Equality, Diversity and Inclusion in Employment Policy



EAST RIDING

OF YORKSHIRE COUNCIL

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Equality, Diversity and Inclusion Policy

1. Aim

1.1 Everyone is unique, whether in terms of our background, experience, skills or motivations, and we (the Council) value our people for their differences. Supporting an inclusive culture helps each of us benefit from a wider range of different perspectives, experiences and skills.

1.2 The Equality Diversity and Inclusion (EDI) in employment policy covers how we treat everyone:

- When carrying out our functions.
- Whenever we plan policies or change.
- When we provide or commission services.
- When we recruit or fulfil our role as an employer.

2. Scope

2.1 This policy applies to all employees of the Council. This policy applies to school-based employees where it has been adopted by the respective school governing bodies.

3. Policy Statement

3.1 Currently every four years we set a Corporate Equality Plan. The plan covers our approach to being inclusive in fulfilling our role as an employer, service provider, purchaser of goods and services and as a community leader. In addition, we monitor equality information for our workforce to assist in monitoring the effectiveness of our inclusion policies and strategies and publish our findings on our website annually. The current equality plan and equalities workforce information reports are available to view on East Riding of Yorkshire Council's Website.

3.2 We do not tolerate bullying, harassment, victimisation or discrimination. For more information about our approach to responding to and eliminating these behaviours see the Discrimination, Harassment, Sexual Harassment and Victimisation section of this policy.

4. Definitions for the Purpose of this Policy

4.1 **Equality** is about ensuring equality of access, treatment, outcomes and impact in both employment and service delivery. It is rooted in ideas of justice and fairness and enshrined in the United Kingdom Equality Act 2010 (EA10) which highlights that every individual must have an equal opportunity to make the most of their lives and talents.

4.2 **Diversity** recognises that everyone is different in a variety of visible and non-visible ways and that those differences are to be recognised, respected, valued, promoted and celebrated. They may include, but are not limited to, differences protected by equalities law.

4.3 **Inclusion** is the practice of including people in a way that is fair for all, values everyone's differences and empowers and enables each person to be themselves and achieve their full potential and thrive at work.

4.4 **Equality Act (2010)** legally protects people from discrimination in the workplace and in wider society. It identifies protected characteristics that are protected by law.

4.5 **Protected characteristics** are defined under the Equality Act (2010) as:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

4.6 **The Public Sector Equality Duty** is a legal requirement for public authorities to think about how they can improve society and promote equality in every aspect of their day-today business. The aims of the duty are to:

- Put an end to unlawful behaviour banned by the Equality Act (2010).

- Advance equal opportunities between those who have a protected characteristic and those who do not.

- Foster good relations between people who have a protected characteristic and those who do not.

4.7 **Harassment*** is unwanted behaviour related to a protected characteristic (age, disability, gender reassignment, race, religion or belief, sex, sexual orientation) that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. Harassment because of pregnancy or maternity is treated differently and could be direct discrimination. The law on harassment does not cover marriage and civil partnership.

4.8 **Sexual harassment*** is unwanted behaviour of a sexual nature that violates someone's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. This can include actions such as making sexual remarks, touching someone against their will or sharing sexual images.

4.9 **Victimisation*** occurs when someone is treated less favourably because they have made or supported a complaint about discrimination or harassment. This includes actions like making a complaint, supporting someone else's complaint or acting as a witness. The law protects individuals from suffering a detriment as a result of these actions, provided they are done in good faith.

4.10 **Discrimination*** means treating someone less favourably than others because of a protected characteristic. Discrimination can occur even if the unfair treatment was not intentional, and it can affect job applicants, employees, contractors, and former workers.

4.11 **Direct discrimination** is treating someone less favourably because of a protected characteristic, a perceived protected characteristic or their association with someone who has a protected characteristic, or refusing to make reasonable adjustments for a disabled person.

4.12 **Indirect discrimination** is when rules or arrangements are put in place that apply to everyone but which put some with a particular protected characteristic at an unfair disadvantage. In some cases, indirect may be permitted if it is a proportionate means of achieving a legitimate aim.

4.13 **Associative discrimination** is when someone is treated unfairly because of their association with another person who has a protected characteristic, that they do not have themselves. For example, discriminating against someone because they care for a disabled relative.

4.14 **Perceptive discrimination** is when someone is treated unfairly because others believe they have a protected characteristic, whether this is true or not.

4.15 **Minority ethnic** refers to racial and ethnic groups that are a minority in the population. This usually covers all ethnic groups except White British.

