

St.Helens Council Comprehensive Equality Policy

**Eliminate discrimination,
harassment and victimisation
Advance equality of opportunity
Foster good relations between
people in a diverse community**



**St.Helens
Council**

Foreword

St.Helens Council's work is guided by a clear set of objectives to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between people within a diverse community. We are determined to do everything we can to make sure that people are treated fairly, that everyone has access to good quality services and all can take part in shaping the Borough's future.

Unlawful discrimination, harassment and victimisation in any aspect of the Council's employment policies and practices or service delivery arrangements, will not be acceptable under any circumstances.

Of course, it is easier to say such things than to deliver on them and this is why we maintain a Comprehensive Equality Policy that clearly states our commitments and lays out practical actions aimed at achieving them.

The Council implements this document into its commissioning, procurement, employment and service delivery policies and plans. This is achieved through the use of equality impact assessments, equality monitoring, training and the procurement equality standard. The use of these tools ensure we have the evidence to demonstrate due regard has been given to the equality duties and that our equality objectives are being met.

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St.Helens Council Comprehensive Equality Policy 2014-18

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**St.Helens Council's Equality Policy Statement,
Legal Duties and Objectives**

St.Helens Council Equality Policy Statement

St.Helens Council recognises that disadvantage and discrimination exist in society and that people may experience more than one form of discrimination. The Council is committed to striving to eliminate these inequalities and aims to be fair, reasonable and just in its responsibilities. St.Helens Council values the diversity of its workforce and the people and communities both resident and visiting the Borough. The Council is working towards ensuring that service delivery and employment practices are of the highest possible equality standard.

The Council commits itself to make its services, facilities and resources accessible and responsive to residents and visitors to St.Helens. The Council will work towards ensuring that individual human rights are supported within its decisions, policies and practices.

Under this Policy, the term St.Helens Council will mean Council Members, staff, employees, agents and any organisation delivering goods, works, services or carrying out public functions on behalf of St.Helens Council.

Partnerships

St.Helens Council is involved in a number of local, sub regional and regional partnerships through which the needs of services users are identified and service delivery is planned. St.Helens Council is committed to using its leadership role in the community to promote equality through these partnerships, through partnership agreements, commissioning, procurement and service level agreements.

The Diversity Strategy Board

The Council's Diversity Strategy Board is responsible for overseeing the development, implementation and maintenance of the Comprehensive Equality Policy.

The Diversity Strategy Board includes representatives from local partners, community and voluntary groups and Council departments.

Scope Of Policy

This Policy covers all of St.Helens Council functions (commissioning, procurement, employment, service delivery, events, projects, processes and practices) and policies (policy documents, strategies, plans, decisions, guidelines and rules).

This Policy applies to Council employees and candidates for employment, with the exception of teaching staff, who are subject to the equality policies of their specific schools.

The principles of this Policy apply to the provision and use of all services. It also applies to those contractors and partners who provide public services on behalf of the Council.

The Comprehensive Equality Policy provides a clear framework within which Council Members, employees, managers, partners, contract providers and trade unions must work.

The Policy is holistic: structured to be read, understood and worked with as a whole.

Legal duties

This document sets out St.Helens Council's policy in relation to the Carers (Equal Opportunities) Act 2004, the Human Rights Act 1998, the Equality Act 2010 and the Public Sector Equality Duties 2011.

The Carers (Equal Opportunities) Act 2004 and the Human Rights Act 1998 have separate policy statements on pages 14 and 21 respectively.

Equality Act 2010 General Duty

The General Public Sector Duty of the Equality Act 2010 requires public authorities, in the exercise of their functions and decisions, to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it
- Foster good relations between persons who share a protected characteristic and persons who do not share it.

Equality Act 2010, Specific Duty 2011

The Specific Public Sector Equality Duty requires public bodies to set measurable equality objectives and to publish information about their performance on equality, so that the public can hold them to account.

In order to meet the Specific Public Sector Duty, St.Helens Council will

- Publish sufficient information to demonstrate compliance with the general equality duty across its functions annually from the first date of publication.
- Prepare and publish equality objectives to demonstrate how the general equality duty will be met.

Equality Strands covered by this Policy

The Equality Act 2010 identifies a list of nine characteristics that are subject to its general duty. The scope of this Policy covers these nine “protected characteristics”. They are as follows: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (ethnicity), religion, sex (gender) and sexual orientation.

In addition, this Policy also sets out St.Helens Council’s policy statements on carers, community cohesion, fair employment and equal pay, hate crime, and human rights.

There are also additional policy statements on the following protected characteristics to clarify definitions and implications in relation to practice and procedure: age, disability, gender reassignment, religion and sexual orientation.

Equality and diversity strands covered by the Comprehensive Equality Policy:

- Age
- Carers Rights
- Community Cohesion
- Disability
- Fair Employment and Equal Pay
- Gender Reassignment
- Hate Crime
- Human Rights
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race (ethnicity)
- Religion
- Sex (gender)
- Sexual Orientation

Implementing the Comprehensive Equality Policy

Since 2003, St.Helens Council has demonstrated compliance with the general duties of equality legislation by using the following three mechanisms to implement its equality objectives within its business and management processes.

1. Equality Impact Assessments: must be used to demonstrate that St.Helens Council has given “due regard” to the general equality duty within its decision-making, commissioning, employment, procurement and service delivery functions.
2. Equality Monitoring: equality profiles must be used appropriately within consultation, complaints and other monitoring process to demonstrate equality of opportunity in access, quality and outcome across service delivery and employment.
3. Procurement Equality Standard: must be used within the Council’s procurement functions to ensure that contract bidders demonstrate that they give “due regard” to the general equality duty within their employment practices.

St.Helens Council uses training, published corporate standards and one to one support to ensure that staff, management and elected members understand the Comprehensive Equality Policy and their responsibilities.

Annual Equality Monitoring Reports

Since 2003 St.Helens Council has produced annual Equality Monitoring Reports. These demonstrate the effect that the Council’s policies and practices have had on different sections of the community through analysis of:

- Consultation, satisfaction and complaints
- Workforce equality profile monitoring
- Service access equality profile monitoring
- Equality impact assessments of decisions
- Equality impact assessments of functions
- Equality training
- Improvements and awards

Annual Service and Workforce Equality Monitoring Reports are made available on the Council’s website and shared with local voluntary and community group representing people with protected characteristics. Through this process, St.Helens Council demonstrates the progress that has been made towards meeting its Corporate Equality Objectives and the General Equality Duty.

