

WITHAM AND HUMBER DRAINAGE BOARDS

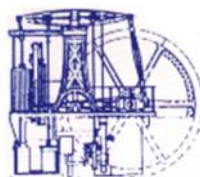
Four independent statutory Land Drainage and Flood Risk Management Authorities working in partnership.



Witham First District IDB



Upper Witham IDB



Witham Third District



North East Lindsey

www.witham3idb.gov.uk

Equality, Valuing Diversity policy

Background	As part of our on-going commitment to promoting equality, valuing diversity, Witham and Humber Drainage Boards are committed to eliminating discrimination against any individual on the grounds of the nine protected characteristics defined by the Equality Act (2010) namely: age, disability, gender, gender reassignment, sexual orientation, religion & belief, civil partnership/marriage, pregnancy/maternity and race.
Statement	The Boards recognise that everyone has different needs in relation to public services, and that in the workplace certain individuals / groups of individuals can experience unfair and unequal outcomes and this policy states our commitment to addressing and resolving these.
Equality and Diversity	This policy aims to meet the requirements of the Equality Act 2010 and ensure that no employee receives less favourable treatment on the grounds of gender, sexual orientation, transgender, civil partnership/marital status, appearance, race, nationality, ethnic or national origins, religion/belief or no religion/belief, disability, age, carer, pregnancy or maternity, social status or trade union membership.
Responsibilities	Ultimate responsibility for ensuring the effectiveness of this policy rests with the Board. The personal commitment of every employee to this policy and application of its principles are essential to eliminate discrimination and provide equality throughout the Boards'.
Training	Training will be provided through Induction and Mandatory training.
Dissemination	Website, training, staff meetings
Resource implication	None
Approval Date	Version one - July 2020
Review Date	3 years

1.0 Introduction

1.1 Witham and Humber Drainage Board are an equal opportunities employer. The Boards' are committed to equality of opportunity and to providing a service and following practices which are free from unfair and unlawful discrimination. The aim of this policy is to ensure that no applicant or member of staff receives less favourable treatment on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation, or is disadvantaged by conditions or requirements which cannot be shown to be relevant to performance. It seeks also to ensure that no person is victimised or subjected to any form of bullying or harassment.

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- 1.2 The Boards' value people as individuals with diverse opinions, cultures, lifestyles and circumstances. All employees are covered by this policy and it applies to all areas of employment including recruitment, selection, training, deployment, career development, and promotion. These areas are monitored and policies and practices are amended if necessary to ensure that no unfair or unlawful discrimination, intentional, unintentional, direct or indirect, overt or latent exists.
- 1.3 Ultimate responsibility for ensuring the effectiveness of this policy rests with the Board. The Senior Management Team will support performance and monitor the policy, as part of this process, all personnel policies and procedures are administered with the objective of promoting equality of opportunity and eliminating unfair or unlawful discrimination.
- 1.4 Equality of opportunity, valuing diversity and compliance with the law is to the benefit of all individuals in the 4 Boards' as it seeks to develop the skills and abilities of its people. While specific responsibility for eliminating discrimination and providing equality of opportunity lies with senior managers, line managers and supervisors, individuals at all levels have a responsibility to treat others with dignity and respect. The personal commitment of every employee to this policy and application of its principles are essential to eliminate discrimination and provide equality throughout the Boards'.
- 1.5 As part of the 4 Boards' on-going commitment to promoting equality, valuing diversity and protecting human rights, Witham and Humber Drainage Boards are committed to eliminating discrimination against any individual on the grounds of gender, disability, age, race, ethnicity, sexual orientation, socio-economic status, language, religion or beliefs, appearance, nationality or culture.
- 1.6 The Boards recognise that everyone has different needs in relation to public services and that in the workplace, certain individuals / groups of individuals can experience unfair and unequal outcomes.

Selection for employment, promotion, training, or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the Boards'.

