

Our Commitment to Equality

We are committed to:

- Eliminating discrimination and harassment
- Promoting equality of opportunity
- Promoting good relations and positive attitudes towards all people
- Encouraging participation in public life.

Our commitment covers equality on grounds of: age, disability, gender (including Transgender), race, religion/belief and sexual orientation.

Summary of Contents

Page	
2	Why do we have a policy on equality?
2	Who the policy is for.
3	Responsibilities.
3	Our core organisational values.
4	Ensuring acceptable behaviour.
5	Responding to complaints and incidents in a positive and pro-active way.
6	Providing access to services, facilities and information.
8	Recruiting and employing people fairly.
10	Meeting specific needs: age equality, gender equality, disability equality, racial equality, religion/belief equality, sexual orientation equality.
14	Having a programme of work, structures and processes to support our policy.
15	Supporting and complementary policies, standards and guidance.
16	Legal framework and glossary.
19	Plain English and accessibility standards.



Why do we have a policy on equality?

We have an Equality Policy to help make sure that we treat people fairly. Prejudice and discrimination can affect the lives of many people in Devon. Negative stereotyping, assumptions and intolerance lead to some people receiving unfair treatment. This means that people are not provided with the same opportunities as others and are not treated with the dignity and respect they deserve.

Discrimination is often unwitting – that is, the person discriminating may not realise they are doing it. This occurs when people develop policy and practice based upon their own needs, preferences and values and they do not take account of the needs and differences of other people.

Everyone is protected from discrimination in law across the following areas: age, disability, gender, race, religion/belief and sexual orientation. As a public authority, we have a legal duty to promote equality on grounds of race, disability and gender.

The Council acknowledges and welcomes its legal duties and uses the legislation and national guidance as a framework to improve. However we are not driven only by what the law tells us to do - our policy and accompanying programme of work is also in response to what Devon people have told us.

Who the policy is for

Everyone who uses services, facilities and information provided by, or on behalf of, the Council should be treated in line with this policy. This includes service users/customers, members of the public, partners, contractors, employees or elected members.

Equality brings quality for everyone.

As a provider of services and community leader it's important that Devon County Council staff and elected members understand about equality and diversity and how to operate in a non-discriminatory and inclusive way.

Responsibilities

- All staff and elected members must comply with this policy. Breaches may lead to disciplinary action.
- Managers must ensure staff are aware of the policy and trained to meet its requirements.
- The Chief Executive has overall responsibility to ensure this policy is consistently applied.

Contractors, Suppliers and Consultants must comply with the principles of our equality policy and must meet standards as laid down in our 'Equality Standards in Procurement' document. We will not award contracts if a commitment to equality and fairness is not demonstrated; breaches may lead to termination of contracts.

Our Core Organisational Values

Devon County Council has four organisational values: Putting the People of Devon First; Valuing Everyone; Improving and Innovating; Working Together.

We expect all our staff and elected members to behave in ways that reflect these values:






We are here to **achieve the best for the people of Devon** and **identifying and addressing their needs** is at the heart of everything we do. In working with people we aim **to listen, to be fair, open and honest** and to **do what we say we will do**.

One of Devon's strengths is its diverse people and communities. We will **celebrate and harness this diversity** by **demonstrating respect, understanding and fairness**. We want Devon to be a **county for everyone** and we are **committed to tackling discrimination and exclusion, promoting social justice and good community relations** and **ensuring fair access to our services**.

We want to be a modern improving local authority providing efficient, cost effective services **in touch with people's needs**. This means grasping opportunities for change and being innovative in finding the best solutions for the present and the future.

We need to **work in close partnership with local communities** and organisations to achieve our vision for Devon. Effective partnership working means **building trust, developing a common understanding of the needs of our communities, agreeing joint priorities, taking collective action** and pooling our resources where this will **improve services**.

