

The equalities policy – equal opportunities and anti- harassment

You can get this document in large print, on computer disk, in braille, on audiotape and in community languages. You can also get a summary with pictures. Please contact the Equalities and Community Cohesion Team to get your copy.

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version\Equality policy 2010 amended

Foreword

Bristol is a city of increasing diversity, which brings positive benefits to us all. It is crucial that the council reflects this diversity but also ensures that all our citizens have equal access to and equal outcomes from our services and equal opportunity in gaining jobs within the council and in their subsequent career development.

We are committed to equality of opportunity and this policy sets out how we will promote this through our political leadership and management structures. We also know that policies are only as good as the actions which come out of them and so we will measure the impact and effectiveness of the equalities policy so that you can make sure we keep our promise.

We will also make sure that our employees and councillors take responsibility for putting the policy into practice in the short and long term. We will regularly review this policy, and actions arising from it, and we will tell you about our progress.

We would like to thank the people who supported us in developing this policy. We look forward to your help in making equal opportunities a reality in Bristol.

Councillor Helen Holland, Leader of the Council

Councillor Peter Hammond, Deputy Leader of the Council

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Introduction

We are pleased to publish this revised equalities policy, which has the full support of our cabinet, elected members, senior management team and staff. At the heart of our role is a commitment to delivering public services and supporting social justice by tackling inequality and social exclusion and promoting community cohesion within society. This policy sets out how we promote equalities within our organisation and in the city and the people we work with.

Why do we need an equalities policy?

We recognise and accept that:

- oppression, disadvantage and discrimination exist in society;
- some people are unfairly denied equal access to services or employment (or both);
- discrimination and disadvantage have undermined the quality of life for many people in Bristol; and
- people often experience multiple discrimination.

This equalities policy is our commitment to put this imbalance right to make sure that everyone has equal access to services and employment and to raise the quality of life of everyone who lives and works in Bristol. We will find specific resources for improving **equality** practice.

In particular the council will ensure that it meets its legal duties to promote equality in relation to race, disability and gender and will consider how its policies, activities and services can meet the needs of disadvantaged groups in the community

Members and officers will help to change the way we work so that equalities are at the heart of all our activities. We will improve equalities practice at a corporate and departmental level, and will meet our legal obligations and statutory duties to promote equal opportunities, under the Equality Act 2010 and all other equality legislation.

THE EQUALITIES POLICY STATEMENT

This equalities policy is a statement of how we intend to promote equalities, and tackle discrimination and harassment.

- We will work towards ending discrimination, including stopping victimisation and harassment because of being looked after by the council; having responsibilities as a carer; being lesbian, gay, bisexual or transgender; being married or in a civil partnership; or on the grounds of someone's
 - age;
 - economic or social background;
 - gender;
 - HIV status;
 - impairment and emotional distress (disabled people);
 - pregnancy or maternity status
 - race or ethnic background; or
 - religion or belief.
- We recognise and accept that particular individuals or groups (black and minority ethnic members of the community, lesbians and gay men, disabled people, young people, older people, women or transgender people) are denied equality through intentional and unintentional discrimination.
- We recognise that the varied backgrounds of people in Bristol are an asset to the city.
- We will make services relevant, of the highest possible quality and accessible as a right to all children and adults who use our services.
- We are working towards making sure that our employment policies and opportunities are of the highest possible quality. There will be equality, equity and consistency in working practices, pay and conditions.
- We recognise that carers face barriers to employment and services and will work to meet our duty to inform carers of their rights to assessment and will consider their needs and wishes to work or undertake education, training or leisure.
- We will achieve equal opportunities by making sure that we give equal consideration to people's needs and develop flexible and responsive services and employment opportunities to tackle those needs.
- We will encourage our staff to use positive action to overcome disadvantage, discrimination, and deprivation. Our workforce will better represent the varied communities of Bristol.

- We will value our staff from equalities groups and create an environment where staff from equalities groups feel valued and supported and where discrimination is eliminated.
- We will need to show the people and communities of Bristol that we are working well on their behalf. We will develop and fund effective ways of asking for and including the views of equalities groups.
- Our funding to voluntary and community groups will provide support to equalities groups to enable them to help themselves.
- We will review how accessible and effective our complaints procedures are for children and adults who use our services and staff from equalities communities.
- We will develop a corporate Hate Crime Strategy, which tackles racial harassment, homophobic and other types of harassment. We will implement a corporate harassment reporting system that will be used across all departments. This will support the reporting and monitoring of harassment and enable us to monitor all forms of harassment.
- We are a leading partner in the city as a major employer, service provider, and community leader. We will encourage other partnership agencies to sign up to a commitment to equalities, which is already supported by the Bristol Partnership.

How will we know we are achieving equal opportunities?

The Equalities Policy is one of our most important corporate policies, so all other policies will follow the equalities policy and strengthen equal opportunities in the council.

Who is responsible for the equalities policy?

Political leadership

- Each year the Leader of the council will identify which Cabinet member has responsibility for equalities
- The relevant scrutiny commission and the seven equalities forums monitor the council's work on equalities.
- The Cabinet and scrutiny commissions will take a lead role in monitoring performance against the council's equality schemes and corporate action plans, Community Cohesion Strategy and Equality Standard for Local Government.

Officer structures

- The Strategic Leadership Team is the senior managers' structure for co-ordinating and overseeing equal opportunities at a corporate and departmental level.
- The Corporate Equalities Group is the officer structure which will take this work forward. This group has representation from all departments and spreads good practice in equal opportunities, particularly in delivering services.
- All staff are responsible for the equalities policy while in work time. This means they must not discriminate against or harass people because of:
 - their age;
 - whether they have been 'looked after' by the council;
 - their responsibilities as carers;
 - ethnic background;
 - economic or social background;
 - impairment or mental and emotional distress;
 - gender;
 - pregnancy or maternity status
 - race;
 - religion or belief; or
 - being married or in a civil partnership
 - being lesbian, gay or bisexual
 - being transgender.

All staff must also promote equal opportunities as part of their everyday work and work in a positive way to include people from different backgrounds.

- We will give a summary of the equalities policy to all staff and will make full copies available in different formats at training sessions and on the website at www.bristol.gov.uk

How we will involve people from equalities communities in our plans?

- We will consult departments, service areas, children and adults who use our services, self-organised employee groups, equalities communities and organisations working on behalf of equalities communities on the contents of our equalities schemes and plans, and will update our actions as needed in line with expectations.
- Our six equalities forums are expected to ensure that we listen to, and act on, community priorities and concerns.

- We will monitor and develop services with communities, children and adults who use our services, and through formal consultative forums to deliver better outcomes.
- Bristol's vibrant and active community sector make equalities work in the council stronger by advising us and campaigning for equal opportunities. The community sector may be co-optees on the scrutiny commissions (this means they sit on the commissions but do not have the right to vote) or work with departments to write and monitor equalities plans, or be part of the equality impact assessments.

How will we involve all staff in improving equal opportunities

- Equalities has been integrated within the 'Bristol Manager' framework. This framework is used to set the standard for and measure eleven key business processes integral to effective service delivery.
- For significant new developments and changes to policies staff must carry out equality impact assessments. They must give the results of these in all formal reports.
- We encourage staff from equalities communities to take part in the self-organised employee groups, which are influential in advising us on when policy becomes, or does not become, practice.

What can I do if I'm discriminated against?

- If you are discriminated against, you can make a complaint using our complaints procedure. If you are one of our employees, you can use our employee grievance procedure. You can get copies of both in accessible formats. Please ask us or you can use the website at www.bristol.gov.uk
- The equalities policy can be used to highlight the rights of employees and people who use our services when dealing with a complaint, but it is also used to make clear to employees and people who use services not to discriminate or harass.

What responsibilities do our contractors and suppliers have under this policy?

The Equalities in Procurement Code of Practice commits us to making sure that contractors, suppliers and funded service providers promote equal opportunities. We will ensure that our commissioners and contractors specify that our services must be delivered so as to provide an effective and appropriate service to all equalities communities. We will ensure this means that:

- Contractors and providers have employment policies, procedures and practices that do not discriminate;
- We or those acting on our behalf will develop and deliver services, goods and facilities that are appropriate and accessible;

- This will include consulting with children and adults who use our services;
- We will provide opportunities for people from equalities groups to bid for and hopefully win council contracts; and
- We will monitor whether contracts do meet these equalities commitments.

