

London Borough of Hounslow

# Equal Opportunities And Human Rights Policy

## **Foreword**

I am proud to present this updated and revised version of our Equal Opportunities and Human Rights Policy. The Policy reflects the changes in the legislation and proposed government changes to address inequalities and Hounslow's focus on the Preventative agenda.

It also represents a more ambitious vision to find further effective ways of improving outcomes for residents with limited resources.

As the new portfolio holder for Equality, I bring renewed commitment to promoting Equality and Human Rights as a major priority for the Council. The public sector landscape has undergone considerable transformation influenced by reduced budgets and new directions.

Also, as a portfolio holder for Adult Care, I have supported greater investment in Prevention and early intervention to improve the quality of residents' lives (and those of our children, young people and older people in particular) and to reduce costs to the council and our partners in the future.

In this context, we need to consider a different relationship between public services, citizens and equality. It calls for new equality priorities.

This policy represents our attempt to go beyond legal compliance to look at areas which have a significant bearing on people's lives including education, employment, housing, public health, crime and participation and to work with our partners to pool resources to tackle disparities in outcomes.

The policy seeks to provide clarity about how the Council can provide leadership to maximise the pursuit of improved equality and human rights in this new landscape.

The revised Equal Opportunities and Human Rights policy provides a very important framework for us to promote a public service culture that values service users, carers and staff and our third sector partners to jointly tackle inequalities and improve the life chances of vulnerable people

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Lead Member for Equalities and Adult Care

Contents	Page Numbers
1.0 Introduction	4
2.0 Scope of this policy	4
3.0 Policy Statement on promoting Equal Opportunities and Human Rights	4
4.0 Vision	5
5.0 Policy Aim	5
5.4 Nine Key Policy Aims	6
5.4 (i) Promoting Equality and Human Rights in Employment	6
5.4 (ii) Promoting Equality and Human Rights in the provision of Services	7
5.4 (iii) Promoting Equality and Human Rights through Consultation and Engagement	8
5.4(iv) Promoting Equality and Human Rights by building community resilience	8
5.4(v) Promoting Equality and Human Rights through equality monitoring	9
5.4 (vi) Promoting Equality and Human Rights through training and staff development	9
5.4(vii) Promoting Equality in decision making, strategies and policies	9
5.4 (viii) Promoting Equality and Human Rights through Procurement and Grants	9
5.4 (ix) Fostering Good Relations	10
6.0 Breaches of the Policy	10
7.0 Accountabilities: Roles and Responsibilities	10
8.0 Implementation and Review of the Policy	12
Appendices	
Appendix 1 Delivery Plan	
Appendix 2 Equalities and Human Rights Legal Framework	

## 1.0 Introduction

This policy sets out our commitment to promoting equal opportunities both in service delivery and as an employer, by making it integral to all our strategies, policies and practices. This means in the access to jobs, services, information and participation in the decision making process, for everyone.

Hounslow Council recognises that there are groups and individuals in society who are disadvantaged and discriminated against. We are committed to eliminating any discrimination on the grounds of:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy Maternity
- Race
- Religion or Belief
- Sex (formerly Gender)
- Sexual Orientation

## 2.0 Scope of this policy

This Policy underpins all other policies and strategies of the Council and will inform all activities of the Council.

The Policy covers employees of the Council, services to local residents and all those who use Council services whether provided directly by the Council or on its behalf by a third party whether private, other statutory, voluntary or community sector organisation. In particular, the Policy covers persons who share one or more of the nine protected characteristics identified in the Equality Act 2010 as listed above.

The policy also covers requirements under the Human Rights legislation. Human Rights can arise in relation to the exercise of any public function where a Convention right is engaged. Because of the close relationship between human rights and equality, it is good practice to consider equality and human rights together when drawing up an equal opportunity policy.

. Policy statement on promoting equal opportunities

### **3.0 Policy Statement on promoting Equal Opportunities and Human Rights**

The aim of this Policy is to set out the equal opportunities principles and commitments that will inform all the Council's work and work with partners. The Policy also provides a framework that ensures that the Council meets its Public Sector Equalities Duties, as outlined in the Equality Act 2010 and the Human Rights Act 2010, in all areas of its work.