2. Our commitment as an employer

- 2.1. Witham and Humber Drainage Boards' are committed to:
 - creating an environment in which individual differences and the contributions of our staff are recognised and valued
 - every employee, worker or self-employed contractor is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated
 - providing training, development and progression opportunities to all staff
 - understanding equality in the workplace is good management practice and makes sound business sense
 - reviewing all our employment practices and procedures to ensure fairness

3. Our commitment as a service provider

- 3.1. Witham and Humber Drainage Boards' are committed to:

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- providing services to which all individuals are entitled regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation, offending past, caring responsibilities or social class
- making sure our services are delivered equally and meet the diverse needs of our service users and individuals by assessing and meeting the diverse needs of our individuals
- fully supporting this policy by senior management and ensuring agreement has been reached with employee representatives
- monitoring and reviewing this policy annually
- having clear procedures that enable individuals, candidates for jobs and employees to raise a grievance or make a complaint if they feel they have been unfairly treated
- treating breaches of our equality and diversity policy as misconduct which could lead to disciplinary proceedings.

4. Purpose and Scope

- 4.1 This policy sets out how Witham and Humber Drainage Boards will use equality legislation as a lever to enable the Boards to become model employers that attract and retain the best employees, who reflect the population we serve.
- 4.2 This policy applies to all staff working within the 4 Boards (including contractors, students and those with fixed term contracts) and it relates to contractors and staff from other organisations working on the Boards' premises.

5. Definitions

- 5.1 **Equal opportunities** - the structures, systems and measures of groups within society and within organisations. Equality of opportunity is about addressing representation and balance.
- 5.2 **Equality** - is about building a fairer society where everyone can participate and has the opportunity to fulfil their potential. It is backed by legislation designed to address unfair discrimination based on membership of a particular group.
- 5.3 **Diversity** - is about the recognition and valuing of difference in the broadest sense. It is about creating a working culture that recognises, respect and values and harnesses differences for the mutual benefit of the 4 Boards and individuals.
- 5.4 **Direct discrimination** – is where a principle is applied overtly that results in less favourable treatment of someone because of their ethnicity, gender, maternity, marriage or civil partnership, disability, religion or belief, sexual orientation, or age.
- 5.5 **Indirect discrimination** – is where a group of people of the same race, ethnicity, gender, marital or civil partnership status, disability, religion or belief, sexual orientation or age are unjustifiably at a disadvantage in their ability to comply with a specific provision, criterion or practice e.g. a rule saying “all staff must be over five feet ten tall” is likely to discriminate against women and some racial groups even though it doesn't specifically say no women.

6. Equality Legislation

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- 6.1 The Equality Act 2010 aims to harmonise existing discrimination law and places a general duty upon public bodies to eliminate discrimination and harassment and promote Equality.
- 6.2 The Equality Act gives the UK a single Act of Parliament, requiring equal treatment in access to employment as well as to private and public services, regardless of age, disability, gender reassignment, marriage or civil partnership, maternity or pregnancy, race, religion or belief, sex and sexual orientation. The Equality Act aims to simplify the law by bringing together several pieces of anti-discrimination legislation. It replaces the following employment legislation:
- Equal Pay Act 1970
 - Sex Discrimination Act 1975
 - Race Relations Act 1976
 - Disability Discrimination Act 1995
 - Employment Equality (Religion or Belief) Regulations 2003
 - Employment Equality (Sexual Orientation) Regulations 2003
 - Employment Equality (Age) Regulations 2006
 - Equality Act 2006, Part 2
 - Equality Act (Sexual Orientation) Regulations 2007

7. Equal opportunity policy statements

7.1 Age - We will:

- ensure that people of all ages are treated with respect and dignity
- ensure that people of working age are given equal access to our employment, training, development and promotion opportunities and
- challenge discriminatory assumptions about younger and older people.

7.2 Disability - We will:

- provide any reasonable adjustments to ensure disabled people have access to our services and employment opportunities
- challenge discriminatory assumptions about disabled people and
- seek to continue to improve access to information by ensuring availability of loop systems, braille facilities, alternative formatting and sign language interpretation.