4.16 **Microaggressions** are subtle, often unintentional forms of prejudice. They can include comments, jokes, or insults that demean a person.

4.17 **Unconscious bias** is when a person makes a judgement about someone else based on their personal characteristics, this could be favouring people who are alike or acting unfavourably towards a person that is different to them. Please see ACAS for more information about unconscious bias.

*Definitions summarised from ACAS, visit the website for the full detail.

5. General

5.1 To support a healthy workplace culture, the Councils aim is to:

- Provide equality and fairness to all of our employees and to those applying to work for us.
- To foster a work environment in which everyone can achieve their full potential at work.
- To ensure that all employees, regardless of sex, have the right to the same contractual pay and benefits for carrying out the same work, work rated as equivalent work or work of equal value, in accordance with the Equality Act 2010.
- Make clear our zero tolerance to discrimination, harassment, sexual harassment or victimisation.
- Ensure that every employee is treated with respect and dignity throughout their employment.
- Ensure recruitment and working practices are inclusive and welcoming to people from a wide range of backgrounds, especially those underrepresented in our workplace.
- Provide training, development and progression opportunities to all staff ensuring selection for attendance is justified and fair and delivery accessible.
- Ensure that there is an understanding that equality and inclusion is good management practice and makes sound business sense.

- Avoid stereotypical assumptions or bias, conscious or otherwise.
- Monitor diversity within the workplace, identify and remove unnecessary obstacles, and take targeted action to ensure inclusion and equity, particularly for those who may face systemic barriers.
- Recognise key life stages and events, for example taking into account caring responsibilities.
- Meet our obligations under the Equality Act (2010) and the Public Sector Equality Duty.
- Challenge discriminatory assumptions about disadvantaged or underrepresented groups.

5.2 Ensure that no individual is disadvantaged as a result of their personal protected characteristics. This will be assessed through the completion of Equality Impact Assessments when changes are made to policies, procedures and services.

6. Roles and Responsibilities

6.1 All employees at the Council have a part to play in supporting a healthy workplace culture around EDI.

6.2 It is the responsibility of all our employees to:

- Uphold respectful and inclusive behaviour at all times, including in relation to sensitive or controversial topics, in line with the Code of Conduct and the Bullying and Harassment Policy.
- Not engage in any discriminatory or unacceptable behaviour.
- To challenge inappropriate behaviours and language. This may include directly challenging or escalating an incident to your Manager.
- Not harass others, including sexual harassment.
- Foster an inclusive environment that promotes good relations and mutual respect, while recognising and valuing the unique contributions of all colleagues.
- Complete all equality, diversity and inclusion training and eLearning and act on your learning.
- Conduct an Equality Analysis when introducing a new project, policy or change. This will help identify potential impacts on individuals with different protected characteristics and support informed inclusive decision making.
- Notify your Manager if you identify any barriers to inclusion that impact you, other employees or service users and members of the public.
- Discuss the need for reasonable adjustments, if required, with your Manager as soon as possible.

- Escalate any incidents of discrimination, harassment, sexual harassment or victimisation see Section 8 Discrimination, Harassment, Sexual Harassment and Victimisation

6.3 It is the responsibility of Managers to meet all the above responsibilities and in addition:

- To create an environment that values diversity of skill, experience and thinking, where employees can be their authentic self at work.

- Protect staff from discrimination and harassment, including sexual harassment in line with the Bullying and Harassment Policy and Procedure and the Violence and Aggression Guidelines (hyperlinked).

- To quickly and fairly take appropriate action in the event of a report of discrimination. harassment or victimisation, escalating it for resolution or considering action under the Disciplinary Policy.

- Review any practices or procedure that have been identified as a barrier to inclusion and take appropriate action. If you feel that the learning from your experience could be applied more widely, you should share your experience with Organisational Development and Inclusion Team for workforce issues and the Corporate Equalities Team for experiences that would impact service users or members of the public too.

- Make any reasonable adjustments to duties and workplace practices in circumstances where the individual declares a disability as defined in the Equality Act (2010).

- Complete any recruitment process in an inclusive way, focusing on ensuring the candidate with the most appropriate skillset is selected in line with the Recruitment Policy and Procedure.

- Take all reasonable steps to reduce the risk of sexual harassment at work. The Employee Personal Protection Safety Guidance Document, provides information on managing personal risks including lone working and violent, aggressive and abusive behaviour. It is also important to consider the principles set out in the Bullying and Harassment Policy and Procedure and the Violence and Aggression Guidelines.

