



# DIVERSITY POLICY 2005

# FOREWORD

“Middlesbrough Council aims to tackle discrimination and disadvantage vigorously. We want to bring about measurable improvements for those who are discriminated against. Our task is to promote equality for all regardless of gender, sexual orientation, race, religion or belief, age and disability.

More broadly the Council believes that all Middlesbrough citizens, employees and partners should have equal access to services and opportunities in every aspect of their lives.

The Council celebrates the diversity of our town and the enrichment that a multicultural society brings”.



Ray Mallon  
Mayor



Jan Richmond  
Chief Executive



# DIVERSITY POLICY

| <b>CONTENTS</b>                                     | <b>Page</b> |
|---|-------------|
| <b>Diversity Policy Statement</b> .....             | <b>4</b>    |
| <b>Diversity Policy</b> .....                       | <b>6</b>    |
| Introduction .....                                  | 6           |
| Background .....                                    | 6           |
| Aims .....  | 7           |
| Service Delivery .....                              | 8           |
| Employment .....                                    | 8           |
| Partnership and Consultation .....                  | 9           |
| Responsibilities .....                              | 9           |
| Legislation .....                                   | 10          |
| Discrimination and Disadvantage Groups .....        | 10          |
| Black and Minority Ethnic Communities .....         | 11          |
| Disabled People .....                               | 11          |
| Women .....   | 12          |
| Gay, Lesbian, Bisexual and Transgender People ..... | 12          |
| Groups .....  | 12          |
| Complaints .....                                    | 13          |
| Structure.....                                      | 13          |
| Scrutiny .....                                      | 13          |
| Appendices .....                                    | 14          |

# Diversity Policy Statement

The Council believes that its vision for Middlesbrough can only be achieved if it listens to and acts on the concerns of all its citizens and makes full use of the talents of all its employees. The Council values the diversity of the local population and seeks to reduce social exclusion by making its services, facilities and resources more responsive to community and individual needs. The Council recognises that its ability to meet these diverse needs is improved by having a workforce that reflects the community and has the skills and understanding to achieve the key strategic aims.

The Council is committed to providing structures, ways of working, communicating and managing which ensure that no service user (or potential service user), or employee experiences unfair discrimination and harassment and which actively promote productive working relationships. This commitment is based on the principle of valuing diversity through understanding and respecting individual differences (including: gender, age, ethnic origin, disability, family status and caring responsibilities, religion or belief, sexual orientation, political affiliation and income) and maximising the unique contributions of individuals in all the Council's activities.

To fulfil its commitment the Council will seek to:

- Ensure its employees are representative of the population it serves
- Engage with citizens, communities and employees to find out whether services and employment opportunities are accessible to all
- Increase awareness of the needs of particular groups or communities through training and development of staff and wider communication with citizens
- Provide services which are responsive to the diverse needs of individuals and communities
- Ensure employment practices are responsive to the diverse needs of individuals whilst recognising the requirements of the organisation
- Support the development of strong, secure, self-reliant and self confident communities which value differences and are free from discrimination and harassment
- Celebrate cultural diversity and distinctiveness
- Develop a Diversity Action Planning process and provide feedback to citizens, communities and employees on progress
- Communicate the rights and responsibilities of citizens, communities, employees and Councillors for ensuring the success of this policy

## Rights and Responsibilities

Set out on the next page is a collection of rights and responsibilities, which underpin the Diversity Policy Statement. The rights and responsibilities set out what citizens, communities and employees can expect from the Council (and public service providers generally). They also set out what the Council will do to maximise its ability to deliver citizens expectations within the constraints in which public service bodies operate.

## **Rights**

- Citizens, communities, employees and Councillors should be consulted to enable the Council to determine whether services and opportunities are accessible to all.
- Employees and Councillors should be provided with information, facilities, training and development to increase their awareness of the needs of particular groups and communities.
- Citizens and communities should receive services which are responsive to their needs.
- Employees should have access to employment practices which are responsive to the needs of individuals whilst recognising the requirements of the organisation.
- Communities should be provided with support and mechanisms to ensure their development as strong, secure, self-reliant and self-confident communities where distinctiveness and cultural diversity are celebrated and discrimination and harassment does not take place.
- Citizens, communities and employees should be invited to contribute to the development of the Diversity Action Planning process and will receive feedback on progress.

