

Equality and Diversity Policy

1 Policy Statement

At Broadland District Council and South Norfolk Council, we are committed to encouraging equality and diversity, both as local authorities and as employers. We strive to remove any barriers to enable engagement and to provide access to our services for all members of the community and we are committed to eliminating all forms of unlawful discrimination. As employers, we recognise and value diversity within our workforce.

Our joint Public Sector Equality Duty annual statement, which is published on our website, provides details of how the Councils advance equality of opportunity, and promote good relations with protected groups by engaging with, and supporting, individuals, local community groups and cultural events.

2 Equality Act 2010

The Equality Act 2010 identifies nine protected characteristics:

- Age
- Sex
- Disability
- Race
- Religion
- Sexual Orientation
- Gender Reassignment
- Pregnancy and Maternity, and
- Marriage and Civil Partnerships.

As local authorities, we are required, under the Public Sector Equality Duty, to:

Eliminate unlawful discrimination, harassment, and victimisation

The Councils will strive to support people who may have fallen victim to harassment or discrimination, due to their protected characteristic. We will also pay due regard to equality issues when forming policies, and in our processes, to ensure we are not treating any group or individual less favourably because of a protected characteristic.

Advance Equality of Opportunity

The Councils will strive to remove or reduce disadvantages suffered by people because of their protected characteristics, to help ensure they have the same level of opportunity as others. We will consider measures we could take for protected individuals and groups, such as the Disability Confidence Scheme in recruitment.

Foster good relations

We will foster good relations between those people who have one or more protected characteristic and those who do not. This includes raising awareness and providing positive messaging for issues such as mental illness, menopause, Pride, and accessibility. We will promote and facilitate community events for protected groups.

In addition to our duty under the Equality Act 2010, the Councils will also pay due regard to three other characteristics when assessing the potential impact of a new or revised policy, practice, or procedure. These are Health, Rurality and Low Income.

3. Discrimination

There are four main categories of discrimination:

1. **Direct Discrimination:** This means someone is treated less favourably because of a protected characteristic. For example, a service is not available to an individual because they are from a protected group. This term can include 'associative discrimination' which means that someone associated with an individual, who has a protected characteristic, is discriminated against. For example, a person who is friends with someone who is gay is discriminated against on these grounds. This can also include 'perceptive discrimination' which means that someone is discriminated against because they are perceived (albeit incorrectly) to be from a protected group.
2. **Indirect Discrimination:** This is where a policy is applied in the same way for everybody but disadvantages a group of people who share a protected characteristic, and an individual is disadvantaged as part of this group. For example, a rule that all employees must work on Saturdays could mean that some people, who are Jewish, observe the Sabbath and cannot work on Saturdays, may be put at a particular disadvantage by the rule. It does not matter whether any other Jewish people work with them, it can still be indirect discrimination as something that would normally disadvantage people sharing their characteristic.
3. **Harassment:** This is where someone is treated badly, or their dignity is violated due to a protected characteristic. For example, a female member of staff is subjected to misogynistic comments.
4. **Victimisation:** This is where an individual has raised concerns about discrimination against themselves, or another person, and they are treated badly because of this. For example, if an individual makes a complaint about someone being racist and is then treated less favourably because of this.

4. Equality and Diversity

Equality is about creating a fairer society where everyone can participate and has the opportunity to fulfil their potential. It is not about treating people the same, but recognising that everyone has different needs, which need to be met in different ways.

Diversity is based on everyone being different. Our commitment to diversity is about recognising, valuing, and respecting differences in others and embracing the differences. We welcome the different skills, abilities and experiences that people bring into the workforce and the wider community.

The Councils are employers and service providers and have a responsibility to ensure that everyone has the right to be treated fairly at work or when using their services.

5. Aims

We will:

- know the diversity of our communities and understand its needs;
- provide services that meet the needs of the diversity of our communities and are accessible to all;
- create a culture of awareness through training of staff and proactive approach to eliminate discrimination, victimisation, or harassment;
- encourage diversity and equality and monitor the makeup of our workforce to create a working environment that promotes dignity and respect for all;
- ensure that appropriate policies are in place for service users and staff;
- show leadership and commitment in promoting equality and challenging inequality;
- work in partnership with public, private, voluntary and community organisations to reduce equality gaps that may exist, to improve lives; and
- actively engage with our communities to encourage them to participate in decision-making processes to improve the services we provide.

6. Review

This policy will be reviewed every three years, or earlier if required.

