Sandwell Metropolitan
Borough Council

EQUAL OPPORTUNITIES

POLICY
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1.0 Introduction

1.1 This document reaffirms Sandwell Council’s commitment to achieving equality of opportunity, both as an employer and service provider and as a strategic partner both locally and regionally. The document sets out clearly in a single document, what is meant by this commitment and how the council intends to put it into practice. It also provides a signpost to more detailed individual policies, plans and other documents that have a bearing on equal opportunities.

1.2 The equal opportunities policy is intended to be relevant to the current situation and will be reviewed and adapted regularly in the light of developments in the statutory frameworks in the United Kingdom and Europe, changing local circumstances, developing and evolving best practice and as part of a continuous improvement process. This principle will also apply to the more detailed individual policies the council has in place.

1.3 The equal opportunities policy is a consolidating document that brings together a number of corporate policies and commitments of the council around equal opportunities. Its intention is to provide brief information on the council’s commitment and obligations on existing policies and its values and principles.
2.0 **Values**

2.1 Sandwell is a diverse community and as such we value and celebrate the richness of culture, backgrounds and traditions we share. Sandwell Council recognises and accepts that discrimination is a major barrier to a fair and just society.

2.2 To this end we see the diverse communities and cultures in the borough as a positive force for the good of all. The council wishes to make Sandwell a cohesive multi-cultural society in which difference is valued and celebrated and which understands the importance of local diversity in making Sandwell a place of choice in which to live, work, conduct business and visit.

2.3 Sandwell Council’s vision and commitment is to ensure equality of opportunity and equal access for everyone in Sandwell. In serving the community our aim is to improve the quality of life for all our citizens and to facilitate their wider participation in the economic, educational, cultural and community life of the borough.
3.0 **Principles**

Our Equal Opportunities Policy is guided by the following principles:

- All Councillors, employees, service providers, and partners in the community have a responsibility to promote equal opportunities and challenge every form of discrimination and stereotyping.

- There is an expectation by the council that all residents and service users promote equal opportunities and challenge every form of discrimination and stereotyping.

- Every resident and service user has access to high quality services that are appropriate to their needs.

- To work with our partner organisations to improve the quality of life for everyone and make the borough a place to live, work and visit free from discrimination and harassment.

- Recognition and valuing of the diversity that exists in the voluntary sectors and the roles they play in joint partnership working.

- Every job applicant to the council is treated fairly.

- Every employee is entitled to training and development and fair opportunities of promotion.
4.0 Policy Statement

4.1 The council will ensure that no resident, service user, employee or job applicant is discriminated against or receives less favourable treatment on the grounds of:

Gender, race, colour, nationality, ethnic or national origin, disability, marital status, sexual orientation (including gay men, lesbians and bi-sexuals), gender re-assignment, responsibility for dependants, age, trade union or political activities, religious beliefs, spent offences or any other reason which cannot be shown to be justified.

4.2 The council is committed to the improvement of the quality of life for all its citizens and believes in a fair society that gives everyone an equal chance to live, work and learn free from discrimination, prejudice and harassment.

4.3 The council also recognises that discrimination affects people in complex ways and that individuals and / or groups of people can suffer discrimination and receive less favourable treatment through multiple forms of discrimination.

4.4 The council strives to eliminate all forms of discrimination. In order to do this, it recognises that this requires not only a commitment to remove discrimination, but also action, through positive policies to redress the inequalities produced by past discrimination.

5.0 **Our Commitment to Equal Opportunities**

Promoting equalities is about putting principles into practice. These are our commitments to the community, service users and employees.

5.1 **Well-Being of the Community**

The well-being of the community, and thus individuals, is one of the key aims of the council. Well-being involves all the things that impact on the quality of life for the community and individuals within it. This includes the relationships in the community and how inclusive it is.

The council wishes to ensure that Sandwell is a cohesive society in which difference is valued and celebrated, but which also has shared and common basic values.

It also recognises the need to ensure that everyone in the Borough has a chance to take part in our society, that all parts of the community should be fully involved in the council’s decision making processes and feel they have a voice.

Sandwell Council has recognised that in order to meet its primary aim of improving the quality of life of all residents, it has to work in partnership with a number of external organisations, both at the local, regional and national level. The reason for this is that the council does not have sufficient resources on its own or the responsibility to deliver some key services which impact on the quality of life of its citizens.

One of the main partnerships is the ‘Sandwell Partnership’ which is committed to a ‘joint planning process with all its members which will lead to a focused shared strategy designed to improve the quality of life for the people of Sandwell’. One of the main principles that guides its actions is that of Equality of Opportunity which is as follows:
‘The partners will ensure that all sections of the community, regardless of gender, race, colour, nationality, ethnic or national origins, marital status, sexual orientation, age, disability, political or religious beliefs, have access appropriate to their needs to the services sponsored by the partners and to opportunities promoted through its Action Plan’.

