

# Human Resources policy

## Employee equality and diversity

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## 1. Policy purpose and scope

Here at the West Yorkshire Combined Authority, we are committed to the development of positive policies to promote equal opportunities and diversity in employment regardless of any personal characteristics individuals have.

We value the differences that a diverse workforce can bring and believe in a culture of meritocracy, openness, fairness and transparency. Our aim is that our workforce reflects that of the community we serve.

This principle will apply in respect of all conditions of work including pay, hours of work, holiday entitlement, benefits, overtime, shift work, work allocation, sick pay, pensions, recruitment, training, promotion and redundancy.

We undertake to draw opportunities for learning and promotion to the attention of all employees and to inform all employees of this resolution on equal opportunity and diversity.

## 2. Related policies and employment legislation

We remain up to date and compliant with all current employment legislation.

The Equality Act 2010 came into force on 1<sup>st</sup> October 2010 with the aim of bringing together, harmonising and in some respects, extending existing equality law. As a public sector employer, we are also fully committed to complying with the specific requirements of the Public Sector Equality Duty.

The Equality Act defines protected characteristics as: disability; gender; gender reassignment; marital status (including civil partnerships); sexual orientation; race; religion or beliefs; age; and whether the employee is pregnant or on maternity leave.

It also specifies a number of different types of discrimination:

**2.1. Direct discrimination** is where a person is treated less favourably than another because of a protected characteristic. An example of direct discrimination would be refusing to employ a woman because she is pregnant.

In limited circumstances, we may directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim. In these circumstances, we would ensure it complied with the positive action elements of the Equalities Act.

**2.2. Indirect discrimination** is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic and it cannot be shown to be a proportionate means of achieving a legitimate aim (although it does not explicitly include pregnancy and maternity, which is covered by direct sex discrimination).

**2.3. Associative discrimination** is where an individual is directly discriminated against or harassed for association with another individual who has a protected

characteristic (excluding harassment because of marriage and civil partnership, and pregnancy and maternity).

**2.4. Perceptive discrimination** is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not (other than marriage and civil partnership, and pregnancy and maternity).

### **3. Responsibilities**

The assistant director, Corporate Development has overall responsibility for the implementation, application and review of our Employee Equality and Diversity Policy.

Specific responsibility for day to day application and monitoring of the policy has been allocated to the HR Manager.

#### **3.1. Employees**

We all have a responsibility to ensure that we do not carry out any acts of discrimination, harassment, or victimisation.

We will report any acts of discrimination, harassment, or victimisation towards ourselves and/or colleagues to their line manager or a member of the HR team so that effective action can be taken. Please see our dignity & respect at work policy for further details.

If you are experiencing difficulties in their work environment in relation to any protected characteristic you hold you are encouraged to discuss this with your line manager in the first instance.

#### **3.2. Managers**

It is every line manager's responsibility to ensure that discrimination, harassment, or victimisation is not carried out either by themselves, or by the employees within their managerial responsibility.

Where concerns are raised regarding work environment and its impact on any personal characteristic, line managers will discuss these with the employee and seek to make adjustments as necessary. Where the line manager feels unable to resolve the requirement on a local basis, or believes that a potential wider organisational issue has been identified, they will discuss this with their manager and HR, involving the employee as appropriate. See also section 5.3 on reasonable adjustments.

Line managers will investigate promptly and fully any instances of discrimination, harassment or victimisation brought to their attention. Where the matter is referred to a hearing, formal action may be taken against the offending party, up to and including dismissal. Please refer to our disciplinary, conduct & capability policy for further details.

### **4. Employment**

#### **4.1. Recruitment, selection and promotion**

Job adverts will be placed in publications and locations which are readily accessible to all prospective employees irrespective of any protected characteristic.

When prospective employees are invited to interview, they are asked to contact the HR department to discuss any reasonable adjustments that they require to enable them to participate fully and fairly in the recruitment process.

The most suitable applicant will be offered employment based only on their ability to perform the job by comparing their skills, knowledge and experience matched against the job requirements. We reserve the right not to make an appointment if there are no suitable applicants.

Job opportunities can be advertised on our internal & external websites. You are encouraged to apply for posts for which you consider yourself suitable.

We recognise that certain groups may experience discrimination in employment and seeks to take positive action when inequality becomes apparent.

We may take positive action with a view to ensuring that our workforce at all levels reflects our communities.