We expect our staff and elected members to put in place our commitment and organisational values by:

-  Ensuring acceptable behaviour
-  Responding to complaints and incidents in a positive and pro-active way
-  Providing access to services, facilities and information
-  Recruiting and employing people fairly *and*
-  Meeting specific needs

Ensuring Acceptable Behaviour

Treat everyone with dignity and respect:

- Treat people fairly and according to their needs. Do not make assumptions.
- Be patient and helpful particularly if someone has difficulties communicating, understanding or with mobility.
- Communicate clearly, honestly and openly.
- Be courteous and polite: respect property and culture particularly when visiting people in their own places. Respect the right to private and family life.

Think about how your actions will affect others:

- Be aware the effect your own behaviour and body language has on others. Recognise and guard your own prejudices.
- Do not act in a way that would humiliate, offend, degrade, intimidate, frighten, threaten, undermine or abuse someone. Do not promote or allow others to act in this way.
- Do not use language or images which would be regarded as racist, sexist, homophobic or insulting about disability, age, religion/belief or sexual orientation. Do not promote or allow this.

Help people change for the better:

- Where possible, tell people if their behaviour has been unacceptable and advise on appropriate alternatives so they are given the opportunity to change.
- Tackle things, however small, at an early stage so they do not get worse.

Members of the public are reminded that they ***do not* have the right to refuse service** from staff or elected members on the grounds of age, disability, gender, race, religion/belief, sexual orientation, or any other factor that is not reasonable (unless there is a genuine and objective need).

Responding to Complaints and Incidents in a Positive and Proactive Way

Everyone must be able to raise concerns without feeling awkward, threatened or isolated. Everyone has the right to complain about discrimination in good faith, without being victimised at any time. Discrimination includes harassment or not being able to access a service. If this happens:

Handle complaints properly:

- Complaints must be handled sensitively and the Complaints Procedure used. Concerns must be listened to with care.
- Those receiving the complaint about discrimination should accept the incident is discriminatory (for example racist or sexist) *as perceived by the victim*. This is unless, and until such time, it is reasonably proven otherwise (following an investigation into the matter).
- All people involved, including the alleged victim(s) should be provided with appropriate support.

Resolve matters positively:

- Matters should be resolved quickly. Where possible, matters should be resolved informally and at source, before they escalate.
- Options to resolve issues should be explored and provided. For example mediation, advocacy, contacting appropriate personnel or agencies to advise on the best course of action.
- Where mistakes have happened, the organisation should admit them and learn from them.

Respond to incidents of prejudice/hate crime such as graffiti:

- If an incident of prejudice/hate crime occurs on Council property or business (such as racist graffiti or assault) appropriate and speedy action must be taken. This may involve removing graffiti or supporting people affected by the incident including signposting to specialist independent organisations.
- The police may need to be contacted
- Report the incident to the Corporate Equality Officer immediately.

Providing Access to Services, Facilities and Information

It is our policy to provide a welcoming, friendly environment which is easily accessible to all. We will take steps to improve access to services, facilities and information and be honest about what we can and cannot do.

Involve people:

- People, *including* minority and disadvantaged communities, should be involved in the design, delivery and prioritisation of services so that their needs can be met in the best way.
- Involvement should be meaningful and effective, in line with Council strategy and policy.

Monitor and review services (including policy and practice):

- In line with Council guidance, heads of services should carry out service monitoring by collecting customer diversity data, analysing the data and identifying if there is over- or under- representation of men/women, racial groups, people with disabilities and other relevant categories, and using the information to take action and address any imbalance.
- Staff should be informed of the sensitivities of monitoring and why it is being carried out.
- An Equality Impact and Needs Assessment must be carried out (in line with guidance) to check any positive or negative impacts a service or policy may have on different people and communities.

Make application processes free from bias:

- Where practical, remove questions which reveal someone's personal attributes from application forms (name, age and date of birth, gender etc.). This will prevent stereotyping and prejudice when making decisions about individuals.

Make sure information is accessible:

- Use plain English (see guidance on page 19).
- Follow accessibility standards (see guidance on page 19).
- Key documents should be readily available on pale yellow/cream paper in normal and large plain text.
- All key documents should provide an 'alternative format statement' in a minimum of 16 point font size such as: "To request a different format please contact xxx", providing a number of ways to contact such as email, text, letter, phone.
- Content on intranet and internet sites must follow web-accessibility standards.

