

EQUAL OPPORTUNITIES POLICY

Updated on the 6 March 2023

Next review by 6 March 2027

1. STATEMENT OF COMMITMENT

Chesham Town Council (the Council) is committed to encouraging equality, diversity and inclusion among its work force in all aspects of employment, and to employing a workforce which reflects the composition of the population it serves. All employees and job applicants will be fairly treated regardless of sex, gender reassignment, marital or civil partnership status, race, disability, age, sexual orientation, religion or beliefs, pregnancy and maternity status (known collectively as 'protected characteristics' under the 2010 Equality Act), offending background, responsibilities for dependants or political affiliations. Recruitment and promotion processes, training opportunities, remuneration and any other benefit will be job-related and objective.

The Council oppose all forms of unlawful and unfair discrimination whether it is direct discrimination, discrimination by association, perception discrimination, indirect discrimination, harassment, third party harassment or victimisation on the grounds of any of the protected characteristics.

The Council recognise our duty under the Equality Act (2010) to make reasonable adjustments for disabled employees, to help them overcome disadvantages resulting from an impairment.

The Council is equally committed to equality of service provision to all sections of the community. This is reflected in the requirement of all reports to Council and committees to consider the Equality Act implications of any decisions taken.

2. POLICY IMPLEMENTATION

The responsibility for fulfilling this key policy lies not with specialist posts or committees, but with every Member and employee of the Council. It is an integral part of every aspect of the Council's operations. This means that management of equal opportunities in both employment and service provision forms part of the Council's normal management processes, i.e. with Committee, the office of the Chief Executive Officer, and on a 'cascade' basis, through to personal aims and objectives.

The Council has adopted a Bullying and Harassment Policy which forbids bullying and harassment by employees and councillors. Grievance and Disciplinary procedures are in place in the event that bullying or harassment takes place. The Council is also committed to protecting employees from third party harassment, in line with the Equality Act (2010).

3. POSITIVE ACTION

As enabled by the Equality Act (2010), the Council reserves the right to take positive action if it believes that employees or job applicants who share a particular protected characteristic suffer a disadvantage connected to that characteristic, or if their participation in an activity is disproportionately low.

4. RECRUITMENT OF EX-OFFENDERS

As an organisation using the Disclosure and Barring Service (DBS) and the Update Service to assess applicants' suitability for specified positions of trust, the Council complies with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed. Having a criminal record will not necessarily bar an applicant from working for the Council. This will depend upon the nature of the position and the circumstances and background of the applicant's offences.

DBS disclosures and Update Service information are requested in accordance with the Disclosure eligibility criteria for relevant positions or employment. For those positions where a Disclosure is required, all application forms, job adverts and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position. Applicants will be notified of the potential effect of a criminal record history on the recruitment and selection process and any recruitment decision. The Council make every subject of a Disclosure aware of the existence of the DBS Code of Practice and make a copy available on request.

At interview, or in a separate discussion, the Council will ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment. The Council undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

The Council complies with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosure information. In accordance with section 124 of the *Police Act 1997*, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. The Council maintains a record of all those to whom Disclosure information has been revealed and it is **a criminal offence** to pass this information to anyone who is not entitled to receive it. The following officers are registered to receive Disclosure information from the Umbrella organisation, NEREO:

- Head of Corporate Services
- Corporate Services Assistant

Disclosure and Update Service information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given. Once a decision has been made about the suitability of an applicant/employee, the Council do not keep disclosure information for any longer than necessary. This is generally up to six months, to allow for any disputes or complaints. Disclosure information is kept securely during this period. After this period, the Council may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken. No information contained within the results of the Disclosure will be kept.

5. POLICY REVIEW

This policy will be reviewed every four years, and will also be revised in the light of changes in legislation and guidance.