Corporate Equality Objectives

The Corporate Equality Objectives of this Policy are based on the general duty of the Equality Act 2010:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity
- Foster good relations between people within a diverse community

Since 2003, St.Helens Council has worked to achieve Corporate Equality Objectives based on the general duties of equality legislation.

In this way, any actions that contribute to achieving Corporate Equality Objectives will also provide evidence to demonstrate that the Council is meeting its General Equality Duty.

St.Helens Council uses the challenges of Community Engagement and Equality Impact Assessments to identify improvements to policies and to make services fair and accessible. Service Equality Monitoring is used to measure equality of access, quality and outcome for different equality groups.

St.Helens Council sets equality performance targets for

- Completion of Equality Impact Assessments in services delivery, procurement and decision-making
- The percentage of service access targets that the Council meets for different protected characteristics
- Workforce and employment profiles for different protected characteristics.

The Council's Diversity Strategy Board receives regular monitoring reports on progress against equality performance targets.

The Diversity Strategy Board uses information from engagement, impact assessment and equality monitoring to identify equality priorities for the Council.

Targeted actions to achieve equality priorities are set out in the Diversity Strategy Board's Milestone Report.

The outcomes of equality priorities, equality performance targets and improvements identified through engagement, equality impact assessment and equality monitoring are included in the Annual Equality Monitoring Reports, which demonstrate how the Council is meeting its General and Public Sector Equality duties.

Definitions of the General Equality Duty

Eliminating Discrimination

Discrimination in its simplest terms means being subject to “less favourable treatment”.

There are four main forms of discrimination:

- Direct Discrimination
- Indirect Discrimination
- Discrimination arising from a disability
- Failure to make a reasonable adjustment

Unlawful discrimination is unacceptable to St.Helens Council and it is our policy to eliminate it whether it occurs in relation to policy, service delivery or employment.

All discrimination is unlawful unless there is a justified reason for it; based on legal, moral or health and safety requirements; like a genuine occupational requirement in employment.

For example, it is justifiable to restrict applications for a Ladies Toilet Attendant’s job to women, on the grounds of decency, even though this directly discriminates against men.

Likewise, it is justifiable to add “proficient British Sign Language Skills” to a job description for a member of staff who is likely to deal with deaf customers, even though this prevents a larger proportion of people from applying.

Direct Discrimination

Direct discrimination occurs when a person treats another less favourably than they treat (or would treat) others, and this treatment is because of a protected characteristic e.g. age, disability, sex (gender), gender reassignment, race (ethnicity), religion, sexual orientation, marriage and civil partnership or pregnancy and maternity.

Under the provisions of the Equality Act 2010, it is not discrimination to treat a disabled person more favourably than a non-disabled person. Under certain circumstances, St.Helens Council may provide services on terms that are more favourable to a disabled person compared to a non-disabled person.

St.Helens Council, will not allow discrimination or treat a woman less favourably because:

- She is, or has been, pregnant;
- She has given birth, and the unfavourable treatment occurs within a period of 26

weeks beginning with the day on which she gave birth; or

- She is breastfeeding, and the unfavourable treatment occurs within the period of 26 weeks beginning with the day on which she gave birth.

St.Helens Council will not racially discriminate by deliberately segregating employees or services users by race or ethnicity. To be discriminatory, racial segregation must be a deliberate act or policy rather than a situation that has occurred inadvertently.

St.Helens Council will not discriminate against a person because of their association with another person who possesses a protected characteristic (associative discrimination).

Nor will St.Helens Council accept discrimination against an individual because people think that individual possesses a particular protected characteristic (discrimination by perception).

St.Helens Council acknowledges that the characteristic of pregnancy and maternity is not protected from associative discrimination or discrimination by perception.

Indirect Discrimination

Indirect discrimination is unacceptable to St.Helens Council.

Indirect Discrimination occurs when a rule, provision, criterion, practice or condition that is applied equally to everyone

- Puts or would put people who share a protected characteristic at a particular disadvantage when compared with people who do not have that characteristic
- Is or would be to the disadvantage of that group
- Cannot be justified as a proportionate means of achieving a legitimate aim.

Examples of legitimate aims include:

- Ensuring that services and benefits are targeted at those who most need them
- The fair exercise of powers
- Ensuring the health and safety of those using the service provider’s service or others, provided risks are clearly specified
- Preventing fraud or other forms of abuse or inappropriate use of services provided by the service provider
- Ensuring the wellbeing or dignity of those using the service

An example of Indirect discrimination: a blanket policy of requiring all job applicants to

hold a full driving licence, even jobs where no driving is required, will result in an indirect discrimination against disabled people. This is because:

1. A considerably smaller proportion of disabled people hold driving licences compared to non disabled people,
2. It is to the disadvantage of disabled people as they cannot apply for employment, and
3. It cannot be justified if there is not a genuine occupational requirement to hold a driving licence for a particular job.

Discrimination Arising From Disability

Discrimination arising from disability is unacceptable to St.Helens Council.

Discrimination arising from disability occurs when:

- A disabled person is treated unfavourably;
- That treatment is because of something arising in consequence of the disabled person's disability; and
- It cannot be shown that the treatment is a proportionate means of achieving a legitimate aim

unless the employer or service provider does not know, and could not reasonably be expected to know, that the person has the disability.

St.Helens Council will not deliberately treat disabled employees or service users unfavourably because of something arising in consequence of their disability. If St.Helens Council knows that a service user or employee is disabled it will make reasonable adjustments to eliminate the risk of discrimination arising from a disability.

Reasonable Adjustments

To meet the duty to make reasonable adjustments, St.Helens Council will take reasonable steps to ensure disabled people can access employment or services where:

- A provision, criterion or practice; or
 - A physical feature; or
 - The lack of an auxiliary aid or service, or
 - The lack of accessible information on how to access Council employment or services
- is shown to put disabled people at a substantial disadvantage compared with non-disabled people.

In meeting this duty the Council will:

- Ensure that any auxiliary aids provided are properly maintained. Where reasonable the Council will have made contingency arrangements in case of an unexpected failure of an auxiliary aid.
- Seek written consent from the Landlord if the duty requires it to make reasonable adjustment to a buildings leased from a third party.
- Ensure it can provide translation and interpretation on request in different formats for the purpose of promoting access to employment and services for disabled people

However, in meeting the duty to make reasonable adjustments St.Helens Council will not take any steps that

- Are beyond its powers to take, or
- Would fundamentally alter the nature of a service or the nature of a job description

Harassment

Harassment in its simplest terms means being subject to "unwanted behaviour".

