

**BANBRIDGE DISTRICT COUNCIL**  
**EQUAL OPPORTUNITIES POLICY STATEMENT**

**1. General**

This Policy Statement proclaims and emphasises the full commitment of Banbridge District Council to equal opportunity and fair participation for all applicants and employees, irrespective of gender, marital status, sexual orientation, religious belief, political opinion, race or disability. It affirms that the Council, its Management and Unions will rigorously observe, positively promote and actively pursue the objectives set out in this statement, and will seek to ensure that this Policy is fully implemented.

It has been, and will continue to be the policy of the Council that all eligible persons will have equality of opportunity on the basis of merit. Selection, advancement and development shall be on the basis of eligibility in terms of ability, qualifications and aptitude in accordance with the merit principle.

Legislation exists to protect individuals from unfair discrimination and to positively promote equality of opportunity.

Direct Discrimination means acting in a way which places at a disadvantage or treats unfairly any individuals because of factors such as gender, marital status, sexual orientation, religious belief, political opinion, race, disability or Trade Union activity which are irrelevant to the treatment or assessment of an individual.

Legislation on its own is not sufficient to ensure that a non-discrimination policy will work. This will be achieved only if the Council, Management and staff at all levels critically examine their attitudes to people and ensure that their judgement is not in any way affected by any trace of discrimination. They should be fully aware of all forms of discrimination, direct or indirect, guard against them and avoid any action which might influence others to discriminate unfairly. Above all they should be aware of their responsibility to positively practice equality of opportunity.

There must be no indirect discrimination against any person whether in recruitment, promotion or training and development or in any other human resources activity.

Indirect discrimination is defined in the legislation as the application of a requirement or condition which adversely affects members of one religious/political group, one gender, one ethnic group or disabled people, which cannot be shown as justifiable.

Managers and Supervisors must be seen to be impartial in their dealings with staff. They should ensure that their own conduct accords with the policy in this Statement and take appropriate action on any difficulties which arise or appear to arise from lack of impartiality by any members of staff.

This Policy must be clearly communicated to all Councillors, Management and Staff. Accordingly, each Councillor and Employee will receive a copy of this statement and its contents will be reflected in training courses, circulars and guidance to recruitment and selection panels.

**2. Flags and Emblems**

The Council recognises and is determined to safeguard the right of all workers to work in a good and harmonious working environment. Further, the Council is committed to the provision of a working environment free from the unauthorised display of flags, emblems, posters, graffiti, the circulation of

materials, or the deliberate articulation of slogans or songs which are likely to give offence or cause apprehension among particular groups of employees. Religious, political, sexual or racial harassment of any kind is unlawful and will be regarded as an offence of gross misconduct.

### **3. Implementation of Policy**

The Chief Executive has overall responsibility for ensuring that this Policy is operated effectively.

The Corporate Manager (Human Resources, Facilities & Registration) has day to day responsibility for ensuring that personnel Policies and Practices reflect the law, that their application is monitored frequently, that Managers and Supervisors are trained in their legal responsibilities and that all employees are made aware of the scope and the nature of the Policy and their part in ensuring that it is followed.

All employees have a duty to co-operate with the Council in putting this Policy into practice, not to take discriminatory action or decisions, and not to put pressure on fellow employees to harass, abuse, intimidate or threaten other employees because of their disability, gender, marital status, sexual orientation, age (except in relation to retirement), race, colour, nationality, ethnic or national origin, religious belief, political opinion, membership of or activity in a trade union or other organisation, and 'spent' convictions. This list is not exhaustive.

### **4. Information system**

In order to monitor comprehensively the application of this Policy and to satisfy the monitoring requirements of the Fair Employment (Northern Ireland) Act 1989, a computerised personnel information system has been introduced which will provide, with the utmost confidentiality, the information required concerning the composition of the Council's workforce and applicants for appointment (see Section 3 – Code of Practice on Confidentiality).

### **5. Role of Trade Unions**

The Council welcomes the clearly stated support for equality of opportunity from the Trade Unions and recognises the important role the Unions can play in achieving the objectives of this Policy. The Council will consult with the Unions at every stage of introducing measures to implement the Policy, including procedures for the regular monitoring and review of its operation.