The baseline standards for investment in the voluntary sector include requirements for funded organisations to have an equal opportunities policy, to monitor service uptake and to meet their duties under equalities legislation.

How will councillors, co-optees, and staff know how to put the equalities policy into practice?

- All staff will receive a summary of the equalities policy. Managers have a duty to pass on information on equal opportunities, training, and complaints procedures to staff and to include equalities in all staff induction processes.
- We will regularly review the training needs of our councillors, co-optees, and staff and ensure that appropriate training on equality issues is provided where needed.
- cultural competence training will to be delivered in line with Customer Service Standards
- anti-discriminatory training will be developed and delivered by people or organisations who have direct experience of inequality and are committed to the principles in this policy; and
- employees from equalities groups and young people who are (or have been) looked after will have equal opportunities in training and career development, including positive action or targeted training where necessary.

Positive action and positive images

- We will use positive action to put right past inequalities in the workforce and in how we provide services.
- We recognise that images and language can be a powerful influence on people's beliefs and attitudes. We will ensure that all our communications promote images that reflect the full range of communities in the city, and will use language that has been agreed and approved by the communities involved (see the glossary). We will work with the local media to challenge stereotypes of equalities groups and promote positive images.
- We will challenge the belief that looked-after children and young people are in our care because of something they have done.

Anti-discrimination legislation

It is now unlawful to discriminate against people from equalities communities because of their "protected characteristics":

age, disability, gender, marriage or civil partnership status, pregnancy or maternity, race, ethnic background, religion or belief, sexual orientation or because they are transgender. As a result, we will:

- review all practices, policies and procedures to make sure that they meet legislative requirements and do not disadvantage particular communities; and
- take disciplinary action against staff that discriminate against employees and people looking for work from equalities groups; we will take action (including legal action if appropriate) against staff that are found guilty of harassment.

We need a workforce (including recruiting of foster and other carers), which reflects the community we serve to make sure that we provide appropriate services to all our diverse communities. We need the very best workforce and need to make sure that we do not exclude or ignore any communities to make sure we can benefit from all the skills within Bristol's diverse and ethnic communities. All jobs in the council are open to people from every equalities group, as long as he or she has the skills, experience and potential to do the job.

A person's sexual orientation is not relevant in deciding whether he or she can do a particular job. A person should not be discriminated against because they are transgender.

It is unlawful to refuse to employ a disabled person because of his or her impairment. If you have concerns about a disabled person's ability to do certain tasks because of his or her impairment, contact the personnel manager or the Equalities and Community Cohesion Team before you decide whether or not to offer the job to a disabled person.

We regularly review and monitor our recruitment and selection procedures to make sure that they are fair and reflect current best practice. All managers who will be recruiting new staff must go to the recruitment and selection training. This gives clear examples of good practice and of what is employment discrimination.

We will promote ourselves as an employer to people from equalities groups. We will try to increase the number of employees from equalities groups wherever equalities groups are under-represented, especially at senior levels. As a result, we will:

- make sure job descriptions and employee specifications only contain conditions that are relevant and necessary for the job;
- offer support to people who apply to us for work, including training on the recruitment and selection process;
- continue to review our recruitment process to find areas where procedures are not being followed and where we can take action to put things right;

- advertise our jobs in magazines and newspapers which are written by and for people from equalities communities (see the city council website at www.bristol.gov.uk);
- provide quality work-experience placements for young people looked after by us and people from equalities groups (these opportunities may be for several weeks with extra support if this is what people need);
- take positive action to make sure that young people and people from equalities groups can get work experience which is of a good enough quality to meet job descriptions' conditions for experience;
- take every opportunity to say (and show) that we positively encourage people from equalities groups to work for us;
- ensure that opportunities for flexible and home working are promoted, including when posts are first advertised
- make sure our staff have a friendly attitude to disabled staff and disabled people looking for work (we will challenge unfair attitudes and prejudices);
- promote our job opportunities to equalities communities by producing documents that say that all jobs are open to people from equalities groups (we will also organise recruitment fairs as part of community events and in schools);
- challenge people's beliefs on how appropriate different careers are for men and women;
- provide equal opportunities and positive action for people looking for work and employees from equalities groups in recruitment, education, training, staff development and appraisals, promotion, transfers and career development;
- develop training programmes which make sure that women, men, and people from equalities groups receive similar training, both while they are doing their jobs and while on training courses away from the workplace;
- encourage, support and help people from equalities groups to get management jobs (where appropriate we will give special encouragement and provide specific training as allowed by the law);
- organise positive action placements across the council (including graduate trainee schemes, work experience, traineeships and secondments).

Equal opportunities in employment for specific equalities groups

Equal opportunities for people from black and minority ethnic communities

As well as meeting our legal obligations, we adopt positive action and good practice to:

- increase the number of black and minority ethnic staff working in service areas where they are under-represented;
- achieve greater representation of black and minority ethnic staff at senior levels within the organisation, provide access to training in the workplace and on training courses, provide job shadowing, mentoring, positive action, secondments and develop ways of promoting staff without discriminating against them; and
- ensure fair treatment of all staff in disciplinary matters.

Equal opportunities for disabled people

As well as meeting our legal obligations, we will adopt positive action and good practice to:

- increase the number of disabled staff working for the council;
- organise and provide appropriate equipment and support in partnership with disabled employees (this will include making sure that managers are fully aware of and use the Employment Service's Access to Work scheme);
- make reasonable adjustments to working arrangements or buildings where they make it difficult for a disabled employee to do her or his job, and provide a safe and accessible working environment; and
- take action to make sure that any staff who become disabled while they work for us will be given the right help and support to stay working for us.

Equal opportunities for lesbians, gay men and bisexuals

A survey undertaken by the Trades Union Congress (TUC) suggests that as many as 44% of lesbians and gay men have experienced some form of discrimination in the workplace and that a large proportion of this is harassment ('Towards Equality & Diversity': Government Cabinet Office December 2001).

As well as meeting our legal obligations, we will:

- Help lesbian, gay and bisexual employees at all levels in the workforce feel safe in being open about their sexual identity. Lesbian, gay or bisexual staff will not have to deny their

relationships. Their right to be open or to 'come out' (or not to) about sexuality will be respected in the workplace.

Equal opportunities for older people

As well as meeting our legal obligations, we will:

- challenge stereotypes about older people and work;
- not discriminate against employees or people applying for work who want to work after they are 65 (we recognise that this should be a choice rather than the older person being forced to stay at work because of poverty); and
- offer a good quality work pension scheme which is affordable for all staff and which will protect staff against poverty in their old age; and
- offer staff retirement workshops to identify how they can make the most of retirement and to deal with any fears and concerns about not knowing how to spend this free time.

Equal opportunities because of religion and belief

As well as meeting our legal obligations, we will:

- consult employees from religion and belief groups to identify the actions that we need to take to encourage equal respect for different religions and beliefs, and make it possible for staff to pray or worship during working hours;
- stop harassment because of religion and belief, and recognise the possible overlap between religious intolerance and **racism**; and
- in reviewing and developing employment policies and practices, pay particular attention to dress, catering and time off for religious purposes.

Equal opportunities for women and men

As well as meeting our legal obligations, we will:

- offer parental, family or adoption leave and flexible working arrangements to female and male employees of all grades;
- use the council's WorkLife Balance Policy and flexible working generally to promote equal opportunities between women and men;

- recognise that the main responsibility for looking after children, and providing unpaid help to older people, disabled people and for people who are ill, generally falls on women. To tackle this imbalance, we will also support men to carry out their domestic responsibilities. We will continue to support, review and improve our Work-life Balance policy, Maternity and Caring Employees policy, and related policies (for example, a holiday play scheme);
- work with our colleagues to develop action to break down occupational segregation, to show girls and young women and boys and young men that they can do any job successfully, especially jobs traditionally seen as women and men's jobs, and to reduce the gender pay gap.