In Hounslow we have over 600 voluntary and community sector organisations and a wide network of volunteers who give their time to help local people, including older and vulnerable adults. This sector is therefore, ideally placed to mobilise the sectors collective resources and skills to build resilience and promote health and wellbeing in local communities. The policy aims to advance equality by working in partnership with partners like Hounslow CCG and third sector equalities groups as key organisations that can support the preventative agenda and enable people to live independently, be active in their community, create a local support network and help navigate services and the health and social care system should they need to.

#### **4.0 Vision**

The vision for this policy is eliminate discrimination and to reduce disadvantage experienced by vulnerable groups on grounds of their equality characteristic.

There is also a long term vision to ensure that communities are resilient and supported by an effective statutory and sustainable voluntary and community sector. We want to work more closely with other statutory partners and the third sector to deliver best value for less money and contribute to ensuring that the preventative strategy is effective.

The Vision is to provide a universal organisational framework to promote equality but also to reinforce this with a targeted approach for vulnerable communities and equalities groups. A central plank of all equalities work will be to support those most at risk of reduced access by the changing emphasis to self-serve and the preventative agenda.

#### **5.0 Policy Aim**

5.1 The aim of this Policy is to first and foremost set out how the Council intends to meet its legal obligations to promote fairness and equality of opportunity and Human Rights in the provision of services, the employment of staff, in procurement and commissioning and to demonstrate how we will measure progress against the legal obligations.

5.2 The policy establishes how the Council has integrated consideration of equality, human rights and good relations into the day-to-day business of the authority. The policy also sets out how the Council positively contributes to the advancement of equality and good relations.

5.3 The policy puts forward nine key equality aims to reflect the requirements of the Statutory Code of Practice for Employment and the Statutory Code of Practice for Services.

## 5.4 Nine Key Equality Aims:

### i) To Promote Equality and Human Rights in Employment

The Council's aim in employment is to ensure equality of opportunity in all aspects of the employment cycle including recruitment, appraisal, training, promotion, redeployment, redundancy and retirement processes.

This means:

- Fair access to jobs
- Fair treatment in employment
- Fair access to training and development opportunities
- The right of every employee:
  - ✓ Not to be discriminated against, harassed, victimised or bullied
  - ✓ To make a complaint when they feel that they have been unfairly treated, harassed or bullied and to have their complaints acted upon
  - ✓ To challenge and bring discriminatory acts and behaviour to the attention of an appropriate person for action
  - ✓ To be respected and valued for who they are
  - ✓ Not to discriminate, harass, victimise or bully another employee; to respect other employees and value them for who they are and for what they contribute to the work of the Council

The Council will seek to promote equality of opportunity in employment by ensuring that:

- Everyone receives equality of treatment in recruitment and employment by the Council
- Positive measures are taken to reduce the effects of discrimination and disadvantage, including signing up to the new 'Disability Confident' scheme
- All Managers and employees are aware of the Council's Equal Opportunities and Human Rights Policy and that they are aware of their rights and responsibilities in relation to its implementation and the consequences of unacceptable behaviour
- Managers and employees will be made aware of their responsibilities to mainstream equalities in the context of their role
- Every Council employee will have access to the "Equal Opportunities and Human Rights Policy" through the intranet and when they start their employment contract
- We will investigate thoroughly and promptly allegations of discrimination, victimisation or harassment by employees of the Council in accordance with the Council's approved procedures. Acts of discrimination, victimisation or harassment by employees will be treated as serious offences
- The Council's recruitment and selection procedures accord with the statutory codes of practice for employment
- We continue to undertake and develop annual equalities monitoring of the Council's workforce profile which is published on the Council's website

- The Council offers accessible workplaces for all employees, making reasonable adjustments to facilitate disabled people to be able to work, and remain in employment, wherever possible, and for existing employees who become disabled
- We retain flexible working practices by introducing working remotely and working from home, which ensures that staff are supported in balancing work and other life commitments
- Have in place procedures that all staff and applicants have confidence in, including an effective Grievance Procedure that staff have assurance in to deal with complaints.

## **ii) To Promote Equality and Human Rights in the Provision of Services**

This means:

- Fair access to services
- Fair treatment while accessing and receiving services
- Equal quality of service offered
- Fair outcomes for all service users.