## **Responsibilities**

- Councillors and service managers will listen to the views of citizens, communities and employees and will provide feedback on progress.
- Councillors and employees will ensure that the information, facilities, training and development provided are used so that they can communicate effectively with the communities and citizens they serve and develop appropriate policies and practices.
- Councillors, service managers and employees will ensure that the diversity implications of policies and service delivery will be considered as part of corporate strategy and service development and planning.
- Councillors, service managers and employees will seek to establish employment practices which are responsive to the needs of individuals whilst recognising the requirement for fairness to the organisation as a whole.
- Councillors, service managers and employees will support and provide mechanisms to encourage communities to develop strong, secure, self-reliant communities where distinctiveness and cultural diversity are celebrated and discrimination and harassment does not take place.
- Councillors, service managers, and employees will develop and monitor a Diversity Action Planning process and provide feedback to employees, communities and citizens.

# Diversity Policy

**Middlesbrough Council is firmly committed to providing and promoting equality for all its employees and the wider community, irrespective of race, colour, religion or belief, ethnicity, gender, family status, sexuality, disability and age. It is committed to avoid all forms of discrimination, whether direct, indirect, individual or institutional.**

## 1. INTRODUCTION

As part of our commitment to equal opportunities, the Council will seek to avoid all forms of discrimination, both within the Council and in its delivery of services. To achieve this we will endeavour to create an environment in which there is respect for every individual and recognition that no employee, potential employee or service user will be discriminated against irrespective of their race, colour, religion, belief, ethnicity, gender, family status, sexuality, disability or age.

The Council recognises that individuals and various groups can be put at a disadvantage or discriminated against in a number of ways by the way its services are delivered, or by its actions as an employer. Therefore we seek to reduce social exclusion by making services, facilities and resources more responsive to the inhabitants of Middlesbrough and their individual needs. This commitment is expressed through the principle of integrating equality in everything the Council undertakes.

## 2. BACKGROUND

Middlesbrough sits at the heart of the Tees Valley conurbation, and draws on a travel-to-work area stretching from Durham to the North York Moors. Having been a bustling port and a centre for the iron and steel industry, Middlesbrough now has a service-based economy with 38% of employees working in the service sector.

The 2001 Census indicated that Middlesbrough had a population of 140,700 people of which 6.3% are from black and minority ethnic backgrounds. The dispersal of people seeking asylum and refugees has contributed to the diverse groups of the town. Figures obtained from the Council's Asylum Seekers Unit, for the end of April 2005, indicate that there are 664 people seeking asylum (including children) from 49 different countries. There are also high levels of ill health and associated disability illness that occur in the Middlesbrough area, particularly in the most deprived wards. It is estimated that 22% of residents have a health problem compared with the national average of 18%. The Middlesbrough Community is very diverse. They are of all ages, able-bodied and disabled, of different ethnic backgrounds and cultures, heterosexual, gay, lesbian and bisexual, and from non-faith and faith communities.

The Council values the diversity of the local population and recognises that some people and groups are disadvantaged and discriminated against. The disadvantage which people experience may be due to direct, indirect and/or institutional discrimination. These terms are defined fully in Appendix A.

### **3. AIMS**

The Council is dedicated to achieving equality of opportunity and recognises that discrimination, harassment and bullying are unacceptable on any grounds. The Council will mainstream equality issues as an integral part of its works. The Council will aim to remove all kinds of discrimination on the grounds of:

- gender
- colour, race, nationality, national or ethnic origin
- disability
- age
- marital status or caring responsibilities
- lesbian, gay, bisexual or transgender identity
- religion or belief

Middlesbrough Council is, however, only one of the organisations in the town that will have a positive impact on diversity. The Middlesbrough Partnership (Middlesbrough's Local Strategic Partnership) is the ideal body to promote equality issues more widely and has already agreed diversity as one of its key cross cutting issues. The council is setting up a Diversity Forum, with input from the Middlesbrough Partnership, to promote diversity in the town. This will include ensuring the community strategy exploits opportunities to promote equality in the strategy delivery. Specifically, equality will be supported through the Middlesbrough Partnerships strategic priorities and actions:

- supporting children and learning
- promoting healthier communities and effective social care for adults
- creating safer and stronger communities
- transforming our local environment
- meeting local transport needs more effectively
- promoting the economic vitality of Middlesbrough

