



**European Union**  
European Structural  
and Investment Funds

# EQUALITY OF OPPORTUNITY POLICY

Updated: July 2016



**Version History**

<b>Date</b>	<b>Version</b>	<b>Author/Editor</b>	<b>Comments</b>
17 Sept 2012	1.1 Draft	Anthony Vage	Initial first draft for circulation to Corporate Steering Group.
25 Sept 2012	1.2 Draft	Anthony Vage	Second draft following final review by Corporate E&D Steering Group.
20 March 2013	1.3 FINAL	Anthony Vage	Typos, minor amendments
18 June 2013	1.4	Anthony Vage	Changed "council" to "Company" as a point of accuracy.
10 Sept 2015	1.5	Anthony Vage	Full review with amendments throughout
20 July 2016	1.6	Sue Patton	Full review with amendments throughout

**Equalities Impact Assessment Record**

<b>Date</b>	<b>Summary of Actions Taken/Decisions Made</b>	<b>Completed by.</b>	<b>Impact Assessment Review date</b>
13 Nov 2012	Completed and reviewed by CDC E&D Group	Anthony Vage	November 2013



**European Union**

European Structural  
and Investment Funds

## Contents

<b>1. Introduction</b>	<b>3</b>
1.1. Purpose and aim of policy	3
1.2. Scope	3
<b>2. Policy Statement</b>	<b>4</b>
2.1 Equality in the delivery of services	4
2.2 Equality in Employment	5
2.3 Employee Monitoring	5
2.4 Equality in Procurement	6
<b>3. Policy Details</b>	<b>6</b>
3.1 Relationships with other corporate strategies and policies.	6
3.2 Management and Supervision of this Policy	7
3.3 Implementation	7
<b>4. Responsibilities</b>	<b>8</b>
<b>5. Monitoring arrangements</b>	<b>8</b>
<b>6. Breaches of Policy</b>	<b>8</b>
<b>7. Information and training</b>	<b>9</b>
<b>8. Equality Impact Assessment (EIA)</b>	<b>9</b>
<b>9. Legal requirements</b>	<b>9</b>
<b>10. Authorisation, Approval and Review dates</b>	<b>9</b>
<b>11. Contact and Alternative Formats</b>	<b>10</b>
<b>Appendix 1: Glossary of Terms</b>	<b>11</b>

## **1. Introduction or Background**

### **1.1. Purpose and aim of policy**

This Equality of Opportunity Policy is a statement of how Cornwall Development Company (CDC) intends to promote equality, and tackle discrimination and harassment. It is necessary for CDC to have an Equality of Opportunity Policy for the following reasons:

- Oppression, disadvantage and discrimination exists 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 Cornwall; and
- People often experience multiple-discrimination.

This Equality of Opportunity Policy demonstrates our commitment to put this imbalance right. It will help us to make sure that everyone has equal access to the services of and employment with CDC.

It is also important that CDC demonstrates its commitment to the standards that follow, as the economic delivery arm for Cornwall Council. In this context, the corporate standards should be consistent with that of the Council.

CDC will ensure that it meets its legal duties and will assess how its policies, procedures and services can meet the needs of disadvantaged groups in the community.

Board members, managers and employees all have a responsibility to ensure equality is at the heart of the way we work and all our activities. We will ensure that equality practice at a corporate and service level meets our legal obligations and statutory duties to promote Equality of Opportunity as a minimum.

### **1.2. Scope**

This Equality of Opportunity Policy is a statement of how we will intend to promote equality and tackle discrimination and harassment. We will work by the standards of the Public Sector Equality Duty and the Equality Act 2010 opposing discrimination, victimisation and harassment on the grounds of someone's:

- Age
- Sex (also known as gender)
- Sexual Orientation
- Disability
- Race or Ethnic Background (including Cornish)
- Religion or Belief (and those with none)

- Gender Reassignment
- Marital or Civil Partnership Status
- Pregnancy and Maternity Status
  
- Trade Union Activities
- Caring responsibilities
- Geographical location
- Economic or Social Background
- Political Belief

This policy applies to all employees and Board Members of CDC. We will also be working with our stakeholders, contractors and partners, to influence their policies and ensure their practices reflect the objectives set out in this policy.