As a service provider we will:

- Place residents and service users at the heart of policies and strategies in all our activities
- Design and deliver services that are appropriate, accessible and effective in meeting the diverse needs of Hounslow residents
- Engage with and listen to all sections of the community in identifying needs and giving due regard to equality before decisions are made regarding the way services are designed, planned and delivered
- Provide timely and relevant information about services in a way that is clear and in a variety of appropriate formats and languages where reasonable to ensure it is accessible to all sections of the community
- Use effective systems such as monitoring and performance reviews, scrutiny reviews and community engagement to challenge our service delivery models and to ensure that quality and equality are continuously evaluated and improved and to ensure that all sections of the community are receiving fair access and outcomes
- Monitor and evaluate service up-take in relation to all groups with the protected characteristics where this data has been volunteered
- Ensure that Members and employees at every level of the organisation understand what equality in service provision means and apply it in their respective roles
- Through our corporate complaints procedure, provide facilities and opportunities for members of the public to make a complaint if they are dissatisfied with a service they have received or the way they were treated when accessing a service

### **iii) To Promote Equality and Human Rights through Consultation and Engagement and Communication**

The Council has adopted a new Consultation Charter which sets out 14 commitments to residents when the Council is undertaking consultations.

The Charter makes a commitment to consult residents and other stakeholders whenever a proposal directly affects residents or when they might have a reasonable expectation that they should be involved. Where groups of people with characteristics protected by the Equality Act 2010 may be particularly affected, the consultation plan is required to identify who they are and how they will be involved, and an Equality Analysis needs to be included in the report to a member level consultation panel. This means that there is a member level structure and commitment to ensure that consultation plans include consultation with equalities groups where they are affected by any of our proposals. The effect of this is to mainstream equalities in all consultations and engagement. The panel also provides scrutiny to ensure Council proposals are consistent with Human Rights Act 1998 where it is engaged.

**Communication and Providing access to information** – Access to information in accessible formats is essential for people to be able to make informed decisions and retain their independence whilst being able to fully participate in society. The Council is committed to ensuring that there is consistent, accurate and a clear approach to the provision of accessible information to service users and members of the public. For our residents and users accessibility can be central to receiving a quality service and therefore it is essential that all our services take this into account. The Council has produced a practical guide for staff '**Accessible Information Provision**' to ensure that no one is placed at an unreasonable disadvantage in terms of access to the information they need due to a disability or language barrier.

### **iv) To Promote Equality and Human Rights by building community resilience and social capital**

The Council will support cohesion events and local area-based activities to promote bridging and positive social interaction between different communities and groups. We will use evidence from equality analysis of service and policy changes as validation to prioritise work with specific equalities groups. The aim is also to use targeted work to build resilience and social capital.  
(See Delivery Plan)



**v) To Promote Equality and Human Rights through equalities monitoring: data collection, analysis and action**

Equality monitoring helps us to see how our policies and activities are affecting various sections of our communities. In employment and service provision, it helps us to identify any existing disparities in service or employment outcomes. The Council has a standard equalities monitoring form which covers all the nine protected characteristics in the Equality Act 2010. Each Service can adapt the form to reflect their service user profile.

Where inequalities are identified, the Council will take targeted action to tackle them. Our approach to equalities monitoring is strategic and outcome focussed.

**vi) To Promote Equality and Human Rights through training and staff development**

The Council believes that appropriate development and training for its Managers, employees and others directly involved in the provision and management of its services and staff represents a vital part of the implementation of its Equal Opportunities and Human Rights Policy. The Council's Delivery Plan highlights our annual programme of training scheduled for staff.

**vii) To Promote Equality and Human Rights in decision making, strategies and policies**

All major policies/strategies and all proposals for major changes are required to undertake equality analysis to ensure that they do not disproportionately impact on any sections of our community. All impact assessments also include scrutiny to ensure they are consistent with Human Rights Act 1998. Equality Analysis must inform all reports to Cabinet Members, Area Forums, Single Member Committees and other Council Committees.

This is to ensure that we do not unintentionally cause hardships when making decisions and where a negative impact is anticipated, we have consciously taken steps to reduce any disadvantage for vulnerable residents.

**viii) To promote Equality and Human Rights through Procurement, Commissioning and Partnership arrangements**

We promote equality through grants, procurement and commissioning systems and processes to ensure that they are:

- Fair
- Accessible to all
- Transparent and
- Consistent with our Public Sector Equality Duty

We believe that it is essential that goods, services or works provided on behalf of the Council has to meet the fit-for-purpose and value-for-money criteria, but must also take account of the needs of users and their diverse needs. For this reason officers will consider equalities issues when drafting contract specifications to ensure appropriate equalities outcomes are delivered once a contract has been awarded.