#### **4. SERVICE DELIVERY**

The Council will aim to ensure that the services it provides are non-discriminatory and free from prejudice. The Council will endeavour to:

- deliver services that are flexible and responsive
- remove all barriers which may deny access
- deliver all services in accordance with the priorities and value identified in the Middlesbrough Community Strategy
- ensure services meet the needs of the diverse communities, particularly those who face discrimination and disadvantage
- provide information in accessible formats as appropriate, including community languages, large print, braille, audio-tape etc
- provide translation and interpretation services as appropriate
- monitor the take-up of services according to ethnicity, gender and disability

The Councils performance management minimum standard provides the mechanisms to ensure equality issues are built into service planning and review. This is monitored and reviewed at least twice per year by both members and officers.

Each directorate has produced a diversity action plan to improve and make services more accessible and responsive. These plans are contained in the Councils Race Equality Scheme.

#### **5. EMPLOYMENT**

The Council will aim to achieve an ability-based workforce, which reflects the working population mix in Middlesbrough. The Council will endeavour to:

- ensure that the overall ethos and messages given out by the Council are positive and welcoming to under-represented groups
- remove any barriers, which discourage access to employment with the Council
- ensure that knowledge of vacancies reaches under-represented groups
- ensure that no applicant or employee receives less favourable treatment on inappropriate grounds and that, wherever possible, they are given the help they need to attain their full potential to the benefit of the Council and themselves
- monitor employees in post, applicants for employment, promotion, and training, analyse the results and take appropriate action

The Council is committed to ensuring equal pay and is implementing Equal Pay and Single Status Agreements across the Council. The Council is fully committed to collective bargaining and supports Equalities in Employment by implementing all employment policies in consultation with the appropriate Trade Unions and staff. The Council will take positive action by carrying out specific initiatives for groups that are under represented in areas of employment within the Council.



The Council policy on Equalities in Employment includes sections on:

- racial, disability and sexual harassment
- domestic violence
- recruitment and selection
- training
- pay/grading and conditions of service
- analysis monitoring and review
- complaint monitoring
- rehabilitation of offenders

In order to reflect the Council's support for Equalities, job share and flexible working schemes are in operation.

The Council is committed to training staff at all levels in relation to Equalities. All aspects of Employment issues will be in line with the requirements of the Race Relations (Amendment) Act 2000, the Councils Race Equality Scheme, Employment Law and the Disability Discrimination Act 2005.

## **6. PARTNERSHIP AND CONSULTATION**

The Council believes that its vision for Middlesbrough can only be achieved if it listens to, and acts on, the concerns of the diverse population and makes use of the talents of all its employees. The Council will:

- ensure when it enters into partnership arrangements with other organisations, that they have an equal opportunities policy and that monitoring of their policy takes place
- use its leadership role to promote equality within Middlesbrough as a whole and via the Middlesbrough Partnership
- consult and communicate effectively with the diverse communities of Middlesbrough in planning and decision making
- ensure a range of appropriate mechanisms are available to allow different communities to be involved
- target resources to those communities which face disadvantage and discrimination to allow them the opportunity to become fully involved

## **7. RESPONSIBILITIES**

Responsibilities for the success of this Diversity Policy lie with all Council employees and all other persons who are acting on behalf of the Council, including Elected Members and Contractors. Both the Mayor and the Chief Executive will ensure that systems are in place to make sure that this policy is put into practice.

Contractors and/or partners of Middlesbrough Council have a responsibility to ensure that either this policy, and their own specific equality policy, is adhered to.

Each Directorate has produce an annual Diversity Action Plan, which has identified ways of improving equality issues for their area.

The Council will make sure that all its employees are aware of this Diversity Policy and the Annual Diversity Action Plan for their service area.

This policy will be reviewed on a yearly basis.

