

# Appendix B

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**Corporate Equality and Diversity Policy**

**Draft Equality and Diversity Statements**

**For consultation**

**Cabinet 11 March 2008**

**2008-2010**



**CHELtenham**  
BOROUGH COUNCIL

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# Promoting Race Equality`

## Background

The Race Relations (Amendment) Act 2000 gave public authorities a new statutory duty to promote race equality which is broken down into a general duty and two specific duties. The aim is to help public authorities to provide fair and accessible services and to improve equal opportunities in employment. All councils must make race equality a central part of their functions and policies, including planning, policy making, service delivery, regulation, inspection, enforcement and employment.

Arising from this Act is a specific duty, which has been placed on all councils, to produce a Race Equality Scheme. Cheltenham Borough Council's first Race Equality Scheme was published and endorsed by Cabinet and the Board of Directors in May 2002 with a second version being agreed by cabinet in December 2003. This is the third version of our race equality scheme and we have agreed to include this within our Comprehensive Equality and Diversity Policy in recognition that many of the ways in which we will promote race equality will also support our work to promote equality across the other five equality strands.

## Black and Minority Ethnic groups within Cheltenham:

A particular feature the council has to address is the relatively small numbers of the BME population within Cheltenham compared with other towns of the same size. This creates three particular issues:

- it makes it more difficult to communicate with small groups which do not have strong networks or political influence;
- elected members and employees of the council are likely to have less day to day contact with other cultures; and
- it makes monitoring of our functions and policies more sensitive.

## Cheltenham's Ethnic Profile:

Cheltenham's ethnic profile from the 2001 census showed that 96.7% of our population was of white origin and that 3.3% were from black and other minority ethnic groups. Our largest ethnic minority group at the time was of Indian origin and numbered 1,100 and this group had been successfully present in Cheltenham for 50 years. However between 2003 and 2006, 2,675 migrant workers registered for work in Cheltenham, with 1,800 coming from Eastern Europe (Source: Gloucestershire County Council 2006). So in the space of four years, our ethnic profile has significantly changed. This diversity within Cheltenham brings advantages including increasing skills and availability of labour within our local economy, together with sharing different cultures but it also brings pressures including demands on the housing stock.

## The council's ethnic profile

As at January 2007, Cheltenham Borough Council employed:

- 695 white employees (97%)
- 4 Mixed-race employees (0.6%)
- 10 Asian employees (1.5%)
- 1 Black employee (0.1%)
- 6 Chinese or 'other' employees (0.8%)

## Resident population (percentage)

Percentage of resident population in ethnic groups:	Cheltenham	England
White	96.7	90.9
Mixed	0.9	1.3
Asian or Asian British	1.4	4.6
Indian	1.0	2.1
Pakistani	0.0	1.4
Bangladeshi	0.2	0.6
Other Asian	0.2	0.5
Black or Black British	0.3	2.1
Caribbean	0.1	1.1
African	0.2	1.0
Other Black	0.0	0.2
Chinese or Other Ethnic Group	0.8	0.9

Source: 2001 Census, ONS

### Details of the general duty:

This duty has been placed on specified public authorities who must have due regard to the following:

#### Elimination of unlawful discrimination

The council is committed to the elimination of unlawful discrimination and will deliver on this by not deliberately discriminating or presenting barriers in the way we provide services.

#### Promoting equality of opportunity

The council is committed to promoting equality of opportunity through the running of training programmes on race equality for new and existing staff. The council has well established processes for ensuring that equal opportunities are built into its recruitment process, not only in terms of race but also gender and disability e.g. application monitoring. Racism and unlawful discrimination are prohibited within employees' conditions of employment, and will lead to serious disciplinary action.

#### Promoting good race relations

The modernising agenda for local government provides a fresh focus on how we work with our communities. The council recognises that it has a championing role for promoting good relations between persons of different racial groups and this is reinforced within our new community strategy. In particular, we will continue to work through our community development function to support and encourage a vital network of community groups, to overcome social exclusion and build capacity for their voice to be heard.