## **2. Policy Statement**

CDC is committed to promoting equality and diversity in all operations of the organisation and the services it provides.

CDC recognises its statutory equality duties under legislation in terms of service provision and employment and is committed to meet them by complying with this policy.

In all our work we will have due regard to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Duty and Equality Act 2010;
- advance equality of opportunity between people who share a protected characteristic and those who do not;
- foster good relations between people who share a protected characteristic and those who do not;
- integrate consideration of equality and good relations into our day-to-day business.

We will have due regard for advancing equality which involves us:

- removing or minimising disadvantage suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these are different from the needs of other people;
- encouraging people from protected groups to participate in activities where their participation is disproportionately low.

We will proactively take steps to take account of disabled people's needs. This may involve treating some people more favourably than others.

## 2.1. Equality in the delivery of services

CDC is committed to equality of opportunity in the provision of its services and aims to make a positive contribution, creating the best possible quality of life for people who live or work in Cornwall.

We will achieve this by:

- undertaking Equality Impact Assessments and ensuring that shortfalls are identified and addressed with specific actions.
- recognising where particular individuals or groups are potentially denied equality through intentional and unintentional discrimination and taking positive action to rectify the situation;
- providing mandatory training for all employees and training for Board Members, so that they have a good understanding of the diverse needs of different people;
- ensuring that all employees understand what their roles and responsibilities are in relation to equality in service provision and in the workplace;
- delivering services which are relevant, of the highest possible quality and accessible;
- providing clear information about our services and where necessary, in a variety of formats;
- proactively promote gender equality<sup>1</sup> and equal opportunities;
- producing a project specific Gender Equality and Equal Opportunities Policy and Implementation Plan for each EU Structural Funds funded project where appropriate. This will be subject to continuous improvement;
- assessing the impact of and monitoring our services to ensure that they do not discriminate and identify where improvements can be made;
- monitoring progress towards our key project objectives. This will include monitoring representation and performance of different groups (gender, age, disability, ethnicity)
- encouraging our partnership agencies and commissioned service providers to promote equality in line with legal requirements (where appropriate) and to positively contribute to the implementation of this policy;
- ensuring that our complaints and feedback procedures are accessible and effective;

---

<sup>1</sup> Gender equality is specifically emphasised in the ESIF National Programme. CDC promotes equality of opportunity and accessibility for all individuals with Protected Characteristics including, but not limited to gender.

## 2.2. Equality in Employment

CDC is committed to ensuring that we provide equality of opportunity to all in our employment. We need a workforce which reflects the community we serve to make sure that we provide appropriate services to all our diverse communities. We will work to ensure that we do not unfairly discriminate against any job applicant or employee for any reason. CDC may use positive action to put right past inequalities in the workplace and in how we provide services. All managers who will be recruiting employees must have undertaken equality and diversity training.

We will achieve this by:

- ensuring that our recruitment and selection policies and procedures are equitable and fair so that the best people are appointed to deliver our services;
- only considering applicants for jobs on the basis of their relevant experience, skills and abilities unless a 'Genuine Occupational Qualification' (GOQ) exists for specific posts;
- shortlist and offer interview opportunity to all disabled applicants who meet the minimum (essential) criteria of the post;
- using appropriate lawful methods, including positive action, to address the under-representation of any group which CDC identifies as being under-represented in particular types of jobs;
- ensuring that all employees receive fair and equal treatment in relation to their employment, regardless of whether they are part-time, full-time or employed on a temporary basis;
- ensuring that employment policies and opportunities are of the highest possible quality, therefore equal treatment and consistency are embedded in practices, pay and conditions;
- ensuring that those with a disability are treated according to their needs to prevent discrimination;
- making sure that we give appropriate consideration to people's needs and develop flexible and responsive employment opportunities to tackle those needs;
- encouraging and supporting employees to reach their full potential within the resources we have available to us;
- taking appropriate action against incidents of harassment, bullying or discrimination, and offering support and advice to victims or witnesses to incidents; and
- taking disciplinary action against employees who discriminate against people who work for the CDC or those who seek employment with CDC – we will take action (including legal action if appropriate) against employees who are found guilty of harassment.

