



**North East
Derbyshire**
District Council

Equality and Diversity Policy

March 2025

Final Draft

Equalities Statement

North East Derbyshire District Council is committed to equalities as an employer and when delivering the services it provides to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminating all forms of discrimination, advancing equality and fostering good relations between all groups in society.

Access for All statement

You can request this document or information in another format such as large print or **language** or contact us by:

- **Phone** - [01246 231111](tel:01246231111)
- **Email** - connectne@ne-derbyshire.gov.uk
- **Text** - [07800 00 24 25](tel:07800002425)
- **BSL Video Call** – a three-way video call with us and a BSL interpreter. It is free to call North East Derbyshire District Council with Sign Solutions, you just need Wi-Fi or mobile data to make the video call or call into the offices at Wingerworth.
- Call with [Relay UK](#) – it is a free phone service provided by BT for anyone who has difficulty hearing or speaking. It's a way to have a real time conversation with us by text.
- **Visiting** our [offices](#) at Wingerworth – 2013 Mill lane, [S42 6NG](#)

CONTROL SHEET FOR EQUALITY AND DIVERSITY POLICY

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1. Introduction

The Council cares about promoting and providing equality, diversity, and inclusion in all our areas of responsibility. The Council believes in treating everyone equally and with respect. The Council wishes to continue to support our diverse community and workforce and encourage everyone to reach their full potential.

Our communities and organisation are made up of brilliant people. Each of us is unique, whether in terms of background, personal characteristics, experience, skills and motivation, and the Council values our people.

Everyone has a right to be treated fairly and with dignity and respect. Everyone is responsible for ensuring that our own actions and behaviours show respect to others.

This policy applies to all: -

- Council Members
 - Employees,
 - Customers and those applying to access our services
 - Contractors, sub-contractors and consultants
 - Partners delivering commissioned services
 - Students, volunteers, interns and apprenticeships, etc.
- Job applicants and is relevant to all stages of the employment relationship.

1.1 Legal obligations

The [Equality Act 2010](#) aims to reduce inequality across a range of *protected characteristics*. These are: -

- | | |
|-----------------------|----------------------------------|
| • Age | • Marriage and civil partnership |
| • Disability | • Pregnancy and maternity |
| • Race | • Religion or belief |
| • Sex | • Sexual orientation |
| • Gender reassignment | |

See appendix one for the behaviours prohibited under the Equality Act.

1.2 General Duty

The general duty requires the Council to consider equality in every aspect of our work. To meet the general equality duty, the Council must demonstrate it has due regard to:

- Eliminating discrimination, harassment, victimisation and any other prohibited conduct.
- Advancing equality of opportunity.
- Fostering good relations between different groups.

See appendix two for further detail on 'due regard'.

1.3 Specific Duty

To meet the public sector specific equality duty the Council must:

- Publish information to demonstrate how the organisation is complying with the Public Sector Equality Duty.
- Prepare and publish equality objectives at least every four years.
- Publish data about our workforce, service provision, equality objectives and engagement with protected groups when setting equality objectives

This policy reinforces our responsibilities under the Equality Act 2010 to ensure equality of opportunity for all sections of the community and in particular our due regard to the general and specific equality duties.

The equality objectives contained within the Equality Plan outlines the specific steps the Council will take to achieve these duties. The Equality plan can be found on the Council's website: <http://www.ne-derbyshire.gov.uk>

1.4 Reasonable Adjustments

The Equality Act requires the Council to consider reasonable adjustments as a way of reducing or removing any barriers to ensure no individual is placed at a substantial disadvantage.

This applies as follows:

- To ensure Council facilities are accessible, in line with relevant legislation, to disabled people or that reasonable adjustments where practicable are available to support disabled people.
- Where a physical feature puts disabled people at a substantial disadvantage compared with people who are not disabled to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function.
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage compared with people who are not disabled, to provide that auxiliary aid.
- Where the provision, criterion or practice, or the need for an auxiliary aid or service, relates to the provision of information, the steps which it is reasonable to take include steps to ensure that the information is provided in an accessible format.

This duty applies regardless of whether someone's impairment is visible or not.

The Council's approach to reasonable adjustments is as follows: -

- To ensure Council facilities are accessible to disabled people or that reasonable adjustments are available to support disabled people.
- To use alternative premises for meetings/events, checking these are suitable for disabled individuals wherever reasonably possible.