### Details of the specific duties:

There are also two specific duties which are not ends in their own right but are there to help public authorities meet their general duty. Each time a public authority tackles a specific duty, it must consider whether it is meeting the three parts of the general duty (see above). The two specific duties are:

- 1) To produce a race equality scheme that provides the following information:**
  - A list of our policies and functions that are relevant to promoting race equality.
  - How we assess and consult on the likely impact proposed policies will have on race equality.
  - How we monitor policies for any adverse impact.
  - How we publish the results of assessments.

- How we will ensure public have access to information and services that we provide.
- How we will train staff on the Race Equality Duty.

**2) In addition the council is required to monitor its employment practices and procedures by racial group. This employment duty requires the council to monitor by racial group:**

- employees in post;
- applications for employment;
- receive training;
- benefit or suffer from performance appraisals;
- are involved in grievances;
- are subjected to disciplinary action; and
- end their service with your authority (for whatever reason).

## **Meeting the specific duties**

### **Our Race Equality Scheme**

#### **A list of our policies and functions that are relevant to promoting race equality.**

As part of our three year rolling programme of impact assessments we have listed all of our functions, these are shown in appendix xx. The list prioritises functions according to their relevance, and impact on service users and equality.

#### **How we assess and consult on the likely impact proposed policies will have on race equality.**

Proposed policies will be impact assessed using our standard assessment form, details of which are given in appendix 2 of the CEDP. They will be assessed for their impact on equality for everyone, not just on different racial groups.

#### **How we monitor policies for any adverse impact.**

We want to collect and analyse data about service users and their race and ethnicity. This will help to highlight possible inequalities, identify underlying causes, and remove any unfairness or disadvantage, in our employment and service delivery.

#### **How we publish the results of assessments.**

The results of monitoring, equality impact assessments and consultation will be available for anyone wishing to view them. They can be viewed on our website in the equality and diversity section. The annual review of this policy and strategy will also be available on our website.

#### **How we will ensure public have access to information and services that we provide.**

We are committed to ensuring that the public have access to information and services. Everybody in the borough should be aware of our services and be confident in using them. We try to provide accessible information and services in the following ways:

- By understanding the needs and experiences of our service users through consultation, feedback cards and the customer satisfaction surveys. We then try to improve, and tailor our services to meet the needs of everyone in the district. This ensures they are accessible;
- Use information on service users, impact assessments and monitoring to highlight factors that directly or indirectly discriminate, causing a service to be less accessible to a particular group;
- Our impact assessment form has a service delivery section. This makes staff think about how people access their service, and information about it. If improvements to access are identified they can feed into an improvement action plan and also service plans;
- We ensure that all of our corporate information is available in a range of formats, such as Braille and audiotape, on request;

- Information on our services is available via our website.

### **How we will train staff on the Race Equality Duty.**

We recognise that it is important to train staff on equality issues. This will ensure that employees will promote equality and eliminate discrimination where possible. Staff will be more aware of, and better able to understand the different needs of customers and employees.

Training will be provided in the following ways:

- Our customer first programme provides training on equalities. This is to be completed by all staff as part of their induction.
- All service managers have received specific training on how to carry out impact assessments and consultation.
- Specific training has been provided to support staff dealing with racial incidents

Training needs are identified through appraisals.

### **How we will monitor employment procedures and practices.**

We must monitor by ethnicity current and potential employees. This will allow us to ensure that employment policies are fair and promote equality. We currently monitor by ethnicity the following:

- Current employees – Percentage of ethnic minorities compared to the percentage of ethnic minorities in the community.
- Applicants for employment – Our application form has ethnicity information. We will monitor the success rate of ethnic minority candidates compared to all applicants.

We will explore the feasibility of monitoring by ethnicity the following:

- Recipients of training
- Grievances
- Disciplinary actions
- Leavers.

It is intended that our HR system CHRIS21 will monitor this information. The equalities forum will use the results of monitoring to:

- Examine if there are differences between different racial groups
- Investigate the underlying reasons for any differences
- Deal with any unfairness, disadvantage or possible discrimination.

Findings from monitoring may require us to revise our employment policies or take other appropriate action. We will publish employment monitoring results annually. The employment reports will also show our employment monitoring results for gender, disability and age monitoring. As we have a low percentage of ethnic minority staff, results will be published in general terms to avoid identification of individuals.