Equal opportunities for transgender women and men

A well as meeting our legal obligations, we will:

- recognise that individuals have the right to define their gender and to be treated as such in the workplace. We will always recognise and respect the chosen gender of any individual in the workplace;
- make sure that transgender people receive the same respect, dignity, opportunities and access as other staff;
- make sure our services and policies are meeting the needs of transgender people. We will develop a good understanding of the concerns of transgender people.

Equal opportunities for young people

A well as meeting our legal obligations, we will:

- not use age and age-related conditions without good reason in any aspect of employment and decision making (for example, advertising, short-listing, recruitment and selection for training, career development, promotion, retention of staff, and retraining); and
- encourage staff to take an interest in the employment prospects and careers of young people 'looked after' by us, to make sure that they receive supportive work experience placements.

Equal opportunities in service delivery for specific equalities groups

Equal opportunities for people from black and minority ethnic groups

Our Single Equality Scheme, adopted at Full Council on 30 March 2010, is a statement of our commitment to equality across all the protected characteristics and how we will put it into practice.

We will do the following:

- Continue to tackle institutional racism, both as a service provider and a major employer.
- Challenge ethnic stereotyping and prejudices that affect Gypsies and Travellers.
- Develop and deliver cultural competence training to the council workforce.
- Increase the reporting and resolution of race hate crime.
- Respond to the particular challenge to 'promote good race relations'. Promoting cohesive communities will help us to deliver this.
- Review the Community Cohesion Strategy annually to measure progress and redefine the action plan in the light of new developments and risks to cohesion.
- Promote schools' public sector equality and the Education and Inspections Act 2006 (duty to promote community cohesion).
- Continue to be a signatory to the Bristol 'Joint Declaration on Racial Equality', where all partners take increasing responsibility on race equality issues. All partners have accepted the council's definition of institutional racism as well as being committed to progressing race equality in employment and service delivery and will be able to show the results.
- Work in partnership with the Bristol Race Forum, the Black Development Agency, the Race Equality and Human Rights Service and other specialist equalities bodies and organisations that are concerned with race equality in Bristol.

Equal opportunities for disabled people

Our Single Equality Scheme, adopted at Full Council on 30 March 2010, is a statement of our commitment to equality across all the protected characteristics and how we will put it into practice.

We will do the following:

- Make sure that we do not develop new services which are segregated or impairment specific (or both). However we will support self-organised projects run by disabled adults, young people or children. This may involve some specific work with a particular group, for example, a youth group for people who use sign language.
- Recognise that disabled adults and young people may use all council services, as with the wider population, and that all these services should be equally accessible to all adults and young people. We will provide some services specifically to disabled people, such as aids and adaptations.
- Provide flexible services, with extra support and equipment where necessary, to make sure that disabled adults, young people and children have equal access to services. We will take account of the time, inconvenience, effort, discomfort and dignity of the disabled person when we design and deliver accessible services.
- Under the Equality Act 2010 , we must provide reasonable adjustments and extra support for disabled people where it is needed, so that they can get access to our services. There may be specific resources we need to include disabled children, young people and adults in mainstream services (for example, providing interpreters, support staff, insurance, staff training, transport and making buildings accessible).

Under our Single Equality Scheme we are committed to ensuring access to buildings, parks and open spaces. We will:

- Make sure that we meet the requirements of the Equality Act 2010 and Special Educational Needs and Disability Act 2001 (we will also make improvements to public spaces);
- Make access improvements in line with the Environmental Access Standard in any planned refurbishment projects, and make sure that future work does not reverse any previous access improvements;
- Not acquire any buildings which are inaccessible to disabled people, unless there is a clear and costed plan to make the site accessible to the standard within six months;
- Make sure that all private finance initiative and other partnership projects will build new buildings to the Environmental Access Standard;
- Consult disabled people on improving access and recognise their experience of a disabling environment and ask for advice on preferred solutions. We will involve the Bristol Physical Access Chain (BPAC) in identifying and introducing access improvements that are in line with disabled people's recommendations. We will also actively encourage members of the public to comment on access to council buildings and highlight problem areas.

Equal opportunities for lesbians, gay men and bisexuals (LGB)

Our Single Equality Scheme, adopted at Full Council on 30 March 2010, is a statement of our commitment to equality across all the protected characteristics and how we will put it into practice.

We will do the following:

- Take positive action to reassure lesbian, gay and bisexual children and adults who use our services that they do not have to deny or reveal their relationships or sexuality to receive equal access to a service.
- Work with the Lesbian, Gay and Bisexual Forum, school governors and relevant pressure groups to tackle the serious problem of homophobic bullying in schools.
- Identify examples of good practice from other local authorities (we recognise that homophobia and ignorance in schools is a real issue for pupils, parents, governors and teachers); and
- Work with our partners to develop specific services where needed. Lesbian, gay and bisexual children and adults who use our services may have specific service needs and access issues.

Equal opportunities for older people

Our Single Equality Scheme, adopted at Full Council on 30 March 2010, is a statement of our commitment to equality across all the protected characteristics and how we will put it into practice.

- Services for older people have become increasingly focused on those with high-dependency needs. Older people benefit from a range of public services in helping them maintain their independence.

We will work:

- With all departments, partner agencies, housing design and repair services to help people stay in their homes.
- In partnership to deliver the Quality of Life of Older People strategy in Bristol including the delivery of linkage centres

Equal opportunities for people with different religions and beliefs

Our Single Equality Scheme, adopted at Full Council on 30 March 2010, is a statement of our commitment to equality across all the protected characteristics and how we will put it into practice.

We will do the following:

- Make sure that we take account of the needs of people who use our services in terms of their religion and belief.
- Develop cultural competence training to enable our employees to recognise and understand issues affecting service users.
- Work with local communities towards greater understanding and tolerance of different religions and beliefs, encouraging mutual respect and bringing people together.
- Develop culturally sensitive services, including school meals and meals at home.
- Work with schools and others to promote religious tolerance, including arrangements for fasting and prayer at school.

Equal opportunities for transgender people

Our Single Equality Scheme, adopted at Full Council on 30 March 2010, is a statement of our commitment to equality across all the protected characteristics and how we will put it into practice.

Individuals have the right to define their gender and to be treated as such in the workplace and in receiving services.

We will:

- Recognise and respect the gender of any individual in the community.

Equal opportunities for women

Our Single Equality Scheme, adopted at Full Council on 30 March 2010, is a statement of our commitment to equality across all the protected characteristics and how we will put it into practice.

We recognise that most of the people who use our services are women. We will continue to make sure that our services reflect the needs and ambitions of women through consultation.

We will:

- Provide choices and services at convenient times so women feel confident and comfortable when they use our services.
- Identify and remove sex discrimination from all service delivery policies, practices and procedures.
- Recognise that it is mainly (but not only) women who experience rape, sexual harassment and assault, domestic violence and other types of abuse, and that women have particular concerns about safety at work, in the home and in society generally.
- Work with women and the Women's Forum to develop policies and services which tackle these issues, and develop single-sex services where needed.

Equal opportunities for men

Our Single Equality Scheme, adopted at Full Council on 30 March 2010, is a statement of our commitment to equality across all the protected characteristics and how we will put it into practice.

We recognise that men may use our services in a different way, and will continue to try to make sure that our services reflect the needs and ambitions of all men through specific consultation initiatives.

We will:

- Try to provide choices and services at agreed and convenient times, so men can feel confident and comfortable when they use our services.
- Identify and remove sex discrimination from all service delivery policies, practices and procedures.
- Recognise that men can and do experience sexual harassment, domestic abuse and other types of abuse, and that men have concerns about safety at work, in the home and in society generally.
- Work with men and men's representative organisations to develop policies and services which tackle these issues, and develop specialist and specific single-sex services where needed.

Equal opportunities for young people

Our Single Equality Scheme, adopted at Full Council on 30 March 2010, is a statement of our commitment to equality across all the protected characteristics and how we will put it into practice.

We will make sure that our services focus on helping young people to have more power over decisions that affect them, and have children's rights and human rights at the heart of service delivery.