Appendices for further guidance:

Appendix 1 – Gender Reassignment and Service User Provision

Appendix 2 – Disability

Appendix 3 – Anti-Semitism

Appendix 1 - Gender Reassignment and Service User Provision

Gender Reassignment under the Equality Act

Gender reassignment is one of the protected characteristics under the Equality Act 2010. Individuals should not be discriminated against because they are transsexual. You have the protected characteristic of gender reassignment if you want to reassign your sex from your birth sex to your preferred sex and/or you do this by changing physical or other characteristics. Gender reassignment is a personal process rather than a medical one. You do not have to undergo medical treatment or be under medical supervision to be protected under the Equality Act as a transgender person

We must work with customers, colleagues and third parties in a respectful and inclusive way, in compliance with Council policies and guidance, and fulfilling our legal obligations. Issues we need to consider include:

i. Treat transgender people as you would all other customers whilst considering the additional sensitivities they may face.

You may not know that a transgender person is using your facilities or services. Don't assume that you can identify a person as transgender.

ii. Try not to assume someone's gender simply by their appearance.

Try not to assume you can always tell someone's gender by looking at them or hearing their voice. This is particularly important to remember on the phone.

iii. Consider whether you need to ask someone's gender

If you want to collect data to develop an understanding of transgender service users in your customer base, make sure that the question you ask is with other gender questions and not with questions on sexual orientation.

iv. Assume everyone selects the facilities appropriate to their gender.

A trans person should be free to select the facilities (such as toilets or changing rooms) appropriate to the gender in which they present.

v. Accept a range of ID other than a birth certificate

Ordinarily proof of gender is not required so ensure that you have considered the identification you could use.

vi. Ask how you can support service users during their transition

If someone transitions whilst using Council services, where appropriate, ask the transgender person what would make them feel most comfortable at that time. For instance, they may be ready to move to the facilities of their self-identified gender or they may wish for additional privacy at this time.

vii. Update documentation and records efficiently and sensitively

A transgender person may wish to be referred to by a different name and pronoun and require their gender marker to be changed on documents and systems.

viii. Publicise your good practice and inclusivity to diverse groups

Transgender people can experience difficult challenges ranging from disappointment to outright fear and physical harm. Consequently, Trans people may look for clear evidence that service providers are transgender-friendly.

ix. If the transgender person raises any concerns or complaints

If a transgender person raises any concerns or complaints in this regard, they should be assured that the Council takes providing an equal opportunities service extremely seriously and they should be given access to a manager to discuss their concerns.

Appendix 2 – Disability

1. Disability under the Equality Act

Disability is one of the protected characteristics under the Equality Act 2010.

In this context **disability** means:

‘A person has a disability if they have a physical or mental impairment, and the impairment has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.’

An impairment is identified as having a long-term effect if:

- It has lasted for at least 12 months
- It is likely to last for at least 12 months or
- It is likely to last for the rest of that person’s life.

This would therefore ordinarily mean that where an individual has cancer, multiple sclerosis, or HIV they are considered to have a disability from the date of diagnosis. Impairments can be related to mental health as well as physical health, and to sensory impairments.

2. Guidance steps

Remember that some disabilities will not be immediately obvious and may be hidden, so we should not make assumptions.

- Promote disability access.
- Ensure literature is clear, accessible, and available in other formats. Ensure that service users are made aware of these options.
- Raise staff awareness so they consider service provision and equality.
- Monitor and collect feedback on any improvements required.
- Liaise with community and national disability organisations, where required, when reviewing policies, practices, or procedures.

Appendix 3 – Anti-Semitism

1. Working Definition of Anti-Semitism

In November 2019, Broadland District and South Norfolk Councils agreed to formally adopt the International Holocaust Remembrance Alliance (IHRA) working definition of anti-Semitism. This is supplementary to and does not replace our Public Sector Equality Duty under the Equality Act 2010 which includes Religion as a protected characteristic.

The definition is:

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

2. Guidance Steps

The following examples were given as illustrations to guide the IHRA in its work, however they are also useful in a Local Authority context.

Manifestations might include the targeting of the state of Israel, conceived as a Jewish collectivity. However, criticism of Israel similar to that levelled against any other country cannot be regarded as anti-Semitic. Anti-Semitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for “why things go wrong.” It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.

Contemporary examples of anti-Semitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government, or other societal institutions.
- Accusing Jews of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g., gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavour.
- Applying double standards by requiring of it a behaviour not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic anti-Semitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the state of Israel.

Anti-Semitic acts are criminal when they are so defined by law (for example, denial of the Holocaust or distribution of anti-Semitic materials in some countries).

Criminal acts are anti-Semitic when the targets of attacks, whether they are people or property – such as buildings, schools, places of worship and cemeteries – are selected because they are, or are perceived to be, Jewish or linked to Jews.

Anti-Semitic discrimination is the denial to Jews of opportunities or services available to others and is illegal in many countries.

When considering policy and practice that it is felt may impact Jewish people, it is important to:

- Liaise with community and national Jewish organisations, where required
- Consider alternative options if a negative impact is identified
- Monitor and collect feedback on any improvements required

If you witness anti-Semitic incidents in the course of your duties, these should be raised with your line manager and/or Equalities Lead for discussion on the appropriate next steps.