# Promoting Disability Equality

## Background

From December 2006 The Disability Discrimination Act (DDA) 1995 has been amended to place a duty on all public bodies to promote disability equality.

The Disability Equality Duty requires Cheltenham Borough Council to actively promote disability equality, and is similar to the duty to promote race equality under the Race Relations (Amendment) Act. This is a positive duty which means that we must integrate disability equality at the beginning of our processes, rather than make adjustments at the end. It will bring about a shift from a legal framework which relies on individual disabled people complaining about discrimination to one in which the council becomes a pro-active agent of change.

In December 2006, the council approved its disability equality scheme which sets out how the council will respond to the new legislation and actively promote disability equality in service delivery, employment and access to our buildings. It sets out how we will involve disabled people in how the council manages this change and make sure that they are included as active partners rather than interested onlookers. The scheme proposes an overall goal which is:

***to close the gaps in disabled and non disabled people's experiences of council services and opportunities for employment***

This section summarises the key objectives from the approved scheme.

## Disability in Cheltenham

An assessment of the prevalence of disability in Cheltenham in 2004, showed that around 17,000 (15.6%) people in Cheltenham had mild, significant or severe disability need. Mental illness accounted for the highest proportion of disabilities with 12.15% (13,339) people affected. In terms of people of working age (16 to 64 years), there were 6,518 (9.1%) people with a disability.

In terms of benefit claimants, in 2004, 2.9% of the population (3,205) claimed disability living allowance which increased by 7.5% from the previous year and 2.8% of the population (3,045) claimed Incapacity Benefit which increased by 9.4% from the previous year.

The indicators on mental health, health status and limiting long term illness, which are based on the 2001 census, all point to a greater prevalence of disability in our regeneration areas, with Oakley and Hesters Way areas in particular having pronounced numbers of people with poor health and numbers claiming disability benefits.

Census results showed that in 2001 approximately only 40% of disabled people in Gloucestershire that are of working age were economically active. With 60% of disabled people of working age being economically inactive, there is a real link between disability and low incomes which needs to be broken by a concerted effort by all employers to improve recruitment processes and make changes to employment conditions to encourage more disabled employees.

## The council's disability profile

Cheltenham Borough Council employs 16 (2.2%) disabled people. Of these employees, 10 (62.5%) are male and 6 (37.5%) are female.

## **The preparation of the disability equality scheme**

Recognising that the implementation of the new duty was imminent, the council set up a review group in October 2005 under the Social and Community Overview and Scrutiny Committee. The purpose of the group was to review how effectively the council will comply with the provisions of the new Disability Discrimination Act. The group was chaired by the chair of the relevant overview and scrutiny committee and also treasurer of the local disability forum.

We wanted to ensure full involvement of disabled people in the process, so the group invited the chair of Cheltenham Disability Forum to sit on the review group and also committed to use the forum as a primary means of consulting with disabled people about the review process and the development of this scheme.

## **Key objectives**

The review highlighted the following six areas where the council needed to take concerted action to promote disability equality.

1. Closing the gap in terms of access to our buildings is a key objective of this scheme and monitoring the implementation of works to improve accessibility to our buildings is listed as an action in our action plan.
2. Closing the gap in employment opportunities is a key objective of this scheme. In the action plan set ourselves a specific action to increase the proportion of our staff who are disabled which will be taken forward through adopting the positive about disabled people standard
3. Closing the gap in communication and engagement is a key objective of this scheme. As a council we recognise the valuable work that the disability forum play and thank them publicly for their work in helping us prepare this disability equality scheme. We want to strengthen their capacity to be a real agent for change in promoting disability awareness both within the council but also within the rest of the borough.
4. Closing the gap in communication and engagement is a key objective of this scheme. We feel strongly that the council need to put measures in place to ensure that appropriate disabled groups are involved in the planning and design of services, processes and projects. Also we will improve the way we communicate with all our customers by ensuring our publication comply with the clear print guidelines and that frontline staff have the awareness and knowledge to communicate with customers with impairments.
5. Closing the gap in service provision is a key objective of this scheme. In the action plan we set out how we will improve accessibility to the services that we assessed as part of the review process.



