

Equality, Diversity & Inclusion Policy 2021

Introduction

1. **North Norfolk District Council** is committed to promoting equality of opportunity for the people and communities of North Norfolk. We respect and value difference in our communities and across our workforce. We want everyone to feel included and able to play their part in making North Norfolk the best place to live, learn, work and visit.
2. This policy is the minimum standard to which the North Norfolk District Council aspires to. We do not and will not tolerate unlawful discrimination, harassment or victimisation in service delivery or employment on the grounds of any protected characteristic, or other characteristic which disadvantage or reduces access to services, by reason of their circumstances.

This includes and not exclusive of:

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

We will not treat anyone less favourably than any other, on the grounds of any protected characteristic, except when such treatment is within the law and determined by lawful requirements.

3. This means that we will:

- Promote equality of opportunity between people who share a protected characteristicⁱ and people who do not share it.
- Take steps to remove barriers or inequalities that may already exist for people with protected characteristics or people who are recognised by law to experience disadvantageⁱⁱ.
- Never treat anyone less favourably than any other, except when such treatment is within the law and determined by lawful requirements.
- Never tolerate prejudice or unlawful discrimination, harassment, victimisation or bullying on any grounds, and take action to eradicate it if ever it occurs in service delivery, employment or the community as a whole.
- Promote understanding tackle prejudice and foster positive relations between different communities.
- Engage with our different local communities fairly and proportionately.

- Promote a workforce culture that values and respects difference and fosters inclusivity.
- Encourage people who share a protected characteristic to participate in public life or in any other activity in which participation is disproportionately low.

Accessibility and inclusive design

2. We are committed to providing public services and a workforce environment that can be accessed, understood and used to the greatest extent possible by all people regardless of their ability or disability.
3. When reviewing or redesigning our public services or workforce environment (or any building, product or service in that environment, such as premises, technology, information, communication and culture) we will be guided by the following:
 - (a) Provide the same means of use to enable access for all users: identical whenever possible; equivalent when not
 - (b) Avoid segregating or stigmatising any users
 - (c) Provisions for privacy, security and safety shall be equally available to all users
 - (d) Ensure dignity in use for all users.

Reasonable adjustments for disabled people

4. Where something the Council does places a disabled personⁱⁱⁱ at a substantial disadvantage compared to a non-disabled person, we will take all reasonable steps to try to avoid that disadvantage or make reasonable adjustments wherever appropriate. This may mean changing the way we work, providing extra equipment or removing physical or other barriers to opportunities.

Discharging our responsibilities under the Public Sector Equality Duty

5. When exercising our public functions, we will have due regard to the [Public Sector Equality Duty](#)^{iv} and we will comply with the specific duties, by:
 - Publishing information each year by the 31st January to demonstrate our compliance with the Public Sector Equality Duty
 - Publishing relevant and proportionate equality objectives at least every four years, to deliver the aims of this policy.

Elected Member and staff learning and development

6. North Norfolk District Council provides induction training for all new elected members and staff, which includes an introduction to equality, diversity and inclusion. Continuing professional development is also available – for more information see [Sign In \(north-norfolk.gov.uk\)](http://north-norfolk.gov.uk)

This policy affects:

7. Elected members and all workers (including employees, consultants, temporary workers, agency staff and other third parties working on behalf of North Norfolk District Council) are required to comply with this policy.
8. Suppliers, sub-contractors and agencies in our supply chain are also required to comply.
9. We expect all elected members and staff to take responsibility for familiarising themselves with this policy and conducting themselves in an appropriate manner.

This policy applies to the following public functions:

10. The policy applies to (but is not limited to) the planning, design, operation, construction and delivery of services, the provision of goods, facilities and services, exercising of public functions, recruitment and selection, conditions of service, benefits, facilities and pay, training and development, opportunities for promotion, conduct at work, employment policy, procedures and guidance, and termination of employment.

Relevant legislation

11. In implementing this policy we will have regard to our legal obligations under relevant legislation, including the [Equality Act 2010](#), the Public Sector Equality Duty and the [Public Sector Bodies \(Websites and Mobile Applications\) \(No. 2\) Accessibility Regulations 2018](#).

Communication

12. This policy will be made available via North Norfolk District Council's website and intranet.

Review

13. We will keep this policy and any associated codes of practice under annual review.

Complaints

14. We regard any breach of this policy as a serious matter to be dealt with through agreed procedures and this may result in disciplinary action. We encourage anyone who has a complaint concerning a breach of this policy to bring this to our attention immediately: [Complaints Procedure](#).

Further Information

For further information, please contact:

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Related North Norfolk District Council policies:

The following documents should be considered in conjunction to this policy:

- Family Friendly Policy
- Transgender Policy
- Disciplinary Policy
- Absence and Attendance Policy
- Bullying, Harassment and Grievance Policies
- Recruitment Policy

In addition to other key employment policies and the Staff Handbook.