Unlawful harassment is unacceptable to St.Helens Council. It is our policy to eliminate it whether it occurs in policy, service delivery or employment.

Harassment occurs when a person is subject to unwanted conduct that is related to a relevant protected characteristic and which has the purpose or the effect of:

- Violating the person's dignity; or
- Creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.

Unwanted conduct covers a wide range of behaviour, including spoken or written words or abuse, imagery, graffiti, physical gestures, facial expressions, mimicry, jokes, pranks, acts affecting a person's surroundings or other physical behaviour.

The unwanted conduct does not have to be directed at any particular person and a person does not have to share the protected characteristic order to find the unwanted conduct intimidating, hostile, degrading, humiliating or offensive.

'Unwanted' does not mean that express objection must be made to the conduct before it is deemed unwanted. A serious one-off incident can amount to harassment.

The following types of harassment are covered under this Policy:

- Harassment of staff by other staff
- Harassment of service users
- Sexual harassment

Age, religion and belief, sex (gender), race (ethnicity), sexual orientation, disability and gender reassignment are relevant protected characteristics and are protected from harassment within employment.

Sex (gender), race (ethnicity), disability and gender reassignment are relevant protected characteristics and are protected from harassment in relation to service delivery.

Marriage and civil partnership, pregnancy and maternity are not protected directly under the harassment provisions. However, pregnancy and maternity harassment would amount to harassment related to sex.

Sexual Harassment

Sexual harassment, where a person engages in unwanted conduct that is of a sexual nature, which is related to sex (gender), or gender reassignment, and the unwanted conduct creates intimidating, hostile, degrading, humiliating or offensive environment, is unacceptable and will not be tolerated by St.Helens Council.

Conduct 'of a sexual nature' can cover verbal, non-verbal or physical conduct including unwelcome sexual advances, touching, forms of sexual assault, sexual jokes, displaying pornographic photographs or drawings or sending emails with material of a sexual nature.

Harassment of employees by other employees will be dealt with under the Council's Grievance Procedure.

Harassment of Service Users will be dealt with under the Council's Complaints Policy.

Harassment of Staff

The Council will not tolerate harassment of staff from someone outside of the Council e.g. service user, resident, or member of the public.

St.Helens Council will consider taking action under the Assaults at Work Policy to ensure harassment of its staff by people they do not employ is dealt with appropriately. This may include reporting the perpetrators to the Police.

Victimisation

Victimisation in the simplest terms means subjecting another person to detrimental treatment because they have made allegations or given evidence in relation to unlawful discrimination or harassment.

Victimisation also covers the situation where no allegation or evidence has been given, but a person is subject to detrimental treatment because it is believed they have done so or may do so in the future.

Marriage and civil partnership, sex (gender), race (ethnicity), disability and gender reassignment, sexual orientation and religion and belief are protected from victimisation in relation to service delivery and employment.

Pregnancy and maternity are not protected directly under the victimisation provisions. However, pregnancy and maternity victimisation would amount to victimisation related to sex.

Under this Policy an individual need not have a particular protected characteristic in order to be protected against victimisation. However, to be unlawful, victimisation must be linked to a "protected act" as stated in the Equality Act 2010.

A "protected act" is any of the following:

- Bringing proceedings under the 2010 Equality Act;
- Giving evidence or information in connection with proceedings brought under the 2010 Equality Act;
- Doing anything which is related to the provisions of the 2010 Equality Act;
- Making an allegation (whether or not express) that another person has done something in breach of the 2010 Equality Act.

Victimisation of staff or service users is unacceptable to St.Helens Council.

Victimisation of employees by other employees will be dealt with under the Council's Grievance Procedure.

Victimisation of staff by service users will be dealt with under the Assaults at Work Policy.

Victimisation of service users by staff will be dealt with under the Council's Complaints Policy.

Instructing, Aiding, Causing or Inducing Discrimination

St.Helens Council will not tolerate any circumstances where elected members, employees or service users instruct, aid or help, induce or persuade a person or persons, to discriminate, harass or victimise another because of a protected characteristic. Nor to instruct, aid or help induce or persuade a person to help another person to do an unlawful act. Such an instruction would be unlawful even if it were not acted on.

Preventing Discrimination, Harassment and Victimisation

St.Helens Council will take all possible reasonable steps to prevent discrimination, harassment and victimisation from occurring.

This includes informing staff and service users of the Council's Bullying and Harassment Statement, Assaults at Work Policy, Grievance Procedure, Complaints Policy, Hate Crime Policy and Comprehensive Equality Policy.

Discrimination, harassment and victimisation may result in disciplinary proceedings, or St.Helens Council reporting the incident to the Police as a Hate Crime.

Advancing Equality of Opportunity

Since 2003, St.Helens Council has promoted equality of opportunity in service delivery and employment by using Equality Impact Assessments in its service functions and employment policies.

The Corporate Standard for Equality Impact Assessment sets out the Council's process to:

- Remove or minimise disadvantages suffered by people due to their protected characteristics
- Meet the needs of people with protected characteristics, and
- Encourage people with protected characteristics to participate in public life or in other activities where their participation is low.

St.Helens Council monitors equality of opportunity in access, quality and outcome through the collection and analysis of equality profiles within employment and service user monitoring processes.

The Corporate Standard for Equality Monitoring sets out the guidance by which services successfully and effectively integrate and use equality profiles to demonstrate equality of opportunity.

Equality of Opportunity does not necessarily mean that all individuals should or can be treated the same. It may be necessary for some people to receive information or support in a different way to others in order to achieve an equal level of service or employment opportunity.

Where there is evidence of under representation of a particular protected characteristic, St.Helens Council may take "positive action" to improve representation.

Fostering Good Relations – The Cohesion Objective

Good relations exist in a community where people from diverse and different backgrounds have a sense of belonging, are valued and appreciated and have similar life opportunities.

St.Helens Council works with its partners to promote cohesion by using Equality Impact Assessments to identify opportunities for people from different background to develop strong and positive relationships; be it in the workplace through a diverse workforce, through inclusive education in schools and colleges or through neighbourhood partnerships. For a definition of cohesion, see the Community Cohesion Policy Statement on page 15.

Policy Implementation Responsibilities

ELECTED MEMBERS

The Council Leader

The Leader has the portfolio responsibility for equality within St.Helens Council and will ensure that resources and leadership challenge are available to implement the Comprehensive Equality Policy.