The council in its relationships with external partners and contractors will:

- Recognise the importance of community leadership and provide such leadership on equal opportunities issues and work with the Sandwell Family of Partnerships to implement this policy.

- Work with our partner organisations and the community to implement the principles and commitments of the council’s equal opportunities policy in work undertaken jointly with our partners and contractors.

- Ensure that our partner organisations adopt and implement the principles of equal opportunities within their respective organisations and, where relevant, the council will support these organisations in the implementation and development of such policies.

- Ensure that the specifications for contracted out or purchased services require contractors, and subcontractors, to meet the needs of all sections of the community and that services are delivered without discrimination, and recipients of such services do not receive less favourable treatment on grounds that cannot be justified.

- Ensure contractors and sub-contractors are responsible for implementing the equal opportunities policy when providing services on the council’s behalf.
5.2 Serving the Communities of Sandwell

The council is a major provider of services and facilities to residents, businesses and visitors. It has a key role to provide relevant and accessible services that meet the needs of our diverse community. Sandwell Council has a specific policy on ‘Equality in Service Delivery’. (Please refer to Appendix 3)

The aim of the council is to ensure that high standards of quality and equality are always maintained and provide, as well as improve, access for all.

The council’s aim is to:

- Ensure every service user has the right to receive appropriate, accessible and effective services and facilities, without discrimination or prejudice.

- Treat every service user with respect and provide accurate and up to date information about council services.

- Provide clear information about our services in appropriate formats and languages that meet the needs of the diverse communities in Sandwell.

- Monitor our services to ensure that all sections of the community are receiving fair access and are receiving appropriate services that meet their specific needs, and to ensure that there is no discrimination or disparate impact on specific sections of our community which cannot be justified.

- Consult service users on the way the council plans and delivers its services.
5.3 **Sandwell as an Equal Opportunities Employer**

Sandwell council is a major employer in the Borough and therefore has a key role to play in tackling inequalities and discrimination. We aim to ensure equal opportunities underpin all aspects of employment, policy and practice. We recognise that promoting equality of opportunity also makes good business sense. We intend to become an employer of choice, by this we mean that people will want to work for and remain with Sandwell M.B.C. because they will see us as a good employer.

Sandwell council has a specific policy, in terms of equal opportunities, for employment. The aim of this policy is to ensure that no job applicant, or employee receives less favourable treatment on any grounds which cannot be shown to be justified. This applies to recruitment and selection, training, promotion, transfers, pay and employee benefits, retention, disciplinary and grievance procedures and all other terms and conditions of employment. (See Appendix 3)

The main aims and principles of the equal opportunities policy on employment are summarised below:

- To ensure that all its employment policies and procedures do not discriminate intentionally or unintentionally against any group or individual on any unjustifiable grounds.

- To recruit and retain a workforce that reflects the expertise and diversity of our community at all levels within the council and ensure that recruitment and selection procedures are in place to attract the best applicants to Sandwell.

- Use existing and future legislation, which allow for initiatives to encourage under-represented groups to apply for posts, or specific training where appropriate.
- Follow the Commission for Racial Equality, the Equal Opportunities Commission and the Disability Rights Commission Codes of Practice on Employment.

- To undertake regular workforce monitoring and report the outcomes of such monitoring on a regular basis to the council’s reporting structures and the community.

- To support and train staff in increasing their understanding of equalities issues through regular staff development programmes.
6.0 **Implementation of the policy**

6.1 Promoting equality of opportunity is about putting principles into practice and setting clear targets with demonstrable outcomes.

The overall aim of the council is to mainstream its equal opportunities principles while recognising its obligations under various legislation and good practice guides including the Sex Discrimination Act 1975, Disability Act 1995, the Race Relations Act 1976 and the Race Relations (Amendment) Act 2000, including the specific duty to have a Race Equality Scheme, as well as its obligations under the Equality Standard, which is a Best Value Performance Indicator.

By mainstreaming we mean that the council will ensure equal opportunities issues are considered at all the stages and are part of all its processes. This will be done through all the processes it has in place which includes:-

- Leadership
- Business Planning
- Performance Management
- Training and development
- Personal Performance Development (PPD)
- Policy Development
- Budget / Resource Allocation
- Management practices
- Personal Action Plans
- Monitoring
- Target Setting
- Partnership working
- Service Delivery
The council is realistic about what it can achieve and recognises that putting principles into practice is a continuous improvement process which involves the following:-

- Developing action plans and setting clear targets.
- Establishing and implementing monitoring systems.
- Evaluating and measuring progress against our targets.
- Publishing our performance against our equalities targets.
- Sharing our improvements and achievements with all staff, our partners and the community.
- Identifying areas for improvement.
7.0 **Rights and Responsibilities under the Policy**

This policy gives rights alongside responsibilities to councillors, employees and service users.