- To offer a system whereby disabled individuals can register their specific format requirements, such as large print documents, braille or telephone interpretation services. This information is available on our website and through Customer Services or for employees via the HR Team.
- Creating an inclusive culture where employees feel happy to disclose their disability should they wish to.
- Being a Disability Confident Employer.

The Council acknowledges that not all disabilities are visible and raises awareness of the **Hidden Disabilities** Sunflower Scheme within its workforce to better understand and assist individuals with hidden disabilities. Reasonable adjustments (1.4) will also be considered to support individuals. Similarly, these principles are applied to employees, providing them with the necessary support to thrive in their roles within the Council.

2. Responsibilities

Leader of the Council, Cabinet Members and Councillors

- To promote the Council's approach and commitment to equality and diversity across the organisation and in the wider community, recommending changes and improvements where necessary.
- To publicly advocating the Council's approach to equality and diversity and to directly challenge prejudice, discriminatory behaviour and attitudes.
- To give genuine and conscientious consideration to equality issues and impact when considering any proposals and making decisions.

Managers

- To develop a culture that promotes equality and values diversity in employment and in service delivery and making sure this policy is fully implemented.
- To ensure equality and diversity is a key consideration in relation to service delivery and leadership practices.
- To ensure equality and diversity considerations are reflected in business and service plans.
- To give genuine and conscientious consideration to equality issues and to consider any equality impact when considering any proposals and making decisions.
- To ensure partners, agency workers and contractors are aware of and comply with this Equality and Diversity Policy.
- To undertake relevant training as requested by the Council.
- To seek advice from your line manager if you are in any doubt.

Employees

- To take personal responsibility for observing, upholding, promoting and applying this policy, creating the right work environment.
- To treat colleagues and third parties (including customers, suppliers, contractors, agency staff and consultants) fairly and with dignity, trust and respect. Sometimes, this may mean allowing for different views and viewpoints and making space for others to contribute.
- To constructively challenge inappropriate comments or ways of working or raising any occurrences with your manager at the earliest opportunity.
- To ensure any dealings that you have with colleagues, or third parties must be free from any form of discrimination, harassment, victimisation or bullying.
- To be aware and understand that you can be personally liable for discrimination and harassment.
- To undertake relevant training as requested by the Council.
- To seek advice from your line manager if you are in any doubt.

If any employee is found to have committed, authorised or condoned an act of discrimination, harassment, victimisation or bullying, the Council will take action under the Council's Disciplinary policy.

Information and Improvement and Human Resources teams develop and monitor our equality related policies and practices, supported by the Senior Management Team and our Employee Networks.

3. Principles

3.1 In plans, policies, and practices the Council will: -

- design services that meet the needs of our communities and workforce by using detailed research, consultation and good practice.
- ensure our plans, policies, and practices do not unfairly discriminate against people with protected characteristics by undertaking equality impact assessments and acting on the results.
- ensure all our workforce, volunteers, customers, residents, partners, and contractors are made available of this Equality and Diversity Policy.

3.2 In service delivery the Council will: -

- ensure services are relevant to the people of North East Derbyshire and consider, individuals' and communities' different needs.
- actively engage with as many sections of the community as possible when consulting about our services.
- encourage and support our communities to engage in community life and public duties.
- celebrate the variety of lifestyles and cultures in North East Derbyshire.
- take all steps possible to review and monitor our services to ensure they do not discriminate unfairly and identify where services can be improved.

- ensure service provision complies with relevant legislation and statutory codes of practice.
- continue developing good practice policies and practices.
- treat all customers positively, with dignity and respect.
- act promptly, investigate and respond to complaints of discrimination, harassment, victimisation and bullying.
- analyse and understand findings when outcomes are not as intended and where potential improvements could be implemented.
- listen to all stakeholders and ensure all viewpoints are taken into consideration when shaping decisions.

3.3 In employment the Council will: -

- foster an inclusive culture to help everyone benefit from a wider range of different perspectives, experiences and skills.
- promote a working environment based on dignity, trust and respect.
- do everything reasonably possible to ensure the workplace is free from discrimination, bullying, harassment, and victimisation and will act promptly on any complaints through our policies.
- aim to recruit and retain a workforce that is as diverse as the community the Council serve in all our services and at every level.
- treat all employees, volunteers and job applicants fairly and provide reasonable adjustments when required without delay.
- ensure all our employees and volunteers receive equality and diversity training.
- provide employees with clear information about job selection, development and encourage everyone to reach their full potential.
- provide a safe working environment and demonstrate the Council care about the health and wellbeing of our colleagues.
- ensure the Council adhere to relevant legislation and statutory codes of practice.
- continue to develop good practice employment policies and practices.
- listen to employees and ensure all viewpoints are taken into consideration when shaping decisions.
- Implement reasonable adjustments to improve access to services.