7. Inclusive Working Practices

7.1 We are committed to removing barriers to inclusion, ensuring fair access to resources, services and opportunities. Everyone should consider whether practices, policies, procedures, facilities or equipment can be improved to create a supportive environment.

7.2 As part of our inclusive approach, we recognise that individual circumstances vary. Decisions about flexible working requests will be made based upon what can be accommodated in your role, regardless of personal characteristics or relationship status. You are encouraged to request arrangements that suit your needs and we will consider these requests fairly and transparently, maintaining open and honest dialogue about what can be accommodated in your role.

7.3 We also acknowledge that caring responsibilities can influence working patterns and that this may disproportionately affect women. We are committed to ensuring that part-time and fixed-term employees are treated no less favourably than their full-time or permanent colleagues, in line with our values of fairness and equality.

7.4 Having care experience is not a protected characteristic under the Equality Act 2010; however, we recognise that individuals with care experiences may face unique challenges. As part of our responsibility as a corporate parent, we are committed to supporting care leavers in their transition to independent living and employment. This includes offering guidance during recruitment and encouraging managers to provide support with applications and interviews, as well as providing appropriate reasonable adjustments to support with any protected characteristics individuals with care experience have. Support will be offered sensitively and will ensure that it does not compromise fairness of the process being followed or service being provided.

7.5 Inclusive behaviour could involve raising awareness of issues that impact yourself and others with a shared characteristic to your Manager or you could discuss your thoughts about support and inclusion as part of a staff network.

7.6 An ally is not a member of a marginalised group but supports and takes action to help the group. Being an ally involves making a consistent and active effort to support and advocate for other people

7.7 Everyone should aim to listen to the experiences of people from marginalised groups with empathy. You can also take further steps to support people by:

- Educating yourself, which could be your own research, reading the Working better together guidance, attending EDI Forums (or watching the recording), completing training or seeking out lived experiences.
- Asking questions in a respectful way to understand the needs of others.
- Appropriately challenging behaviours, biases and language that is not inclusive.
- Becoming involved in raising awareness, educating colleagues and encouraging inclusive conversations.
- Making sure that inclusivity and EDI are part of every decision, service, policy and process.
- Managers can contribute by creating an inclusive team culture, treating you fairly and addressing inappropriate behaviour.

8. Discrimination, Harassment, Sexual Harassment and Victimisation

8.1 Discrimination, harassment, sexual harassment or victimisation in any form are completely unacceptable. Discrimination can be subtle and unconscious, often stemming from general assumptions about a group's abilities, interests and characteristics. These assumptions can lead to unfair treatment, such as:

- Steering employees into specific roles based on stereotypes.
- Recruiting or promoting based on assumptions about others' reactions.

- Applying different performance standards to different groups.

- Making culturally insensitive jokes or comments.

8.2 We all have a responsibility to identify and address behaviours that could be unconscious bias or microaggressions. This includes our own behaviour and highlighting others' behaviours to Managers.

8.3 Under the 2024 amendment to the Equality Act, we must take reasonable steps to protect employees from sexual harassment. Managers should assess risk factors, such as meeting clients alone or travelling for work and develop preventative measures accordingly.

8.4 We recognise that staff with certain protected characteristics may be more likely to face acts of discrimination or violence and aggression from others. We have policies and guidelines in place to address inappropriate behaviour, this includes discrimination, harassment, victimisation or sexual harassment.

8.5 They are:

- The Bullying and Harassment Policy covers inappropriate behaviour by employees, managers and others impacting the work environment. It includes detailed examples of unacceptable behaviour.

- The Violence and Aggression Guidelines (hyperlinked when available) explain our approach to preventing inappropriate behaviour and actions to take, focusing on behaviour by service users, clients and the public.

- The Grievance Policy details the process for raising concerns, problems, or complaints about your employment.

8.6 Any incidents that meet the definition of hate crime should be reported to the Police for investigation. Visit the Humberside Police website for more information about hate crimes and how to report them.

9. Age

9.1 It is unlawful to discriminate against anyone on the basis of their age, including because you are a certain age or are perceived to be a certain age.

9.2 We aim to create a working environment in which we value the skills that you can offer to the work you do. We offer a range of flexible working options that can be discussed with your Manager to support you at various stages of your working life.

9.3 While we support workers of all ages we are committed to being an age friendly employer and have pledged to be an employer that recognises the value of our older workers. As part of this commitment, we agree to:

- Create an age-inclusive workplace culture.
- Recruit without age bias and value experience at every stage of life.