# Promoting Gender Equality

## Background

From April 2007, the Equality Act 2006 amended the Sex Discrimination Act to place a statutory duty on all public authorities, when carrying out their functions, to have due regard to the need:

- To eliminate unlawful discrimination and harassment;
- To promote equality of opportunity between men and women; and
- To publish a gender equality scheme setting out its gender equality objectives

## Why was the duty introduced?

- The gender equality duty aims to make gender equality central to the way that public authorities work, in order to create:
  - better-informed decision-making and policy development;
  - a clearer understanding of the needs of service users;
  - better-quality services which meet varied needs;
  - more effective targeting of policy and resources;
  - better results and greater confidence in public services;
  - a more effective use of talent in the workforce.
- This is a positive duty that is intended to address the fact that, despite 30 years of individual legal rights to sex equality, there is still widespread discrimination - sometimes intentional, sometimes unintentional - and persistent gender inequality. Policies and practices that seem neutral can often have a significantly different effect on women and on men, often contributing to greater gender inequality and poor policy outcomes. Individual legal cases have not been enough to change this.

In addition, the legislation introduces a legal obligation to prevent discrimination against transsexual and trans-gender people in employment and service delivery.

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The council has a specific duty to prepare a gender equality scheme that was approved by the council's cabinet in September 2007.

## Gender profile of Cheltenham

Cheltenham has a population of 111,656, with 57,035 (51.1%) females and 54,621 (48.9%) males. (Office of National Statistics mid-2005 population estimates. Approximately 69,700 residents are of working age. (16 to 64 for males and 16 to 59 for females) and of these people 33,200 (47.6%) are female and 36,600 (52.4%) are male.

Approximately 20% of the working age population are economically inactive (which means people who are neither in employment nor unemployed including those who are looking after homes or are retired) and of these 70% are female 30% are male.

Full time workers in Cheltenham earn an average gross weekly earning of £470.70 a week. The average figure for full time female workers is £ 404.80 and for male workers this figure is 27% higher at £514.30 per week.

## Gender profile of the council

As at January 2007 Cheltenham Borough Council's headcount was 716 (excluding casual employees) and an almost even gender split with 331 (46.3%) females and 385 (53.7%) males. This is in line with the proportions of economically active females and males in the borough.

However, at Senior Management level this figure becomes less representative with only 4 (25%) of the 16 Senior Managers being female, and the remaining 12 (75%) being male. This is also true at Strategic Director level with 1 (25%) of the 4 Directors being female and 3 (75%) being male.

### Casual employees

There are 219 casual employees working for Cheltenham Borough Council, the gender profile is fairly evenly split with 121 (55.3%) being female and 98 (44.7%) being male.

### Full time employees

There are 553 full time employees at Cheltenham Borough Council, of these 204 (36.9%) are female and 349 (63.1%) are male.

### Part time employees

There are 163 part time employees at Cheltenham Borough Council, of these 127 (77.9%) are female and 36 (22.1%) are male.

Females		Profile	Males	
Number	Percentage		Number	Percentage
331	46.3%	<b>All employees (minus casual employees)</b>	385	53.7%
121	55.3%	<b>Casual employees</b>	98	44.7%
204	36.9%	<b>Full time employees</b>	349	63.1%
127	77.9%	<b>Part time employees</b>	36	22.1%
4	25%	<b>Senior Management Team</b>	12	75%
1	25%	<b>Board of Directors</b>	3	75%

It is clear that for all employees, the council is fairly well balanced by gender, but that imbalances are present among part-time workers and within the senior management team.

In terms of salary scales the above chart demonstrates that two thirds of scale 1-6 grades are female, whilst two thirds of PE grades are male.

Females		Profile	Males	
Number	Percentage		Number	Percentage
0	0	<b>Other</b>	2	100
0	0	<b>Eng Craft</b>	5	100
15	10.34	<b>Manual</b>	130	89.66
234	65.00	<b>Scale 1-6</b>	126	35.00
50	54.35	<b>SO1-SO2</b>	42	45.65
31	31.96	<b>PE8- PE4</b>	66	68.04
1	25.00	<b>PE3-PE1</b>	3	75.00

## Key objectives

### Closing the gap in policy development

The council is committed to promoting gender equality through the development of its policies to ensure that policies are not maintaining or leading to gender inequality.