## **8. LEGISLATION**

This policy has been devised in accordance with existing legislation and codes of practice. The relevant legislation that applies to this equality policy is:

- Equal Pay Act 1970
- Rehabilitation of Offenders Act 1974
- Sex Discrimination Act 1975 and 1986
- Race Relations Act 1976 and Race Relations (Amendment) Act 2000
- Public Order Act 1986
- Criminal Justice and Public Order Act 1994
- Disability Discrimination Act 2005
- Protection from Harassment Act 1997
- Human Rights Act 1998

The Council will comply with the codes of practice and guidance that are produced by the following bodies:

- Equal Opportunities Commission
- Commission for Racial Equality
- Disability Rights Commission
- Fair Employment Commission
- Advisory Conciliation and Arbitration Service (ACAS)

## **9. DISCRIMINATION AND DISADVANTAGED GROUPS**

The Council acknowledges there are numerous groups that suffer and face discrimination and disadvantage. The Council is aware that many minority groups suffer from multiple discrimination and the Council will deal with all forms of discrimination accordingly. The Council is committed to addressing issues of discrimination for individuals who experience disadvantage on more than one level. Below are some of the main groups who face discrimination and disadvantage, this list is by no means exhaustive.

## **10. BLACK AND MINORITY ETHNIC COMMUNITIES**

Some people from black and minority ethnic backgrounds suffer from substantial disadvantage and discrimination. This is because some people's actions and attitudes are based on the belief that one race is better than another.

Middlesbrough Council has produced a Race Equality Scheme, which has been devised in response to the Race Relations (Amendment) Act 2000. The scheme is a triennial plan that states how the Council will meet the requirements under the Act. The Race Relations (Amendment) Act 2000 has introduced a new duty on all public bodies to promote race equality. The Council will aim to eliminate unlawful racial discrimination, promote equality of opportunity and promote good relations between people of different racial groups. The scheme covers service delivery, employment and procurement.

Middlesbrough Council will:

- comply with the Race Relations (Amendment) Act 2000
- develop services that are culturally sensitive
- support activities and campaigns that promote race equality
- encourage and ensure representatives from black and minority ethnic communities to participate in Council decision making
- empower black and minority ethnic people to shape, develop and set their own cultural agenda

## **11. DISABLED PEOPLE**

Some people with disabilities suffer from substantial disadvantage, which is made worse by discrimination against them because of ignorance about their disability. Middlesbrough Council adopts the social model of disability, which recognises that disability is not caused by disabled people's particular impairment, but the way in which society fails to meet their needs. The social model promotes environments that support and enable people to achieve their personal potential within their own communities. The Council supports this aim through working in Partnership with other agencies.

The Council has obligations, along with the rest of society, to ensure that people with disabilities are treated fairly. This Council will seek to eliminate all forms of discrimination based on disability and will:

- work towards the Disability Discrimination Act 2005
- work towards removing all physical barriers that prevent disabled people from having the same access to services as others
- develop services that are accessible for disabled people
- devise and develop an information/communication policy to ensure that all relevant information is totally accessible by people with all types of impairments
- work in partnership with organisations that promote disability rights

## **12. WOMEN**

Middlesbrough Council recognises that some women experience discrimination and disadvantage in their lives. This is because some people believe that one gender is better than the other, this is known as sexism. The Council is committed to achieving equal opportunity for all women. The Council will aim to:

- remove forms of unlawful sex discrimination
- ensure equal access to Council services
- design and deliver services that are responsive to the needs of all women
- ensure equal participation in decision-making processes where possible
- support activities and campaigns that seek to achieve equality for women

## **13. GAY, LESBIAN, BISEXUAL AND TRANSGENDER PEOPLE**

The Council recognises that some gay, lesbian, bisexual and transgender people experience discrimination and disadvantage. The Council will endeavour to meet the needs of gay, lesbian, bisexual and transgender people by:

- supporting activities and campaigns that achieve equality for gay, lesbian, bisexual and transgender people
- supporting the establishment of groups for gay, lesbian, bisexual and transgender people, as employees of Middlesbrough Council
- ensuring services are sensitive to gay, lesbian, bisexual and transgender people

## **14. GROUPS**

The Council consults with a variety of focus groups and forums. The membership of these groups varies, and they include: - external groups, community representatives, voluntary sector, private sector, council officers and members. The groups and forums meet regularly to review, and consult on, policies and service plans relating to diversity.

## **15. COMPLAINTS**

If any employee or service user feels that they have been treated unfairly within the scope of this policy, the matter should be channelled through the Council's Grievance Procedure for employees and through the Corporate Complaints Procedure for service users.

The Corporate Complaints Procedure sets out a process and a set of standards that must be adopted as a minimum requirement in order to ensure good practice. The central principle of the Corporate Complaints Procedure is to resolve a complaint quickly, informally and as close to the point of delivery as possible.