- Offer flexible working arrangements to support diverse needs.

- Promote continuous career development opportunities for employees of all ages.
- Ensure employees receive appropriate support and are signposted to the relevant services for further assistance.

10. Disability

10.1 The Equality Act (2010) defines disability as a long term physical or mental health condition which has a substantial long-term impact on your ability to do normal day to day activities. You are protected by the Equality Act (2010) if you have progressive conditions such as HIV, cancer or multiple sclerosis from diagnosis. The Equality Act was amended in 2023 and the definition of disability made broader. It is now inclusive of individuals' experiencing limitations which hinder full and effective participation in professional life on an equal basis with other workers.

10.2 We have outlined our commitment to supporting disabled people at work through our pledge to the Disability Confident Scheme and the Mindful employer charter.

10.3 As part of the Disability Confident scheme, we will:

- Ensure our recruitment process is inclusive and accessible
- Communicate and promote vacancies
- Where possible, offer an interview to disabled people that meet the essential criteria for the role applied for.
- Provide any reasonable adjustments as required to accommodate new or existing employees.

10.4 In signing the Mindful Employer Pledge we are committed to supporting mental health at work. We have declared that we will:

- Provide non-judgemental and proactive support to you if you experience mental ill-health.
- Avoid making assumptions about your ability to work if you have a mental health condition.
- Be positive and enabling towards all employees and applicants with a mental health condition.
- Support Line Managers in managing mental health in the workplace.
- Ensure the fair recruitment of staff in accordance with the Equality Act (2010).
- Make it clear that people who have experience of mental ill-health will not be discriminated against.

10.5 Managers have an obligation to implement reasonable adjustments to support your inclusion at work if you meet the definition in the Equality Act (2010). We have a variety of resources and guidance available to you and your Manager to maximise your inclusion at work and assist with identifying and implementing reasonable adjustments on our disability intranet pages for employees and Managers (hyperlink when available).

10.6 We recognise that individuals who are neurodivergent, including those with Autism, ADHD, dyslexia, dyspraxia, and other cognitive differences, may face barriers in the workplace. Neurodiversity is included within the broader definition of disability under the Equality Act (2010), particularly following the 2023 amendment, which emphasises that limitations hindering full and effective participation in professional life are now explicitly covered. You do not need a formal diagnosis to be protected under the Act. If you meet the definition of disability, your manager has a responsibility to support you. This includes being proactive in identifying and implementing reasonable adjustments to ensure your inclusion at work.

10.7 The guidance and resources we have in place to support disabled employees include:

- Support for Disabled Employees Intranet Pages
- ADHD, Dyslexia, Autism resource guides.
- Practical Workplace Adjustments for Neurodivergent Conditions Tailored to Non-Office Roles Guidance

11. Gender Reassignment

11.1 The definition of gender reassignment in the Equality Act (2010) covers anyone proposing to undergo, undergoing or having undergone a process to reassign your sex.

11.2 We aim to provide a safe working environment where you can be open about your identity if you wish to be. If you identify as Trans or Non-Binary, you and your Manager may benefit from reading the Trans at Work Guidance, outlining our approach to support in more detail.

12. Marriage and Civil Partnership

12.1 The Equality Act (2010) protects you from discrimination on the basis that you are married or in a civil partnership.

12.2 We are committed to providing the same opportunities for career advancements and professional development regardless of marriage or civil partnership status.

13. Pregnancy and Maternity

13.1 We recognise that pregnancy and maternity represent a significant life change, we are committed to supporting you at work as you navigate this.

13.2 You are protected by the Equality Act (2010) from when you notify us that you are pregnant until after you return from maternity leave. This includes protection from redundancy when pregnant until 18 months after the birth of your child.

13.3 If you are undergoing IVF treatments, the protection applies to you from embryo transfer, the duration of your pregnancy and 18 months following birth or until two weeks after finding out that the embryo transfer was unsuccessful.

13.4 The policies and guidelines we have in place to support if you are pregnant or on maternity leave include:

- Maternity Pay and Leave Policy

- Breastfeeding and Chestfeeding Guidance
- Pregnant Workers and New Parents Guidance

13.5 Additional family friendly policies and guidelines available on the Intranet include:

- Adoption Pay and Leave
- Paternity/Maternity Support Leave
- Shared Parental leave
- Special Leave
- Ordinary parental leave
- Flexible Working Policy

14. Race

14.1 We all have a responsibility to end racism and contribute to inclusion. Even if you identify as being from a majority group you can contribute to a more inclusive workplace.