Make sure buildings are accessible:

- Buildings and facilities run by the council must be audited for their compliance with the Disability Discrimination Act and changes made if they do not comply. (Also see Disability Equality on page 11 and 'Reasonable Adjustments' on page 18.)

Provide alternative formats, translations and interpreters when needed:

- Information must be provided in a different format if requested (including symbols, large print, easy read, Braille, British Sign Language, audio, and in other languages):
- Translations must be provided in line with the Translation and Interpreting Policy.
- Interpreting (British Sign Language, Braille or other languages) must be arranged for those who need it and in line with the Translation and Interpreting Policy. People with hearing impairments should be provided with a speech-to-text typist or lip-speaker if needed.

When providing information to the public try to reach out to all communities, publishing information widely and in line with plain English standards, accessibility standards and the Translation and Interpreting Policy.

Make sure meetings and events are easy to access:

- Staff must ask if people have any special requirements such as diet, access or communication support.
- Meetings with people who need communication support (such as an interpreter, lip-speaker, speech-to-text typist or advocate) should be arranged in good time so that necessary support can be put in place.
- Staff must ask the person/people what their most suitable form of support is first, and arrange the support if necessary.
- When food and drink is provided, special diets must be identified and catered for, and different food separated and labelled clearly.
- Events, meetings, facilities and services must take account of people's ability to get to them such as public transport links, disabled parking bays, gradients or steps around the building. Consider commitments such as caring responsibilities and religious holidays or Sabbaths, including the implications of fasting, when setting a date or time.

Staff organising events or meetings should be aware of festivals and religious observations which will help avoid embarrassment; if in doubt, ask or check guidance and calendars.

Recruiting and Employing People Fairly

Employees, agency/contract workers, volunteers, trainees or people applying for a job at Devon County Council, must not be discriminated against because of their age, disability, gender, race, religion/belief or sexual orientation. This means that:

- People must be provided equality of opportunity in all aspects of recruitment, selection, appraisal, training, promotion/transfer, work allocation, supervision, reward, recognition, retirement, redundancy, career development, full-time or part-time status and any other conditions of employment or work environment.
- All staff must be treated fairly and their diversity valued, recognising the different experiences, skills and knowledge people have and the different contributions they make.
- Staff must be provided with a work environment where they are free from harassment or other barriers to performing their role.

Advertise jobs openly:

- Jobs must be advertised so that they draw the attention of a wide range of applicants to the job, in line with employment policies. (In special circumstances such as redundancy and redeployment, priority will be given to internal candidates).

Use non-discriminatory job criteria:

- Job descriptions and person specifications must not include criteria that could directly or indirectly discriminate against someone. Job requirements must be based upon 'essential' and 'desirable' criteria. 'Essential' should be just that and should not be excessive. Desirable criteria will only be used in a competitive situation (except for applicants with disabilities who will be shortlisted on essential criteria only).
- Genuine Occupational Qualifications/Requirements may apply to some jobs. For example, where a female customer seeks a female worker to carry out intimate care. Adverts must state the relevant legal clause where this applies.

Take positive action to ensure a diverse workforce:

- Only use criteria (skills, knowledge and attributes) directly relevant to the job. Qualifications, *length* of experience and local government experience must not be included as 'essential' criteria unless required by law or government regulations.
- Transferable qualifications, skills and knowledge should be considered.
- Applications from people seeking to work part time/job share should be positively considered.
- Lawful positive action should be taken to achieve a workforce that reflects our wider community *at all levels*. Where beneficial, specialist media/events should be used to target under-represented communities or training/development/work-placement opportunities targeted at certain people.

Apply fair selection procedures:

- Adverts and interview procedures must reflect the job description and person specification (which is non-discriminatory), follow equality standards, and should promote our commitment to equality. Tests should be used to check suitability objectively.
- Any selection tests must be relevant and validated to ensure that they are free from cultural, racial, gender or any other form of bias so that they do not indirectly discriminate.
- In interview, candidates must not be asked questions – formally or informally – that are not directly relevant to the job (for example, questions about family life or hobbies).