## 2.3. Employee Monitoring



**European Union**

European Structural  
and Investment Funds

CDC has recognised that equality monitoring is an important way of assessing many of our services. Monitoring is a part of tackling inequality and discrimination and will help us check whether our policies, services and organisational culture are meeting the needs of our employees and community.

Any data collected will be analysed and reported on and can be used within CDC for:

- reviewing our service delivery by comparing our performance over time
- developing services and assisting with making changes

CDC will monitor employees on the basis of their age, gender, disability and ethnicity in the following areas:

- recruitment, promotion and career development
- disciplinary procedures and grievances
- those leaving the CDC's employment
- equal pay for work of equal value as defined by roles and responsibilities of a job description

This will be reported on an annual basis to the Remuneration Committee

Equality monitoring data is subject to the Data Protection Act.

## **2.4. Equality in Procurement**

CDC is committed to making sure that contractors, suppliers and funded service providers promote Equality and Diversity. 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 communities. We will ensure that:

- contractors and providers have Equality & Diversity policies, procedures and practices that do not discriminate;
- we or those acting on our behalf develop and deliver services, goods and facilities that are appropriate and accessible;
- we will provide opportunities for people from diverse groups to be in a position to bid for and win Company contracts from an equal basis; and
- we will manage contracts and commissioning arrangements to ensure they meet the Equality & Diversity commitments as detailed in their contract.

### **3. Policy Details**

#### **3.1. Relationships with other corporate strategies and policies.**

This Equality of Opportunity Policy underpins all other corporate policies, procedures and strategies therefore providing a strong foundation for Equality of Opportunity in CDC and the services it provides.

The implementation of this policy links to the following corporate policies:

- Anti-Harassment Policy
- Customer Care Procedure (currently being developed)
- Grievance Policy
- Code of Conduct
- Disciplinary Procedures
- Disability Employment Policy
- Whistle Blowing Policy
- Worksmart Policy
- Equal Opportunities Policy for Recruitment and Selection
- Sustainable Development Policy

#### **3.2. Management and Supervision of this Policy**

Strong leadership is essential to ensure that this policy is embedded at strategic and service levels of CDC.

The Chief Executive has overall responsibility for Equality and Diversity within CDC. The Head of Corporate Services has principal responsibility for the day to day responsibility for Equality and Diversity and is supported by a Corporate Equality Champion who is a Senior Manager within CDC.

#### **Board Members**

All Board Members have overall responsibility for the direction and scrutiny of this policy and will ensure that the principles of fairness and equality guide the decision making process. Each year, a member will be nominated who will champion Equality and Diversity at Board level.

#### **Corporate Executive Team**

The Chief Executive with the Corporate Executive Team are responsible for providing leadership in the implementation of this policy and for ensuring that service planning and performance management systems incorporate the specific equality objectives in terms of employment and service provision

#### **Corporate Equality and Diversity Steering Group**

The Corporate Equality and Diversity Steering Group has responsibility for monitoring performance against all the key priorities of CDC and will establish an Action Plan to promote continuous improvement and seek to establish regular performance reports. The Group is chaired by the



**European Union**

European Structural  
and Investment Funds

Corporate Equality Champion. Membership includes representatives from across CDC services.

### **3.3. Implementation**

All employees have a responsibility to implement this policy in service provision and employment. Heads of Service will determine what resources will be required to co-ordinate and support activities which contribute to promoting this policy and delivering on equality priorities and objectives.

All employees will have access to the Equality of Opportunity Policy when they start working for CDC and will be asked to read it as part of their induction process. Managers have a duty to pass on information on Equality of Opportunity, equality training and complaints procedures to employees and to include equality in all employee induction and Learning & Performance Review and Pay Progression processes.

CDC will ensure that employees and Board Members have appropriate training and awareness of equality and diversity, ensuring that individual behaviours and performance are appropriate and don't adversely impact on individuals or groups.

## **4. Responsibilities**

All employees are required to comply with the Equality of Opportunity Policy.

All Board Members are individually and personally bound by the Policy and any other relevant employment law. This means that employees and Board Members must not discriminate, harass or intimidate people because of any of the characteristics set out in section 1.2.