7.1 **Rights**

**Any service user** has the right to give feedback or raise complaints if they feel they have been unfairly treated, they are entitled to submit a complaint to the council which will be dealt with through the council’s corporate comments, compliments and complaints procedure.

**Every service user** has the right to receive services from the council without any form of harassment, discrimination or victimisation.

**Any employee** who feels they may have a complaint under this policy should raise the matter through the council’s grievance procedure. Job applicants who may feel that they have grounds for complaint should write to the head of Human Resources within the council or alternatively use the council’s corporate comments, compliments and complaints procedure.

**Employees** of the council are entitled to a safe environment which is free from discrimination and harassment.

**Councillors** who feel they have a complaint under this policy have the right to raise the matter through the policies and procedures mentioned above, or through their own procedures related to Codes of Conduct or protocols, depending on the nature of the complaint.

The council will seek to protect **individuals** from any form of victimisation arising from them taking action in relation to their rights in law or making any complaint through the council’s procedures arising from this policy.

**Councillors and employees** of the council must be aware of their responsibilities as well as their entitlement under the Council’s equal opportunities policy.
7.2 Responsibilities

Both elected representatives and staff have a responsibility for the implementation of this policy and in challenging discrimination.

Councillors are responsible for promoting equality of opportunity and ensuring that adequate resources are made available to implement the council’s equal opportunities policy, they are also responsible for setting the council’s priorities.

The Chief Executive and Executive Directors are responsible for the overall management and strategic direction of the equal opportunities policy. They are also responsible for the inclusion of equality targets in their personal action plans as well as monitoring the overall management and strategic targets they have set.

The Chief Executive has the lead on equal opportunities amongst Chief officers.

Heads of Service are responsible for ensuring the implementation of the equal opportunities policy in their service area, the inclusion of equalities targets in their personal action plans, business plans and specific performance and action plans. They are also responsible for ensuring the delivery of these targets and developing criteria for success.

All staff have a responsibility for promoting and delivering equal opportunities in the workplace and in serving the community.

Citizens and our partners also have responsibilities. They have the responsibility to promote equal opportunities and challenge every form of discrimination and stereotyping.

Citizens also have the responsibility in ensuring that fellow citizens and employees of the council are treated with respect and dignity and their rights are not violated.
Appendix 1

Equal Opportunities Policy

Definitions

Below are the definitions for a number of terms that are used in this document or you might come across when looking at specific policies or other documents relating to equal opportunities.

What the terms mean

Discrimination on grounds of race, sex or disability is illegal in both service delivery and employment. It is also illegal to discriminate in employment on the grounds of religion, transgender, being a gay man, a lesbian or bi-sexual. However, for the purpose of Sandwell Metropolitan Council, discrimination is also unacceptable on any of the other grounds specified in the council’s policy statement.

Direct discrimination takes place when a person is treated less favourably than others in the same circumstances on the grounds listed in the council’s policy statement.

Indirect discrimination is when a condition or requirement is applied which adversely affects a particular group considerably more than another which cannot be justified in terms of genuine requirements for the job or need for a service.

Victimisation occurs when a person is treated less favourably than other persons would be treated because that person has done something in reference to the Equal Pay Act 1970 (as amended 1983), Sex Discrimination Act 1975, Race Relations Act 1976, Race Relations (Amendment) Act 2000 or the Disability Discrimination Act 1995 by, for example, bringing forward proceedings or giving evidence or information.

Harassment is unwarranted behaviour that is objectionable to the recipient. Harassment can be on grounds of gender, race, colour, nationality, ethnic or national origin, disability, marital status, sexual orientation, responsibility for dependants, age, trade union or political activities, religious beliefs, spent offences or any reason which can not be shown to be justified. It has many forms and could include physical contact, intimidation, bullying, threatening
behaviour or distributing obscene or offensive materials, making stereotyped assumptions about people, deliberately undermining others’ abilities and confidence, or refusing to work with or serve a group.

**Institutional racism** is defined as ‘the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour that amounts to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping that disadvantages minority ethnic people’.

**A racist incident** is any incident which is perceived to be racist by the victim or any other person.

**Institutional Discrimination.** An organisation can institutionally discriminate on a number of grounds, including gender and disability. The definition is similar to Institutional Racism.
Appendix 2

Equal Opportunities Policy

Relevant Legislation

Sandwell council will implement its Equal Opportunities Policy in accordance with current legislation, including the requirements of a Race Equality Scheme, and the associated Codes of Practice.

