

TYNE AND WEAR FIRE AND RESCUE SERVICE (TWFRS)	
EQUALITY AND DIVERSITY POLICY	
Area Manager HR	Rev August 2013
Admin Procedure 1.28	

## EQUALITY AND DIVERSITY POLICY

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## 1. EQUALITY STATEMENT

- 1.1 The Authority is committed to continuous improvement in all equality matters. This policy ensures that we all work towards achieving a diverse workforce, which serves a diverse community.
- 1.2 Our Equality and Diversity Policy is underpinned by our core values.
- 1.3 All members and employees are required to adopt and continuously work to the core values in all aspects of their role.

### Our Core Values

<p><b>We value SERVICE to the COMMUNITY by:</b></p> <ul style="list-style-type: none"><li>• Working with all groups to reduce risk</li><li>• Treating everyone fairly and with respect</li><li>• Being answerable to those we serve</li><li>• Striving for excellence</li></ul>	<p><b>We value all our EMPLOYEES by practising and promoting:</b></p> <ul style="list-style-type: none"><li>• Fairness and respect</li><li>• Recognition of merit</li><li>• Honesty, integrity and mutual trust</li><li>• Personal development</li><li>• Co-operative and inclusive working</li></ul>
<p><b>We value DIVERSITY in the Service and Community by:</b></p> <ul style="list-style-type: none"><li>• Treating everyone fairly and with respect</li><li>• Providing varying solutions for different needs and expectations</li><li>• Promoting equal opportunities in employment within the Service</li><li>• Challenging prejudice and discrimination</li></ul>	<p><b>We value IMPROVEMENT at all levels in the Service by:</b></p> <ul style="list-style-type: none"><li>• Accepting responsibility for our performance</li><li>• Being open-minded</li><li>• Considering criticism thoughtfully</li><li>• Learning from our experience</li><li>• Consulting others</li></ul>

## **2. RESPONSIBILITY FOR THE POLICY**

- 2.1 The Authority and its' Members have direct responsibility for the implementation, monitoring and review of this policy. On a day-to-day basis this is delegated to the Chief Fire Officer who also has in place an Equality Committee, which comprises of members from across the organisation and recognised representative bodies.
- 2.2 In addition, all employees have an individual responsibility in terms of equality, and are required to:
- Read and ensure that the policies contained within this and other associated documents are carried out; and
  - Promote and maintain equality principles both in the working environment and the community.
- 2.3 This document is widely available to all employees of the Authority. Appropriate training and general awareness is organised on a regular basis.
- 2.4 Advice and guidance on any aspect of the policy can be obtained by contacting the Equality and Resources Manager on 0191 4441621 or email at [clare mccluskey@twfire.gov.uk](mailto:clare.mccluskey@twfire.gov.uk)
- 2.5 This policy should be read in line with the Dignity and Respect Policy (1.19), Recruitment Policy (1.23), Discipline Procedure and Guidance (3.5) and Grievance Resolution Procedure (3.16).
- 2.6.1 The Authority also recognises that, as well as having responsibilities, all staff has rights within the working environment. These rights are detailed below in Section 3.
- 2.7 This policy will be regularly monitored to ensure continuous improvement. As a minimum standard, the Policy will undergo a comprehensive review every two years.

## **3. EMPLOYEE RIGHTS AND RESPONSIBILITIES**

- 3.1 Employees have the right:
- To work in a safe, secure and productive environment where they are treated fairly in recruitment, employment, training and promotion
  - To be treated fairly, consistently and with respect by all other staff and managers and to be treated fairly and courteously by people they provide a service for
  - To refuse an instruction or pressure which may discriminate against other employees or service users
  - To have access to appropriate training and development

- Not be harassed or intimidated by other employees because of any areas referred to in this policy and the Code of Conduct
- To be able to make a complaint, have faith in the investigation process and to receive support during that time
- To be valued by the organisation
- To be able to contact the Equality and Human Rights Commission, ACAS, any recognised body or their Trade Union if they feel the organisation is guilty of bad practice.

### 3.2 Employees have the responsibility:

- To implement the policy on equality and diversity and to carry out laid down procedures in their job including treating colleagues fairly without prejudice or discrimination
- To report any suspected discriminatory actions or practices
- To develop their skills and knowledge to encourage others towards an integrated and harmonious working environment
- Not to unlawfully discriminate against job applicants or employees in recruitment, employment, promotion, conditions of service and training
- Not to harass, bully or unlawfully discriminate against people because of any areas referred to in this policy and the Code of Conduct
- Not to instruct or put pressure on others to discriminate unlawfully
- Not to victimise people because they have made a complaint or provided information on harassment or discrimination
- To seek guidance from an appropriate person – eg Human Resources Manager, Equality and Resources Manager, Trade Union or Line Manager – if in any doubt about any aspect of the policy
- To be aware of the terms and conditions of other Codes of Conduct within the Authority such as Protection of Children and Vulnerable Adults, and the Prevention of Fraud and Corruption
- Not to misuse emails and/or the internet and are reminded that the Authority has a comprehensive policy on such matters, which must be adhered to.

