

Equal Opportunities Policy

April 2019

Policy Agreed	
Joint Consultative Committee	19 April 2010
Corporate Management Board	22 April 2010
Corporate Management Board	20 November 2018
Joint Consultative Committee	24 April 2019

Purpose of the policy

London Councils' equal opportunities policy ensures that equality and diversity issues are positively and fully incorporated in all aspects of its work. The aim is to ensure that all employees and job applicants are treated fairly and equally, and with dignity and respect and supports London Councils objective to be open and accountable, providing a working environment that is free from all forms of discrimination and reflects the cultural and ethnic diversity of London.

The policy applies to all staff within London Councils including employees and other workers, such as agency workers, temporary workers and contractors. All staff are expected to put this policy into practice.

The policy will be reviewed, as appropriate, to take account of developments in equalities legislation and diversity best practice.

Policy Statement

London Councils is committed to providing equality in the workplace and all opportunities for, and during employment, will be afforded to individuals fairly and irrespective of age, disability, gender, gender reassignment, marital or civil partnership status, pregnancy or maternity, race including colour, ethnic or national origins and nationality, religion or belief or sexual orientation ("the protected characteristics"). We aim to create a working environment that is free from discrimination and harassment in any form, in which all staff and our stakeholders are treated with dignity and respect.

London Councils will not unlawfully discriminate in the arrangements we make for recruitment and selection or in the opportunities afforded for employment, training or any other benefit. All decisions will be made fairly and objectively.

Key Principles and Responsibilities

- London Councils will ensure that equality and diversity issues are positively and fully incorporated in all aspects of London Councils work. This includes Equality Impact Assessments for all policies and decisions (and training staff to carry out the EIAs). We will monitor and review all policies and procedures from an equalities perspective.
- We will develop a culture and working environment free from discrimination and harassment and act promptly on any complaints of discrimination and harassment
- We will challenge direct and indirect discrimination in in personnel practices and provision of services
- We will provide a safe, secure and accessible working environment which values and respects individual's identities and cultures
- We aim to have a workforce that reflects the diversity of London's population. This will include monitoring the make-up of the workforce regarding information

such as age, gender, ethnic background, sexual orientation, religion or belief and disability.

- We will encourage all staff to reach their full potential and to support this we provide opportunities for training, development and progress for all staff.
- We will oppose and avoid all forms of unlawful discrimination, taking into account the Equality Act 2010. This includes: pay and benefits, terms and conditions of employment, dealing with grievances and disciplinary matters, dismissal, redundancy, leave including parental leave requests to make reasonable adjustments for disabled staff.
- Disability and personal or home commitments will not form the basis of employment decisions
- Staff will be encouraged and enabled to report any discriminatory acts or practices.
- Staff should maintain their personal information on the i-Trent City People system, including details of their race (ethnic origin), sexual orientation, gender identity, religion or belief and whether they have a disability;
- Staff must not encourage or attempt to make others practice unlawful discrimination;
- Staff will not victimise anyone as a result of them having reported or provided evidence of discrimination;
- Staff will not harass, abuse, bully or intimidate others.

Monitoring and Review

Corporate Management Board (CMB) plays a key role in ensuring that the policy is complied with within the organisation and in its links with outside agencies and constituent authorities. However, it is the responsibility of all staff to carry out their duties in accordance with the Equal Opportunities Policy at all times.

Policies and procedures will be monitored and reviewed in the light of any concerns about potential discriminatory impact.

As part of its commitment to ensuring that equality and diversity issues are incorporated in all aspects of our work, London Councils publishes an annual summary of its workforce statistics with a breakdown by age, ethnicity and gender. CMB also identify potential actions, issues and approaches to improve equality, diversity and inclusion profiles and matters in London Councils.

Induction process

All new members of staff are offered Equalities courses at either the City of London Corporation or at London Councils.

Equalities courses

Regular Equalities courses are available to staff to keep up to date with legislation and best practice. These will be notified to staff. Managers will also review equalities training needs as appropriate in the annual appraisal.

London Councils' officer Corporate Equalities Group advises the Corporate Management Board (CMB) on equalities issues. The board is chaired by a director.