The Cabinet

The Cabinet Members will be responsible for applying the Comprehensive Equality Policy to the setting of strategic direction and decisions on funding prioritisation. Cabinet Members will ensure that all proposed decisions, policies and strategies within their portfolio have undergone an adequate equality impact assessment.

Overview & Scrutiny Commission Members

Overview & Scrutiny Commission Members will ensure that items on their work programmes and 'called-in' items conform to equality duties.

Chairs of Regulatory Committees

Chairs of Regulatory Committees will ensure that all committee decisions are free from discrimination, harassment and victimisation.

All Council Members

Council Members must deal with constituents' enquiries and representations without discrimination. Council Members must comply with the Council's Comprehensive Equality Policy whilst acting on behalf of St.Helens Council. Members must behave without discrimination, harassment or victimisation towards fellow Members, staff or service users, and ensure they treat people fairly without discrimination. All Members must attend appropriate equality training.

STAFF

The Chief Executive

The Chief Executive has ultimate responsibility for equal opportunities within St.Helens Council and will ensure that adequate resources and leadership challenge are available to fully implement the Comprehensive Equality Policy.

Assistant Chief Executive (Legal and Administrative Services)

The Assistant Chief Executive (Legal and Administrative Services) has lead responsibility for equal opportunities within St.Helens Council and will ensure that the objectives of the Comprehensive Equality Policy are integrated

within the Council's Business and Planning processes.

Directors, Assistant Chief Executives and Heads of Service

Directors, Assistant Chief Executives and Heads of Service are responsible and accountable for ensuring that all staff under their control are able to work in an environment free from discrimination, harassment and victimisation. They are expected to lead by example and follow St.Helens Council's Comprehensive Equality Policy. Although Directors delegate specific duties to others, they will remain responsible for applying the Comprehensive Equality Policy to the identification of community needs, setting strategic direction, funding prioritisations and service commissioning processes.

Equalities Officer

The Equalities Officer must develop and oversee the implementation of the Council's Comprehensive Equality Policy and ensure that it is compatible with the Council's statutory Equality Duties.

Departmental Equality Leads

Departmental Equality Leads must attend the Diversity Strategy Board and assist the Equalities Officer in the implementation of the Comprehensive Equality Policy objectives within their departments

Assistant Directors and Assistant Treasurers

Assistant Directors and Assistant Treasurers must ensure that equality impact assessments are carried out on all decisions, policies, service functions and commissioning undertaken by their division or sections.

Service Managers, Line Managers, Team Leaders and Officers in Charge

Service Managers, Line Managers, Team Leaders and Officers in Charge will ensure that a summary of the Council's Comprehensive Equality Policy has been issued to all staff they are responsible for and that staff have received appropriate equality training.

All Staff

All staff must comply with the Council's Comprehensive Equality Policy whilst acting on behalf of St.Helens Council. Staff must behave without discrimination, harassment or victimisation towards elected members, fellow staff or service users and treat people fairly without discrimination. All staff must attend appropriate equality training.

Age Equality Policy Statement

Legislation

The implications for age in relation to the Equality Act 2010 are set out in the "Definitions of the General Equality Duty" section of this Policy.

Employment

Recruitment and Selection

Age and date of birth details do not appear on the main application form but are included in the diversity monitoring form, which is retained by the HR Section in line with data protection duties.

All job descriptions and specifications are reviewed to ensure that they do not include criteria that would discriminate against a candidate on the grounds of age.

Pay and Benefits

In general, entitlement to benefit and annual leave are not based on service criteria that extend beyond the 5-year continuous service criteria that are permissible under law.

Exemptions to this rule are allowed where it is possible to show that the exemption fulfils a reasonable business need, e.g. encouraging loyalty.

Under this exemption, St.Helens Council retains a Long Service Award open to any employee who retires after completing 20 years continuous service.

Redundancy

Selection for redundancy in accordance with St.Helens Council's Redundancy Policy is not based on age related criteria.

St.Helens Council's redundancy payments are based on age and length of service criteria. This is not 'unlawful' as the criteria mirror the payments that are set out in the statutory scheme and are therefore exempt from age discrimination legislation.

Retirement

Retirement is a matter of employee choice, as St.Helens Council does not have a set retirement age.

External Agencies and Suppliers

Through its Procurement Policy, St.Helens Council ensures that any external agency or supplier that it engages to provide services, goods or works complies with the requirements of age legislation.

Service Delivery

St.Helens Council makes every effort to promote equality in service delivery for people of all ages.

St.Helens Council does restrict certain services by age, however this is only where services are legally designated for a particular group, such as Children's, Adults' or Older People's Social Care.

St.Helens Council includes children, young people and older people as specific groups within its Equality Impact Assessment process. This means that it considers the needs of these groups within its policies, decisions and when delivering its services.

St.Helens Council monitors service access, satisfaction and complaints by age and it ensures appropriate age representation in all consultations. Any identified age related issues are fed back into service planning processes, helping to improve services to meet the needs of people of all ages.

Carers' Equality Policy Statement

able to inform carers of their rights and signpost people to appropriate support.

Legislation

The Carers (Equal Opportunities) Act 2004 places the following duties upon local authorities in relation to the rights of carers

1. To inform a carer of their right to a Carer Assessment
2. The Carer Assessment must include consideration of whether the Carer
 - a. Works or wishes to work
 - b. Is undertaking or wishes to undertake, education, training or any leisure activity
3. If a local authority requests any local authority, local education authority, housing authority, or health authority to assist in the planning of a carer's service the authority must give due consideration to the request

St.Helens Council also recognises that children and young people can be left with the role of carer for family members and will act to ensure that young carers are identified so that their families receive appropriate support.

Key benefits from the legislation

- Increased employability of carers who wish to return to work
- More carers being able to juggle work and care and remain in employment
- More opportunities for carers to access learning and training opportunities
- More opportunities for carers to lead a more fulfilled life

Employment

St.Helens Council employees who are carers are supported through the Council's flexible working policies.

Service Delivery

St.Helens Council includes carers as a specific group within its Equality Impact Assessment process. This means that the Council considers the needs of carers

- When developing or reviewing its policies
- In every decision it takes, and
- When assessing its service functions.