Monitor and review employment practice:

- Employment policies must undergo Equality Impact and Needs Assessments to ensure they are not discriminating and are promoting equality of opportunity, in line with guidance.
- Monitoring (the collection and analysis of diversity data) is carried out. Heads of services/assistant directors must review the data provided and identify if there is over- or under- representation of men/women, racial groups, people with or without disabilities and other relevant categories and use the information to take action to address any imbalance.

Support staff through networks:

- Employee networks (such as a lesbian, gay, bisexual and transgender network) will be supported where there is a clear need and benefit to both the Council and those staff who wish to participate. Separate terms of reference will exist and explain provisions for attendance.

Standard recruitment statements:

As an employer of choice, we value diversity and celebrate individuality across our extensive workforce.

We are committed to equal opportunities in employment and service provision and are only interested in your ability to do the job.

Meeting Specific Needs

Our approach must not be based on the assumption that everyone is white, heterosexual etc. The way we operate and the images and language we use should reflect and be sensitive to the diverse communities we have, however small. The categories below reflect the 'equality strands' as defined within the legal framework.

Age Equality

Applies to: All people of all ages. But those at most risk of prejudice and discrimination are younger and older people.

- Age must not be used to determine physical or mental performance.
- Age must not be used as the deciding factor for access to services or employment including recruitment, training and promotion opportunities. However:
 - Age criteria can be used where there is relevant law, such as the ability to drive.
 - Any different treatment must be openly justifiable on other objective criteria: Some services are provided to specific age groups. These services which are provided on the basis of need will continue to operate within age restrictions. For example, schools and youth centres, adult social care. These services are often based upon national standards of service provision.
- Staff are encouraged to express an interest in continuing their employment beyond the normal retirement age of 65. Job applications from people already over age 65 are invited.
- The Council must give an employee between six and twelve months' notice of their right to request working beyond age 65, the Council will review the new retirement date on a regular basis.
- Further guidance on procedures for employment beyond age 65 is available and must be followed.

Gender Equality

Applies to: Men, women, transgendered or transsexual people, marital/civil partnership status.

Those at most risk of prejudice and discrimination are women (who are often parents/carers of young children and older dependants), men with caring responsibilities, people undergoing or who have undergone gender reassignment. When there is an imbalance of men or women, the minority gender may be disadvantaged.

- Managers must support staff undergoing gender reassignment so they are able to work in a safe and supportive environment. Guidance is available for managers and must be followed.
- Male and female staff must be supported in making choices about their parenting, caring and work roles. Flexible working can help staff balance their lives inside and outside of work.
- Male and female staff will be paid the same for doing work of equal value.

- Male and female staff will have equal opportunities for career development.
- Care should be taken not to reinforce gender stereotypes in the workplace (for example, always asking or expecting women in the team to make the tea).

Disability Equality

Applies to: People with disabilities (covered by the definition under the Legal Framework) including: physical impairment, sensory impairment, learning disability or difficulty, mental health, long term health condition or illness, cognitive impairment, severe disfigurements.

Most frequent barriers faced by people with disabilities include: physical access to facilities, including transport, buildings, streets; communications access – written word or images, speech or sounds; attitudes and assumptions made; and stressful situations.

- People with disabilities should be able to have control over their own lives, and their social, educational and economic inclusion should be encouraged.

Take positive action:

- Steps must be taken to meet needs and achieve equal outcomes even if this requires 'more favourable treatment'. For example, putting disabled parking bays near to the entrance, adjusting an application process, providing support or advocacy.

Make sure buildings are accessible and welcoming to people with disabilities:

- People with physical disabilities should be able to access buildings and environments through the same routes as other people. Main entrances and routes should be fully accessible so that people can get around the building independently and easily; access up a ramp at the rear of a building can feel insulting and take longer.
- Provide clear and simple signage and maps which use symbols to aid communication of information.
- Entry systems, reception points, waiting and public meeting rooms and security barriers should be adjusted so that people with communication or physical mobility difficulties can get through and communicate as easily as people without:
 - Automatic doors must allow enough time to get through.
 - Loop systems should be installed and staff trained how to use them.
 - Reception desks should have an unobstructed lower section.
 - Buttons to open doors/access lifts should be lowered for wheelchair users and kept free from obstruction to allow wheelchair users to access them.
- All Council buildings must have accessible toilets.