### **6. Recruitment and Selection**

The Council will seek to ensure that there is fair participation and the widest possible response to employment vacancies. To this end the Council will take affirmative action or make reasonable adjustments as may be deemed lawful, appropriate and necessary to ensure fair participation and equality of opportunity.

In addition all applicants will receive a job description, a personnel specification and a copy of the Council's Equal Opportunities Statement.

Staff involved in selection will adhere to the guidelines laid down in the Local Government Staff Commission's Code of Procedure for Recruitment and Selection and will receive comprehensive training.

Selection tests should be monitored and checked to ensure that they relate to objective criteria, measure only what is relevant to the applicants ability to do, or train for, the job and that they do not discriminate.

It is recognised that recruitment and selection processes are of crucial importance to the promotion of equal opportunities. These must be carried out according to job related criteria and all job applicants will be treated equally and equitably. Appointments, will be on the basis of ability, qualifications and/or experience ie. merit.

Job descriptions and personnel specifications will not contain or imply unnecessary or unjustifiable physical requirements or conditions which are not justifiable and reasonable and disabled people will not be inadvertently or unnecessarily excluded from jobs.

## **7. Induction and Communication**

Induction arrangements and general communication procedures (particularly those which relate to health and safety) will ensure that such information given is clearly understood by all. The Council will take into account factors which can prevent effective communication.

All employees as part of their induction will be made aware of the Council's Equal Opportunities Policy and the support for it from the Trade Unions.

## **8. Training and Development**

It is in the Council's interest to provide training and development for all its employees. In support of this Policy, Managers and staff responsible for appraising the performance and potential of employees and identifying training needs, will ensure that their decisions are based on objective job-related criteria and do not give rise to unfair discrimination.

The Council recognises the provision for affirmative/positive action programmes as detailed in the Local Government Staff Commission's Code of Procedures for Recruitment and Selection and where appropriate the Council will take advantage of these provisions.

The Council will ensure that staff with disabilities are provided with the same access to training and development opportunities as their colleagues.

Staff training and development opportunities will be circulated internally as widely as possible.

## **9. Conditions of Service**

The Council will ensure that national and local conditions of service, which should not in themselves discriminate against individual groups, are applied fairly to all employees.

If any individual so requests, the Council will seek to resolve any problems about service conditions with the appropriate Trade Union.

Staff who become disabled during the course of their employment will be retained, if possible in the same or a similar job. If this is not possible, every effort will be made to find a suitable alternative post.

Consideration and consultation with the appropriate Trade Union will be given to job restructuring, part-time work or flexible working arrangements or other family friendly measures, including periods of special leave.

## **10. Disciplinary and Grievance Procedures**

In matters of discipline the Council will take into account any communication or comprehension difficulties experienced by employees.

If any employee thinks that they have been discriminated against in relation to recruitment, selection, promotion or training or in the application of the conditions of service they should initiate the appropriate grievance procedure.

This will not prejudice or remove the right of the employee to contact the Equality Commission or the Commissioner for Complaints. Managers should ensure that employees are made aware of the time limits for lodging a complaint with a Fair Employment Tribunal or an Industrial Tribunal (further advice can be obtained from the Human Resources Section).

All employees shall be liable to normal disciplinary procedures if they discriminate against job applicants or staff on any of the grounds laid down in this Policy.

It is the policy of the Council that any employee who alleges discrimination should be protected from victimisation.

Complaints of harassment will be dealt with under the Council's Procedure for dealing with complaints of harassment (see Section 6).

## **11. Agreement**

This Policy Statement has been jointly agreed with the Council, its Management, and Trade Unions. They are fully committed to the principle of equality of opportunity and are determined that everything possible will be done to ensure its full and effective implementation.

## **12. Monitoring and Review**

The Council recognises that proper assessment of the effectiveness of this Policy will only be achieved by regular reviews and analysis of decisions and working practices by the Corporate Manager (Human Resources, Facilities & Registration).

The Council will ensure that information derived from such procedures will be treated in confidence and will not infringe any employee's civil liberties.

In accordance with the Fair Employment Commission's Code of Practice, the Recruitment and Selection Procedures will be reviewed at least every 3 years to establish their effectiveness in relation to equality of opportunity and at other times as may be necessary.