Any services provided to local people by a third party on behalf of the Council will be required to meet the requirements of the Equality Act 2010. We will provide appropriate training for relevant procurement and commissioning staff to ensure officers are conversant with relevant equalities issues when undertaking procurement or awarding grants. We will require independent user feedback on behalf of commissioners and contract monitoring managers and grant providers where requested.

### 3.6. Renewing progress against the equality objectives and related targets

#### ix) Fostering good relations

This is a key legal obligation and the Council is committed to promoting good relations between communities and groups in Hounslow. Our work around community cohesion is mainstreamed into all key strategies of the Council and delivered through Community Corporate Cohesion Partnership. It leads the Council's Borough wide work on cohesion and integration with projects and initiatives that promote good relations.

#### 6.0 Breaches of the policy

The Council is committed to take action to correct behaviour and reinforce its expectations of its employees, service users, suppliers and strategic partners in supporting this Policy. The Council will not hesitate to take disciplinary action against employees within agreed procedures where the Policy is being abused, ignored or breached.

The Council will continue to have procedures which enable residents, service users, candidates for jobs and employees to make complaints if they believe they have been unfairly treated. Employees will also be entitled to expect that unacceptable behaviour including harassment by others will be dealt with promptly.

#### 7.0 Accountabilities: Roles and Responsibilities

The Council has a position of leadership and influence in the Borough and is committed to using its statutory and community leadership role to promoting equal opportunities by:

- Acting as a model of good practice
- Using its powers to influence the wider community, external organisations on which it has representation
- Using its influence through the grants it gives to voluntary and community sector organisations

- Using its influence through its spending power - procurement
  - Using its influence through its partnership arrangements
- a) All Members and employees of the Council have a responsibility to help the Council to meet its equalities obligations. Each should ensure that in their respective roles they have due regard to equal opportunities as set out in this document.
  - b) The Members of Council accept that they are accountable to all sections of the Borough's population for delivering equality of opportunity in all its activities. As decision makers they are responsible for discharging the Council's Public Sector Equalities Duty. The Members Code of Conduct sets out Member's responsibilities.
  - c) It will be the Cabinet's responsibility to provide overall strategic direction and control of this Policy. The Policy and its delivery will be subject to scrutiny by Members. Currently, the Council nominates a Cabinet Member to hold the portfolio for Equalities. This responsibility at member level raises the profile of Equality and ensures that equality and human rights considerations inform Council decision making processes. The role also benefits from scrutiny of quarterly performance reports of Adult and Children's services. The scrutiny includes monitoring of equalities service user referral and access data and service performance. The portfolio holder is also Chair of the Council's Disability Advisory Committee which advises the Council on promoting and mainstreaming disability equality into all Council services.
  - d) Every Cabinet Member has political responsibility for the delivery of the services within their portfolios and, in keeping with this Policy, also has responsibility for delivering on equalities as it affects their portfolio.

Similarly, Members collectively will be ultimately accountable for delivering the Policy and practice in relation to all aspects of employment and service delivery practice within the Council's control.

- e) The Chief Executive, the Assistant Chief Executive and Directors have overall responsibility for implementation of the Policy and they will be responsible for ensuring that the Corporate Plan reflects equalities performance indicators.
- f) Strategic Plans, Business Plans, and performance management within each Directorate will contain details of how equality objectives and indicators and responsibilities will be discharged. All key reports and policies have to undertake Equalities Assessment to determine impact of their report on Equality. Directors have overall responsibility for implementation of the Policy and for the plans and performance management practices adopted by their Directorates. Managers will be directly responsible for implementing the Policy as part of day to day management. They are also responsible for ensuring their staff act in accordance with the provisions of this Policy, providing all necessary support and direction for their staff.

- g) Each Council employee will be responsible for his or her own behaviour being acceptable within the terms of the Policy, and will be expected as part of their day-to-day work to actively meet the equalities standards expected of them in their work.

## **8.0 Implementation and Review of the Policy**

The Council will implement the Policy through the adoption of a 'Delivery Plan' which is informed by the Equality Objectives agreed every four years in consultation with local people. (See Appendix 1).

We will review and account for progress on the attached Delivery plan following updates from service leads when they are formally due for reporting. We will publish an annual employment report on our staffing profile to assess how well we are doing.

### **Appendices**

Appendix 1 Equal Opportunity and Human Rights Delivery Plan

Appendix 2 Equality and Human Rights Legal Framework