7.3 Race - We will:

- challenge racism wherever it occurs
- respond swiftly and sensitively to racist incidents and
- actively promote race equality in Witham and Humber Drainage Boards

7.4 Gender - We will:

- challenge discriminatory assumptions about women and men
- take positive action to redress the negative effects of discrimination against women and men
- offer equal access for women and men to representation, services, employment, training and pay and encourage other organisations to do the same and
- provide support to prevent discrimination against transsexual people who have or who are about to undergo gender reassignment.

7.5 Sexual orientation - We will:

- ensure that we take account of the needs of lesbian, gay men and bisexuals and
- promote positive images

7.6 Religion or belief - We will:

- ensure that employees' religion or beliefs and related observances are respected and accommodated wherever possible and
- respect people's beliefs where the expression of those beliefs does not impinge on the legitimate rights of others.

7.7 Pregnancy or maternity - We will:

- ensure that people are treated with respect and dignity and that a positive image is promoted regardless of pregnancy or maternity
- challenge discriminatory assumptions about the pregnancy or maternity of our employees and
- ensure that no individual is disadvantaged and that we take account of the needs of our employees' pregnancy or maternity.

7.8 Marriage or civil partnership - We will:

- ensure that people are treated with respect and dignity and that a positive image is promoted regardless of marriage or civil partnership;
- challenge discriminatory assumptions about the marriage or civil partnership of our employees and
- ensure that no individual is disadvantaged and that we take account the needs of our employees' marriage or civil partnership.

7.9 Ex-offenders

7.9.1 We will prevent discrimination against our employees regardless of their 'spent' offences under the Rehabilitation of Offenders Act 1974. All new employees are required to declare any offences which are unspent under the Rehabilitation of Offenders Act 1974.

7.10 Equal pay

7.10.1 We will ensure that all employees, male or female, 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.

8. The Public Sector Equality Duty (PSED)

8.1 The Public Sector Equality Duty, part of the Equality Act, came into force in April 2011. It requires organisations to eliminate unlawful discrimination, advance equality of opportunity and to foster good relations.

8.2 Having due regard means consciously thinking about the three aims of the PSED as part of the process of decision-making. This means that consideration of equality issues must influence the decisions reached by the Boards such as:

- How IDBs act as employers
- How IDBs develop, evaluate and review policies

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- How IDBs design, deliver and evaluate services
- How IDBs commission and procure from others.

8.3 In addition to the PSED, Section 153 of the Act gives the government powers to impose specific duties on certain public bodies to help them perform the PSED more effectively.

8.4 To help public bodies perform the public sector Equality Duty (PSED) more effectively, regulations were approved in Parliament on the 6 September 2011 that introduced two specific duties. The IDB's will:

- publish equality information at least once a year to show how they've complied with the equality duty
- prepare and publish equality objectives at least every 4 years

9. Human Rights

9.1 All national legislation is underpinned by the Human Rights Act 1998, which came fully into force on 2 October 2000. The Act strengthens support in the UK to rights contained in the **European Convention of Human Rights (ECHR)**, signed on 4 November 1950. The ECHR in turn stems from the Universal Declaration of Human Rights, adopted by the United Nations on 10 December 1948.

9.2 The Act makes it unlawful for a public authority to breach ECHR, unless an Act of Parliament meant it could not have acted differently and such cases can be dealt with in a UK court or tribunal

9.3 The act says that all UK legislation must be given a meaning that fits with the ECHR, if that is practicable.

10. Roles and Responsibilities

10.1 It is the responsibility of every person to act in ways that support equality and diversity. Equality and diversity are relevant to the actions and responsibilities of everyone in relation to work colleagues; employees; people in other organisations; the public in general.

10.2 Successful organisations reflect the richness of diversity in society and independently of gender, include wide variance of age, appearance, class, creed, culture, home and original community, physical capability, mental health, wealth and status, race, religion, politics, sexual orientation and dependants and not criteria.

10.3 The 4 Boards are committed to ensuring that all staff have the opportunity to develop in their role their full potential. It is essential that performance management systems are in place that allow access to review annual performance. Appraisals, Equality & Diversity are embedded in this PDP process.