You can do this by:

- Helping to raise issues around race and work to address and prevent them.
- Actively listen and try to understand key issues.
- Oppose racist behaviours and discrimination.
- Promote racial equality, through inclusive practices, see section Ensuring our processes and procedures are inclusive.
- Take any opportunity to educate yourself about the impact of racism.

15. Religion or Belief

15.1 The Equality Act (2010) defines religion as any that has a clear belief structure and system, it also covers non-belief or lack of religion or belief. Philosophical beliefs are also included, as long as they are genuinely held and more than an opinion, it must be serious and apply to an important aspect of human life of behaviour. In addition, it must also be worthy of respect in a democratic society and not affect other people's fundamental rights.

15.2 If you practice a religion or follow a belief system that may require adjustments at work, you should discuss this with your Manager. The Enabling Staff to Observe their Faith Guidance document is also available to assist with understanding some of the considerations that can be made.

16. Sex

16.1 The definition of Sex in the Equality Act refers to an individual's biological sex. The UK Supreme Court ruling (For Women Scotland Ltd vs The Scottish Ministers) clarified that acquired gender or legal sex recognised through a Gender Recognition Certificate (GRC) is not included in this definition.

16.2 Everyone should be afforded equal opportunities and work in an environment where they feel safe, respected and empowered.

16.3 We report annually on the Gender Pay Gap, which assists in monitoring the distribution of males and females across the organisation. This includes comparing the average earnings of males and females.

16.4 We are White Ribbon accredited and support the White Ribbon call to end violence perpetrated towards women and girls. This includes challenging the harmful attitudes, behaviours, and systems related to gender norms that perpetuate gender inequality and gender-based violence. We will never use, excuse, or remain silent about men's violence against women.

16.5 While we recognise that anyone can experience violence, including men and boys, and that women can also be perpetrators, the White Ribbon campaign focuses on the disproportionate and systemic nature of male violence against women and girls. By raising awareness, providing education, and encouraging positive social change, we aim to break the cycle of violence and create a safer world for everyone. White Ribbon stands for helping all individuals feel safe and supported, while promoting the development of positive behaviours in men and boys that benefit themselves and those around them.

16.6 Support is available to anyone affected by domestic abuse or violence, regardless of gender. Our Domestic Violence and Abuse Partnership (DVAP) team offers confidential help and support to all individuals. You can find more information and access support at DVAP – East Riding Council.

17. Sexual Orientation

17.1 Sexual orientation refers to your romantic or sexual attraction towards others The Equality Act (2010) protects you if you identify as bisexual, lesbian, gay or heterosexual.

17.2 We support all staff to be their authentic selves at work and aim to create a working environment in which you can feel able to openly express yourself without fear of prejudice or retribution. We also respect your right to privacy and your right not to disclose your sexual orientation.

18. Further Information and Support

18.1 Our Working better together guidance builds on this policy and provides you with practical ideas about how to work in a more inclusive way.

18.2 If you would like to learn more about the Equality Act, Discrimination or good inclusive practice, the Equality and Human Rights Commission is available to assist you.

18.3 It can be challenging to know what terminology to use when talking about EDI. The Inclusive Language Guidance by Humber and North Yorkshire Health and Care Partnership is a starting point for further guidance.

18.4 If you have a protected characteristic and require support, you should discuss your concerns with your Manager in the first instance.

18.5 If you require guidance about workforce EDI practices or to discuss learning that can be applied to improve EDI across the organisation, you can contact the Organisational, Development and Inclusion Team.

18.6 Our provider of employee assistance offers confidential counselling and advice for you and your family for a range of emotional, personal and work-related issues. Please visit the Intranet for more information.

18.7 If you have a protected characteristic you may benefit from joining or starting a staff network. Staff networks are peer support groups that discuss key issues relating to the protected characteristic. They use this feedback to contribute to improvements at work. For more information about the available staff network or how to start a new one, visit the Intranet.

18.8 Health and Wellbeing Champions support their colleagues with health and wellbeing issues, including mental health and fitness.

19. Trade Unions

19.1 Trade Unions have been consulted on this policy.

20. Links to External Websites

20.1 This policy contains links to sites operated by third parties. Links to external websites are provided only for your convenience. East Riding of Yorkshire Council does not endorse any external linked websites. The sites are not under the control of East Riding of Yorkshire Council and we are not responsible for their content. Employees are advised to use their discretion when accessing external resources.