

Equal Opportunities Policy

1.0 INTRODUCTION

- 1.1 North Yorkshire Fire and Rescue Service seek to be an equal opportunity employer. The brigade aims to ensure that no employee or job applicant receives less favourable treatment than another on the grounds of sex, marital/parental status, race, colour, nationality, ethnic origin, disability or religious beliefs, or any other requirements which can not be shown to be justified.
- 1.2 The policy is intended to provide a framework for management practice within the brigade. It consolidates the Brigades statutory obligations as laid down in the Sex Discrimination Acts 1975 and 1986 (Amended), Race Relations Act 1976, Equal Pay Act 1970 and 1983 (Amended), Disability Discrimination Act 1995, and Rehabilitation of Offenders Act 1974 as well as the various Codes of Practice, issued from time to time.
- 1.3 The law requires that individuals shall not unlawfully discriminate or help others to do so. Eliminating discrimination and providing equality of opportunity depends upon personal commitment and all members of the brigade, without exception, must observe the requirements of the Equal Opportunities Policy and apply its principles.
- 1.4 The terms of this policy have been agreed with the Trade Unions recognised by the Brigade for collective bargaining purposes.

2.0 DEFINITION OF DISCRIMINATION

- 2.1 Discrimination can be either direct or indirect. Direct discrimination occurs where a person is treated less favourably on the grounds of sex, marital/parental status, race, colour, nationality, ethnic origin, disability or religious beliefs. Indirect discrimination means the imposition of a condition which disadvantages members of a particular group and which cannot be justified in terms of the post to which it is applied.

3.0 SEXUAL / RACIAL HARASSMENT

- 3.1 Sexual Harassment can be defined as unwanted conduct of a sexual nature or other conduct based on sex affecting the dignity of women and men at work:

Examples of conduct which are unacceptable include:-

- sexual innuendoes or offensive language
- offensive or insensitive jokes, or pranks, of a sexual nature
- lewd or suggestive comments
- written notes or e-mails containing sexual suggestions or unwanted sexually explicit messages
- speculation about an individual's private life and sexual activities
- unwanted bodily contact
- unwelcome and persistent suggestions for social contact outside the workplace
- displays of 'pin-ups' or other sexually-oriented material

- 3.2 Racial Harassment can be defined as behaviour which causes offence or makes a person feel uncomfortable. It can be deliberate or unintended but the effect remains the same:

Examples of conduct which are unacceptable include:-

- racial abuse
- racially explicit derogatory statements

- racist jokes
- racist graffiti
- personal attacks of a racial nature
- behaviour directed against a person on the basis of their racial group

3.3 These lists do not claim to be exhaustive.

3.4 Harassment and Bullying of whatever kind will not be tolerated. See Note for Guidance on Harassment and Bullying in the Workplace for actions to be taken.

4.0 RECRUITMENT

4.1 It is unlawful for an employer when recruiting, promoting or transferring staff to discriminate either directly or indirectly in any of the following ways:-

- in the arrangements made for deciding who should be offered a job
- in relation to any terms offered
- by refusing or omitting to offer a person employment for a reason other than one related to the duties of the post
- by unnecessarily restricting the fields from which applicants are drawn

This applies not only to external candidates but also to internal applicants who are transferred or promoted. The only exception to the above is in respect of posts which are specifically excluded from the legislation.

4.2 The Stages of Recruitment

4.2.1 There are basically four stages of recruitment:-

- advertising the job
- compiling the job and person specifications
- selecting the candidates for interview
- appointment

4.3 Advertising

4.3.1 All permanent vacancies will be advertised, either internally where the vacancy is to be filled through internal promotion or transfer, or, externally. A vacant post will not be advertised when it has been declared as suitable alternative employment for someone who would otherwise be made redundant. No vacancy will be filled by word of mouth.

4.3.2 Advertising media will be selected with the objective of ensuring that an advertisement is seen by the maximum number of potentially qualified applicants. The choice of media will not be made in such a way that it restricts the number of qualified applicants from any particular group.

4.3.3 The Personnel Services Manager will regularly review advertising practices, material and accompanying literature, to ensure that it does not discriminate either directly or indirectly against any particular group.

4.4 The Job Description

4.4.1 Job specifications will not contain any direct or indirect discrimination. Job titles will not

specifically apply to one gender, e.g., Fireman, Manageress. The specification will be directly relevant to the vacant post and any essential or desirable requirements will be justifiable.

It would be discriminatory to:-

- limit qualifications to those awarded in the United Kingdom when an equivalent overseas qualification exists.
- place an unnecessary emphasis on the need for a qualification in English.

In addition care will be taken to ensure that the Application Form does not indirectly discriminate, for instance by asking questions in relation to marital status or family commitments.

4.5 Shortlisting and Interviewing

4.5.1 Candidates will be shortlisted in accordance with the requirements of the job and these will be applied equally. Shortlisting will be carried out by at least two persons. Assumptions about the difficulties an applicant may face in the job will not be made from information in the application form. There will be no artificial restrictions placed on shortlisted numbers from any particular person. The adoption of quotas is unlawful.

4.5.2 It is essential that the interview is carried out in a fair and unbiased manner so that applicants are treated fairly.

4.5.3 Questions or comments which might imply a preference for one gender or group must be avoided. For example, you will contravene the Sex Discrimination Act if you ask of a particular candidate:-

- do you intend to have a family in the near future?
- would you be able to exert authority over male/female subordinates?
- do you think women/men are suited to this kind of job?
- are you legally separated?

You will contravene the Race Relations Act if you ask:-

- would you have any difficulty in being the only black person on your station
- do you intend to return to (Country of origin)?

4.5.4 The reasons for acceptance or rejection of all candidates interviewed will be recorded and filed.

4.5.5 Where consideration is being given to the appointment of a disabled person, the Personnel Services Manager will, for each individual case, advise on the 'reasonable adjustments' which can be made to the workplace.

5.0 INSTRUCTION MANUALS AND SIMILAR DOCUMENTS

5.1 Care will be taken to ensure that in producing Notes for Guidance, instruction manuals and similar documents they do not contain any direct or indirect discrimination. (E.g. references should be made to 'he or she' or 'staff' or 'firefighter', with the exception of information relating to maternity provisions)

6.0 TRAINING

6.1 Training opportunities will be available to all employees on an equal basis and care will be taken to encourage all employees to take advantage of training opportunities.

6.2 All staff involved in recruitment and selection will receive appropriate training. Equal Opportunity training will be recorded and monitored as is any other form of training.

7.0 DISCRIMINATION ON THE GROUNDS OF AGE

7.1 Although it is not currently illegal to discriminate against applicants on the grounds of age, care will be taken not to do so arbitrarily.

8.0 MONITORING THE POLICY

8.1 Responsibility for the monitoring and implementation of the Equal Opportunities Policy is vested with the Personnel Services Manager.

9.0 GRIEVANCE AND DISCIPLINARY PROCEDURE

9.1 Any complaints of harassment or discrimination against employees will be pursued through the brigades Bullying and Harassment, Grievance or Discipline Procedures as appropriate.

9.2 Complaints from applicants for posts will be investigated. Any practices or policies which are found to be discriminatory will be changed.

9.3 Disciplinary action may be taken against any employee of the brigade failing to adhere to this policy.

10.0 ADVICE AND FURTHER INFORMATION

10.1 The Personnel Services Manager is available to advise on all matters relevant to equal opportunities.