

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL CASTELL-NEDD PORT TALBOT**

**EQUALITY OF
OPPORTUNITY IN
EMPLOYMENT**

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EQUALITY OF OPPORTUNITY IN EMPLOYMENT

[REVISED NOVEMBER 2001]

1. Statement of Commitment

- 1.1 The Authority is committed to the principle of equal opportunity in employment. The Authority's policy is that no job applicant and no employee shall receive less favourable treatment than another on the grounds of gender, age, disability, race, colour, nationality or ethnic or national origin, responsibility for dependants, marital status, sexuality, HIV or Aids status, trade union activity or religion and none shall be disadvantaged by conditions or requirements which cannot be justified.
- 1.2 As a major employer, the Authority is committed to take positive action to eliminate discrimination and to redress past imbalances in order to provide genuine equality of opportunity.
- 1.3 The Authority recognises that services need to be delivered by a workforce that reflects the diversity of our communities and it is necessary, therefore, for all of the groups referred to in para. 1.1 above to be represented at all levels and within all areas of work activity.

2. Welsh Language Scheme

- 2.1 The Authority is committed to the principle that in conducting its public business, both Welsh and English will be treated on the basis of equality. Further details are set out in the Authority's Welsh Language Scheme.

3. **Legal Requirements**

- 3.1 In addition to its moral responsibility, the Authority recognises its obligations under the following legislation:

Disability Discrimination Act 1995

Sex Discrimination Act 1975 (as amended)

Race Relations Act 1976 (and its amendments of 2000)*

Equal Pay Act 1970

Rehabilitation of Offenders Act 1974

Human Rights Act 1998

Welsh Language Act 1993

**The Race Relations (Amendment) Act 2000 replaces section 71 of the 1976 Act with a new general duty. This requires local authorities to have due regard to the need to eliminate unlawful discrimination and promote equality of opportunity and good race relations in carrying out their functions.*

4. **Equality of Opportunity in Service Delivery**

- 4.1 The Authority has a separate policy, entitled Equality of Opportunity in Service Delivery, which is complementary to this policy.

5. **Challenging institutional discrimination and demonstrating fairness**

- 5.1 The Lawrence Inquiry defined institutional racism as:

“The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which can amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people.”

- 5.2 The Authority is committed to responding to the challenge of institutional discrimination, which may also apply to gender, age, disability, responsibility for dependants, marital status, sexuality,

HIV or Aids status, trade union activity or religion, by mainstreaming equalities into all core activities of the Council.

- 5.3 Equalities will be vigorously mainstreamed into all employment policies and procedures.

6. **Scope**

- 6.1 This policy applies to the employment-related activities of all Elected Members, employees and prospective employees of the Authority, (other than those persons employed by schools operating with fully delegated personnel powers).

7. **Policy Responsibilities**

- 7.1 Whilst the Head of Strategic Personnel is responsible for implementing and monitoring the operational effectiveness of the Policy, it is the duty of each Corporate Director, Manager and individual employee to actively promote equality of opportunity in their own sphere of activity.

8. **Employment Practices**

- 8.1 The Authority will actively promote equal opportunity through the application of employment policies, which will ensure that individuals receive treatment, which is fair, equitable and consistent with their relevant aptitudes, potential, skills and abilities.
- 8.2 The Authority will ensure that individuals are recruited, selected, promoted and trained on objective criteria, having regard to relevant experience, potential skills and abilities. In particular no applicant or employee will be placed at a disadvantage by requirements or conditions which are not necessary to the performance of the job, or which constitute indirect unfair discrimination.
- 8.3 The Authority will ensure that all service conditions, which do not in themselves discriminate against any particular group, are applied equally to **all** employees.

9. **Training**

- 9.1 The Authority will make all Elected Members and employees aware of their responsibilities for implementing the Authority's Equal Opportunities Policy and will provide additional training for managers/supervisors in Equal Opportunities issues.

10. **Harassment (including all forms of bullying and victimisation)**

- 10.1 The Authority deplores all forms of harassment and seeks to ensure a working environment in which there are harmonious, respectful and dignified working relations between all employees.
- 10.2 The Authority may take disciplinary action against any employee found to be behaving in a manner which constitutes harassment in contravention of the Authority's Equal Opportunities Policy. The Harassment at Work Policy has been established to deal with complaints of harassment and/or bullying and it differentiates between reasonable pressure being applied to improve performance and behaviour which constitutes bullying.
- 10.3 An employee may also be liable to criminal proceedings if it is proven that they have intentionally harassed another individual under the Criminal Justice and Public Order Act 1994, which created a new criminal offence of intentional harassment.

11. **Other Employment Policies and Procedures**

- 11.1 All employment policies and procedures including Grievance, Harassment at Work, Disciplinary and Capability Procedures will be kept under review to ensure they are appropriate and adequate to cover all aspects of the Equal Opportunities Policy.

12. **Monitoring**

- 12.1 The Authority is committed to an efficient and confidential monitoring system to ensure effective implementation of the Policy.

13. **Complaints**

13.1 To safeguard individual rights under the policy, any **employee** who wishes to complain about the application or non-application of the policy may:

- (a) raise the matter through the normal grievance procedure; and/or
- (b) seek trade union support in the normal way.

13.2 Any **prospective employee** who wishes to complain about the application or non-application of the policy should contact the Head of Strategic Personnel.

14. **Review**

14.1 The operation and effectiveness of this policy document will be reviewed on a regular basis.

December 2001