## **16. STRUCTURE**

Middlesbrough Council will aim to ensure that equalities will be mainstreamed into business planning but recognises that a specific structure to progress the equalities agenda is required. The Council has a Principle Corporate Diversity Officer based within the Performance and Policy Unit and a Diversity Manager based in Social Services.

The Corporate Diversity Group (CDG) which comprises senior officers, who are generally responsible for equality issues will oversee this policy. Each Directorate/service area has a contact officer for equality issues. (See appendix B for CDG terms of reference)

## **17. SCRUTINY**

This Equality Policy and the Corporate and service area diversity action plans will be subject to scrutiny in line with the authorities scrutiny procedures.

# **APPENDICES**



## Appendix A – Definitions

- **Direct Discrimination** takes place when someone treats someone else less favourably than they would treat others in the same circumstances. For example:
  - Refusing to offer a job to a person who has the required skills because they belong to a particular ethnic group
- **Indirect Discrimination** takes place when someone applies a condition or requirement to something which, although applied equally to all, some groups would have more difficulty meeting than others. This is because the proportion of one group that can comply with the condition or requirement is much smaller than that of another group. Such a situation is illegal if it cannot be justified and it causes detriment to someone from the group that cannot comply. For example:
  - A height requirement of 6ft 2ins in a job advertisement which is not necessary to do the job. Men are normally taller than women, so the number of women who can meet this job requirement is considerably smaller than the number of men who can do so. Therefore women are placed at a disadvantage.
- **Institutional Racism / Institutional Discrimination** is a term used to describe the collective failure of an organisation to provide an appropriate and professional service or employment condition to people because of their race, sex or disability.
- **Homosexual Discrimination** is where someone is treated unfairly because they are a gay man or lesbian woman.
- **Transgender** is a term to describe anyone that lives, or wishes to live, as a member of the opposite gender to his or her birth gender.
- **Victimisation** occurs if you are treated less favourably because you have complained about discrimination, or supported someone else who has.
- **Harassment** is inappropriate and unwelcome behaviour that causes embarrassment, humiliation, offence or distress. It involves remarks, gestures, acts or omissions that can reasonably be described or perceived as objectionable.
- **Bullying** is inappropriate and unwelcome behaviour that causes distress, alarm, apprehension or fear. It involves remarks, gestures, acts or omissions that can reasonably be described or perceived as intimidating.



- **Prejudice** involves making a pre-judgement about something before experiencing or fully understanding the true concept of the situation. It can lead to the development of discriminatory attitudes about certain kinds of people, produce negative views about different lifestyles, different value systems, standards of behaviour and the value we place on other people's right to choose to be different.
- **Stereotyping** is the pre-judgement of people based on assumptions. Assumptions made about individuals or groups are often based on false or misleading information and, without direct experience or proper judgement, have no validity.

## **Appendix B – Corporate Diversity Group: Terms of Reference**

The terms of reference for the Corporate Diversity Group are:

1. Progressing issues surrounding the local and national diversity agenda.
2. Working towards equality and diversity standards and legislation i.e. (Generic) Equalities Standard, Race Relations (Amendment) Act 2000, and the Disability Discrimination Act 2005.
3. Ensuring diversity issues are linked to existing legislative framework, in particular Best Value.
4. Ensuring diversity issues are an integral part of service delivery, employment and community engagement.
5. Ensuring ownership and accountability for services.
6. Undertaking of a diversity audit, managing the process giving direction.
7. Work in partnership with Service Middlesbrough in the development of diversity issues.
8. Produce service diversity action plans as a result of the diversity audit with clearly defined targets and milestones.
9. Produce and monitor reports on the progress of service action plans.
10. Agree mechanisms for dealing with any underachievement of targets.
11. To support the Council in the achievement of its Diversity Policy Statement.
12. To provide a mechanism for sharing good practice across the Council.

We will try to make a summary of this document available in other languages.  
Braille or large print on request.

سوف نحاول ان نجعل ملخص هذه الوثيقة متوفرة بلغات اخرى, الابرل وكتابة  
كبيرة عند الطلب.

ہم کوشش کریں گے کہ اس دستلہز کا خلاصہ دوسری زبانوں میں مہیا کیا جاسکے مزید  
آپکی درخواست پر اسے بریتل یا موٹے الفاظ میں بھی فراہم کیا جاسکے گا

  
Middlesbrough  
moving forward

0001248