## 4. EQUALITY AND DIVERSITY – GENERAL GUIDANCE

4.1 Detailed within this section is general guidance for employees, prospective staff and the community on the key aspects of our policy. The Authority is committed to meet both statutory and non-statutory duties.

### 4.2 Applicable Legislation

4.2.1 In addition to the provisions set out in this policy document, the Authority is bound by its legal responsibilities.

4.2.2 The key legislation in relation to equality include:

- Equality Act 2010
- Human Rights Act 1998
- Protection from Harassment Act 1997

4.2.3 **Direct discrimination** occurs where a person is treated less favourably than another person would be in the same circumstances on the account of a protected characteristic including the perception of that characteristic.

4.2.4 **Indirect discrimination** consists of applying a requirement or condition which, whether intentional or not, adversely affects a considerably larger proportion of people who have or are perceived to have a protected characteristic.

4.2.5 Positive action can be taken legally to encourage disadvantaged groups who have been under-represented in work areas to consider applying for a particular vocation. This includes the provision of specific training. Positive action **does not guarantee** that anyone with a specific protected characteristic will gain employment.

4.2.6 There is however the provision of Genuine Occupational Requirement (GOR). In certain circumstances it is permissible to specifically advertise for someone who has a particular protected characteristic. An example of this could include working in the community with persons of a specific racial group or to preserve common decency.

4.3 An overview of equality legislation for reference is provided in Appendix A.

4.4 A list of useful contacts and resources in relation to equality can be found at Appendix B.

## **5. MALPRACTICE OCCURRING INSIDE THE WORKPLACE (WHISTLEBLOWING)**

- 5.1 The term used to describe arrangements which allow employees to express concerns about any type of malpractice which may be occurring in the workplace is 'whistleblowing'. Such arrangements are closely linked to a culture which encourages individuals to express their concerns (sometimes anonymously) without the fear of intimidation or recrimination, and in the confident knowledge that any reported concerns will be treated seriously and confidentially.
- 5.2 These arrangements are not simply confined to specific issues but encompass breaches of health and safety, malpractice, bullying, harassment, and any other situation that causes an employee to have serious concerns.
- 5.3 The Authority has in place an independent, confidential whistleblowing hotline 'Safecall' (0870 241 0762) which is available 24 hrs per day. This is to allow any employee to raise concerns about any matter of Authority business whether personally involved, anonymously or otherwise.
- 5.4 Safecall can be used to report any incidence of wrong doing in the workplace. It has been designed to reinforce the Authority's determination to have an open, transparent, fair, equal and inclusive culture in which the workplace is free from discrimination, bullying and harassment. This facility allows staff to report wrong doing to an independent body without any fears of recrimination from other staff.
- 5.5 Reports taken via Safecall are sent directly to the Service Investigating Officer thereby bypassing the normal reporting structure and ensuring a prompt response. If it is believed that a Principal Officer could be involved, the Clerk to the Fire Authority will be informed and will take any necessary action.
- 5.6 The Safecall number is well publicised within the organisation and every employee is issued with a credit-card-sized advice sheet for their use.
- 5.7 If you require any help or information about Safecall or any other aspect of the Code of Conduct please contact the Human Resources Manager on 0191 444 1620 or e-mail [equality@twfire.gov.uk](mailto:equality@twfire.gov.uk).

### APPLICABLE LEGISLATION

Below is a list of the relevant legislation and a brief description of its purpose:

#### **Equality Act 2010**

The Equality Act of 2010 harmonises the previous 40 years of legislation and provides additional provision for further protected characteristics which includes pregnancy and maternity, gender reassignment and marriage and civil partnership alongside the previously identified characteristics of race, sex, disability, age, religion and belief and sexual orientation.

#### **Human Rights Act 1998**

The Human Rights Act 1998 gives further legal effect in the UK to the fundamental rights and freedoms contained in the European Convention on Human Rights. These rights not only impact on matters of life and death, they also affect the rights people have in everyday life: what they can say and do, their beliefs, their right to a fair trial and other similar basic entitlements.

Most rights have limits to ensure that they do not unfairly damage other people's rights. However, certain rights – such as the right not to be tortured – can never be limited by a court or anybody else.

#### **Protection from Harassment Act 1997**

The protection from Harassment Act is a piece of UK law which among other things criminalises and creates a right to protection from stalking and persistent bullying in the workplace. The Act defines Harassment as a course of conduct. This conduct must have occurred twice or more and the behaviour be that which has caused alarm and distress.

**USEFUL CONTACT INFORMATION**

**Internal Resources**

Human Resources Manager	0191 444 1620
Equality and Resources Manager	0191 444 1621
Occupational Health Unit	0191 444 1982
Welfare Officer	0191 444 1985
Chaplains	0191 483 6806
Safecall – Confidential Hotline	0870 241 0762

**Union Contacts**

FBU	Office	0191 444 1510
UNISON	Stewards	0191 444 1350/1372
GMB	Branch secretary	0191 553 8785

**External Resources**

Equality and Human Rights Commission	<a href="http://www.equalityhumanrights.com"><u>www.equalityhumanrights.com</u></a>
Equality North East	<a href="http://www.equality-ne.co.uk"><u>www.equality-ne.co.uk</u></a>
ACAS	<a href="http://www.acas.org.uk"><u>www.acas.org.uk</u></a>