We will:

- Develop specific services that support self-advocacy, develop self-esteem and help young people to understand their emotions.
- Work in partnership with outside organisations such as the Children's Commission and schools to provide comprehensive information, counselling, advice and guidance services that all young people aged between 11 and 25 can access themselves, including information for young people who are carers.
- Provide a series of programmes supporting young peoples' development in citizenship, the arts and in personal and social education for young people aged between 13 and 19.
- Work in partnership to provide information, counselling, advice and guidance services for preventative health and health-related issues, including support on broader relationship issues, sexual health, drugs and alcohol, sexuality, support and recovery, self-image, body image and addictions; and
- Work in partnership to provide support to young people living with HIV and AIDS, including access to appropriate health services, education, dealing with fear and discrimination as a result of their HIV status, and building support networks and services. HIV and AIDS have affected young women and men more directly than any other age group.

Elimination of hate crime, victimisation and harassment

Policy principles

- All types of harassment, victimisation and bullying in the workplace and in the community are unacceptable.
- All staff and councillors sign codes of conduct, which include a statement against harassment. The council will not tolerate harassment by an employee and it could be considered gross misconduct.
- We recognise that harassment can take many forms and can be subtle and insidious in nature.
- Some complaints of harassment may be made after a long period of harassment. Managers will take action to stop the harassment in its early stages.
- Under the health and safety policy, all staff and councillors must prevent and report harassment. All staff are responsible for supporting victims and referring people on to support agencies.
- Managers are responsible for dealing with cases of harassment in the workplace and community, and have responsibility for schoolchildren and people who use our services. Managers are also responsible for monitoring harassment, which is reported to us and to refer victims to the appropriate agency.

We will:

- Encourage people who experience harassment to take action. We will support them to make sure that the harassment stops and is prevented from happening again.
- Treat all complaints of harassment seriously, and in strict confidence. We will deal with complaints fairly and as quickly as possible.
- Protect anyone asking for advice, making a complaint or helping in an investigation from being victimised.
- Support the language, physical access and communication needs of the person making a complaint, the person accused of harassment and any witnesses during informal and formal procedures.
- Find ways to stop harassment. We recognise that staff may need training on how to relate to people from all equalities groups. We recognise that in some circumstances, ignorance is at the root of harassment.

- Ensure our managers are responsible for promoting a positive team culture and using training to prevent harassment. We will continue to develop and deliver anti harassment training.
- Not accept the harassment of staff by anyone who uses our services. Managers will make it clear to anyone who uses our services, either in writing or in a face-to-face visit, that we cannot continue to provide a service if they have been harassing staff. Managers will remove staff from situations if they are being harassed, in line with health and safety responsibilities.

Stopping and reporting harassment in the workplace :

- We will keep records on the number and type of complaints of harassment within the council and the action taken to resolve these complaints.
- Staff may use the employee grievance procedure to report workplace harassment. Staff who witness harassment should report it and managers must take action.

Other types of harassment :

- We will continue to promote the reporting, recording and monitoring of harassment to our staff and members of the public.
- We will to collect information on all types of harassment.
- Bristol City Council is one of the lead partners in the Strategic Partnership Against Hate Crime (SPAHC). This partnership is committed to combating all incidents of hate crime and harassment in the city of Bristol, by providing an effective response to all reported cases.
- All reports of hate crime are collated and investigated by the Strategic Partnership Against Hate Crime (SPAHC) on a quarterly basis to identify hotspots and agree actions.

Reporting harassment of vulnerable adults

Staff will use the 'No Secrets Policy'. This policy should not stop police action against the person harassing the vulnerable adult, if appropriate.

Reporting harassment in your local area :

We are working with community organisations so you can report harassment and get support at lots of different places in the city.

Such as:

- The police
- Adult Community Care Offices
- Children & Young People Services Offices
- Community information and advice centres
- Housing offices (including housing associations)
- Youth centres
- Community organisations
- Schools and colleges
- Community Reporting Centres
- Health centres

This Appendix sets out the law in force from 1 October 2010. The Appendix will be updated by April 2011, when further provisions of the Equality Act 2010 will come into force.

A. PUBLIC SECTOR EQUALITY DUTIES

1. Bristol City Council and other public bodies including schools, police and Primary Care Trusts (PCTs) are required by law to pay "due regard" to the need to take action on race, disability and gender equality.
2. **Race equality duty**
Section 71(1) of the **Race Relations Act 1976** requires that public bodies, in carrying out their functions, have due regard to:
 - a) the need to eliminate unlawful racial discrimination and victimisation; and
 - b) the need to promote equality of opportunity and good relations between persons of different racial groups.
3. **Disability equality duty**
Section 49A **Disability Discrimination Act 1995** requires that every public authority, in carrying out its functions, must have due regard to:
 - a) the need to eliminate unlawful disability discrimination and victimisation;
 - b) the need to eliminate disability related harassment of disabled persons;
 - c) the need to promote equality of opportunity for disabled people;
 - d) the need to take steps to take account a disabled persons' disabilities, even where that involves treating them more favourably;
 - e) the need to promote positive attitudes towards disabled people; and
 - f) the need to encourage participation of disabled people in public life.
4. **Gender equality duty**
Section 76A(1) **Sex Discrimination Act 1975** requires that all public authorities, in carrying out their functions, must have due regard to:
 - a) the need to eliminate unlawful discrimination, harassment and victimisation; and
 - b) the need to promote equality of opportunity between men and women.

B. EQUALITY ACT 2010

1. From 1 October 2010 this Act brought together, in one piece of legislation, all equality law requirements that the private, public and voluntary sectors need to follow.
 - It affects equality law at work and in delivering all sorts of services and running clubs.
 - It replaces all the existing equality law (except for the public sector equality duties set out above which remain law until April 2010). The replaced legislation includes:
 - The Equal Pay Act 1970

- The Sex Discrimination Act 1975
- The Race Relations Act 1976
- The Disability Discrimination Act 1995
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Religion and Belief) Regulations 2003
- Employment Equality (Age) Regulations 2006
- Most of the new law is based on previous legislation which has been streamlined but there are some important differences, which are set out below.

2. Who the law protects

- Whether at work as an employee or in using a service, the message (or purpose) of the Equality Act is that everyone has the right to be treated fairly at work or when using services.
- It protects people from discrimination on the basis of certain characteristics. These are known as [protected characteristics](#) and they vary slightly according to whether a person is at work or using a service.

*There are **nine** protected characteristics **employees** might have. These are:*

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

*There are **eight** protected characteristics of **people who use services**. These are:*

- *Disability*
- *Sex (gender)*
- *Gender reassignment*
- *Pregnancy and maternity*
- *Race*
- *Religion or belief*
- *Sexual orientation*
- *Age (over 18s only)**

**discrimination on grounds of age (over 18s) will be unlawful, but the provisions are not coming into force until 2012*

The protected characteristics are defined as follows:

- **Age** – this refers to a person of a particular age group (eg. 60 year olds) or a range of ages (eg. 18-24 year olds). It does not include children under 18.
- **Disability** – a person has a disability if they have a physical or mental impairment which has a substantial long-term adverse effect on their ability to carry out normal day-to-day activities (Section 6, see also the Equality Act Disability Regulations 2010).
- **Gender reassignment** – this applies to a person who is transitioning or has transitioned from one gender to another. To qualify for protection, a transsexual person no longer has to show that they are under medical supervision.
- **Pregnancy and maternity** – applies to women who are pregnant or have given birth in the past 26 months.
- **Marriage and civil partnership** – this applies to people who are married or in a civil partnership. Civil partners must be treated the same as married couples.
- **Race** – this refers to a group of people defined by race, colour, nationality, ethnic or national origin.
- **Religion or belief** – means any religion and includes philosophical beliefs including a lack of religion. Generally a belief should affect a person's life choices or the way they live to be included.
- **Sex** – a man or a woman.
- **Sexual orientation** – means a person's sexual orientation towards persons of the same sex, persons of the opposite sex, or persons of either sex.

3. Who has responsibilities under the law?

- All employers, service providers and organisations performing public functions have a responsibility under the law to treat their employees and service users equally.
- Someone is a service provider if they provide goods, facilities or services to the general public or section of it, regardless of whether these are free or paid for.
- A person providing services, but not to the public, is likely to have responsibilities if they are a private club or association.
- The laws apply to employers even if their workers are temporary, do not have written contracts of employment or are recruited to other positions such as trainees, apprentices or business partners.

