

# Putting People First

Valuing differences and making equal opportunities a reality



Hertfordshire County Council  
[www.hertsdirect.org/puttingpeoplefirst](http://www.hertsdirect.org/puttingpeoplefirst)



# Foreword

**Hertfordshire County Council is committed to achieving diversity and equality of opportunity both as a large employer of people and as a provider and commissioner of services.**

In practice this means both working to ensure that Hertfordshire is free from discrimination, but also doing what we can to positively promote equality and diversity across the delivery of services and within our workforce.

Legislation around the nine protected characteristics of sex, sexual orientation, marriage and civil partnership, race, disability, gender reassignment, religion and belief, age and pregnancy and maternity, places public duties on Hertfordshire County Council with which we must comply. However, we want to strive to go beyond this to ensure that our practice in diversity and equality is exemplary and is embedded in everything we do.

We recognise that all people are individual, and that their needs can be complex and varied. This policy demonstrates our wholehearted commitment to continued action in tackling inequality and promoting diversity.



**John Wood**  
Chief Executive

**Roy Wilsher**  
Director Community Protection & Chief Fire Officer  
Chair of the council's Diversity Board

A summary and Easy Read version of this policy is also available  
If you would like this policy in another style or language please  
contact **Herts HR** via Ask Us on **01992 555000**

# Contents

# Introduction

1

## Legislation and Responsibilities

2

## Why do we have a policy?

Who is responsible for the policy?

## Equality in Employment

5

## Equality in Recruitment

### Adjustments during Employment

## Managing Change

## Responding to unacceptable behaviour

## Support

## Monitoring

## Equality in Service Delivery

11

# Introduction

Hertfordshire County Council is determined to take action to ensure that our belief in diversity and equality of opportunity is integral to everything we do. It will inform every area of activity; from the way we provide services to the way we employ our staff. It is a central responsibility of all councillors, managers, staff and partners.

In order to reduce the risk of unlawful discrimination we have a number of supporting policies, structures and processes in place, in addition to this policy.

These include:

- The Diversity Board and Departmental Equality Action Groups
- An Equality Strategy and associated action plan relating to our services
- Values and Behaviours
- Performance Management and Development Scheme (PMDS)
- People Strategy
- Equality Impact Assessment guidance and toolkit
- Managers toolkit on reasonable adjustments
- Harassment and Bullying Policy
- Reporting incidents of discrimination
- Whistleblowing Policy
- Maternity and Family Leave Policy
- Flexible Working Policy
- Wellbeing Policy
- Employee Support Groups

## Scope

This Policy applies to all council employees, volunteers and those working for commissioned services. Governing Bodies in maintained schools are recommended to adopt the council's policy but they must formally agree to this.

# Legislation and our Responsibilities

The Equality Act 2010 sets out the different ways in which it is unlawful to treat someone, such as direct and indirect discrimination, discrimination by perception or association, harassment, victimisation and failing to make a reasonable adjustment for a disabled person.

Under the Equality Act 2010 public authorities are subject to the public sector equality duty and must have due regard to:

- Eliminate discrimination, harassment, victimisation and any other prohibited conduct.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Publish objectives to demonstrate how we will meet the above and publish information on our performance.

The act covers nine protected characteristics, which cannot be used as a reason to treat people unfairly. These are:

Age	Sexual orientation	Religion and belief
Disability (including learning disability)	Pregnancy and maternity	Sex
Gender reassignment	Race	Marriage and civil partnership

The council acknowledges and welcomes its legal duties however we are not only driven by legislation; our policy and work programmes are also in response to local needs. In addition to the nine protected groups we recognise the impact that **caring responsibilities** have on employees and the council and continue to develop and implement family friendly policies.

## **Why do we have an equality policy?**

To help ensure that we treat people fairly and also comply with the law. Prejudice and discrimination can affect the lives of many people in Hertfordshire.

Some people receive unfair treatment as a result of negative stereotyping, assumptions, ignorance or intolerance. This means that people are not provided with the same opportunities as others or are not treated with dignity and respect.

Discrimination is often unintentional. This can occur when an individual develops policy and practice based upon their own needs, bias and values or by replicating previous practices without consideration of the changing needs of services users or employees. By having an equality policy we reinforce among our staff the requirement to focus on individual needs and values.

Our aim is equality for everyone who lives, works and visits Hertfordshire.

## **Who is responsible for this policy?**

Everyone needs to understand their responsibilities around equality and diversity and how to operate in a non-discriminatory and inclusive way. Employees and others working on behalf of the council can be held personally liable for acts of unlawful discrimination where the employer has taken all reasonable steps to prevent such an act. This includes incidents that may happen outside of work such as on a team social event. All employees must follow this policy including volunteers, contractors, suppliers and consultants.

