

## ***FULL COUNCIL REPORT***

Date Written	3 <sup>rd</sup> February 2015
Report Author	Dionne Llewellyn
Service Area	Performance and Risk
Exempt/Non Exempt	Non Exempt
Committee Date	25 <sup>th</sup> February 2015

*To: Mayor, Ladies and Gentlemen*

# **Workforce Equalities Policy**

### **PURPOSE OF THE REPORT:**

To seek approval for the adoption of the Workforce Equalities Policy.

## **1.0 INTRODUCTION AND BACKGROUND**

- 1.1 This document is a revision of the original Equalities Policy 2011. It has been amended to reflect new legislative duties under the Equality Act 2010 and the Public Sector Equality Duty and is supported by the Strategic Equality Plan 2012-2016.

## **2.0 POLICY**

- 2.1 Merthyr Tydfil County Borough Council is committed to promoting equality of opportunity in employment and training for all potential and existing members of staff
- 2.2 The aim of this policy is to ensure that every job applicant or employee receives equality of treatment regardless of their Protected Characteristic and is not disadvantaged by conditions or requirements which cannot be shown to be justified. Policies and procedures are regularly monitored to ensure that individuals are selected, promoted and treated in their general employment on the basis of their relevant merits and abilities.

- 2.3 This policy relates to employment matters affecting current employees or individuals seeking employment in the Council. In addition the Equality Act 2010 makes it unlawful for individuals to harass others on grounds relating to the protected characteristics, the Act also makes it unlawful for an employer to harass employees and people applying for employment.
- 2.4 A copy of the Policy is attached at Appendix 1.

### **3.0 FINANCIAL IMPLICATION(S)**

- 3.1 There are no direct financial implications arising from this policy. Adherence to this policy will help ensure that any possibility of legal challenge and associated financial consequences are minimised

### **4.0 SINGLE INTEGRATED PLAN AND SUSTAINABILITY IMPACT SUMMARY**

- 4.1 The Single Integrated Plan & Sustainability Impact Assessment has been completed and the proposals have a positive impact on most aspects of the Corporate Plan and Single Integrated Plan, including Equal Opportunities and Social Inclusion. No negative impacts have been identified

### **5.0 EQUALITY IMPACT ASSESSMENT**

- 5.1 An Equality Impact Assessment (EqIA) screening form has been prepared for the purpose of this report. It has been found that a full report is not required at this time. The screening form can be accessed on the Council's website/intranet via the 'Equality Impact Assessment' link.

### **6.0 RECOMMENDATION(S) that**

- 6.1 The Workforce Equalities Policy be adopted and approved.

**GARETH CHAPMAN  
CHIEF EXECUTIVE**

<b>BACKGROUND PAPERS</b>		
Title of Document(s)	Document(s) Date	Document Location
Welsh Language Statement 2014-2017	2014 – 2017	MTCBC Intranet
Welsh Language Linguistic Strategy 2013-2016	2013 – 2016	
Strategic Equality Plan 2012-2016	2012 - 2016	

***Consultation has been undertaken with the Corporate Management Team in respect of each proposal(s) and recommendation(s) set out in this report.***



**MERTHYR TYDFIL**  
**County Borough Council**  

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**Cyngor Bwrdeistref Sirol**  
**MERTHYR TUDFUL**

# Workforce Equalities Policy

Date approved by Council :

Date of implementation:

Date of review:

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## **Introduction**

This document is a revision of the original Equalities Policy 2011. It has been amended to reflect new legislative duties under the Equality Act 2010 and the Public Sector Equality Duty and is supported by the Strategic Equality Plan 2012-2016.

## **Policy Statement**

***“Merthyr Tydfil County Borough Council is committed to promoting equality of opportunity in employment and training for all potential and existing members of staff”***

The aim of this policy is to ensure that every job applicant or employee receives equality of treatment regardless of:-

- sex
- sexual orientation
- race
- religion and/or belief
- welsh language needs
- age
- disability
- whether married or in a civil partnership
- transgender
- whether pregnant or on maternity leave

Also, they should not be disadvantaged by conditions or requirements which cannot be shown to be justified.