More information about adjustments to buildings is available from Business Transformation.

Make reasonable adjustments:

- Reasonable adjustments must be made to overcome barriers for people with disabilities.
- The Wellbeing at Work team should be contacted if staff need adjustments; financial help may be available.

- Where a disabled job applicant does not meet the essential criteria, reasonable adjustments must be made to the role that would remove any disadvantage they may face. For example, reallocating some of the duties.
- Low cost adjustments for staff must be put in place immediately and met from the service budget without the need of an independent review.
- The Council holds the JobCentre Plus 'Two Ticks' disability symbol, this means that:
 - All applicants with a disability who meet the essential criteria (after reasonable adjustments are made) must be interviewed.
 - Staff with a disability must be asked, at least once a year and usually during the appraisal process, what can be done to make sure they can develop and use their abilities at work.
 - When a member of staff becomes disabled, every effort must be made to keep them in employment.
 - Action must be taken to ensure that key staff develop an awareness of disability.
 - Every year these commitments will be reviewed by a designated officer. We will review what has been achieved, plan ways to improve, and let staff know about progress and future plans.
- Staff who become disabled and can't perform their current duties should be given a priority interview for a suitable alternative job to avoid them leaving employment. To be appointed, they must be suitable for the job (following reasonable adjustments).

Racial Equality

Applies to: All people; skin colour, race, national origin, nationality, settled and travelling communities of Travellers and Gypsies, ethnicity (shared history, cultural traditions, ancestral origin, language). But those at most risk of prejudice and discrimination are those from ethnic minority communities including Travellers and Gypsies.

At Devon County Council we must ensure we do not adopt a 'colour blind approach' or focus too much on cultural diversity. This means we must recognise the relevance of, and prioritise, racial equality and ensure we challenge inequalities as well as celebrate diversity.

- Having a 'colour-blind approach': this is where racial equality is not seen as relevant in predominantly white areas and ethnic minority communities are ignored. 'Low numbers' has led to low prioritisation, despite the fact that people from ethnic minority communities are more likely to be a victim of discrimination or prejudice/hate crime. Ethnic minorities are perceived as '*the problem*' but 'the problem' is often people's perceptions or a result of embedded social inequalities ('*they don't mix*'). 'Invisibility' can result in products made only for paler skin, pictures are always of White people.
- Focusing too much on 'cultural diversity': this approach recognises the need to respect, accommodate and celebrate different cultures and traditions but does not address racial prejudice and discrimination. The organisation will fail to take steps to tackle disproportionate under- or over- representation in access to services or employment or address racism head-on, even denying racism exists. '*I'm not racist – I eat curries, but...*'

Policies which tackle inequalities for those most at risk, however small in numbers, can benefit everyone.

Religion/Belief Equality

Applies to: All people - 'believers' and 'non-believers', including those who follow a particular faith or religion, those who do not such as atheists and agnostics.

- A room for quiet contemplation and prayer is available at County Hall for staff, elected members and visitors. Staff may use the room in their own time through flexible working but must get their line manager's approval to use the facility during core hours.
- Managers at other locations must consider the needs of staff who need to observe their daily prayer, and seek a solution that is reasonable, dignified and fair.
- Cultural and religious festivals, Sabbaths and holidays should be acknowledged and recognised across the Council so that leave is not unreasonably withheld from staff who may wish to celebrate them. Likewise public meetings and other meetings should take account of festivals, holidays, prayer/contemplation needs and Sabbaths.
- Requests for extended leave for religious pilgrimage or funerals must be considered by managers. Requests should not be unreasonably refused and where necessary unpaid leave can be granted.
- People's rights to dress (e.g. clothing, headwear or jewellery) in accordance with their religion/belief must be respected. Dress restrictions will only apply where there is a substantial and proven risk to health, safety and security or the dress is proven to interfere with a member of staff's ability to perform their duties, or any other substantial and objective reason. Further advice should be sought from the Corporate Equality Officer before imposing a ban.
- When people are fasting, this must be respected and those not fasting should be sensitive to the implications of fasting; managers must make sure staff are supported in the workplace when fasting.