3.4 In partnerships, contracting and commissioning the Council will: -

- aim to work with partners, contractors and those we commission our services to have the same values and principles and approach to equality and diversity as the Council.
- share our knowledge of our communities, their requirements, and aspirations, with our partners and contractors to help shape and improve the services they provide.

- listen to the views of our partners and contractors to help us to improve our work and practice.

4. Our approach

4.1 Equality Plan

The Council has an Equality Plan which sets out our equality objectives and the steps the Council will take to achieve them. The Plan also contains information about our communities which helps inform our service planning. The Equality plan can be found on the Council's website.

The Equality Plan is supported by an action plan which sets out the steps the Council will take to deliver its equality objectives. The action plan is updated regularly and progress against our equality objectives are published on the Council's website.

4.2 Equality Impact Assessment

The Council will carry out Equality Impact Assessment (EIA) of relevant policies, plans and procedures to ensure that they do not impact unfairly on individuals and/or groups because of their equality characteristics. The impact assessment process consists of two stages – all relevant policies, plans and procedures are screened (stage one) for equality impact with those having impact undertaking a full assessment (stage two). This is an important driver for improving our services and actions to ensure these improvements are incorporated into service delivery.

To ensure that decision makers consider equality implications (due regard) all screening assessments (stage one) are referenced in council reports and delegated decisions, and completed equality impact assessments (stage two) are included in full where required.

4.3 Equality monitoring

The Council undertakes equality monitoring to enable us to better understand who is accessing our services as well as their experiences and outcomes. For example, when undertaking consultation, the council collect monitoring data (when appropriate to do so) to check that any feedback on our services is representative of the people we serve.

Whenever the Council ask members of the public for information for equality monitoring purposes, the Council will take care that this is relevant and appropriate. The Council will: -

- Only ask for the information the Council need.
- Provide an explanation of why the Council need the information and how it will be used.
- Take care to ensure that individuals cannot be identified from the information collected, especially where the results of monitoring are made public or shared.

- Comply with the law in relation to confidentiality, data protection and freedom of information.

Our customer satisfaction measurement may also gather data on equality and diversity to enable us to better understand who is accessing our service, the types of requests/complaints that they bring forward, their experiences and outcomes.

4.4 Consultation and engagement

Consultation is the process by which the Council seek comments, information and opinions about our strategies, policies and services to inform and evidence our decision-making and design good services. This includes many familiar activities such as surveys, public meetings and forums. We make decisions influenced by the knowledge we have gathered through consultation.

Current and past consultations can be found on the [Ask Derbyshire](#) website.

4.5 Information provision

The Council does not routinely provide printed information in languages other than English except where those communications are of a legal nature or concern public safety.

Our 'Access for All' statement is prominent on all corporate communications, and we can offer a telephone interpretation service or officer support to customers with communication or other individual needs.

As a reasonable adjustment for disabled customers, the Council will provide communications in alternative formats (such as large print, Braille) on request (1.4). This is important too for those with hidden disabilities where communication can be a significant barrier.

4.6 British Sign Language (BSL) Charter

Our commitment to Deaf and Hard of hearing people has been strengthened by us signing up to the BSL Charter. The five pledges of the commitment aimed at improving the rights and access of Deaf and Hard of hearing people are: -

- Consult formally and informally with the deaf community on a regular basis.
- Ensure access for deaf people to information and services.
- Support deaf children and families.
- Ensure staff working with deaf people can communicate effectively using British Sign Language.
- Promote learning and high-quality teaching of British Sign Language.

4.7 Customer Service Standards

The Council has a Customer Service Code of Practice and Standards outlining how we deal with customers by telephone, letter, face-to-face, email and other forms of communication. Our promise to customers, together with the standards, can be found on our website.

4.8 Hate incidents and hate crime

The Council is committed to tackling hate crime and harassment arising from perceptions of difference and to fostering good relations between different groups. The police are responsible for investigating criminal offences and for gathering evidence. We will work in partnership with the police when appropriate to do so.