Set out below is a list of the legislation, which governs and impacts on equal opportunities.

- Equal Pay Act 1970 and Amendment 1983
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Mental Health Act 1983
- Children Act 1989
- NHS and Community Care Act 1990
- Disability Discrimination Act 1995
- Crime and Disorder Act 1998
- Human Rights Act 1998
- Asylum and Immigration Act 1999
- Local Government Act 1999
- Care Standards Act 2000
- Race Relations (Amendment) Act 2000
- Special Educational Needs and Disability Act 2001
- EU Anti-Discriminatory Measures (1997 Treaty of Amsterdam)
- Employment Equality Regulations 2003
Appendix 3

Equal Opportunities Policy

Useful Council Documents

Set out below are council documents including specific policies and procedures which are relevant to equal opportunities.

- Race Equality Scheme
- Sandwell Neighbourhood Strategy
- Community Plan
- Best Value Performance Plan
- Service Delivery Policy
- Racial Equality Policy
- WhistleBlowing Policy
- Procurement Policy
- Community Cohesion

Employment Policies which include:

- Domestic Violence Policy
- Disability Policy
- Gender Policy
- Harassment Policy
- HIV/AIDS Policy
- Recruitment and Selection Policy
Sandwell M.B.C.

Equal Opportunities Policy

Census Information / Context

To set the context for the Equal Opportunities Policy, we have tried to provide some information on the diversity of the population of Sandwell. The information below is obtained from the 2001 Census.

If you wish to look at the 2001 Census data in more detail you can access this from [http://neighbourhood.statistics.gov.uk](http://neighbourhood.statistics.gov.uk)

Total population of Sandwell: 282,904

Ethnic Groups

<table>
<thead>
<tr>
<th>Ethnic Group</th>
<th>Total number</th>
<th>Percentage of total population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indian</td>
<td>25,855</td>
<td>9.1%</td>
</tr>
<tr>
<td>Caribbean</td>
<td>9,403</td>
<td>3.3%</td>
</tr>
<tr>
<td>Pakistani</td>
<td>8,342</td>
<td>2.9%</td>
</tr>
<tr>
<td>Mixed: White and Black Caribbean</td>
<td>3,678</td>
<td>1.3%</td>
</tr>
<tr>
<td>Bangladeshi</td>
<td>3,432</td>
<td>1.2%</td>
</tr>
</tbody>
</table>

Key Statistics

- 79.7% of the population are white (225,478)
- 20.3% of the population are from an ethnic minority group (57,426)
Religion

**Key Statistics**

- 68.6% of the total population are Christian
- 70% of Indian origin are Sikh
- Over 90% of the Pakistani and Bangladeshi population are Muslim

<table>
<thead>
<tr>
<th>Religion (Selected Groups)</th>
<th>Total number</th>
<th>Percentage of total population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christian</td>
<td>194,138</td>
<td>68.6%</td>
</tr>
<tr>
<td>Sikh</td>
<td>19,429</td>
<td>6.9%</td>
</tr>
<tr>
<td>Muslim</td>
<td>13,051</td>
<td>4.6%</td>
</tr>
<tr>
<td>Hindu</td>
<td>5,577</td>
<td>2.0%</td>
</tr>
<tr>
<td>No religion</td>
<td>29,474</td>
<td>10.4%</td>
</tr>
</tbody>
</table>

Disability

Definition is Limiting Long-Term Illness (LLTI) which is a similar definition of disability under the Disability Discrimination Act.

**Key Statistics**

- 21.7% of the Sandwell population have a limiting long-term illness. (Total number 61,390)
- 11.9% said general health was not good. (Total number 33,666)
- Highest levels of LLTI amongst white and black Caribbean population, lower levels amongst other groups reflects younger population profiles
**Gender**

**Key Statistics**
- 52% of the population are female
- 48% of the population are male

**Population and Age**

**Key Statistics**
- The average age of a Sandwell resident is 38 years
- Almost two-thirds of people over 75 and three-quarters of people over 85 are women

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Total number</th>
<th>Percentage of total population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 16</td>
<td>61,556</td>
<td>21.8%</td>
</tr>
<tr>
<td>16 – 19</td>
<td>14,203</td>
<td>5.0%</td>
</tr>
<tr>
<td>20 – 29</td>
<td>34,867</td>
<td>12.3%</td>
</tr>
<tr>
<td>30 – 59</td>
<td>111,459</td>
<td>39.4%</td>
</tr>
<tr>
<td>60 – 74</td>
<td>39,104</td>
<td>13.8%</td>
</tr>
<tr>
<td>75 and over</td>
<td>21,720</td>
<td>7.7%</td>
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</table>

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