The Law

Our policy is governed by the Equality Act 2010, which makes it unlawful to discriminate directly or indirectly, in recruitment, employment or service delivery because of a protected characteristic. The protected characteristics are:

- age
- disability
- gender (or sex)
- gender reassignment
- race
- religion or belief
- sexual orientation
- pregnancy and maternity
- marriage and civil partnership
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Types of Unlawful Discrimination – see Appendix One

London Councils will not tolerate any breaches of this policy. Any breaches will be fully investigated and may be subject to the disciplinary procedure.

London Councils also supports the International Holocaust Remembrance Alliance definition of antisemitism – **see Appendix Two.**

Appendix One

Types of Unlawful Discrimination

The Equality Act 2010 defines the different types of discrimination that are unlawful:

Direct discrimination is when someone is treated less favourably than another person because of a protected characteristic. Direct Discrimination is not justifiable. Examples of direct discrimination would be refusing to recruit a woman because she is pregnant; or excluding one staff member from a team training event on account of their disability or race.

Occupational Requirement (previously known as genuine occupational requirement) - in limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protect characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and be a proportionate means of achieving a legitimate aim. Decisions are made on a case by case basis. For example, a women's refuge may want to say that it should be able to employ only women as counsellors. Its client base is only women who are experiencing domestic violence committed by men. This would probably be a genuine occupational requirement

Indirect discrimination is when you have a condition, rule, criterion, policy or practice that applies to everyone but particularly disadvantages people who share a protected characteristic and it cannot be shown to be a proportionate means of achieving a legitimate aim. An example of indirect discrimination would be a manager continually holding team meetings on a Monday, which is a day that a part-time member of the team does not work.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic. An example would be not promoting a staff member because they care for a parent who has had a stroke. This is discrimination against the staff member because of their association with a disabled person.

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception by others that they have a particular protected characteristic. It applies even if the individual does not actually possess that protected characteristic. An example would be if colleague A harasses colleague B because they think colleague B has AIDS, even though they do not, in fact, have the illness. Colleague A has made assumptions and discriminated against colleague B, based on a perception.

Discrimination arising from disability is where an individual has been treated unfavourably because of something connected with their disability (so does not have to be the disability itself). An example would be disciplining a staff member for repeated spelling mistakes that are in fact caused by dyslexia, which amount to discrimination arising from disability. This type of discrimination is unlawful where the

employer (or a line manager) knows, or could be reasonably expected to know, that the person has a disability.

Harassment is unwanted conduct related to one of the protected characteristics that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. It does not matter whether or not this effect was intended by the person responsible for the conduct. Employees can complain of behaviour that they find offensive even if it is not directed at them and the complainant does not need to possess any of the protected characteristics themselves.

Third-party harassment is where an employee is harassed and the harassment is related to a protected characteristic, by people (third-parties) who are not employees of the organisation, for example external trainers. You are liable if the harassment has occurred on at least two previous occasions, you are aware that it has taken place and have not taken reasonable steps to prevent it from happening again.

Victimisation is when an employee is treated badly and subjected to detriment, such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under the Equality Act 2010, 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. An example would be if a disabled staff member raises a grievance that the line manager is not complying with the duty to make reasonable adjustments and is then systematically excluded from all meetings; such behaviour could amount to victimisation.

Reasonable Adjustments

The Equality Act also makes it unlawful to fail to make reasonable adjustments, as a result of a disability, to overcome barriers in employment or to using services. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical feature makes it impossible or unreasonably difficult for disabled people to make use of services. In addition, employers and employees have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service, for example ensuring documents are available in alternative formats.

Appendix Two

Draft motion for councils to adopt the International Holocaust Remembrance Alliance definition of antisemitism

This council expresses alarm at the rise in antisemitism in recent years across the UK. This includes incidents when criticism of Israel has been expressed using antisemitic tropes. Criticism of Israel can be legitimate, but not if it employs the tropes and imagery of antisemitism.

We therefore welcome the UK Government's announcement on December 11th 2016 that it will sign up to the internationally recognised International Holocaust Remembrance Alliance (IHRA) guidelines on antisemitism which define antisemitism thus:

“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.”

The guidelines highlight manifestations of antisemitism as including:

- 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 as a people 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 behaviour not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (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.”

This Council welcomes the cross-party support within the Council for combating antisemitism in all its manifestations. This Council hereby adopts the above definition of antisemitism as set out by the International Holocaust Remembrance Alliance and pledges to combat this pernicious form of racism.