Everyone who uses services, facilities and information provided by the council should be treated in line with this policy. This includes service users/customers, members of the public, partners, contractors, employees and workers.

Responsibility for implementation is as follows:

- The **Strategic Management Board** ensures good governance of the organisation and has overall responsibility to ensure this policy is consistently applied and taken into account when setting strategic direction and reviewing performance.
- The **Diversity Board** has specific responsibility for the operational oversight of this policy and ensures all services adhere to and support its objectives.
- **Heads of Services and line managers** must ensure employees are aware of the policy and trained (where appropriate) to meet its requirements and that equality is clearly incorporated in to policy, design and delivery of services and functions, where relevant.
- **All staff** must comply with this policy and breaches may lead to disciplinary action.
- **Recognised Trade Unions** have an important role in promoting and supporting this policy.
- **Contractors, Suppliers and Consultants** are expected to meet equality standards within contracts and service level/delivery agreements. We will not award contracts if a commitment to equality and fairness is not demonstrated and breaches may lead to termination of contracts. Organisations doing business with us are welcome to adopt our equality policy for their own use.
- **Volunteers** are expected to comply with, and be treated in line with, the spirit of this policy.

**School Governing Bodies (Maintained Schools)** must adopt their own policies for equality, which can be based on the Council's policy.

# Equality in Employment

## Recruitment

People applying for jobs, work placements or volunteering at Hertfordshire County Council must not be discriminated against. This includes external applicants and current employees looking to progress or change career paths. This means that people must be provided equality of opportunity in all aspects of recruitment and selection.

HCC will do this by:

- **Advertising jobs openly:** When advertising jobs, we will make sure that they draw the attention of a wide range of applicants. In special circumstances such as redundancy and redeployment, priority can be given to internal candidates.
- **Using non-discriminatory job criteria and taking positive action to ensure a diverse workforce:**  
When creating job descriptions and person specifications we will not include language or criteria that could directly or indirectly discriminate against someone. 'Essential criteria' will be just that and will not be excessive. Desirable criteria will only be used in a competitive situation (except for applicants with disabilities who will be shortlisted on essential criteria only). Genuine Occupational Qualifications/Requirements as defined by legislation may apply to some jobs.
- **Reasonable adjustments** will be made to premises or provisions, 'criteria or practice' for disabled candidates.
- **Structured interview questions** must be used to ensure candidates are impartially assessed on their ability and competence rather than on their personality and characteristics.
- **Giving fair consideration** to applications from people seeking to work flexibly, part time or job share.



- Lawful **positive action** may be taken to achieve a workforce that reflects our wider community at all levels. Where beneficial, specialist media/events may be used to target under-represented communities or training/development/work-placement opportunities targeted at certain people.

## Adjustments during Employment

The council is committed to supporting employees in the workplace in order for them to balance work and home life. Managers also need to balance the need to support employees with the organisational need to provide and commission services, often for vulnerable people. The council recognises that the needs of our employees will change during their working life and will where possible support them in line with the following policies:

- As outlined in the **Flexible Working** policy the council will give consideration to flexible working to ensure that individuals strike a balance between their home and work priorities.
- The **Maternity and Family Leave** policy sets out the provisions for expectant and new parents.
- The **Leave Policy** sets out the numerous options to support employees to manage their work life balance. In addition to annual leave employees have access to **Pregnancy Leave, Disability Leave, Carers Leave, Emergency Leave, Leave for Religious Festivals and Compassionate Leave**. HCC will consider sympathetically all requests under its miscellaneous leave policy.
- The council will where appropriate make **Reasonable Adjustments** for disabled staff to ensure that services and employment opportunities are fully accessible to them.

## Managing Change

HCC is committed to maintaining our record as an innovative council. This will mean at times it may be necessary to restructure parts of the organisation to improve our service, efficiency or deliver new initiatives. Our change programmes will be managed fairly and in a transparent way to ensure we deliver high-quality, value for money services that give people more and better opportunities to influence decisions about the place they live and the services HCC provides. HCC will seek to ensure that employees are fully supported through the change process.

Where appropriate, managers will carry out **Equalities Impact Assessments** (EqIAs) to check for any potential impact that a change in service, structure or policy may have on different people and communities. They can then recommend mitigating actions to the decision makers.

## Performance Management

All employees will have an annual appraisal and **performance objectives** will be set for individuals with agreed outcomes reflecting the values and behaviours of the council. This means that all employees will be expected to act with integrity and respect everyone's opinion, taking account of the diversity of the organisation and the community.