To take this forward, we have agreed that we need to look at how policies are developed and ensure that we assess their likely consequences for women and men and then alter or amend them so that they have due regard to the need to promote gender equality and eliminate unlawful discrimination and harassment

We will use our equality impact assessment tool to assess draft policies and use the findings from this to inform better policy-making.

### **Closing the gap in service delivery**

Women and men sometimes have different needs from our services, and use them in different ways. There may also be different groups of men and of women who have specific needs or face particular barriers in taking up our services. Understanding and tackling these barriers will ensure that we are promoting accessible service delivery, meaning that our services are available to everyone.

There may be needs or characteristics that are common to the majority of men or the majority of women. However the council recognises that it is not appropriate to apply these common factors to the whole of the gender groups and that diversity within and between these groups should be respected.

Through the equality impact assessments that were carried out across the organisation in late 2006, early 2007, we have identified a number of services where specific needs can be identified.

### **Closing the gap in employment**

From the assessment carried out in December 2006 (see appendix A) from the previous 6 months recruitment activity, there were slightly more female applicants for jobs at the council and this was then reflected in the slightly high proportion of females that were successful in gaining employment.

For those six months, a balance in gender was achieved with a high degree of correlation back to the existing gender profile of our employees.

There was no evidence of the selection or recruitment of employees based on gender

We can therefore conclude that our recruitment process is not disadvantaging any particular gender and that the Council is achieving its aspiration to appoint and promote our employees based on competency, experience and merit irrespective of gender, age, religion, ethnic origins, disability or sexual orientation

As highlighted above, there are certain occupations in the council where one gender predominates. Examples include refuse collection where 100% of employees are male, Human Resources where 78% are female, Reception services where 63% are female and Policy and Performance where 60% are female.

The council recognises that from time to time certain occupations may contain a majority of one gender. The council believes that if it is appointing and promoting employees based on competency, experience and merit irrespective of gender, and that our working practices, processes and customs in all its areas are gender neutral, then this situation is not to be considered as a problem.

From the gender profile set out above, the council has identified that there is a significant gender imbalance in employees in part-time employment. Nearly 80% of our part-time employees are female. Many of our part time employees have childcare and other caring responsibilities.

The council recognises that part-time work is characterised by low rates of hourly pay and reduced access to promotion and development opportunities. In addition, lack of availability of suitable childcare can restrict carers employment choices.

The council will explore how best to support employees with childcare and caring responsibilities through providing more flexible working and training opportunities and through our existing childcare voucher scheme.

### **Closing the gap on equal pay implementation plans for equal pay**

The council committed itself to establish a fair employment and implementing an equal pay policy in June 2004. Significant progress has been made on this and the likely date for full implementation is March 2008.

As part of this commitment, the council has undertaken a process of job evaluation of all our professional, technical, clerical and manual posts in the authority. At the same time, the job evaluation scheme will enable the Council to ensure that its new grading structure provided for equal pay for work of equal value.

As of 1<sup>st</sup> April 2007, all jobs have been evaluated and the process to carry out the analysis and moderation work and to develop a new pay and grading structure has started.

Cheltenham Borough Council continues to work in partnership with the Trade Unions and the aim is to reach agreement on these matters by the end of 2007, so that union members can be balloted on the recommendations.

Through implementing single status, the council will fulfil its requirements under the general duty to have due regard to the need to eliminate discrimination that is unlawful under the Equal Pay Act. This gives an individual a right to the same contractual pay and benefits as a person of the opposite sex in the same employment, or where the source of the pay is the same, where the man and the woman are doing:

- the same or similar work
- work which has been rated as equivalent under an analytical job evaluation study
- work that is of equal value (work of equal value is where the work done is different but considered to be of equal value or worth in terms of demands such as effort, skill and decision-making).

The single status project will also give the council an effective job evaluation model which will be used to grade jobs in the future to ensure continued equality of pay and grading structures.

We will therefore commit to completing the harmonisation of the terms and conditions package and implement a new pay and grading structure (Single Status Project) for all employees below the level of Assistant Director and also complete a job evaluation exercise on the senior management team's posts.