The definition of a **hate crime** is: -

Any **criminal offence** which is perceived, by the victim or any other person, to be motivated by a hostility or prejudice based on a persons' race, religion, sexual orientation, disability or transgender status or based on perception of a persons' race, religion, sexual orientation, disability or transgender status.

The definition of a **hate incident** is: -

Any **non-crime incident** which is perceived, by the victim or any other person, to be motivated by a hostility or prejudice based on a persons' race, religion, sexual orientation, disability or transgender status or based on perception of a persons' race, religion, sexual orientation, disability or transgender status.

The Council will when appropriate to do so: -

- Work in partnership with the police and all relevant external agencies to deal with incidents of harassment and hate crime.
- Take reports of harassment and hate incidents/crimes seriously and encourage reporting.
- Ensure complainants/witnesses are dealt with sympathetically.
- Signpost victims and witnesses to specialist support and advice services where appropriate.
- Keep victims and witnesses informed on their complaints about harassment and hate incidents/crimes.
- Deal with perpetrators of harassment or hate incidents/crimes effectively and appropriately. For example, seeking remedies such as injunctions or seeking possession of council property using our powers under the Anti-Social Behaviour, Crime and Policing Act 2014 and the Housing Act 1985 and 1996.
- Send out a clear message that the Council will not tolerate harassment or hate incidents/crimes. Any hate incident witnessed by or reported to a council employee will be recorded and where appropriate, investigated by relevant officers at the Council and/or reported to police.

As an employer

4.9 Our commitment to Employees

The Council believe a culture of equality, diversity and inclusion not only benefits our organisation but supports wellbeing and enables our people to have a positive experience at work because they can be themselves and feel that they belong.

Fostering an inclusive culture helps everyone to benefit from a wider range of different perspectives, experiences and skills. The Council believe this creates a happier, more productive working environment for us all.

The Council are committed to promoting a working environment throughout the employment lifecycle based on dignity, trust and respect, and one that is free from discrimination, harassment, bullying or victimisation. The Council will not tolerate discrimination, bullying or harassment against employees on the grounds of a protected characteristic as set out within our Anti-Harassment and Anti-Bullying Workplace Guidance.

That the Council will ensure recruitment and retention procedures do not treat people less favourably because of their: -

- Age
- Disability
- Race
- Sex (or Gender)
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Religion or belief
- Sexual orientation

If anyone is concerned about any equality's issues relating to their employment at the Council please contact your line manager, Trade Union or the Human Resources team.

4.10 Recruitment

The Council wish to attract talented people into the organisation and actively values and promotes a diverse workforce. The Council works to harness the complementary skills, knowledge and backgrounds of people who work together in an environment that is fully inclusive and respecting of individuals.

People from different backgrounds can bring fresh ideas and perceptions which can make the way the Council work more efficient and improve service delivery. Our commitment to equality and diversity is to our own employees as well as to the communities the Council serve, driven by purpose as a local authority and our desire to attract talented people within our workforce.

Our commitments:

- To encourage job applications from as diverse a range of people as possible by taking reasonable and appropriate steps for example advertising on a range of media platforms.
- For those involved in recruitment decisions to have attended appropriate Recruitment and Selection Training in advance so they are clear that decisions about recruitment must not discriminate in any way.
- Every decision-maker is encouraged to challenge themselves, and other members of the recruitment selection panel, to make sure that any stereotypes, unconscious bias or prejudice do not play any part in recruitment decisions.

4.11 Equality and diversity training

The Council is committed to developing and leading its workforce to ensure the organisation can deliver high quality and effective services.

Equality and diversity training is mandatory for all new employees as part of their onboarding programme. All employees are encouraged to undertake a refresh session within three years.

The Council routinely evaluate corporate training to ensure it meets legislative, business and individual needs. Individual learning needs are identified through various methods including one to one meetings, team meetings etc.

Equality and diversity training is available to Elected Members in their induction and a refresh session is delivered half way through the administrative term (2 years).

4.12 Equality monitoring

The Council encourage job applicants and employees to provide equality information. This is optional and an employee does not have to provide this information. This data is used to inform statutory requirements such as gender pay gap reporting, identifying areas for improvement, trends or to enhance service delivery. The data collected is collected, stored, retained and used in accordance with GDPR Regulations.