10.4 All staff members are responsible for their own behaviour and compliance with this policy. Specifically:

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- managers are responsible for implementing this policy and making staff members aware in order to maintain a work environment free of discrimination.
- Act in accordance with the guidance and values at all times.
- Promote equality in the working environment.
- Raise any areas of equality concern through their line manager or HR Lead, and set a positive example by treating others with respect and setting good standards of behaviour.
- Address, and where possible, resolve incidents of discrimination.
- The 4 Boards and Chief Executive have a role in promoting equality, valuing diversity and protecting human rights.

10.5 The 4 Boards' encourage staff to report concerns and incidents of direct and indirect discrimination.

10.6 The 4 Boards' ensure that positive steps are taken to ensure prevention of indirect discrimination in the development and application of Boards' policies and procedures.

10.7 The Equality Act 2010 places a Specific Duty on public sector bodies to carry out Equality Impact Analysis on their activities, against each of the nine personal protected characteristics, as follows:

- Age
- Disability
- Gender Reassignment
- Marriage & Civil Partnership
- Pregnancy & Maternity
- Race
- Religion & Belief
- Sex
- Sexual Orientation Also to include carers.

10.8 Equality analysis will be carried out early in the planning, development or review of any activity within the Boards. This helps to ensure that equality is at the core of all functions. It looks at both positive and potentially negative impacts of the activity, to enable any necessary adjustments to be made early. Activities for which an equality analysis should be completed include:

- Service changes or redesign
- Organisational change
- Strategies
- Policies
- Proposals, projects & plans
- Processes & procedures
- Other Functions & Practices

11. Gender Pay Gap

11.1 The gender pay gap is the different rate of pay between men and women with similar responsibilities. If women do more of the less well-paid jobs, the gender pay gap is generally exacerbated.

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12. Reporting incidents of Direct and Indirect Discrimination

12.1 Where direct discrimination occurs between members of staff, those affected are advised to use the procedure set out in the Boards' Anti Bullying and Harassment policy.

13. Consultation, Approval and Ratification Process

13.1 The procedures described in this policy have been discussed and agreed with the Management Team prior to submission for approval to each of the 4 Boards. Further consultation with staff at Witham House, Operatives based at the 4 Boards' depots will follow.

14. Review and Revision Arrangements including Version Control

14.1 This policy will be reviewed within three years at approval.

15. Dissemination and Implementation

15.1 This policy once approved will be made available to all staff and contractors for each of the 4 Boards. It will also be uploaded electronically on the Boards website.

15.2 All new staff, including temporary staff will be made aware of this policy during the induction process

15.3 Existing staff will have access to *Equality, valuing diversity and promoting human rights* training through Mandatory training and refresher updates.

15.4 Bespoke equality and diversity training sessions on request

15.5 This document will be uploaded to the 4 Boards' website after approval.

16. References

The following Acts of Parliament may be connected to Promoting Equality, Valuing Diversity & Protecting Human Rights:

- Civil Partnership Act 2004
- Crime and Disorder Act 1998
- Criminal Justice and Public Disorder Act 1995
- Disability Discrimination Act 1995
- Disability Discrimination Act 2005
- Employment Act 2002
- Employment Equality (Age) Regulations 2006
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Rights Act 1996
- Equal Pay Act 1970
- Equality Act 2010
- Equality Duty 2010

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- Gender Recognition Act 2004 Health and Safety at Work Act 1974 Health Bill 2009
- Human Rights Act 1998
- Protection from Harassment Act 1997
- Race Relations (Amendment) Act 2000
- Race Relations Act 1976
- Racial and Religious Hatred Act 2006
- Sex Discrimination Act 1975 (as amended by the Sex Discrimination Act 1986)

17. Equality Monitoring

- 17.1 It is both a requirement and good practice to know the composition of the Boards' workforce so that issues of under-representation can be addressed. The Boards use equality information to assess whether recruitment processes are consistent with the policy.
- 17.2 Monitoring gives equal opportunities credibility and integrity and it is the basic foundation for evaluating the extent of diversity. The results of equality monitoring can inform about the effective use of resources and effective adoption of the policy this can improve competitiveness by attracting and retaining staff