### **Closing the gap in eliminating harassment**

As part of the development of this scheme, the council has recognised that its existing harassment processes is not fit for purpose. Over the next 12 months, our Human Resources Team will prepare, consult and publish a new policy to ensure that harassment is prevented across all our activities before it occurs including:

- in employment, and service delivery
- in regulatory and enforcement functions
- in the management of our premises.

To ensure that the new policy is embedded across the organisation, the council will commit to providing training so that service managers are equipped to deal with instances of harassment should they occur.

We will also adopt and communicate complaints and investigations procedures for dealing both formally and informally (as appropriate) with harassment, in a supportive manner which will be linked to our grievance and disciplinary procedures.

We will also adopt the Equal Opportunities Commission policy on gender reassignment.

## Promoting Age Equality

Age equality means securing the equal participation in society of people of every age, based on respect for the dignity and value of each individual.

### Introduction

On the 1<sup>st</sup> October 2006 new age discrimination legislation was implemented in the UK in the form of the Employment Equality (Age) Regulations 2006. The new legislation prohibits discrimination in the workplace on the grounds of age, against any person, young or old. It is designed to ensure that decisions on recruitment, terms and conditions, promotions, transfers, dismissals and training are made on the basis of an individual's merit and competence and not based on a person's age. The regulations do not cover the provision of goods and services.

These regulations apply to all employees, private and public sector, vocational training providers, trade unions, professional organisations, and trustees and managers of organisational pension schemes.

Employers could be responsible for the acts of employees who discriminate on the grounds of age.

### What do the Regulations Cover?

In line with other anti-discrimination legislation, the Employment Equality (Age) Regulations 2006 make it unlawful to discriminate in the following ways:

1. **Directly** – involves treating an individual less favourably than another person on the grounds of that person's age.
2. **Indirectly** – involves applying any general policy, procedure, rule or practice which puts (or would put) persons of a particular age group at a particular disadvantage when compared with others.
3. **Harassment** – involves behaviour that creates an intimidating, hostile, degrading, humiliating or offensive environment for the person on the receiving end.
4. **Victimisation** – involves discriminating against a member of staff because that person has raised a genuine complaint of age discrimination or harassment

There are limited circumstances when discrimination may be lawful (genuine occupational requirements, objective justifications, exceptions and exemptions). Your Group Personnel Officer can provide you with further advice about this.

### The Equality Act 2006:

Setting out the statutory framework for the CEHR, which came into operation in October 2007, this Act also made it unlawful to discriminate in the provision of goods, facilities and services on the grounds of religion or belief (directly in the legislation) or sexual orientation (via regulations which took effect in April 2007). Age was not included in the Act, leaving it the only strand without protection from discrimination in goods and services.

### What we know

- Around 29 per cent of adults report experiencing age discrimination, more than any other form of prejudice.<sup>1</sup>
- The DTI estimates that 1.5 million people aged over 50 and 0.5 million 16-25s face discrimination. *DTI 2006*

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<sup>1</sup> Age Concern Research Services/University of Kent, *How ageist is Britain?* Age Concern England. 2005

- Except in their 20s, women consistently face greater levels of age discrimination than men. *EFA, Age at Work 2005*
- Promotion prospects are much lower for those under 30 than those between 30 and 40, but prospects for those over 50 reduce to nearly zero. *CIPD 2005*
- In a Monster UK survey 62% of respondents agreed that age is a factor when considering candidates, only 15% felt that age wasn't a factor. *Online Recruitment 2005*
- 59% of a sample of 2,700 managers reported that they had been disadvantaged at work because of their age. 48% had experienced age discrimination in job applications and 39% believed promotion chances had been hindered by age stereotypes. *CMI/CIPD 2005*

Age based unequal treatment consists of discrimination against people on the grounds of their age, which includes unfair treatment linked to being a specific age, being within an age range, or being identified by a vaguer category such as 'old' or 'young'.

It also includes perceived age and the age of the people the person is associated with. For example the equality of carers of older people is an important dimension of age equality.