St.Helens Council promotes the needs of carers by:

- Working with partner agencies to identify carers
- Undertaking carer assessments
- Producing information and holding events to raise awareness of carer rights
- Ensuring that Council staff receive appropriate training and information to be

Community Cohesion Policy Statement

Legislation

The Equality Act 2010 places a general duty on local authorities to foster good relations between persons who share a protected characteristic and persons who do not share it.

The Education and Inspections Act 2006 places a duty on governing bodies of schools in England to promote community cohesion.

St.Helens Council recognises that an integrated and cohesive community is one where:

1. There is a clearly defined and widely shared sense of the contribution of different individuals and different communities to a future vision for a neighbourhood, city, region or country
2. There is a strong sense of an individual's rights and responsibilities when living in a particular place – people know what everyone expects of them and what they can expect in turn
3. Those from different backgrounds have similar life opportunities, access to services and treatment
4. There is a strong sense of trust in institutions locally to act fairly in arbitrating between different interests and for their role and justifications to be subject to public scrutiny
5. There is a strong recognition of the contribution of both those who have newly arrived and those who already have deep attachments to a particular place, with a focus on what they have in common
6. There are strong and positive relationships between people from different backgrounds in the workplace, in schools and other institutions within neighbourhoods.

St.Helens Council has set a specific Community Cohesion Objective within this Policy, to foster good relations between people in a diverse community.

St.Helens Council recognises that communities are not homogenous. Different communities and individuals in the communities have different needs. Needs should not be defined by stereotyping or presumptions.

Employment

St.Helens Council supports community cohesion through the employment of a diverse workforce, which reflects the diversity of the community it provides services to.

Working with a diverse range of colleagues helps to challenge discriminatory values by giving staff and members the opportunity to learn about different cultures, lifestyles, and experiences whilst coming to recognise that each individual, although they belong to wider communities or group, is unique a person.

Training programmes are designed to be reflective of the diversity of the community and seek to challenge stereotypical beliefs, ignorance, prejudice and discriminatory attitudes by the use of non-discriminatory language, images and information.

Homophobia, disablism, sexism, transphobia, racism and religious bigotry may result in disciplinary proceedings under this Policy.

Service Delivery

St.Helens Council works with partners to identify and address areas of tension in the community.

The Council will promote cohesion, through its departments and partnership, by identifying opportunities to bring people from different backgrounds together to contribute to improvements in the social, economic and natural environment, and thus promote inclusion and wellbeing.

The Council will support schools in meeting their duty to promote Community Cohesion and encourage schools to follow government guidelines and codes of practice.

Disability Equality Policy Statement

Disability Charter

This Council is committed to the employment, retention and advancement of disabled people within our workplace.

We undertake to work with Trade Union Disability Champions and disabled employees, in our workplaces to ensure that we maintain and maximise our commitment towards the two ticks principles.

We will actively involve our employees and their representatives in maintaining the goals of “two ticks” disability employment commitment.

We will encourage our entire workforce, using the appropriate training at all levels, to be supportive of disabled people.

We will seek to use suppliers and services that are also supportive of disabled people.

Legislation

The implications for disabled people in relation to the Equality Act 2010 are set out in the “Definitions of the General Equality Duty” section of this Policy.

The Children and Families Act 2014 and the associated Special Educational Needs (SEN) Code of Practice introduce changes to how children with SEN and their families are supported. Some of the key changes include:

- Replacing Statements of SEN and learning difficulty assessments with a new “birth to 25” Education, Health and Care Plan (EHC Plan), extending rights and protections to young people in further education and training, and offering families personal budgets so that they have more control over the support they need
- Improving co-operation between all the services that support children and their families, and particularly requiring local authorities and health authorities to work together
- Requiring local authorities to involve children, young people and parents in reviewing and developing provisions for those with special educational needs and publish a “Local Offer” of services and support.

Education

St. Helens Council is committed to ensuring that both disabled children and adults have a right to a choice of mainstream educational and other service provision.

The Council will provide mechanisms for resolving disputes over special education needs between parents and schools, which will be set out in the “Local Offer”.

Definitions

The Equality Act 2010 defines a disabled person as a person with

1. ‘a physical or mental impairment,
2. which has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities’

In order to meet this statutory definition, the impairment must satisfy the following:

- Be either physical or mental;
- Have an adverse effect which is substantial
- Have an adverse effect which is long-term;
- Affect the ability to carry out normal day-to-day activities.

The Council is aware that the definition of disability is an evolving concept. It takes into account the widening definition within its decisions and functions, and gives due regard to the “Social Model” of disability. This model recognises the barriers caused by the environment and people’s attitudes to disability.

Impairment

Whether a person is disabled for the purposes of the Act and this Policy will be determined by the effect that an impairment has on that person’s ability to carry out normal day-to-day activities. It is not the case that an impairment will affect diverse people in the same manner. It is only when a condition or impairment has a substantial and long-term adverse effect on a person’s ability to carry out normal day-to-day activities, that a person will be regarded as a disabled person.

It is not possible to provide an exhaustive list of conditions that qualify as impairments. Any attempt to do so would inevitably become out of date with advancements in medical knowledge. The following list gives an illustration of the wide range of impairments and conditions from which a disability may arise:

1. Sensory impairments, such as those affecting sight or hearing;
 2. Impairments with fluctuating or recurring effects such as rheumatoid arthritis, myalgic encephalitis (ME)/chronic fatigue syndrome (CFS), fibromyalgia, depression and epilepsy;
 3. Progressive conditions, such as motor neurone disease, muscular dystrophy, forms of dementia and lupus (SLE);
 4. Organ specific, including respiratory conditions, such as asthma, and cardiovascular diseases, including thrombosis, stroke and heart disease;
 5. Developmental, such as autistic spectrum disorders (ASD), dyslexia and dyspraxia;
 6. Learning difficulties;
 7. Severe disfigurement including, limb or postural deformation (including restricted bodily development), diseases of the skin, scars and birthmarks.
 8. Mental health problems and mental illnesses, such as depression, schizophrenia, eating disorders, bipolar affective disorders, obsessive compulsive disorders, as well as personality disorders and some self-harming behaviour;
 9. Produced by injury to the body or brain.
- of administration of medically prescribed drugs or other medical treatment.);
 - Disfigurement that consists of a tattoo (which has not been removed) or piercing of the body for decorative purposes including anything attached through the piercing;
 - The condition known as seasonal allergic rhinitis (e.g. hayfever), except where it aggravates the effect of another condition;
 - Tendency to set fires;
 - Tendency to steal;
 - Tendency to physical or sexual abuse of other persons;
 - Exhibitionism;
 - Voyeurism.