Sexual Orientation Equality

Applies to: All people including heterosexual people. But, gay, lesbian and bisexual people are most at risk of prejudice and discrimination.

- Same-sex relationships must be acknowledged and partners given equal access to services and benefits available to heterosexual and married couples. The use of the term 'partner' or 'spouse/partner' should be used instead of 'spouse' or 'husband/wife'. Questions about marital status should also include civil partnership, but people should not be expected to classify either/or unless relevant (i.e. applying for a Civil Partnership Ceremony). Only ask questions that may reveal marital/partnership status or sexual orientation if it is useful to use and provide a 'prefer not to say' option.
- A culture of openness about sexual orientation should be encouraged, recognising also that some staff may not be 'out' for fear of how they may be treated, or may just choose not to be out, either at work or out of work. This is a personal choice which should not need justification. Everyone should avoid the assumption that people are 'heterosexual until forced to prove otherwise'.

Having a Programme of Work, Structures and Processes to Support our Policy

The **Fair for All Programme** details how we will put this equality policy into practice and deliver improved outcomes for people in Devon through corporate led initiatives, projects and activities.

It outlines:

- A programme of activities and improvement targets for the next few years to support our policy.
- Roles, structures and responsibilities.
- Financial resources allocated to equality projects and activities.
- How we will manage projects and integrate objectives into directorate and service plans.
- Scrutiny and performance management arrangements.
- How we will connect with communities and encourage participation in public life.
- How we will monitor for inequalities – customers and employees.
- How we will assess the impact of our policies and services on communities.
- How we will communicate our approach and report on progress.
- How we will train and develop our staff and elected members.
- How we will challenge inequalities and celebrate diversity.
- Our commitment to carry out research, studies and pilots where beneficial.
- Our commitment to review, develop and implement policy, procedures and guidance.
- How we will support the voluntary and community sector.
- How we will work in partnership.

All directors, elected members, heads of services and directorate based equality co-ordinators should understand and support the Fair for All Programme in full.

Action and awareness is needed at all levels and all services across the Council so that equality becomes part of mainstream work.

We also aim to provide leadership and work with partners to achieve our aims. Staff at all levels should encourage positive partnership working.

Supporting and Complementary Policies, Standards and Guidance

'**Our Commitment to You**' details our customer care standards. Compliments, suggestions and complaints by customers and members of the public can be made on our **Customer Feedback Form**. These are available on the 'Customer Feedback' page on the internet or from the *MyDevon* Customer Service Centre.

Employment and recruitment policy, standards and guidance provide more information about the employment of people. The **Refusal of Service Policy** details what should happen if a customer or member of the public discriminates against a member of staff. An **Acceptable Behaviour Policy** is in place for staff and elected members. Acceptable Behaviour advisors are available through a helpline. Staff wishing to raise concerns may use the **Grievance Procedure**. More information is available to staff on the intranet (HR Guidance and Policies) or from a member of the Employee Relations Team or a manager.

To **report an incident of discrimination** people are encouraged to use the form available on the internet: www.devon.gov.uk/reportincidents or by contacting the Corporate Equality Officer. Please note that a different process applies for school pupils.

A **Translation and Interpreting Policy** describes what should happen if someone needs information translated or interpreted.

Our **Equality Impact and Needs Assessment (EINA)** toolkit and programmes of review explain the agreed process of carrying out an EINA, the form that should be used, and the times when policies and services are reviewed during a three year cycle.

Further Guidance and Information

Available on the Council's diversity web-pages: www.devon.gov.uk/diversity

Promoting Equality in all other Policies and Plans

- Statements showing how equality and diversity will be achieved should be included in Council policies and procedures.
- Every service and directorate plan must include relevant equality objectives and targets.

Legal Framework and Glossary

Legal Framework:

Our policy is built around the following key pieces of legislation and their subsequent regulations and amendments:

Equal Pay Act 1970.

Sex Discrimination Act 1975.