4. What the law protects against

These are the main forms of prohibited conduct.

- **Discrimination.** This includes:
 - Direct discrimination -- Treating a person worse than someone else because of a protected characteristic.
 - Indirect discrimination -- Putting in place a rule or way of doing things that has a worse impact on someone with a protected characteristic than someone without one, when this cannot be objectively justified. Objective justification is explained below.

- Discrimination arising from disability --Treating a disabled person unfavourably because of something connected with their disability when this cannot be justified.
 - Failing to make reasonable adjustments for disabled people (see below).
- **Harassment**
 - Unwanted conduct which has the purpose or effect of violating someone's dignity or which is hostile, degrading, humiliating or offensive to someone with a protected characteristic or in a way that is sexual in nature.
- **Victimisation**
 - Treating someone unfavourably because they have taken (or might be taking) action under the Equality Act or supporting somebody who is doing so.
- In addition, the law protects people from being discriminated against:
 - By someone who wrongly perceives them to have one of the protected characteristics (eg. wrongly believed to be gay).
 - Because they are associated with someone who has a protected characteristic. This includes the parent/carer of a disabled person.

5. **Duty to make reasonable adjustments**

The duty to make reasonable adjustments has three requirements:

- **First requirement** – where a rule or a way of doing things puts a disabled person at a substantial disadvantage compared to people who are not disabled, there is a requirement to take reasonable steps to avoid that disadvantage.
- **Second requirement** – where a physical feature puts a disabled person at a substantial disadvantage compared to people who are not disabled, there is a requirement to take reasonable steps to avoid the disadvantage.
- **Third requirement** – where a disabled person is disadvantaged because an auxiliary aid has not been provided, there is a requirement to take reasonable steps to provide the auxiliary aid.

All three requirements apply to employers and those providing services and performing public functions. Employers only owe a duty to make reasonable adjustments for individual employees when they know, or should reasonably know, of their disability. Providers of services and public functions, however, owe a duty to all potential users and the duty for them is therefore anticipatory.

6. Objective justification

Some conduct, including indirect discrimination and discrimination arising from disability, is permitted under the Act if the conduct is “a proportionate means of achieving a legitimate aim.” This is often known as the “objective justification” test. The employer or service provider must be able to show:

- their aim was legal and non-discriminatory and represented a real and objective consideration; and
- if the aim is legitimate, was the means of achieving it proportionate – i.e. appropriate in all the circumstances, and the least discriminatory way of achieving the aim.

7. Exceptions

The Act sets out exceptions for specific groups and specific activities. The main exceptions are summarised below.

i) Positive action (s.158)

It can be lawful to provide a service targeted at people with a particular characteristic or combination of characteristics (eg. Asian women), or to provide a service exclusively for those people, but only where it is objectively justified and the provider can show they have reason to think this is the only or best way of either:

- meeting the different needs of that group;
- overcoming or minimising disadvantages they experience; or
- encouraging them to participate in an activity in which their participation is disproportionately low.

It is important to note that it is lawful to treat a disabled person more favourably than a non-disabled person. This makes it lawful to provide services exclusively to meet the needs of disabled people.

ii) Separate services for men and women (Schedule 3 paragraph 26)

It is lawful to provide separate services for men and women where providing a combined service (in other words where men and women had exactly the same service) would not be as effective. It is also lawful to provide separate services for men and women in different ways or to a different level where providing a combined service would not be as effective and the extent to which the service is required by one sex means it is not reasonably practicable to provide the service except in different ways or to a different level for each sex. In each case, the provider must be able to objectively justify what they are doing.

iii) Single-sex services (Schedule 3 paragraph 27)

It is lawful to provide single-sex services (services just for men or just for women) where this is objectively justified and:

- only men or only women require the service;
- there is joint provision for both services, but the service is insufficiently effective if it is only provided jointly;
- if the service were provided for men and women jointly, it would not be as effective and it is not reasonably practicable to provide separate services for each sex; or
- the services are provided in a hospital or other place where users need special care, supervision or attention (or in parts of such an establishment);
- the service may be used by more than one person and a woman might object to the presence of a man (or vice versa); or
- the service may involve physical contact between a user and someone else and that other person may reasonably object if the user is of the other sex.

iv) Gender reassignment (Schedule 3 paragraph 28)

A transsexual person can be excluded from either single sex or separate sex services, but only if doing so can be objectively justified.

v) Charities (s.193)

A charity may provide benefits exclusively for people with a protected characteristic (but not a group defined by colour), if the charity acts on the basis of its charitable instrument and the restriction is either:

- objectively justified; or
- is for the purpose of preventing or compensating for disadvantage linked to that characteristic.

vi) Religion and belief exceptions (Schedule 23, paragraph 2)

In certain circumstances an organisation may be able to restrict its services and facilities to persons of a particular religion or belief. This will apply if the organisation exists to:

- practice, teach or advance a particular religion or belief;
- provide benefits to people who hold a particular religion or belief; or
- promote good relations between people of different faiths.

The organisation must be able to show that restricting the services is necessary because:

- of the purpose of their organisation; or
- to avoid causing offence, on grounds of their organisation's religion or belief, to followers of that religion or belief.

NB. These exceptions do not apply if the sole or main purpose of the organisation is commercial.

If an organisation exists to practice, teach or advance a particular religion or belief, or provide benefits to persons for people who hold a particular religion or belief, they are able to specify that their service users are of a particular sexual orientation where either:

- this is necessary to comply with the doctrine of their organisation; or
- the purpose is to avoid conflict with the strongly held convictions of a significant

number of the followers of the religion or belief.

NB. If the organisation has a contract with a public body, such as a local council, to provide services, they cannot discriminate because of sexual orientation in the provision of that service.

vii) Care in the family (Schedule 3, paragraph 15)

The discrimination provisions do not apply when someone takes a person needing particular care and attention into their home and treats them as a member of their family (eg. a foster carer).

viii) Sports (s.195)

Gender based classifications are permitted in competitive sports in which physical strength, stamina or physique of average persons of one gender would put them at a disadvantage compared to average persons of the other gender.

8. ADDITIONAL EMPLOYMENT PROVISIONS

I) GENUINE OCCUPATIONAL REQUIREMENT (SCHEDULE 9)

There are circumstances where the Act recognises it is necessary for a person with a particular protected characteristic to do a particular job. An employer can require an applicant or employee to have a protected characteristic where having regard to the nature or context of the job, it is an occupational requirement and is objectively justified.

Organisations with an ethos based on faith or religion may require an applicant or employee to have a particular faith or belief if the organisation can show that, having regard to that ethos and to the nature or context of the work, it is an occupational requirement and is objectively justified.

There are additional provisions that apply to organised religions.

ii) Pre-employment Questionnaires (s.60)

It is unlawful for an employer to require a person to provide information about their health or disability before making them an offer of work or shortlisting them for work. The exceptions are where it is necessary to:

- establish whether an applicant will be able to comply with a requirement to undergo an interview or other recruitment process such as an assessment;
- establish whether an applicant will be able to carry out an intrinsic function of the work (if reasonable adjustments are made);
- pursue a positive action programme;
- ascertain whether an applicant has a disability identified as a requirement for the job.

OTHER RELEVANT LEGISLATION

C. Children and Young People

1. **The Children Act 1989**, is based upon the belief that children are generally best looked after within the family, with both parents playing a full part and without resort to legal proceedings. The welfare of the children is the paramount consideration. Parents are encouraged to seek agreement wherever possible. Children should always be consulted (subject to age and understanding) and kept informed about what will happen to them. Court decisions about their future upbringing should be responsive to their needs.
2. The Act also makes provision for “children in need” and their families by stating that it is the general duty of every local authority to safeguard and promote the welfare of children within their area who are in need and, so far as is consistent with that duty, to promote the upbringing of such children by their families by providing a range and level of services appropriate to those children’s needs.
3. Every local authority must also facilitate the provision by others (including in particular voluntary organisations) of services that the authority have power to provide by virtue of the Children Act.
4. The Act defines a child as “in need” if:
 - s/he is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for her/him of services by a local authority;
 - her/his health or development is likely to be significantly impaired, or further impaired, without the provision for her/him of such services;
 - s/he is disabled,

and “family” as including any person who has parental responsibility for the child and any other person with whom s/he has been living.

