KELSALE-CUM-CARLTON
PARISH COUNCIL

EQUALITY & DIVERSITY POLICY

Objective

Kelsale-cum-Carlton Parish Council is committed to providing and promoting equal opportunities, eliminating discrimination, and encouraging diversity in the community. The Parish Council aims to create a culture that respects and values each other's differences and which promotes dignity, equality, and diversity.

The Equality Act 2010 replaces previous anti-discrimination legislation, simplifying the law, removing inconsistencies, and making compliance easier. The Public-Sector Equality Duty of 2011 demands that all public bodies and organisations carrying out public functions have a duty to consider the needs of all individuals in their day to day work. This Equality and Diversity Policy ensures that Kelsale-cum-Carlton Parish Council, its members, and officers comply with this legislation. An up to date copy of this Policy will be maintained via the Kelsale-cum-Carlton website.

Public Sector Equality Duty

Public Sector Equality Duty Section 149 of the 2010 Act, which came into force on 5 April 2011, imposes on public authorities (which as specified in Schedule 19 includes principal authorities, parish councils and parish meetings without a separate parish council and, in Wales, community councils) in the exercise of their functions, a duty to take into account:

- The need to eliminate discrimination and harassment, victimisation and any other conduct that is prohibited by or under the Act.
- To advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- To foster good relations between those who share protected characteristics and those who do not. The protected characteristics of marriage and civil partnership are not covered by the provisions of Section 149.

Scope

This policy applies to employees, Councillors, volunteers, and contractors employed by Kelsale-cum-Carlton. All employees and Councillors have a duty to uphold equal opportunities principles.

Policy Statement

The purpose of this policy is to provide equal opportunities for everyone who meets Kelsale-cum-Carlton Parish Council, irrespective of:

- **Gender (including gender reassignment)** - gender reassignment is a protected characteristic that applies to a transsexual person who is proposing to undergo, is undergoing or has undergone a process (or part of a process) to change their sex (by physiological or other attributes of sex).
- **Sexual Orientation –** a person's sexual attraction towards aa person of the same sex, another sex, or people of both sexes.
- **Sex –** a person who is a man or a woman.
- **Pregnancy & Maternity –** a woman who is pregnant has a protected characteristic for the whole pregnancy and for a period of 26 weeks from the day she gives birth (in the Kelsale-cum-Carlton

Parish Council of a still born child the 26 week period exists if the birth takes place after the 24th week of pregnancy). A woman who has given birth and is breast feeding has a protective characteristic when accessing premises, services and public functions.

- **Age** - Individuals of any age or apparent age are protected from discrimination. Favourable treatment of a person because of age is not lawful.
- Marital or civil partnership status.
- **Race -** (including colour, nationality, ethnic or national origins) The Parish Council has a general duty to:
    - Eliminate unlawful racial discrimination.
    - Promote equality of opportunity.
    - Promote good race relations between people of different racial groups.
- **Religion, belief, or political opinion** - This must be genuinely held.
- **Disability** - A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day to day activities (for example using a telephone, walking, lifting, and reading). An impairment is long-term if –
    - It has lasted for at least 12 months.
    - It is likely to last for at least twelve months, or
    - It is likely to last for the rest of the life of the person affected.

Policy Commitment

Kelsale-cum-Carlton Parish Council commit to:

- Providing services that are equally accessible to all people, free from prejudice and discrimination and sensitive to the needs of all sections of the community.
- Value people and their differences and enable employees to achieve their full potential.
- Work actively towards eliminating all forms of discrimination of both a direct and indirect nature.
- Encourage partnership and participation in the development and application of council policy and practices by:
    - Ensuring that all policies and practices are in line with relevant employment legislation, anti-discrimination legislation and good practice guidelines.
    - Integration of equality of opportunity into all aspects of local authority activity.
    - Ensuring all employees and Councillors understand the values and expectations of the Parish Council and the standards of behaviour expected from them.
    - Making clear the action an employee who feels unfairly treated may take.
    - Provision of training to employees and Councillors so they can actively put this policy into practice.
    - In line with government guidance, encouragement of voluntary organisations to provide evidence of their commitment to equality in terms of their personnel policies and delivery of their services as criteria in determining the awarding of grants from the Parish Council.
    - Monitoring and evaluation of the effectiveness of the policy and practice on a regular basis as determined by law.
- **Policy Implementation – Training**
    - In line with the intentions of this policy, THE ORGANISATION will not discriminate in the provision of training courses / learning opportunities wherever possible.
    - Appropriate training will be provided to enable trustees, staff and volunteers to perform their jobs / roles effectively. The training offered will take into account the needs of all people.
    - A briefing on this policy will form part of the induction procedure for trustees, staff and volunteers.
    - Kelsale-cum-Carlton Parish Council will strive to ensure that all the training and learning opportunities offered will be accessible to all people.

Any staff member or volunteer who feels aggrieved as a result of discrimination or unfairly treated in a way contrary to the intention of this policy should raise the issue through the Grievance Policy.

This policy was adopted in September 2025

Signed ……..

Date ……

Date for Review: September 2026

Appendix 1 - Definitions

Equal Opportunities – Kelsale-cum-Carlton Parish Council aims to ensure that policies, procedures and practices do not unfairly discriminate against our employees, volunteers, stakeholders and service users.

The Organisation aims to treat people fairly and equitably regardless of who they are, their background or their lifestyle.

Diversity – Kelsale-cum-Carlton Parish Council aims to ensure that all people are valued as individuals and are able to maximise their potential and contribution. It recognises that people from different backgrounds can bring fresh ideas and a different approach that can make the way we work and learn more fun, more creative, more efficient and more innovative.