Substantial

The requirement that an adverse effect on normal day-to-day activities should be a substantial one reflects the general understanding of disability as a limitation going beyond the normal differences in ability that may exist among people. A substantial effect is one that is greater than the effect that would be produced by the sort of physical or mental conditions experienced by many people that have only 'minor' or 'trivial' effects.

In assessing whether the effect of an impairment upon day to day activity is substantial, the following factors should be considered:

- The time taken to carry out an activity, compared with the time it might take a person who did not have the impairment to complete an activity;
- The way in which an activity is carried out, compared with the way that the person might be expected to carry out the activity if he or she did not have the impairment;
- The cumulative affects of an impairment on more than one day to day activity.
- The modification of behaviour that an individual might reasonably be expected to make to manage or reduce the effect their impairment or condition.
- Whether a person avoids doing things that cause pain, fatigue or substantial social embarrassment.
- The impact of environmental factors such as temperature, humidity, lighting, the time of day or night.

People who have had a disability in the past

This Policy will also apply to any person that had a disability in the past. For example, a person who, in the past, experienced a mental health problem that had a substantial and long-term adverse effect on her ability to carry out normal day-to-day activities, but who has experienced no recurrence of the condition.

People automatically deemed to be disabled

People with the following impairments or conditions are automatically deemed as disabled people under this Policy:

- A person who has:
 - HIV,
 - Cancer, or
 - Multiple Sclerosis,
- A person certified by a consultant ophthalmologist as:
 - blind,
 - severely sight-impaired,
 - sight-impaired, or
 - partially sighted.

Exclusion

Certain conditions will not be regarded as impairments under the Act and this Policy. These are:

- Addiction to, or dependency on, alcohol, nicotine, or any other substance (other than an addiction which was originally the result

Effects of medical treatment

Where an impairment is subject to treatment or correction - for example by the use of a prosthesis, such as an artificial limb or a heart valve; or controlled by medication, counselling,

or diet - the impairment will be considered as having the effect that it would have had without the treatment or correction being in place. This applies even if the treatment or correction results in the effects being completely under control or not apparent.

Whether or not the effect is substantial will be assessed by reference to what the effects of the condition or impairment would have been if it were not subject to the treatment or correction.

N.B. A visual impairment is not deemed to be substantial if it is correctable by the use of spectacles or contact lenses

Long Term

To be long-term, the effect of an impairment must satisfy one of the following conditions:

- It has lasted at least 12 months; or
- The total period for which it lasts, from the time of the first onset, is likely to be at least 12 months; or
- It is likely to last for the rest of the life of the person affected.

This includes impairments where the substantial effect is not continuous, but likely to recur. For example a person with rheumatoid arthritis may experience substantial adverse effects for a few weeks after the first occurrence and then have a period of remission.

N.B. Conditions with effects that recur only sporadically or for short periods of time, such as schizophrenia or bipolar affective disorder, also qualify as impairments in respect of the meaning of 'long-term'.

Normal day-to-day activity

Under the definition of disability the substantial long term effect of an impairment must be an effect upon a normal day to day activity.

Normal

Under the Act and this Policy normal has an ordinary and everyday meaning. In deciding whether an activity is normal the following factors should be considered. How far the activity is:

- Commonplace for a large number of people,
- Carried out on a daily or frequent and fairly regular basis.

Normal day-to-day activities do not include:

- Work of any particular form
- Activities that are normal only for a particular person or a small group of people. For example, the ability to play an instrument to a very high standard or taking part in a particular game or hobby with very specific skills.

Activity

Under this Policy activity means the things people do. In general, day-to-day activities are things people do on a regular or daily basis, for example shopping, reading and writing, having a conversation or using the telephone, watching television, getting washed and dressed, preparing and eating food, carrying out household tasks, walking and travelling by various forms of transport, and taking part in social activities.

Capacity

The Equality Act 2010 states that an impairment is to be taken to affect the ability of a person to carry out normal day-to-day activities only if it affects that person in respect of one or more of the following capacities:

1. Mobility;
2. Manual dexterity;
3. Physical co-ordination;
4. Continence;
5. Ability to lift, carry or otherwise move everyday objects;
6. Speech, hearing or eyesight;
7. Memory or ability to concentrate, learn or understand; or
8. Perception of the risk of physical danger

It should be noted that the list of capacities set out above is **not** a list of day-to-day activities.

In general, the relationship between disability, impairment, capacity and activity can be defined thus:

1. A person must have an impairment or condition;
2. The impairment or condition must affect that person's ability to utilise a capacity;
3. However, it is only when this in turn has a substantial and long term adverse effect on a person's ability to carry out a normal day to day activity that the person is disabled.

Therefore, the substantial long-term adverse affect must be related to a capacity, but is determined by looking at the effect on a particular day-to-day activity, not the capacity.

Fair Employment and Equal Pay Policy Statement

Legislation

The Equality Act 2010 places a duty on employers to eliminate discrimination between women and men in the same employment in pay and other terms and conditions of their contracts of employment such as piecework, output and bonus payments, holidays and sick leave.

Equal Pay

St.Helens Council is committed to equal pay across all departments through its free from bias pay structure.

St.Helens Council's pay and grading structure follows the National Single Status Agreement negotiated between the National Joint Council (NJC) for Local Government Services and Local Government Trades Unions.

The Council uses Equality Impact Assessments within its decision making processes to ensure that all decisions on staffing issues are consistent with its pay and grading policy.

Fair Employment

The Council is committed to fair employment and training policies, which promote equality of opportunity and do not discriminate against job applicants and employees in relation to protected characteristics.

Since 2003, St.Helens Council has

- Ensured that publicity for vacancies does not unfairly restrict the range of applicants
- Produced a standard range of application forms and job descriptions that are clear and explicit
- Monitored employment process to promote equality of opportunity
- Engaged in employment equality assessment of the local labour market
- Set employment equality targets for recruitment, staff retention and workforce profiles.
- Developed a programme of equality training to support the Corporate Equality Objectives
- Ensured that policies and procedures associated with equality are part of the staff handbook and are understood by staff

- Ensured appropriate inclusion of equality issues within the staff appraisal system
- Made all employment procedures consistent with legislation and employment Codes of Practice
- Adopted Local Government Workforce Strategies.

Flexible Working

St.Helens Council understands that flexible working arrangements can be essential in relation to equality of opportunity for disabled staff, parents and carers and can support staff in educational attainment and development or in keeping their religious observances.