## Learning and Development

The council is committed to the personal development of every employee. The **Development Charter** makes clear that all employees will be supported to undertake the training and development they need to help them achieve and maintain a high standard of performance and will be given encouragement and support to achieve their full potential. A range of opportunities are available for continuous learning and development to improve career prospects for all staff including i-learn modules, day release training, Lite Bites and work shadowing. Learning and development opportunities will be targeted as part of positive action measures where certain groups are underrepresented in the workforce.

**The People Strategy** ensures there is a strong and consistent commitment to equality through the development of colleagues and managers. The council offers and regularly reviews a wide range of Equalities training to which employees will be signposted at the relevant stages in their career.

Where employees with disabilities undertake training and development, appropriate arrangements will be made as necessary to ensure that all opportunities are equally accessible.

Consideration of flexible working patterns will be taken when reviewing training needs to ensure that opportunities are equally accessible.

## Responding to unacceptable behaviour

The council is committed to creating a working environment where every employee is treated with dignity and respect. Every employee whilst working within the council's policies and procedures should be able to maintain individuality and have a sense of self worth.

Harassment or bullying within the workplace is entirely unacceptable and any employee who feels s/he is being harassed can complain without fear of being victimised or isolated. The council's

**Harassment and Bullying (Dignity at Work) policy** includes examples of inappropriate behaviour and details the process for making a complaint. Complaints of inappropriate behaviour will be treated seriously, and investigated promptly, consistently, and confidentially.

Any acts of discrimination can be reported directly to Human Resources in person or by using the **Reporting of Incidents of Discrimination form**.

The council's **Whistleblowing Procedure** explains how employees must raise concerns of any reasonable suspicion of illegal or improper conduct (including discrimination) without fear of recrimination.

Under the **Disciplinary Procedure**, discrimination against employees, clients or members of the public can amount to gross misconduct and could lead to dismissal.

## Support

Employees who have concerns about harassment and bullying are encouraged to speak to an internal **Confidential Adviser** who can offer support both before and during the process of raising a complaint. They can also access an external free and **confidential support help line**.

There are a number of internal employee support groups and networks within the Council:

- Black and Asian Support Group (BAAS)
- Carers Group
- Herts disABILITY Network
- Lesbian, Gay, Bisexual and Transgender Employee Network (LGBT)

These groups meet regularly and have an email network with the purpose of supporting employees and having an input into the Council's policies and practices as an employee of their respective group, look at topical and current issues and also to meet and support each other.

## Monitoring

The council collects employee equality information to help us to make sure our policies and working practices are inclusive and do not discriminate against certain groups. We also want to make sure we are attracting a wide range of people. The council believes that a diverse workforce will be more tuned into meeting the needs of our clients and deliver a better service.

We will make sure that we keep sensitive information confidential and secure (only key HR staff have access to individual information). The laws on data protection exist to protect your personal information from being misused.

## Equality in Service Delivery

Our core purpose is to deliver improved outcomes for all of Hertfordshire's diverse communities. The priorities and actions set out in our top level plans and strategies ensure due regard is given to equality and diversity in everything we do. This is key to providing responsive, personalised services, where all communities can access and benefit from the services they need and are treated with dignity and respect at all times.

In practice this means putting individuals at the heart of our thinking, planning and how we do things, as well as basing our decisions on robust data and evidence that accurately reflects the equalities needs and priorities of Hertfordshire. We will work in partnership with other agencies, communities and voluntary sectors to ensure our services are provided fairly and targeted at those who need them the most.

As a community leader we will aim to influence and promote equality and good community relations between all our residents.

### How we monitor equality in service delivery

We monitor our services to ensure no one individual or group is discriminated against and everyone receives fair and equal treatment when accessing our services. We also publish this information to help our customers judge how we are performing and what we are achieving. This can be found at **[www.hertsdirect.org/equalities](http://www.hertsdirect.org/equalities)**, together with our equality objectives, top level strategy and action plan.

Hertfordshire County Council uses the Equality Framework for Local Government (EFLG) as a model to help us deliver upon our equalities duties. The EFLG is based on integrating equality and diversity into all aspects of service delivery and workforce planning and provides a clear focus for managers and staff.

Each department has an equality action group that reports to the Diversity Board, responsible for the oversight and operation of the equality and diversity policy throughout the council's activities – both for staff, partners and service users.

## **Partnership and Consultation**

We have a duty to inform, consult and involve local people on local services, especially those most likely to be affected by a policy or decision. Engaging with community representatives helps us establish the needs and satisfaction levels of those using our services, including people from protected groups and the most vulnerable members of our communities.

Our partners in the public sector and voluntary and community organisations often have an in depth knowledge of the needs of their local communities. Working in partnership with them will allow us to tailor services to more closely meet the diverse needs of Hertfordshire residents.