Race Relations Act 1976 and Race Relations (Amendment) Act 2000.

Disability Discrimination Act 1995 & 2005 and Disability Discrimination (Public Authorities) (Statutory Duties) Regulations 2005.

Human Rights Act 1998.

Employment Equality (Religion & Belief) Regulations 2003.

Employment Equality (Sexual Orientation) Regulations 2003.

Employment Equality (Age) Regulations 2006.

Equality Act 2006 (which makes provision about discrimination on grounds of religion and belief in goods and services, imposes the Gender Equality Duty, and enables further regulations to cover provision of goods and services on grounds of sexual orientation).

Definition of disability: An impairment which has a substantial and long-term adverse effect on someone's ability to carry out normal day to day activities. The impairment should have lasted or be expected to last 12 months or more. Note:

- It includes people with hidden conditions such as cancer, diabetes, epilepsy, asthma, HIV/AIDS. A mental impairment could also be a mental illness, for example depression, schizophrenia, bi-polar disorder and stress.
- Substantial and adverse means 'more than minor or trivial'.
- Normal day-to-day activities include: mobility; manual dexterity; physical co-ordination; continence; ability to lift, carry or move everyday objects; speech, hearing or eyesight; memory or ability to concentrate, learn or understand; perception of the risk of physical danger.
- It includes people with conditions that may re-occur or who had conditions in the past that meet the definition.
- Some progressive conditions (such as cancer, multiple sclerosis and HIV) count from when the condition first develops. Other types of progressive conditions (such as motor neurone disease) count as soon as the condition has some effect on the ability to carry out normal day to day activities. This effect does not need to be continuous or substantial now, but is likely to be a substantial adverse effect at some point in the future.
- Medical or other treatment and aids are disregarded when defining disability, however normal use of spectacles or contact lenses are included so the disability is based upon the 'corrected' vision. Tattoos and decorative body piercing are excluded from the definition of severe disfigurement.

Since October 2004 organisations have had to make reasonable adjustments to the physical features of their premises to overcome physical barriers to access. All new building must be accessible.

Equality law also applies to people 'by association' that is, for example, someone who is not disabled is protected from disability discrimination if the discrimination relates to the fact that they care for someone with a disability.

People are also protected from discrimination if they are *perceived* to be of a particular age, disability, gender, race, religion/belief, sexual orientation.

The guide 'Equality Law – Know the Terms' provides more information.

Glossary

Where "*must*" is used, this is absolute and not avoidable.

Where "*should*" is used this is preferable and if in doubt, should be based upon an approach that is reasonable and proportionate in terms of how much an action can achieve equality and whether there are suitable alternatives.

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| Prejudice: | ▪ Making a negative judgement based upon little or no facts. Making assumptions. Pre-judging someone. |
| Negative stereotyping: | ▪ Using common traits or caricatures to describe someone in a way which leads to prejudice and discrimination. Assuming that 'all people are that way' if they have that appearance, nationality or gender etc. |
| Intolerance: | ▪ Not accepting or allowing people from minority communities, circumstances, beliefs or values as part of our whole society. |
| Discrimination: | ▪ Can be - direct, indirect, positive, harassment, victimisation and institutional. |
| Direct discrimination: | ▪ Treating someone less favourably. |
| Indirect discrimination: | ▪ A provision, criteria or practice which puts someone at a disadvantage and cannot be reasonably justified. |
| Positive discrimination: | ▪ Offering opportunities to someone because of their race, gender etc. Usually unlawful but can be allowed in limited circumstances (for example, a Black actor). |
| Harassment: | ▪ Unwanted conduct which has the purpose or effect of violating dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment. |
| Victimisation: | ▪ Treating someone less favourably because they have made a complaint or allegation of discrimination, or given evidence in good faith. |
| Institutional Discrimination: | ▪ The collective failure of an organisation to provide an appropriate and professional service to different people. It can be detected in processes, attitudes and behaviour which amounts to discrimination through unwitting prejudice, ignorance, thoughtlessness and stereotyping which disadvantages people. |
| Prejudice/hate crime: | ▪ Criminal acts which are motivated by, for example, someone's hatred of another's race, religion, sexual |