St.Helens Council's flexible working arrangements are available to employees of all grades and include all recognised best practice types of flexible working solutions.

Parental, carer and adoption arrangements are free from sexual orientation bias.

Occupational Segregation

St.Helens Council acknowledges that some occupations have been traditionally restricted along gender lines, leading to inequalities in employment opportunities based on gender.

St.Helens Council will monitor its workforce by gender, and take steps to address occupational segregation through workforce planning, training and education.

Pregnancy and Maternity

Unfavourable treatment of a woman because of her pregnancy or maternity leave during 'the protected period' is unlawful pregnancy and maternity discrimination.

The protected period starts when a woman becomes pregnant and continues until the end of her maternity leave, or until she returns to work if that is earlier.

Pregnancy and maternity is not protected directly under the harassment provisions. However, pregnancy and maternity harassment would amount to harassment related to gender

Gender Reassignment Equality Policy Statement

Legislation

All the Articles of the Human Rights Act 1998 are relevant, but in particular:

- Article 8, the right to respect for private and family life
- Article 12, the right to marry
- Article 14, the prohibition of discrimination

The implications for gender reassignment in relation to the Equality Act 2010 are set out in the "Definitions of the General Equality Duty" section of this Policy.

Scope of the Policy Statement

This Policy statement covers people with gender dysphoria, transsexual people and intersex people.

Definitions

Gender dysphoria is a recognised medical condition where someone is profoundly unhappy or uneasy about their own gender (masculinity or femininity) because it conflicts with their biological sex.

Transsexual people believe they are born in a body of the wrong sex.

Intersex people may have both male and female sexual characteristics or intermediate sexual characteristics. An intersex person may suffer gender dysphoria if they feel the gender they were ascribed at birth conflicts with their true gender identity.

Gender reassignment is the process, undertaken under medical supervision, of reassigning a person's gender by changing physical, social or other characteristics.

Real life test refers to the transition period in gender reassignment during which the individual must live and work in the new gender.

Employment

St.Helens Council will not discriminate against a person for the purpose of recruitment or employment, training, benefit and pension

rights on the grounds that the individual is a transsexual or intersex person, whether or not they are intending to undergo, undergoing or having at sometime undergone gender reassignment.

Exceptions

Discrimination in employment on grounds of gender reassignment may occasionally be permitted where:

- A particular gender is a requirement for a job, e.g. women's domestic violence worker
- The job involves conducting intimate searches
- The job involves working in someone's home.

Temporary exceptions may apply during the transition process where:

- Individuals have to share accommodation
- Personal care services are provided to vulnerable individuals.

In relation to exceptions, St.Helens Council will assess each situation carefully and act reasonably in the circumstances, e.g. considering alternatives such as reassigning duties.

The Council acknowledges that religious organisations have certain exemption from gender reassignment employment duties, even where an individual has a gender recognition certificate. The exemption only applies where there are genuine religious reasons to refuse to employ a transsexual or intersex person – for example, in relation to the appointment of clergy in some denominations.

Privacy Statement

If someone has undergone gender assignment prior to joining the authority (or a new department within the authority), St.Helens Council will not disclose their transsexual history.

St.Helens Council understands that disclosure could constitute a criminal offence in the case of someone who has obtained a gender recognition certificate.

In line with the Disclosure and Barring Service (DBS) Policies, people who have undergone a gender reassignment do not have to include previous names on the CRB Disclosure Application form.

However, St.Helens Council expects applicants who have undergone a gender reassignment to send details of their previous identity in a separate letter directly to the 'Sensitive Casework Manager' within the DBS, who will then check the data sources held against both current and previous names.

St.Helens Council will ensure information on how and when to make contact with the sensitive casework manager at the DBS is readily available within its guidance on completing the DBS Disclosure Application form.

Support

St.Helens Council's recognises gender dysphoria and will support an employee through their real life test and gender reassignment process. The Council's Equalities Officer is the link officer for such guidance and advice.

Service Delivery

St.Helens Council will not discriminate through the delivery of its services against an individual who is a transsexual or intersex person, whether or not they are intending to undergo, undergoing or having at sometime undergone gender reassignment.

St.Helens Council will use consultation, equality impact assessment and staff training to ensure that services meet the needs of transsexual and intersex people and to ensure that the identity and human rights of transsexual and intersex service users are respected.

Hate Crime Policy Statement

Hate Crime Legislation

The Crime and Disorder Act 1998 created a number of racially and religiously aggravated offences.

The Criminal Justice Act 2003 introduced tougher sentences for offences motivated by hatred of the victim's sexual orientation. This must now be taken into account by the sentencing court as an aggravating factor, in addition to race or religious hate motivation.

Section 146 of the Criminal Justice Act 2003, imposes a duty upon courts to increase the sentence for any offence (for example, assault or criminal damage) aggravated by hostility based on the victim's disability (or presumed disability).

The Racial and Religious Hatred Act 2006 makes it a criminal offence to use threatening words or behaviour with the intention of stirring up hatred against any group of people because of their race, religious beliefs or their lack of religious beliefs.

Any incident, which constitutes a criminal offence, which is perceived by the victim or any other person as being motivated by prejudice or hate of a person's actual or perceived.

- Race, colour, ethnic origin, nationality or national origins
- Religion
- Gender or gender identity
- Sexual orientation
- Disability

Hate Crime

Hate crime can take many forms including:

- Physical attacks – such as physical assault, damage to property, offensive graffiti, neighbour disputes and arson
- Threat of attack – including offensive letters, abusive or obscene telephone calls, groups hanging around to intimidate and unfounded, malicious complaints
- Verbal abuse or insults - offensive leaflets and posters, abusive gestures, dumping of rubbish outside homes or through letterboxes, and bullying at school or in the workplace

Hate Incidents

A hate incident is any incident whereby the perpetrator's prejudice against any identifiable group of people is a factor in determining who is victimised.

Service Delivery

St.Helens Council works with partners in the Crime and Disorder Partnership to effectively record, respond to and reduce the number of hate crimes and hate incidents within the Borough.

St.Helens Council will not tolerate hate crime or hate incidents against its staff or service users and will take appropriate action against all such incidents.

Employment

Homophobia, disablism, sexism, transphobia, racism and religious bigotry may result in disciplinary proceedings under this Policy.