Every employee is required to assist CDC to meet its commitment to provide Equality of Opportunity in employment and service delivery and avoid unlawful discrimination. Employees can be held personally liable as well as, or instead of, CDC for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence. Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under CDC's disciplinary procedures. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

## **5. Monitoring arrangements**

CDC will establish appropriate information and monitoring systems to assist the effective implementation of our Equality of Opportunity policy.



**European Union**

European Structural  
and Investment Funds

The effectiveness of our Equality of Opportunity policy will be reviewed regularly in consultation with stakeholders including the recognised trade union(s) if appropriate and action taken as necessary.

## **6. Breaches of Policy**

Breaches of this Policy will be handled through CDC's complaints and grievance policies and the Disciplinary and Capability Procedure depending on the nature of breach. Legal action may be taken forward where appropriate.

Responsibilities (Section 4) for employees and Board Members are set out above and set the context for potential Breaches of Policy.

## **7. Information and training**

CDC will ensure that all employees are developed by the provision of appropriate and accessible learning opportunities in line with organisation needs.

## **8. Equality Impact Assessment (EqIA)**

This Policy has undergone an Equality Impact Assessment (EqIA) in line with CDC's requirements on all new or revised policies. Details of the EqIA can be obtained from the corporate intranet.

## **9. Legal requirements**

Over and above the provisions set out in its own policy and procedures, CDC is also bound by the legal responsibilities as detailed within the Equality Act (2010)

## **10. Authorisation, Approval and Review dates**

This Policy will be subject to review every three years.

This Policy will also be reviewed in the instance of significant changes to equality legislation or national equality policy to ensure that it is current and compliant.

## **11. Contact and Alternative Formats**

For further information on the fulfilment of this policy, related action plans or if you require this policy in any other format, please contact the HR Officer on 01872 322833 or write to:



# European Union

European Structural  
and Investment Funds

HR Officer  
Cornwall Development Company  
Bickford House  
South Wheal Crofty  
Pool  
Redruth  
TR15 3QG

[www.cornwalldevelopmentcompany.co.uk](http://www.cornwalldevelopmentcompany.co.uk)

Signed. Chief Executive .....

Date .....

**Appendix 10a/1**

<b>Glossary of Terms</b>	
Race	Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.
Disability	A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.
Sex	A man or a woman.
Age	Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).
Religion & Belief	Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.
Sexual Orientation	Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes
Gender Reassignment	The process of transitioning or proposing to transition or having undergone a process of transition from one gender to another (e.g. from a man to a woman or woman to man). A reference to a transsexual person is a reference to a person who has the protected characteristic of gender reassignment under the Equality Act



	2010.
Pregnancy and Maternity	Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.
Marriage and Civil Partnership	Marriage is defined as a union between two people and includes the new definition outlined in the Marriage (Same Sex Couples) Act 2013.
Equality Impact Assessment (EqIA)	It is good practice for Local Authorities (and those acting on their behalf) to assess both existing and new policies, procedures and functions. An EqIA is a way to ensure that policies, plans, procedures and functions of the Council (and CDC) are considered to identify any unmet needs, and provide a basis for action to improve services where appropriate. It systematically assesses and records the actual, potential or likely impact of a service, policy, project or plan on different groups of people. EqIA's are public documents and a summary or the original must be made available online and on request.
Equality	Equality is about respect and not treating an individual or group of people unfairly. It is about giving people an equality of opportunity to goods and services and to fulfil their potential. Equality is therefore based on fairness while recognising that everyone is different.
Diversity	Diversity is about all the ways that people differ and recognising that



	those differences are a natural part of society. Diversity is about treating people as individuals and making them feel respected and valued.
Direct discrimination:	A person who has, or is associated with someone who has, or believed to have, a protected characteristic is treated less favourably than someone who does not.
Indirect discrimination	A policy applied in the same way for everyone that particularly disadvantages people with a protected characteristic.
Victimisation	<p>Victimisation is when a person is treated badly because they have made a complaint about discrimination or have given evidence in a discrimination case.</p> <p>This could include:</p> <ul style="list-style-type: none"> <li>• labelling the person a 'troublemaker'</li> <li>• denying them opportunities or services they would normally have (such as a promotion at work)</li> <li>• ignoring them.</li> </ul>