Gosport Pay Policy Statement 2023-24
- Corporate Equality Monitoring Framework 2022
- Accessible Communication Guidance 2023
- Bullying and Harassment Policy 2021
- Code of Conduct for Members and Officers 2022
- Integrated Equality Impact Assessment Process 2021
- Volunteer Policy 2021
- Procurement Strategy 2021-23
- Equality and Diversity Staff Resources and Mandatory Training
- The Hampshire District Equality & Diversity Network

3.0 PURPOSE & SCOPE

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

It applies to all employees, workers, volunteers, self-employed and placements and will be reflected in arrangements with contractors. Elected 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.

Compliance will be monitored by the Corporate Policy and Community Safety Section and progress reports will be provided to the Council Management Team (CMT) as requested.

4.0 WHAT IS COVERED UNDER THIS COMMITMENT

4.1 Leadership and Corporate Commitment

The Council will:

- ensure that unlawful discrimination is challenged and addressed
- ensure the Council has due regard to the aims of the general equality duty, by understanding the impact of our services on equality
- ensure that the Council uses equality information and analysis, at the right time as part and parcel of the decision making processes.
- undertake effective consultation with our community on key decisions and policies that will affect them
- provide staff and elected members with training to confidently implement the requirements of this policy and challenge any discrimination
- provide clear information on our services in appropriate formats to be accessible to all sections of the community
- agree at least one measurable Equality Objective which will help the Council further the three aims of the Equality Duty
- work with partners as appropriate, to ensure our services reach all groups within our community
- monitor the effectiveness of our equality and diversity approaches through reports as requested to CMT
- ensure that all contractors, agents and suppliers are aware of and adhere to this Statement of Commitment to Equality and Diversity
- respond promptly and fairly to any complaints about our services, including those relating to equality or discrimination

4.2 Service Delivery and Customer Care

The Council will:

- provide quality services which reach all relevant communities
- make sure equality and accessibility are embedded within our communication and consultation processes
- consciously think about the three aims of the Equality Duty as part of our Integrated Impact Assessment process when formulating new policies and procedures to ensure the elimination of unlawful discrimination, advance equality of opportunity and encourage good relations
- ensure the Council Offices provide suitable access for all parts of the community wherever reasonably possible
- meet any requests we receive to provide information in alternative formats and languages where we perceive there to be a genuine need

4.3 Employment and Training

The Council as an employer will:

- be committed to providing equality in all areas of employment including recruitment, promotion, training and development, and terms and conditions of employment
- advertise vacancies in appropriate media to target the best available talent and expertise
- maintain and develop equality monitoring information on the workforce
- keep all employment policies and procedures under review
- ensure an equal pay structure
- recognise the role of trade unions in working for equality in employment and services
- communicate to all employees that unfair discrimination, harassment, victimisation and bullying are unacceptable
- ensures that everyone who is responsible for recruiting and managing employees receives appropriate training and guidance on the Council's equality and employment policies, and that they understand their responsibilities

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.

Council Management Team

Members of Council 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

All volunteers are required to be registered and managed in accordance with the Council's Volunteer Policy and in compliance with Council's Statement of Commitment to Equality and Diversity when undertaking volunteer roles on behalf of the Council.

Work Experience

Council work experience staff 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 assesses 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 consultations surveys. Data from monitoring is used to help identify any possible inequalities in access to or provision of Council services.

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, volunteers 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 re-assignment 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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