4.13 Neurodiversity

The Council recognises the wide range of neurodiverse people in society. Neurodiversity refers to the different ways the brain can work and interpret information. Most people are neurotypical, meaning that their brain functions and processes information in the way society expects them to. However, it is estimated that around 1 in 7 people (more than 15% of people in the UK) are neurodivergent, meaning that their brain functions, learns and processes information differently.

This can manifest itself in thinking styles such as dyslexia autism, ADHD and dyspraxia. It is often referred to as a hidden disability (1.4). People with hidden impairments often face difficulties in the workplace which at times can be less obvious to staff than for those with more obvious disabilities. Asking employees generally about access arrangements is a powerful way of encouraging employees to seek assistance whether they recognise themselves as disabled or not and supports the Council's approach of being an inclusive and accessible workplace.

5. Raising Concerns

If you think we are not providing a service in line with this policy or you think you have been treated unfairly in any way, you can raise this with us by:

- Completing the on-line **Compliments, Comments and Complaints form** [North East Derbyshire District Council](#)
- Writing to the council at North East Derbyshire District Council, 2013 Mill Lane, Wingerworth, Chesterfield, Derbyshire S42 6NG

- Calling our **Customer Services team on 01246 231111**
- Asking one of our employees to put it in writing for you.

The Access for All panel at the front of this document contains details of all the ways that you can contact us.

For Employees, please raise any concerns with your line manager in the first instance. You can contact your Trade Union Representative or the HR Team, if concerns relate to your line manager.

Appendix 1 – Prohibited Behaviours

The Equality Act 2010 defines the following as prohibited behaviours:

Direct discrimination

Direct discrimination occurs when a person treats another less favourably than they treat or would treat others because of a protected characteristic. For example, denying a customer a service because of their ethnicity or disability.

Direct discrimination is generally unlawful. However, it may be lawful in the following circumstances:

- In relation to the protected characteristic of disability, where a disabled person is treated more favourably than a non-disabled person.
- Where the Equality Act 2010 provides an express exception which permits directly discriminatory treatment that would otherwise be unlawful. For example, providing a single sex swimming session to encourage more women to participate in an activity where they are underrepresented, where such positive action can be objectively justified.

It is direct discrimination if a service provider treats a service user less favourably because of the service user's association with another person who has a protected characteristic.

It is also direct discrimination if a service provider treats a service user less favourably because the service provider mistakenly thinks that the service user has a protected characteristic.

Indirect discrimination

Indirect discrimination may occur when a service provider applies an apparently neutral provision, criterion or practice which puts persons sharing a protected characteristic at a particular disadvantage.

Indirect discrimination occurs under the following four conditions:

- The service provider applies (or would apply) the provision, criterion or practice equally to everyone within the relevant group including a particular service user
- The provision, criterion or practice puts, (or would put), people who share the service user's protected characteristic at a particular disadvantage when compared with people who do not have that characteristic
- The provision, criterion or practice puts, (or would put), the service user at that disadvantage
- The service provider cannot show that the provision, criterion or practice is justified as a proportionate means of achieving a legitimate aim.

Appendix two – Due Regard

The Equality Act requires that public authorities demonstrate that they have had ‘due regard’ to the three aims of the equality duty in their decision-making.

Assessing the potential impact on equality of proposed changes to policies, procedures and practices where relevant and proportionate is one of the key ways in which the Council demonstrates ‘due regard’. This enables public authorities to identify and then mitigate or objectively justify any adverse impact resulting from the policy or practice.

Under the Equality Act 2010 the Council should have “due regard” when making decisions.

- Those responsible for the duty to have due regard must consciously bring it to mind when considering the duty. If they do not or if their appreciation of the duty is incomplete or mistaken, the courts will deem that due regard has not been applied.
- The due regard duty must be fulfilled before and at the time that a particular policy is being considered. Compliance with the duty should not be treated as a rearguard action after a decision to implement the policy in question. It must be exercised with rigour and with an open mind. Due regard involves more than a tick box exercise. The “substance and reasoning” of the decision must be examined.
- The due regard duty cannot be delegated to a third party by the public authority charged with it.
- The duty is ongoing.
- It is good practice for public authorities to keep an adequate record showing that they have considered their equality duties and pondered relevant questions.
- When applying the “due regard” test, the public authority must consider whatever countervailing factors are relevant in the circumstances.