D Disability equality

1. The **Special Educational Needs and Disability Act 2001** gives rights to disabled children to mainstream education.
2. There are other pieces of legislation that affect disabled people, but come from a traditional, medical model of disability and do not tackle issues of rights. These include the following:

3. Under the **Chronically Sick and Disabled Persons Act 1970**, local authorities must provide a range of social care services to meet the eligible needs of disabled people.
4. Under the **Community Care Act 1990**, disabled people have the right to have their needs assessed by the local authority and a decision made about what services will be provided to them. The disabled person and his or her carer must be consulted on the assessment.

E **Anti-harassment**

1. See also **Equality Act 2010** provisions relating to harassment.
2. Under the **Crime and Disorder Act 1998**, police forces and local authorities must form community safety partnerships that will tackle crime at a local level. Local authority community safety officers must work with the wider community and partnership agencies, to carry out crime and disorder audits every three years and produce crime reduction strategies. Section 1 also allows anti-social behaviour orders to be used in cases of harassment. The Act created new “racially aggravated offences” such as assault, grievous bodily harm, criminal damage and public order offences which carry significantly higher penalties than similar offences with no element of racial aggravation.
3. The **Anti-Terrorism, Crime and Security Act 2001** amended the Crime and Disorder Act to change “racially aggravated criminal offences” into “racial or religiously aggravated criminal offences”. An offence becomes religiously aggravated where the hostility is based on the victim’s membership of a religious group.
4. Section 146 of the **Criminal Justice Act 2003** came into effect in April 2005, empowering courts to impose tougher sentences for offences motivated or aggravated by the victim's disability or sexual orientation.
5. The **Protection from Harassment Act 1997** and the **Public Order Act 1986**. These Acts are intended to deal with harassment and intimidating behaviour that causes distress. The Protection from Harassment Act makes it illegal to harass another person or make another person fear that violence will be used against them. Victims can obtain injunctions to prevent further harassment or intimidation and can claim damages. The Public Order Act makes it an offence to cause harassment, alarm or distress or intentionally cause another person to fear that violence will be used against them. It also allows for extra penalties for crimes which are found to be racially motivated. The Act also makes it an offence to stir up racial hatred. The **Racial and Religious Hatred Act 2006** has extended this to cover stirring up religious hatred. Fixed-penalty notices under **Section 5** of the **Public Order Act 1986** allow the police to issue an £80 ticket for causing harassment, alarm or distress. The police may also issue a £40 ticket for throwing fireworks and being drunk and disorderly (S. 80

Explosives Act 1875). These powers can be used to stop some kinds of hate crime, and it is important that people are supported to give evidence.

6. **Action for Justice and the Youth Justice and Criminal Evidence Act 1999**. Police forces must direct resources to set up and support specialised units to identify and support vulnerable witnesses. Specialist and criminal justice agencies must work together to plan how they will make sure there is equal access to legal action and compensation for people with learning difficulties and for other vulnerable witnesses.
7. The **Stephen Lawrence Enquiry (MacPherson Report) 1998**.
The effect of the MacPherson report on local authorities and the police service as a whole should not be underestimated. The police must take specific action to 'increase trust and confidence in policing among black and minority ethnic communities'. The police also have a responsibility to make sure that people who are at risk of becoming victims of hate crime or other kinds of crime are supported by a community project, or are in contact with the police to provide better protection from specifically targeted crime. The police should monitor the policies and procedures set up to prevent and respond to hate crime, such as making sure people who see harassment report it even though they are not the victim (third-party reporting), and better recording and monitoring.

F Gypsies and Travellers

1. Recent amendments to the **Caravan Sites Act 1968** require councils to give four week's notice to occupants of council caravan sites, and in possession proceedings the court has the power to suspend the possession order for up to 12 months.
2. Occupants of council caravan sites now have similar protection from harassment as conventional house dwellers. The owner of a property or her/his agent is guilty of an offence if s/he:
 - a. interferes with the peace or comfort of the occupier or persons residing with her/him, or
 - b. persistently withdraws or withholds services or facilities required for occupation, knowing that this conduct is likely to cause the occupier to abandon the caravan, remove it from the site, or fail to exercise any right or pursue any remedy.
3. **Section 225 of the Housing Act 2004** means every local housing authority must assess the accommodation needs of Gypsies and Travellers residing in or resorting to their district.
4. An assessment should be carried out as part of the general review of housing needs in their areas. A [draft practice guide](#) for assessments is available from the Department of Communities and Local Government.

Transgender equality

1. "Gender reassignment" is a protected characteristic under the Equality Act 2010 (see above).
2. The **Sex Discrimination (Gender Reassignment) Regulations 1999** protects the rights of people who intend to undergo, are undergoing, or have undergone gender reassignment by stating, for example, that employers must not treat such employees less favourably than other employees. For further information please see www.pfc.org.uk/legal/sda-gr.htm
3. The **Gender Recognition Act 2004** became law on 4 April 2005. It allows transsexuals to gain legal recognition in their acquired gender. Once issued with a gender recognition certificate, transsexuals will have the right to marry and obtain a birth certificate in their acquired gender and obtain state benefits like anyone else of that gender.

Human Rights

Article 14 of the European Convention on Human Rights gives people the right to enjoy their other human rights without discrimination on such grounds as sex, race, colour, language, or religion.

APPENDIX B : GLOSSARY

We use these definitions because local and national self-organised groups have agreed them. Individuals may choose whether they come within these definitions. The definitions in this glossary are how we will refer to groups.

Advocacy

Where the people who are most directly affected by an issue play a clear and effective part in making decisions about themselves, with support.

Ageism

Ageism can be defined as "any attitude, action, or institutional structure which subordinates a person or group because of age or any assignment of roles in society purely on the basis of age" (Traxler, 1980, page 4). Age discrimination occurs when a person is treated less favourably because of their age and particularly affects young people and older people.

Asylum Seekers

Someone who has left their own country in order to seek protection in another country. In the UK an asylum seeker is officially a person who has lodged an asylum claim with the Government and is waiting to find out if they can stay in the UK.

Bisexual

Bisexual is the term, which refers to a man or woman who is emotionally and sexually attracted to people of both sexes.

Black

There is no one word that includes all members of minority ethnic groups in Britain. The word black is often used by people of African-Caribbean and Asian origin to show a shared experience of discrimination and exploitation (in Britain and abroad) among people whose skin colour is not white.

We also recognise the identified preferences highlighted by the corporate self-organised Black and Minority Ethnic Employees Group and other organisations in Bristol which have adopted the term 'black and minority ethnic'.

Black or Black British is one of the ethnic monitoring categories used in the 2001 national census. This includes people of Caribbean and African origin, people who identify with more than one ethnic origin, and others who want to describe themselves as black. Many people who identify with more than one ethnic origin prefer alternative definitions, such as dual heritage, multiple heritage or mixed race.

Black and Minority Ethnic

This is a political term used in Bristol to describe people living in Britain of African, Caribbean, South Asian, other Asian origins (including those who identify with more than one ethnic origin), and people from other communities who have a common experience of discrimination because of their race and who are not from the majority white community.

Carer

Someone who, without payment, provides help and support to a partner, child, relative, friend or neighbour who could not manage without their help. This could be due to age, physical or mental illness, addiction or disability. The carer may be an adult, child or young person.

Citizenship

A dictionary definition of the word citizen refers to legal membership of a country or community that is achieved when formal criteria such as residence or place of birth have been met. In the UK, and other places, it has a broader definition that is not dependent on the legal status of the citizen. An active citizen is someone who has roles and responsibilities within the community and one who is concerned with and actively involved in public life. An active citizen has a sense of 'belonging' because he or she is effectively engaged with the community through involvement in political and social activities and membership of community groups and organisations.

Community Cohesion

A cohesive community is one where:

- There is a common vision and a sense of belonging for all communities
- The diversity of people's different backgrounds and circumstances is appreciated and positively value
- Those from different backgrounds have similar life opportunities
- Strong and positive relationships are being developed between people from different backgrounds in the workplace, in schools and within neighbourhoods.