Any harassment, bullying, victimisation or discrimination by staff, which is perceived by the victim or another person to be motivated by prejudice or hate against a person's actual or perceived, race, colour, ethnic origin, nationality or national origins, religion, gender or gender identity, sexual orientation or disability is unacceptable to St.Helens Council and will be investigated under the appropriate policy.

Hate incidents by Council Members will be dealt with under the Members' Code Of Conduct.

Hate Incidents by employees on fellow employees or service users will be dealt with under the Council's Bullying and Harassment Policy and may result in disciplinary proceedings.

Hate Incidents on our staff by people who are not our staff (including incidents of third party harassment that are perceived to be hate incidents), will be dealt with under the Council's Assaults at Work Policy and may result in criminal action.

All hate incidents reported the Council will be reported to the Police.

Human Rights Policy Statement

Legislation

The Human Rights Act 1998 makes it unlawful for a local authority to behave in a way that is not compatible with the provisions of the European Convention on Human Rights.

Human rights must be explicitly considered in policies and procedures, in decisions, in employment and in service delivery.

Human Rights protected under law include:

- Right to life (absolute)
- No torture, inhuman or degrading treatment (absolute)
- No slavery or forced labour (absolute)
- Liberty and security of the person
- Fair trial or hearing within a reasonable time (absolute)
- No punishment without law and no retrospective penalties (absolute)
- Respect for family life, home and correspondence
- Freedom of thought, religion and conscience
- Freedom of expression
- Freedom of assembly and association
- Right to marry and start a family (absolute)
- Prohibition on discrimination (absolute)
- Restriction on political activity of aliens (absolute)
- Prohibition of abuse of rights (absolute)
- Limitation on the use of restrictions on rights
- Protection of property
- Right to education
- Right to free elections (absolute)

Any interference with an individual's rights must be proportionate to the intended aim and must not be arbitrary or unfair.

St.Helens Council will not interfere with those Human Rights that are "Absolute" rights.

Where the Council is faced with the necessity to limit or restrict an individual's human rights the decision will only be taken if the interference can be justified in accordance with the law or is necessary in the interests of:

- National security,
- Public safety or the economic well-being of the country,
- The prevention of disorder or crime,
- The protection of health or morals,
- The protection of the rights and freedoms of others.

Where the Council makes the justified decision to interfere with an individual's human rights it will do so in proportion to the legitimate aims of the decision, for example the decision to remove a child from its family will only be taken if a full assessment of the circumstances show this to be the legitimate course of action to protect the child from an abusive or harmful situation.

Even if a particular policy or action, which interferes with an individual's human rights, is aimed at achieving a legitimate aim (for example the prevention of crime), this will not be justified if the means used to achieve the aim are excessive in the circumstances.

St.Helens Council will consider human rights in all its policies and decisions.

Human rights are included in the Council's Equality Impact Assessment process used to assess the impact of decisions, policies and services upon the community.

Religion Equality Policy Statement

Legislation

Article 9 of the Human Rights Act 1998 - Freedom Of Thought, Conscience And Religion states:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change one's religion or belief and freedom, either alone or in community with others and in public or private, to manifest one's religion or belief, in worship, teaching, practice and observance.

Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.

The implications for religion in relation to the Equality Act 2010 are set out in the "Definitions of the General Equality Duty" section of this Policy.

Definition of Religion

Under this Policy, faith, religion and belief are defined as any faith, religion, religious belief, or similar philosophical belief. This does not include political beliefs.

St.Helens Council understands that individuals have the right to define their own faith. However, St.Helens Council will not support a individual or group who claim that their religious beliefs gives them the right to incite religious hatred or who claim that their religious beliefs gives them the right to interfere with the human rights of others unless that claim is justified by legislation.

The Council acknowledges that religious organisations, such as faith schools, have exemptions from certain equality duties.

Employment

St.Helens Council will not discriminate in recruitment, employment and training on the grounds of faith, religion or belief, or the lack of faith, religion or belief.

St.Helens Council will work towards enabling employees at all levels in the workforce to feel safe in being open about their faith, religion or belief systems.

Religious discrimination is unacceptable and may result in disciplinary proceedings.

St.Helens Council will take positive steps in conditions of employment to respect and take accounts of the rights of employees to follow the observances of their chosen faith, religion or belief system.

St.Helens Council will ensure that staff have access to appropriate training and guidance to support the delivery of services that respect the cultural and religious diversity of the community.

Service Delivery

St.Helens Council will ensure that all information, publicity and advertising over which it has control or influence is not prejudiced and uses positive images and language to counteract the effects of religious discrimination.

St.Helens Council includes faith, religion and belief within its Equality Impact Assessment process to ensure that people do not receive a different quality of service due to their faith, religion or belief as a result of the Council's decisions, policy developments, service planning or delivery.

Sexual Orientation Equality Policy Statement

Legislation

The implications for sexual orientation in relation to the Equality Act 2010 are set out in the "Definitions of the General Equality Duty" section of this Policy.

Definition of Sexual Orientation

Under this Policy, sexual orientation is defined as:

- Orientation towards persons of the same sex (lesbians and gay men)
- Orientation towards persons of the opposite sex (heterosexual)
- Orientation towards persons of the same sex and the opposite sex (bisexual).

Employment

St.Helens Council will not discriminate in recruitment, employment and training on the grounds of actual or perceived sexual orientation.

St.Helens Council will work towards enabling employees at all levels in the workforce to feel safe in being open about their sexual orientation.

The Council does not assume that its entire workforce is heterosexual and ensures that all employment benefits, pensions and flexible working arrangements are free from sexual orientation bias and support the rights of civil partners.

Homophobia and discrimination, harassment and victimisation on the grounds of sexual orientation, assumptions about a person's sexual orientation or because a person associates with someone of a particular sexual orientation, including 'outing' for malicious reasons, are unacceptable and may result in disciplinary proceedings.

St.Helens Council will ensure that staff have access to appropriate training and guidance to support the delivery of services that respects diversity in sexual orientation.

The Council acknowledges that religious organisations, such as faith schools, have exemptions from certain sexual orientation equality duties.

Service Delivery

St.Helens Council will ensure that all information, publicity and advertising over which the Council has control or influence, uses positive images and language to counteract the effects of homophobia and promote equality for lesbians, gay men and bisexual and heterosexual men and women.

St.Helens Council includes sexual orientation within its Equality Impact Assessment process to ensure that people do not receive a different quality of service due to their sexual orientation, as a result of the Council's decisions, policy developments, service planning or delivery.

The Council will ensure that the rights of civil partners are respected in all policies, decisions, service planning and delivery processes.