ⁱ The protected characteristics are set out in the Equality Act 2010:

Characteristic	Who and what this covers
Age	Adults and children, or specific/different age groups
Disability	<p>A person has a disability 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.</p> <p>This may include but is not limited to:</p> <ul style="list-style-type: none"> • People with mobility issues (e.g. wheelchair or cane users; people of short stature; people who do not have mobility in a limb etc) • Blind and partially sighted people • People who are D/deaf or hearing impaired • People with learning disabilities • People who have mental health issues • People who identify as neurodiverse (this refers to neurological differences including, for example, dyspraxia, dyslexia, Attention Deficit Hyperactivity Disorder, the autistic spectrum and others). • People with some long-term health conditions which meet the criteria of a disability.
Gender reassignment	<p>People who identify as transgender (defined as someone who is proposing to undergo, is undergoing or has undergone a process or part of a process to reassign their sex. It is not necessary for the person to be under medical supervision or undergoing surgery).</p> <p>You should also consider the needs of people who identify as non-binary (a spectrum of gender identities that are not exclusively masculine or feminine).</p>
Marriage/civil partnerships	People who are married or in a civil partnership. They may be of the opposite or same sex.
Pregnancy & Maternity	Maternity refers to the period after birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.
Race	<p>Race refers to a group of people defined by their race, colour, or nationality (including citizenship) ethnic or national origins.</p> <p>A racial group can be made up of two or more distinct racial groups, for example a person may identify as Black British, British Asian, British Sikh, British Jew, Romany Gypsy or Irish Traveller.</p>

Religion/belief	Belief means any religious or philosophical belief or no belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour. Denominations or sects within a religion can be considered a protected religion or religious belief.
Sex	This covers men and women. You should also consider the needs of people who identify as intersex (people who have variations in sex characteristics) and people who identify as non-binary (a spectrum of gender identities that are not exclusively masculine or feminine).
Sexual orientation	People who identify as straight/heterosexual/lesbian, gay or bisexual.

ii **Other characteristics**

In addition to the protected characteristics set out in the Equality Act 2010, UK law recognises that people with other characteristics may also experience disadvantage or reduced access to services, by reason of their circumstances, such as members of the armed forces community.

In 2019 the Council passed a motion that accepted the request from the Ministry of Housing and Local Government to adopt the following non legally binding working definition of anti-Semitism:’

‘Anti-Semitism is a certain perception of Jews, which may be expressed as hatred towards Jews. Rhetorical and physical manifestations of anti-Semitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities’.

iii **The definition of disability**

The definition of disability is set out in the Equality Act 2010, Part 6: ‘A physical or mental impairment which has a substantial and long term effect on a person’s ability to carry out normal day to day activities’. A person must meet all elements of this definition in order to satisfy the requirements of the Equality Act 2010 and trigger the duty to make reasonable adjustments.

iv **The Public Sector Equality Duty**

Under the Equality Act 2010, public bodies like North Norfolk District Council must in the exercise of their public functions have due regard to:

- Eliminating discrimination, harassment, victimisation
- Advancing equality of opportunity between people who share a ‘protected characteristic’ and people who do not share it;
- Fostering good relations between people who share a protected characteristic and people who do not share it.

This is called the '**public sector equality duty**'. In essence, the duty simply requires North Norfolk District Council to thoroughly consider the equality issues of every proposal, action or decision before going ahead with it.

A 'proposal', 'action' or 'decision' means anything that is a public function – in other words, something that impacts on people who live, work, learn in or visit North Norfolk – such as planning, changing or commissioning services; policies, strategies and procedures; buying equipment; projects; recruitment/workforce management and budget decisions.

North Norfolk District Council has discretion about how it implements the duty. However, it must be able to provide evidence that due regard was genuinely given to equality prior to decisions being made.

Many public bodies summarise their efforts to give 'due regard to equality' in a document called an '**equality impact assessment**' (**EqlA**) – because this is an easy way to analyse and evidence the different ways a proposal, action or decision might impact on people with protected characteristics.

However, an EqlA is not the only way of giving due regard to equality. For example, the minutes of a meeting could demonstrate that full consideration has been given to equality issues.

Who is responsible for giving due regard to equality – or undertaking equality impact assessments?

The officer responsible for the proposal, action or decision should ensure that the duty is implemented and is brought to the attention of the relevant decision-maker/s (whether elected members or officers with delegated responsibility).

Elected members must give due regard to equality on every decision they make. If the duty is not properly discharged, the decision may be subject to legal challenge or judicial review.

Elected Members can and should challenge officers if they believe that adequate information has not been provided about the potential equality issues of a proposal or recommendation.