Community cohesion cannot be forcibly imposed by external agencies but has to be achieved through community members working together for the benefit of all. Tackling equalities issues and ending discrimination are fundamental to creating cohesive communities.

Coming out

Coming out is the term used by lesbians, gay men and bisexual men and women when they acknowledge and tell other people about their sexual identity. It is not to be confused with 'being out', which is the general experience of being open about sexual identity.

Community and workforce profiling

This is one way that we can find out more about whether people from equalities groups are using our services and are being employed throughout the council. We do this by getting all staff and people who use our services to fill in a confidential form on which equalities groups they come from and then putting this information together to find out, for example, if equalities groups aren't using certain services, or are only employed in lower grades.

This is an indication that discrimination is happening so with this information we can then plan and target better access to services and employment. We also need better information on how many people from equalities groups live in Bristol, to help us to know when people are accessing services and employment and when they are under-represented.

Consistency means making sure that services are the same for all people, at whatever grade they are employed or where they live in the city.

Corporate Equalities and Community Cohesion Team. Bristol City Council has equalities staff that can assist with service delivery issues and a Translation and Interpreting Service to assist with accessible information.

Disablism is becoming recognised as the term to describe the experience of discrimination and harassment experienced by disabled people. Council departments and organisations which work with disabled people need to be aware of their role in helping or not helping the disabled individual, their experience of impairment and the way the wider society responds to his or her impairment.

Disability

We have adopted the definition of disability that is accepted by national and international representatives of organisations of disabled people.

“Disability is the disadvantage or restriction of activity caused by contemporary social organisation which takes little or no account of people who have disabilities. This excludes them from taking part in mainstream society. Disability is not caused by an individual's particular ‘impairment’, but by the way society fails to meet their needs.”

(The Union of Physically Impaired against Segregation, 1976)

Disabled people

We have adopted the term ‘disabled people’ as it best reflects the social model of disability and is the term adopted by **representative organisations**. ‘Disabled people’ includes people with physical and sensory disabilities, learning difficulties and people who experience mental or emotional distress.

Discrimination

Discrimination happens when a person is treated less favourably because of their sex, age, impairment or mental and emotional distress (or both), HIV status, sexuality, race or religion, than others are or would be treated in the same or similar circumstances. People may have a

number of prejudices which become discrimination when they act on their prejudices. It can be an individual act or 'institutionalised' where a government or organisation has discriminatory policies or practices.

Diversity

Means the different backgrounds and beliefs of the people we serve. We welcome and value people from all ethnic and social backgrounds, people who are disabled and not disabled, and men and women, people of all ages and people who are lesbian, gay, bisexual, heterosexual or transgender.

Equality and Human Rights Commission

The new Equality and Human Rights Commission opened on 1 October 2007. The new commission is working to eliminate discrimination, reduce inequality, protect human rights and to build good relations, ensuring that everyone has a fair chance to participate in society.

The new commission brings together the work of the three previous equality commissions and also takes on responsibility for the other aspects of equality: age, sexual orientation and religion or belief, as well as human rights. It is also building on their legacy to achieve change to benefit some of the most disadvantaged and voiceless people in our society.

The Equality and Human Rights Commission acts not only for the disadvantaged, but for everyone in society, and can use its new enforcement powers where necessary to guarantee people's equality. It also has a mandate to promote understanding of the Human Rights Act.

The Employment Service

Offers advice, support and financial help to employers and disabled employees on a scheme called Access to Work. They can also pay for the full costs of equipment, support workers, signers and taxis to work. We have to pay some of the cost of making the workplace accessible in general and if staff become disabled while they are still working for us.

Ethnicity, Race and National Origin

Views of what constitutes ethnicity, race and national origin generally include a common understanding of culture and a shared history. Ethnicity and race are seen as something fluid and socially influenced. Culture (one of their key components) is increasingly seen as constantly developing and reproducing our ethnic identities.

The Environmental Access Standard

We adopted this in August 2001. This includes dimensions and specifications (measurements), which are the very least which we expect for all new or improved buildings, pavements and open spaces like parks. The standard is on our website and available in accessible formats.

Equality is about getting rid of disadvantage, discrimination, deprivation and treating people fairly.

Equalities competencies

These are defined tasks and knowledge which managers must do or know to be able to do their job. This is a way of measuring whether managers can do their job or whether there are areas where the manager needs more training or supervision.

Equalities Impact Assessment

This is a way of systematically assessing the impact of a service, policy or practice on different equality groups. The aim is to ensure negative consequences can be minimised and opportunities to ensure equality can be maximised.

The Equality Standard for Local Government

This national standard details five levels of achieving equality. We have adopted the standard in the areas of sex, race, disability, young people, older people, religion and belief and lesbian, gay and bisexual equality.

Equity

Is being fair and reasonable.

Gender

This is the sex-role identity used by humans to emphasise the difference between females and males. The words 'gender' and 'sex' are often used to mean the same thing, but *sex* relates specifically to the biological and physical characteristics which make a person male or female at birth, whereas *gender* refers to the behaviours and experiences associated with members of that sex. Gender stereotypes lead to **sexism**.

Gender identity

The gender to which you feel you belong.

Harassment

Harassment is behaviour which is uninvited, unwanted, and which fails to respect the individual. Harassment can happen in and around the workplace or home environment, and has a harmful effect and creates negative feelings. The person being harassed will define whether the behaviour is offensive and unacceptable. Harassment is often subtle and long term, and can include (but is not limited to) the following behaviours :

- Unwelcome comments and gestures.
- Offensive materials (such as sexual posters).
- Verbal insults.
- Threatening or obscene behaviour.
- Malicious complaints.
- Offensive graffiti.

- Being ignored.
- Overlooking (shunning) particular employees.
- Unwanted physical contact.
- Offensive jokes.
- Bullying.
- Unjustified or unconstructive criticism.
- Offensive language.
- Offensive written communication (such as e-mails).
- Violence.
- Exclusion.
- Being treated differently.

Heterosexual

Heterosexual is the term, which refers to a man or woman who is emotionally and sexually attracted to people of the opposite sex.

Heterosexism

Heterosexism is the assumption that every individual is heterosexual. This has been institutionalised in family, as well as culture and law.

Homophobia

Homophobia describes the aggressive and fearful feelings and behaviour directed at lesbians, gay men and bisexual men and women. These can range from jokes, graffiti, insults and threats, to physical attacks.

Impairment

We use the word 'impairment' to describe the grounds on which people are disabled. Examples of 'impairments' are physical or sensory conditions, emotional or mental distress and a learning difficulty. The disabled person will have their own personal experience of impairment and of the way society responds to his or her impairment.

Inclusion

We use the word inclusion to mean the aim of everyone taking part in everything on equal terms. This would include developing our cultures, policies and practices to include all adults and children who use our services, and offering new opportunities to people who may have had difficulties in getting access to our services in the past. Inclusion does not mean that the services treat all adults and children who use our services in the same way. Instead, inclusion takes account of people's various life experiences and needs. In the process of inclusion, people are welcomed and valued and provided with adequate support and resources (for

example, the inclusion of disabled children into mainstream school with adequate support and resources).

Institutional racism

The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture, religion or ethnic origin. It can be seen in processes, attitudes and behaviour which amount to discrimination through deliberate and accidental prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage Black and minority ethnic people.

Integrated and cohesive community

This is one where:

- There is a clearly defined and widely shared sense of the contribution of different individuals and different communities to a future vision for a neighbourhood, city, region or country
- There is a strong sense of an individual's rights and responsibilities when living in a particular place – people know what everyone expects of them, and what they can expect in turn
- Those from different backgrounds have similar life opportunities, access to services and treatment
- There is a strong sense of trust in institutions locally to act fairly in arbitrating between different interests and for their role and justifications to be subject to public scrutiny
- There is a strong recognition of the contribution of both those who have newly arrived and those who already have deep attachments to a particular place, with a focus on what they have in common
- There are strong and positive relationships between people from different backgrounds in the workplace, in schools and other institutions within neighbourhoods.

(Our Shared Future June 2007).

Lesbians and Gay men.

Lesbian and gay are terms which most lesbians and gay men prefer, rather than 'homosexual'. Lesbians also prefer the term 'lesbian' rather than 'gay women' because it reflects their separate identities and experiences.