Policies and procedures are regularly monitored to ensure that individuals are selected, promoted and treated in their general employment on the basis of their relevant merits and abilities.

The Council is committed to carrying out its statutory responsibilities under the Equal Pay Act 1970, the Human Rights Act 1998, the Equality Act 2010 and the Welsh Language Measure 2011. This policy should also be read in conjunction with the Council's Code of Conduct.

Also in Wales we have another protected characteristic – the Welsh language which is protected under the Welsh Language Act 1993 and the Welsh Language Measure 2011 which for the first time ever gives the Welsh language official status.

## **Scope of policy**

This policy relates to employment matters affecting current employees or individuals seeking employment in the Council. In addition the Equality Act 2010 makes it unlawful for individuals to harass others on grounds relating to the protected characteristics listed above, the Act also makes it unlawful for an employer to harass employees and people applying for employment.

This policy applies to all Council employees.

## **Responsibilities**

All employees and members of the Council share the responsibility to ensure that this policy operates fairly and effectively. All managers and staff are expected to observe the requirements of this policy; in particular they should implement the principles of the policy and report all incidents that contravene this policy to the relevant Director or suitable nominated Senior Officer.

However, the major responsibilities are as follows:-

### ***Elected Members***

The Council is responsible for ensuring that effective equality policies are adopted across the whole scope of the Council's employment.

Cabinet is responsible for ensuring that the Council as an employer operates on a basis consistent with these policies.

### ***Employees***

The Chief Executive, Directors and Assistant Directors are responsible for the operation of the policy in their own Directorates. Heads of Service are responsible for the operation and implementation of the policy in their own specific service areas.

### ***Agency Staff***

Agency Staff are utilised at Merthyr Tydfil County Borough Council via Pertemps.

## **Implementation and Monitoring**

The Council will actively promote and implement best practice, which will help to remove the assumptions and stereotypes that are often the cause of unfair discrimination. The action taken will include the following areas:

### ***Recruitment and Selection***

There will be continuous reviews of all procedures covering recruitment, advertising material, job descriptions, application forms and selection methods to eliminate unfair discrimination (direct or indirect) and ensure that decisions are based on job related criteria.

### ***Monitoring***

In line with our duty under the Equality Act 2010 the Council will monitor protected characteristics of all employees in post, applicants for employment, training and promotion.

The Council will also monitor grievances, disciplinary action, and staff who leave the authority in order to identify any issues that need to be addressed.

### ***Equal Pay***

The Council is committed to the principles of equal pay and has reviewed its pay structure to meet these principles. The Council will complete annual audits in line with the Public Sector Equality Duty Wales.

## **Handling of complaints**

The Council will not accept breaches of this policy by any employee, member, contractor or other agent working or delivering services on its behalf. It will be particularly concerned to investigate any incidents of discrimination or harassment related to the protected characteristics listed above. The Council also seeks to protect its employees from others (including service users and contractors) who are causing harassment. A Dignity at Work Policy is in place to protect Council employees.

Employees who have a complaint about any aspect of their employment should use the grievance procedure applicable to them. Action against employees who contravene this policy will be taken in accordance with the appropriate disciplinary procedure.

## **Publication and Distribution of the policy**

The Council will seek to ensure that this policy is brought to the attention of all employees, potential employees, trade unions, other employers, contractors or anyone carrying out a local authority function on the Council's behalf, and the general public in Merthyr Tydfil.

This Policy is available on the Council's intranet and website.

## **Continued Awareness**

The Council will seek to ensure continued compliance with the requirements of this Policy through the use of an e-learning tool and direct training sessions where appropriate.

## **Further Information**

The Council has also published  
Welsh Language Statement 2014-2017  
Welsh Language Linguistic Strategy 2013-2016  
Strategic Equality Plan 2012-2016.

For copies of these documents, please contact the Equalities and Welsh Language Officer on 01685 725000.