### Age profile of Cheltenham

As noted above, Cheltenham has an ageing population with 17.1% of people are aged 65 or over compared to just 16.2% nationally and this figure is likely to increase as more older people live longer and as young people continue to move out of Cheltenham. On current trends the population aged 65 and over will increase by 2,600 people between 2001 and 2026 to 21,700 which is 21% of the population compared to 17.4% in 2001. The overall effect of these changes (in conjunction with a decline in the under 65 age group) is to age the population of the Cheltenham Borough over the next 20 years. By 2026, just over a fifth of the population in Cheltenham will be aged 65 or above, compared to 17% in 2001. This mirrors the national figure but is less than the county figure of nearly 24%.

Whilst some of the impact of this change in population structure will be mitigated by rising incomes and advances in medicine so that older people remain active for longer, there is still likely to be significant demands placed on health, social care and housing services with a corresponding demand placed on the public purse to service this demand. Falling birth rates when coupled with high house prices in Cheltenham could also lead to a reduction in the numbers of young people living and working in Cheltenham.

### Age profile of employees of the council

As at September 2007, this was:

Age	Numbers	percentage
16-19	11	1.6
20-24	64	9.1
25-29	66	9.4
30-34	60	8.5
35-39	81	11.5
40-44	101	14.3
45-49	88	12.5
50-54	88	12.5
55-59	92	13.0
60+	54	7.7
	705	100.0

## **How we will promote Age Equality**

### **Recruitment & Selection**

The use of age limits, age ranges and age-related criteria in recruitment adverts as well as language that implies age restrictions, such as 'energetic' or 'mature' should not be used.

All managers and supervisors with responsibility for recruitment must be aware that age should not be used as a factor in selection, and that their decisions must be based on objective criteria that are relevant to the job.

Promotion decisions must be based on an individual's ability or potential to do a job rather than age.

### **Training & Development**

All employees irrespective of age must be encouraged to take advantage of relevant and suitable training opportunities.

### **Promotion**

- We do not have a minimum or maximum cut-off age for promotion
- We make our promotion opportunities open to all employees.
- We promote on the basis of measurable performance and demonstrated potential - rather than on the basis of age or length of service.

### **Medical Advice**

An individual's age should not be used to make judgements about their fitness or ability to do their job. If there is a concern, Occupational Health must be consulted to make a medical decision based on their ability to do the job and not on their age per se.

### **Retirement**

The regulations introduce a national default retirement age of 65 years, with employees having the right to request to work beyond that age, and employers having the duty to consider such requests.

### **Redundancy**

Upper age limits on unfair dismissal and redundancy have been removed. Redundancy selection criteria should be amended if necessary to avoid age discrimination

The Council's future needs for knowledge, skills and competencies should be taken into account when selecting employees for redundancy.

### **Service Delivery**

We are also committed to mainstreaming age equality into our policies relating to disabled people. We will ensure that, in our work in housing, health, employment, education, access to services etc, disabled people are not discriminated against in terms of their age. We will work to understand and remove the impact of discrimination faced by disabled people on the grounds of age.

### **Manager's Responsibilities**

- To make your staff aware of the implementation of the new legislation and the impact it will have.



- To become familiar with the Council's Comprehensive Equalities Policy.
- To take steps to prohibit direct or indirect age discrimination in the workplace.
- To take all complaints of harassment seriously, investigate thoroughly, and take prompt steps to stop further behaviour that is causing offence.

### **Employee's Responsibilities**

- To ensure that they are not behaving in a way towards colleagues that could be perceived as discriminatory.
- To report any discriminatory behaviour observed.

# Promoting equality for lesbians, gay men and bisexual people

## Background

We know that lesbians, gay men and bisexual people face disadvantage and discrimination, including institutional discrimination. This is because of attitudes and actions based on the belief that same-sex relationships are wrong or the belief that the lives of heterosexual people are better or more valid.

The Employment Equality (Sexual Orientation) Regulations 2003 came into force in December 2003 outlaws discrimination in employment, training and in the provision of occupation pensions in relation to sexual orientation. They implement the UK's obligations in relation to discrimination on grounds of sexual orientation under the EU Employment Directive.