Where selection tests are used, every effort is made to ensure that they are free from questions which unfairly disadvantage applicants of a particular group and are administered and scored in a consistent and non-discriminatory manner.

#### **4.2. Learning and development**

Learning and development policies and procedures are designed to avoid discrimination and to promote equality of opportunity for all by assessing learning and development needs in relation to business objectives.

Training will be provided to enable all employees to perform their jobs effectively and where possible to pursue appropriate career development opportunities.

Employees responsible for short listing, interviewing and selection of candidates for initial appointment and/or promotion will be trained in the appropriate procedures and criteria to apply.

Certain groups of employees, such as people returning to work after a career break, may feel disadvantaged because of professional or technical advances that have occurred during their absence. In such cases, training will be provided where appropriate to afford these groups equal opportunity for promotion and career development.

There are no limitations on who can attend learning and development activities.

#### **4.3. Reasonable adjustments**

We are committed to working with employees to identify and implement reasonable adjustments in line with advice from our occupational healthcare provider, and in consultation with the employee and their representative, the line manager and HR.

The intention is to identify any reasonable adjustments that can be made to the work and/ or working environment to assist the individual in the performance of their duties.

#### **4.4. Equality Impact Assessments**

An Equality Impact Assessment (EIA) is a systematic method of assessing and recording the potential impact of proposed policies and initiatives on individuals with protected characteristics who work here at the Combined Authority. Their purpose is to anticipate any adverse impacts and amend the proposals to deal with them.

The HR team will use the EIA process to assess potential equality implications of its formal employment policies and procedures and other employment practices. They will take action where potential inequality is identified or where positive action could promote equality and diversity. Where new policies, procedures or practices are introduced, potential equality implications will be considered and addressed as part of the development stage.

### **5. Specific individual needs**

#### **5.1. People with disabilities**

The Equalities Act 2010 sets out the legal requirements relating to the employment of people with disabilities. We positively encourage the employment of people with disabilities.

No unnecessary criteria will be specified when recruiting and selecting employees that would discriminate against people with disabilities. Consideration will be given to ways in which the working environment and arrangements may be reasonably adapted in order to facilitate the employment of people with disabilities and anyone who becomes disabled whilst in employment.

#### **5.2. Cultural and religious needs**

We acknowledge that some employees may have particular cultural and religious needs which may not fit easily with work requirements. In these cases, we will seek, wherever possible, to vary or adapt work requirements to enable such needs to be met. A number of our existing policies and processes can assist this.

Our flexi time scheme allows employees to adjust their daily working hours and accrue additional leave, within specific parameters. Where necessary and appropriate, these parameters can be adjusted on either a temporary or permanent basis to support the cultural/ religious needs of individuals or groups

of employees. Where employees are not within the flexi scheme, we will investigate other methods for accommodating the requirements.

Our leave policy details a number of ways in which employees can accumulate leave for extended overseas visits. These include banking annual leave and purchasing additional leave. Please refer to the full policy for further details.

Our flexible working & flexible retirement policy is available to all employees and applications based on cultural or religious needs will be given serious consideration. Please refer to the full policy for further details.

In addition to the above, we will endeavour to make suitable facilities available where reasonably practicable to accommodate religious needs. Examples of this includes the use of meeting rooms for prayer time.

### **5.3. Other individual needs**

No unequal treatment of employees will be tolerated and consideration will be given to ways in which the working environment supports individuals and employees. Any concerns will be raised with line managers in the first instance.

## **6. Monitoring equality and diversity**

We follow the methods recommended by the equality and human rights commission in the monitoring of the effectiveness of its policy. These incorporate two main procedures; namely the recording and analysis of the composition of the workforce and the recording of selection decisions for appointment, promotion, transfer and training. The information we publish can be found on our external website.

## **7. Equality Impact Assessment**

In the creation of this policy, consideration has been given to any possible adverse equality impact for the following groups: disability; gender; gender reassignment; marital status (including civil partnerships); sexual orientation; race; religion or beliefs; age; pregnancy and maternity. The policy is considered to have little or no adverse equality impact.

## **8. Changes to policy**

The Combined Authority reserves the right to amend the details of this policy as required following consultation with recognised trade unions and other relevant parties.

This policy will be monitored and reviewed on an annual basis, to ensure that it meets the needs of the Combined Authority and ensure compliance with relevant legislation.

A written request can be made to review this policy at any time, by any of the signatories, giving appropriate reasons for requesting the review.