Mental and emotional distress

This term is used to describe the basis on which some people are Disabled. The term replaces 'mental health' as a more accurate definition of the basis on which some people are disabled.

Multiple oppression

Multiple oppression is about people who belong to two or more equalities groups and so get discriminated against because they are black and women, or lesbian and disabled and so on. We will fully consider this in all areas of our policies and practices.

Occupational segregation

Occupational segregation in a workplace can occur vertically (certain employees, usually women, disabled people and Black and ethnic minority people are concentrated in lower graded posts or jobs) and horizontally (women and men are concentrated in particular occupations. For example, engineering and construction jobs are carried out mainly by men and women are more likely to work in health and education services).

Oppression

Oppression is the term used to describe the way that various groups are treated as inferior through highly developed structures of institutional discrimination.

Positive action

Positive action is where there has been discrimination in the past, so we target our staff, training, money and time to work with people, groups and communities to overcome the discrimination.

Prejudice

An unfavourable opinion or feeling, formed beforehand or without knowledge, or based on partial knowledge or selective use of knowledge. It is also unreasonable feelings, opinions or attitudes, especially hostile ones.

Procurement

This is buying and organising the right services in the right way at a competitive cost. In deciding how to deliver our services, we will work with providers from the public, voluntary and private sectors, and community enterprises and co-operatives (known as the third-sector economy). We will pay close attention to the contractors' ability to deliver the needs of equalities communities, some of which may be very specific.

Protected Characteristics

Equalities groups and communities are groups of people who have experienced inequality. In the Equality Act 2010 these groups of people are said to have **protected characteristics**. We recognise people as having protected characteristics because of their:

- Age
- Ethnicity
- Gender
- Pregnancy or maternity status
- Religion or belief, or lack of religion or belief
- or because they are:
- Disabled people
- Lesbians, gay men or bisexuals
- Married or in a civil partnership
- Transgender or transsexual

Some groups may be part of the larger equalities groups and have their own particular issues, such as **travellers**, refugees and asylum seekers and children and young people who are 'looked after' by the local authority (in our care). We recognise that people may consider themselves to have more than one "protected characteristic" or to be part of more than one 'equalities group'.

Race equality

There is no one word that covers all members of black and minority ethnic groups in Britain. The word often used by people of African-Caribbean and Asian origin is 'black'. For the black people who have adopted it, it is a term which underlines a shared experience of discrimination and exploitation (both in Britain and abroad) among people whose skin colour is not white.

We recognise that there are many people from black and minority ethnic communities in Britain who do not identify themselves as black but who, because of their ethnic origin, language, cultural or religious differences, share a common experience of discrimination and inequality.

Racism

Racism can be defined in several ways.

- The belief in the inherent superiority of one races over all others and thereby the oppression of people because of their colour, 'race', culture or nationality.
- "Racism is where prejudice combines with power to inform any attitude, action or institutional structure which subordinates a person because of colour, race or ethnic difference".

'Community Work and Racism' : Ohri, Manning and Curno

- 'The belief in the superiority of the white race' - Random House Dictionary
- "Conduct or words which advantage or disadvantage people because of their colour, culture or ethnic origin. In its more subtle forms it is as damaging as in its more overt form" (Macpherson Report)

Racist incident

"...any incident which is perceived to be racist by the victim or any other person" (Macpherson Report)

Refugee

The UN convention on the status of refugees (1951) - (the Geneva Convention) - defines refugees as people who have fled from their own country to a foreign country because of a well-founded fear of persecution.

Representative organisations

A representative organisation of disabled people is an organisation or group that works on disability issues, whose management or executive body is made up of at least 75% disabled people, and whose voting membership is made up of at least 75% of disabled people. This requirement and the organisation's commitment to the social model of disability must be clearly shown in an organisation's written constitution.

A representative organisation of women is an organisation whose management or executive body is made up of 100% women, and whose voting membership is made up of 100% women.

A representative black organisation is an organisation or group that works on racism issues, whose management or executive body is made up of at least 50% of people from black and minority ethnic communities, whose voting membership is made up of at least 50% people from black and minority ethnic communities and where at least 50% of the staff are from black and minority ethnic communities.

Scrutiny commissions

These keep checks on the decisions which our cabinet make. Councillors and co-optees sit on the scrutiny commissions. Co-optees are individuals who are invited on to the commissions to give advice and share their views. They do not have voting rights.

Segregated services

These are organised for disabled people only but are not controlled by disabled people, whereas impairment specific services are organised for just one group of disabled people, such as only for people with learning difficulties. These services have been provided for some years and may have been set up because other services (mainstream services) are inaccessible. We want to make sure all services are accessible to disabled people so they don't have to be separated from neighbours, family and friends. We believe disabled people should have the same opportunities as everyone else.

Self-organised employee groups

The self-organised employee groups include the Women's Issues Network, the Disabled Employees Group, the Black and Minority Ethnic Employees Group and the Rainbow Group. These groups may be council wide or have groups in each department.

Sex

The term sex (as in women and men are different sexes) refers to the biological differences between men and women.

Sexism

Sexism is discrimination based on sex. It is a system of stereotyping that "...frequently places men in unwarranted positions of power over women, whether at home or at work. It impoverishes both sexes by limiting horizons and by restricting choices. This can be done directly and indirectly through open and subtle forms of discrimination. Stereotyping can lead

to conformity to gender roles in a way that inhibits the ability, preferences and aspirations of both women and men.” However, sexism is mainly experienced by women and girls.
Claire Roskill in Practising Equality, Central Council for Education and Training in Social Work.

Sexual orientation

Sexual orientation is the legislative term used to describe how an individual chooses to identify their sexuality, that is, lesbian, gay, bisexual or heterosexual. However, it is better to use the preferred terms of lesbian, gay and so on.

Single Equality Scheme

Bristol City Council has produced a Single Equality Scheme, which brings together and updates our Race, Disability and Gender Equality Schemes and includes issues for other equalities communities (religion and belief/no belief, lesbian, gay and bisexual, transgender and older and younger communities).

The Scheme focuses on achieving outcomes for equalities communities. This means the success of the scheme will be measured by whether people from equalities communities are employed in the same numbers as other people and whether there is improved satisfaction or higher uptake of services.

Social exclusion

Social exclusion is what can happen when individuals or areas suffer from a combination of linked problems, such as discrimination, unemployment, poor skills, low income, poor housing, high-crime environments, bad health and family problems.

Social inclusion

Policies and action at national and local level which positively tackle the effect of ‘social exclusion’ on local areas and individuals. Social inclusion is also achieving equal opportunities and outcomes by removing barriers that directly or indirectly exclude people from political, economic, social and cultural experiences, which any person would see as their basic right within our society.

Social model of disability

The social model of disability recognises that disabled people are discriminated against because society has been created in a way that takes little or no notice of disabled people. Buildings and transport are often designed in a such a way that disabled people cannot use them, or people are often scared of or feel sorry for disabled people, and services are organised in a way that disabled people can not use them.

Stereotyping

This refers to having a fixed mental impression about particular groups of people. Stereotypes have developed whereby large groups of people are labelled as having the same limited, usually negative, characteristics. Even though most of the people in the group are nothing like the stereotype, the characteristics of a tiny minority are used to maintain the stereotype.

Transgender

A term used to include transsexuals, transvestites and cross-dressers. A transgender person can also (sometimes with the help of hormone therapy or cosmetic surgery or both) live as whichever gender, but has not undergone, and generally does not intend to undergo, surgery.

Transsexual

A person who feels a consistent and overwhelming desire to change and live their life as a member of the opposite sex. Most transsexual people want and have surgery.

Transvestite

The clinical name for a cross-dresser. A person who dresses in the clothing of the opposite sex. Generally, these people do not wish to alter their body.

Young

The definition of 'young' changes over time. For the purposes of public sector policy development, services to children and young people are separated into children who are under eight, play (ages eight to 13) and younger people's services (13 to 25).

Travellers, Gypsies and Roma

We acknowledge that travellers, Gypsies and Roma all face prejudice and discrimination and that anti-racist strategies must tackle the needs and experiences of these groups.