- orientation or disability.
- Positive action:
 - Providing people opportunities to compete or contribute on an equal basis. Raising awareness. Making reasonable adjustments.
- Reasonable adjustments:
 - An adjustment that is needed to help overcome a barrier. For an adjustment to be considered 'unreasonable' and therefore not carried out, the cost or inconvenience would have to far outweigh the benefit.
- Equality:
 - Treating people fairly and according to their needs. Providing equality of opportunity by using an anti-discriminatory approach. Ensuring equality of access. It's not about 'treating everyone the same'.
- Diversity:
 - We are all different.
- Culture:
 - For example naming systems, social norms and courtesy (eye contact, handshaking, men mixing with women) food, dress, music, humour and language. In Deaf culture for example, communication is direct and physical. Stamping feet or tapping on the shoulder to get attention is quite acceptable.
- Lesbian, gay, bisexual, heterosexual, transsexual/transgender
 - Sexual orientation is 'who you are attracted to'. Heterosexual people are naturally attracted to people of the opposite sex. Homosexual people (lesbian women and gay men or women are preferred terms) are naturally attracted to people of the same sex. Bisexual people are naturally attracted to people of both sexes.
 - Your sex is your biological make-up which defines if you are physically male or female.
 - Your gender is defined by which sex you 'feel you are' which is a result of how the brain is structured: people who are transgendered are born with the body of the opposite sex. People who are transsexual are transgendered people who may have undergone a sex change so that their sex and gender match. People who are transgendered or transsexual may be heterosexual, lesbian, gay or bisexual which is determined by their sexual orientation (not their gender or sex).
 - Transvestites dress in the normal style of the opposite gender. How someone dresses does not determine sexual orientation or gender. For example a male transvestite may still identify as a heterosexual man.
- Inclusive:
 - Making sure that all people can participate, whatever their background or circumstances.

Plain English Standards

- Be brief and to the point. Be direct by using 'I', 'we' or 'you'.
- Use everyday words – the shorter the better.
- Avoid acronyms (DCC) and jargon, use a glossary or provide an explanation where appropriate.
- Use active verbs: 'we will do it' rather than 'it will be done by us'.
- Avoid meaningless, patronising and old-fashioned phrases.
- Be clear about who, what, when, why and how.
- Follow additional guidance on plain English and good report writing.

Accessibility Standards

- Minimum font size 12. Using size 14 where possible.
- Clear typeface such as Arial.
- Avoid underlining, blocks of capital letters and italics.
- Align all text to the left and allow space between lines and paragraphs (spacing set to at least 15 points is good).
- Avoid long paragraphs and place a full stop after sentences in a list.
- Structure information and put the most important points first or in a summary.
- Use correct punctuation to avoid confusion.
- Use bullet points/numbers and sub-headings to break up long sentences.
- Avoid poor contrast and similar colours between the background and text. Black on cream or white paper is best. Avoid printing on bright coloured, thin or glossy paper.
- Avoid enlarging A4/5 documents onto A3 sized paper; ask what the person prefers first.
- When developing signs, use recognisable symbols as much as possible.

It may be difficult to use these accessibility standards in all cases. However, the customer must always be considered and steps taken to make information as easy-to-read as possible.

Approval and Review statement

This policy has been approved by: Equality Strategy Group and Corporate Management Board April 2008.

It will be reviewed no later than: March 2011

For further information or a different format please contact:

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County Hall,
Topsham Road,
Exeter EX2 4QD.

Tel: 01392 382260 or 0789 610 3530

Email: equality@devon.gov.uk

Contacting the council (*MyDevon* general enquiries):

Tel: 0845 155 1015

Fax: 0845 155 1003

Textphone: 0845 155 1020

SMS Text: 0777 333 231

Email: info@devon.gov.uk

Customer Info: www.devon.gov.uk/contact_us

Feedback: www.devon.gov.uk/compliments_and_complaints

BSL Info: www.devon.gov.uk/bsl-feedbackpolicy

www.devon.gov.uk/diversity

CHALLENGING INEQUALITY
& CELEBRATING DIVERSITY