The Equality Act (Sexual Orientation) Regulations 2007 came into force on 30 April 2007 and they protect against discrimination on the grounds of sexual orientation:

- In the provision of goods, facilities, services, education
- In the use and sale of premises
- In carrying out public functions

## Sexual Orientation profile of Cheltenham

Although there are no accurate statistics for the numbers of lesbian, gay, bisexual and transgender residents, national estimates suggest that 5-7% of the population are gay, lesbian or transgender. The 2001 census recorded 182 people living in same sex couples in Cheltenham. Cheltenham has a successful gay nightclub that attracts visitors from outlying rural areas.

## What we will do

The Council will try to meet the specific needs of lesbians, gay men, and bisexuals by:

- Challenging sexual prejudice exhibited by employees, elected members, contractors, partners, other organisations and users of our services;
- Dealing effectively and consistently with any harassment and violence towards heterosexuals, lesbians, gay men, or bisexuals;
- Working with others to make Cheltenham a safe place for lesbians, gay men and bisexuals; to live, work, study and spend their leisure time;
- Carrying out monitoring in employment, and where appropriate, in service delivery; and
- Supporting the right of lesbian, gay, and bisexual service users, employees and others we work with to be open about who they are. We will do this by creating an atmosphere and environment where it is safe for them to do so, by acknowledging that relationships between people of the same gender are equally valid to those between men and women, and by not assuming that employees or users of services are heterosexual.
- Working towards recognition through the Stonewall Diversity Champions Scheme

However, we recognise that the ways we deal with other forms of discrimination may not be appropriate to deal with homophobia. Because of the nature of this type of discrimination, lesbians, gay men, and bisexual employees and users of services may not always feel able to disclose who they are. This can mean that services are designed and delivered in a way that may be inappropriate for these groups. We will work with individuals and groups who are part of the wider lesbian, gay, and bisexual community to make sure our policies and services are effective. We will work to eliminate assumptions that all our employees, users of services and others we work with are heterosexual.

We also recognise that lesbians, gay men, and bisexuals can face other forms of discrimination and disadvantage because of their race, age, gender, marital status, family circumstances, caring responsibilities or because they are disabled. We will make sure our policies to tackle these issues include ways to address the needs of lesbians, gay men, and bisexuals.

# Promoting equality on the grounds of religion and belief

## Background

We all benefit from living in a society that is inclusive and cohesive – where different groups live in mutual respect and acceptance of diversity. Progress and peace result from valuing differences and harnessing these differences to achieve objectives.

The European Directive on Religion became part of UK Employment Law in December 2003. From this point it became unlawful to discriminate against employees and potential employees on the grounds of faith, religion or belief in employment, vocational training, promotion and working conditions. In addition, the Equality Act 2006 makes discrimination on the grounds of religion or belief unlawful:

- In the provision of goods and services;
- In the management or sale of premises;
- In education; and
- In the carrying out of public functions.

## Faith profile of Cheltenham

Cheltenham has a vibrant range of faith communities which play a critical role in the social and spiritual life of the borough. These communities also maintain a wide range of places of worship including St. Marys, which is the parish church of Cheltenham and dates mainly from the 13th and 14th centuries, a Synagogue, two Mosques, a Hindu temple and countless other buildings that are an intrinsic part of Cheltenham's physical fabric.

In terms of demographics the largest faith group is Christian at 72.3%. This is slightly higher than the national figure of 71.7%, but lower than the county figure of 75.9%. 72.3% equates to 79,581 people.

The Hindu, Muslim and Buddhist communities account for 0.7% (775), 0.5% (536) and 0.3% (296), of the working age population, respectively. Sikh and Jewish communities account for 0.1% (116) and 0.1% (133), respectively. All other religions account for 0.3% (371), there are 20,051 (18.2%) of people with no religion.

Unfortunately there is no data held for religion for Cheltenham Borough Council employees.

## What we will do

The council recognises the unique and significant role that religion/belief has in the life and cohesion of our community.

The council will:

- Promote harmony and understanding between different religion/belief groups with the view of promoting community cohesion;
- Challenge discrimination on the grounds of religion and belief;
- Promote equality for employees and service users, regardless of their religion or belief;
- Provide responsive and appropriate services for all sections of the community;
- Create an environment free from harassment and victimisation for faith groups;
- Improve communication, participation and engagement with faith groups.