Inclusion – Kelsale-cum-Carlton Parish Council aims to value everyone's differences and use them to enable everyone to thrive at work. An inclusive working environment is one in which everyone feels that they belong without having to conform, that their contribution matters and they are able to perform to their full potential, no matter their background, identity or circumstances. The Organisation aims to have an inclusive workplace that has fair policies and practices in place and enables a diverse range of people to work together effectively.

Direct Discrimination - as defined in law, occurs when a person is dealt with less favourably than other people because of a 'protected characteristic'. These are defined in the Equality Act 2010 as being:

- **Age –** a person of a particular age group, but does not apply to those under the age of 18.
- **Disability** – a person who has a physical or mental impairment, where the impairment has a substantial and long-term effect on the person's ability to carry out day-to-day activities.
- **Gender Reassignment** – a person who is proposing to undergo, is undergoing or has undergone a process, or part of a process, for the purpose of reassigning the person's gender by changing physiological or other attributes of gender.
- **Marriage or Civil Partnership –** Marriage is defined as a 'union between a man and a woman or between same-sex couples'. Same-sex couples can have their relationships legally recognised as civil partnerships. Civil partners must be treated the same as married couples.
- **Pregnancy and Maternity –** a woman who is pregnant has a protected characteristic for the whole pregnancy and for a period of 26 weeks from the day she gives birth (in the case of a still born child the 26 week period exists if the birth takes place after the 24^{th} week of pregnancy). A woman who has given birth and is breast-feeding has a protective characteristic when accessing premises, services and public functions.
- **Race** – a person or group of people defined by their race, colour, nationality, including citizenship, and ethnic or national origins. A racial group can include more than two distinct racial groups; e.g. Black Britons would comprise of those people who are both black and who are British citizens.
- **Religion or Belief -** a person's religion, religious or philosophical belief, lack of religion or lack of religious or philosophical belief. A belief will affect a person's choices or the way they live for it to be considered a protected characteristic.
- **Sex –** a person who is a man or a woman.
- **Sexual Orientation –** a person's sexual attraction towards a person of the same sex, another sex, or people of both sexes.

This Policy uses a wider definition of characteristics and includes, caring responsibility, mental health,

class, HIV status, employment status, unrelated criminal convictions, and union activities.

Associated Discrimination is discrimination against a person because they associate with another person who possesses a protected characteristic, e.g. a person is refused entry to a venue because the person they are with has limited mobility and uses crutches to help them move around.

Discrimination by Perception is discrimination against a person because it is perceived that they possess a particular protective characteristic, e.g. a man who is perceived to be a woman because they have a high voice on the phone is refused access to a men-only service. This would be sex discrimination because the man has wrongly been perceived to be a woman.

Indirect Discrimination occurs when an apparently neutral practice, provision or criterion puts people with a particular protected characteristic at a disadvantage compared with others who do not share that characteristic, and when applying the practice, provision or criterion cannot be objectively justified, e.g. an organisation has a policy of reminding people of forthcoming appointments by phone. This would indirectly discriminate against deaf people as they would not receive a reminder of their appointment.

Victimisation means subjecting a person to detrimental treatment because they are or are believed to be bringing proceedings under the Equality Act; giving evidence or information in connection with proceedings under the Equality Act; doing any other thing for the purposes or in connection with the Equality Act or making an allegation that a person has contravened the Equality Act.

A person must be able to act against unlawful discrimination without fear of reprisals or being subjected to a detrimental effect, e.g. a patient makes a complaint to a service provider where they were obtaining treatment because they felt they were discriminated against for being gay. The complaint is resolved, but if the person who provides the treatment refuses to treat the gay client, this would be victimisation.

Harassment means unwanted behaviour that has the purpose or effect of violating a person's dignity or creates a degrading, humiliating, hostile, intimidating or offensive environment.

Sexual harassment is any conduct of a sexual nature that is unwanted by the recipient, including verbal, non-verbal and physical behaviours, and which violates the victim's dignity or creates an intimidating, hostile, degrading or offensive environment for them. Harassment can be sexual, racial, ageist, directed against people with disabilities or indeed related to any protected or other characteristic exhibited by the individual, e.g. a male employee is disabled and is claiming harassment against his line manager after she frequently teased and humiliated him about his disability. A female employee shares an office with the male employee and she too is claiming harassment, even though she is not disabled, as the manager's behaviour has also created an offensive environment for her.

Harassment by a third party means unwanted, repeated conduct by a third party based on a protected characteristic, which has the purpose or effect of violating the dignity of a person or creating an intimidating, hostile, degrading, humiliating or offensive environment for a person and where the employer does nothing to prevent it from reoccurring. A third party is defined in law as not being the employer or employees of the employer, such as customers or clients, e.g. a manager hears from one of his staff, who is gay, that he is feeling unhappy after a client made homophobic remarks in his hearing. The manager is concerned and monitors the situation. Within a few days the client makes further offensive remarks.

The manager reacts by having a word with the client, pointing out that this behaviour is unacceptable. He considers following it up with a letter to him pointing out that he will ban him if this happens again. The manager keeps the gay employee in the picture with the actions he is taking and believes he is taking reasonable steps to protect the employee from third party harassment.

Positive Action can be taken when it is clear that a group of people who share a protected characteristic and who are, or could become, employees, volunteers or service users, suffer a disadvantage linked to that characteristic, have disproportionately low levels of participation, or have different needs from a service as compared to other groups.

The positive action must be proportionate and aim to increase participation, meet different needs or overcome disadvantage. The positive action must be appropriate to its aim and other actions would be less effective in achieving this aim or likely to cause greater disadvantage to other group.