

Horley Town Council

Equality Act

The Council is committed to working towards equality of opportunity in every aspect of Council activity. The Council, therefore, recognises that discrimination on the grounds of disability, race, colour, ethnic/national origin, sexuality, gender, marital status, age or religion is harmful and in many cases illegal. The purpose of this document is to give guidance and direction regarding anti-discrimination legislation within the workplace.

The Legislation

The Equality Act became law in October 2010. It replaces previous legislation (such as the Race Relations Act 1976 and the Disability Discrimination Act 1995)The Equal Pay Act 1970, the Sex Discrimination Act 1975, the Race Relations Act 1976, the Employment Equality (Sexual Orientation) Regulations 2003, Protection from Harassment Act 1997, the Disability Discrimination Act 1995 and Employment Equality (Age) Regulations 2006. Since 6 April 2007, public authorities have been given a statutory duty to eliminate discrimination and harassment, and promote equality of opportunity between men and women.

Sex Discrimination

Under the Sex Discrimination Act 1975, it is not lawful to treat a person less favourably than a person of the opposite sex. It is also unlawful to discriminate based on marital status, and on grounds of sexual orientation under the Equal Opportunities Sexual Orientation Act 2003. Under the Protection from Harassment Act 1997, the unwanted conduct of a sexual nature, or other conduct based on sex affecting the dignity of women or men at work, should not be tolerated.

Horley Town Council acknowledges the general duty placed upon it by the Sex Discrimination Act 1975 and the Protection from Harassment Act 1997. The Council will continue with its' functions and policies to have due regard to the need to promote equal opportunities for both men and women who are single or married, regardless of their sexual orientation.

Race Relations

The Race Relations Act 1976 already makes it unlawful to discriminate against someone on racial grounds.

As a result of new legislation, the Race Relations (Amendment) Act 2000, local Councils are under a general duty to have due regard for the need to:

- i. eliminate unlawful racial discrimination;*
- ii. promote equality of opportunity regardless of race;*
- iii. promote good relations between people of different racial groups.*

The aim of the legislation is to incorporate this way of thinking into a Council's decision making process and service delivery. Horley Town Council recognises that its community is made up of a wide range of different people, and it respects and values the consequential cultural diversity.

The Town Council will ensure that it meets its responsibilities under legislation related to equality matters in ways that have a positive impact on the achievement of equality of opportunity in the wider community.

Horley Town Council acknowledges the general duty placed upon it by the Race Relations (Amendment) Act 2000. The Council will continue with its functions and policies to have due regard for the need to eliminate discrimination, promote equality of opportunity and promote racial equality between people of different racial groups.

Disability Discrimination

The Disability Discrimination Act 1995 (DDA) was introduced in order to eliminate discrimination that disabled people experienced in their day to day lives.

An individual has a disability under the DDA if he/she 'has a physical or mental impairment which has a substantial and long term adverse affect (at least twelve months) on his/her ability to carry out normal day to day activities'.

From 1 October 2004, all employers have to comply with the DDA. There are two ways in which there could be unlawful discrimination against a disabled employee or job applicant:

- i. by treating him/her less favourably than others because of their disability. This includes initial employment, promotion opportunities, training as well as terms and conditions of employment;*

ii. by failing to make reasonable adjustments.

Horley Town Council acknowledges the general duty placed upon it by the Disability Discrimination Act 1995. The Council will continue with its functions and policies to have due regard for the need to eliminate discrimination and make reasonable adjustments to promote equality of opportunity and equality for those with disabilities.

Age Discrimination

The Employment Equality (Age) Regulations Act 2006 covers employment and vocational training. This includes access to help and guidance, recruitment, promotion, training, development, perks and pay. The regulations apply to people of all ages, both young and old. The aim of this legislation is to protect employees against discrimination, harassment or victimisation on the grounds of age. This legislation introduces a national default retirement age of 65 for men and women. Mandatory retirement before 65 will be unlawful unless a lower age can be exceptionally and objectively justified.

Horley Town Council acknowledges the general duty placed upon it by the Employment Equality (Age) Regulations 2006. The Council will set the retirement age at 65. The Council will establish a 'Duty to Consider' procedure in order to allow employees the right to request to work beyond the age of 65. Should employees wish to work after their 65th birthday, they must request this at least six months, but not more than twelve months, in advance of a planned retirement.

The Government Equalities Office has published helpful guidance on the Equality Act 2010 called "Equality Act 2010" What do I need to know? A summary guide for public sector organisations." A copy of that guidance can be accessed via the following web link:

http://www.equalities.gov.uk/pdf/401727_GEO_EqualityLaw_PublicSector_acc.pdf

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