ORDER NO. 2/13

WEST MIDLANDS FIRE SERVICE
EQUALITY & DIVERSITY

1. STRATEGY

West Midlands Fire Service is fully committed to meeting the diverse needs of the communities it serves and recognises that having an inclusive and diverse workplace is a vital part of achieving this.

The personal commitment of every employee, contractor, partner agency and stakeholder of West Midlands Fire Service to this policy and the application of its principles are key to its success in ending unlawful discrimination, promoting inclusion and cohesion, and advancing equality of opportunity. To ensure we further these goals we have a set of clear equality objectives. Progression against these objectives is supervised by the Fire Authority Scrutiny Committee.

Within 'The Plan' the Service has committed to strategic 'Equality and Diversity Objectives' where equality outcomes are delivered for our communities and employees. The Service proactively does this through implementing the Marmot Principles and delivery model in our work.

This Standing Order sets out the statutory requirements, rights and responsibilities of West Midlands Fire Service as a Service Provider and employer as required by legislation. This policy also sets out expectations of the behaviours of our employees in reference to equality and diversity also in line with our core values which are supported by the Code of Conduct and Dignity at Work Policy.

If you want further details on the Equality Objectives, you will find this information on our internet: https://www.wmfs.net/sites/default/files/Equality Act Sept 2012.pdf

The Equality Act 2010 reiterates the legal duty on all employers and employees not to discriminate on the grounds of a person's religion or similar belief.

The Service is committed to valuing the diversity of our employees and putting steps in place to respect the individual's needs wherever possible. The provision of reflection rooms demonstrates the Services commitment to valuiSEng the diversity of faith among our employees. The provision of a personal reflection room, where reasonably practicable is a key part of this. Please see Appendix 1 (Provision of personal reflection rooms).

2. EQUALITY DUTY

The Equality duty can be summarised by its three aims:

- **Eliminate** unlawful discrimination, harassment and victimisation and other conduct prohibited by the act.
- **Advance** equality of opportunity between employees who share a protected characteristic and those who don’t.
- **Foster** good relations between people of diverse backgrounds, and those who share a protected characteristic and those who don't.
These outcomes will be achieved by making equality considerations in all relevant decision making, employment policies and practices, our service provision and community engagement and in our involvement with partner agencies and the people of the West Midlands.

West Midlands Fire Service seeks to provide an environment where all employees and service users are treated with dignity and respect and do not suffer unlawful discrimination owing to any **perceived or actual** protected characteristic as defined by the Equality Act 2010. These protected characteristics are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and Maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Alongside setting out general principals for equality and diversity; the policy will focus on each of the protected characteristics to set out specific expectations.

3. **OUR COMMITMENT TO EQUALITY AND DIVERSITY**

The Service is committed to understanding and being responsive to the diverse needs of our communities and also to our Service's core values which enables the Service to provide the best working environment for our employees and the most effective and professional standards in service delivery.

Our commitment to fulfilling the General and Specific duties placed upon us by the Equality Act 2010 and also meets the statutory requirements set out within the Act.


4. **CORE VALUES**

Underpinning our policy are the Service's core values; upholding, promoting and demonstrating these behaviours will enable West Midlands Fire Service to achieve the aims and objectives of this policy. Our core values are mainstreamed throughout our Service not only by training all our employees but in how those values influence our day to day business from recruitment to procurement and how we develop projects from the earliest planning stage.

WMFS Core values are also fundamental in the achievement of our strategic objectives as detailed in 'The Plan'. This includes our People objective which states that 'We will develop a skilled, motivated and flexible workforce reflective of our community, who are focused on continually improving the services we provide'.

Our core values are:

- We will value **service to the community** by:
- Working with all groups to reduce risk
- Treating everyone fairly and with respect
- Being answerable to those we serve
- Striving for excellence in all we do.
  - We value all of our People by practising and promoting:
- Fairness and respect
- Recognition of merit
- Honesty, integrity and mutual trust
- Personal development
- Co-operative and inclusive working.
  - We value diversity in our service and the community by:
- Treating everyone fairly and with respect
- Providing varying solutions for different needs and expectations
- Promoting equal opportunities in employment and progression within our service
- Challenging prejudice and discrimination.
  - We value improvement at all levels of the service by:
- Accepting responsibility for our performance
- Being open-minded
- Considering criticism thoughtfully
- Learning from our experience
- Consulting others.

5. HUMAN RIGHTS ACT 1998

Human rights are legal obligations owed by public authorities to everyone. This means that governments and public authorities must act in a way that respects human rights. Governments must also pass laws to ensure that individuals respect each other's human rights. Every human being has human rights regardless of their particular situation or characteristics.

6. AGE EQUALITY
The Service is committed to working with our community partners to engage and promote safety to high risk groups due to age which include disproportionate levels of injuries and fire deaths. The
Service is committed to educating young people via a range of school visits and education programs at various locations including our purpose built SafeSide facility.

As an employer and a provider of services we will value all people regardless of their age, including challenging negative stereotyping and making assumptions about people’s choices and delivering services in a sensitive and appropriate manner considering the needs of individuals.

Further information is outlined in the Equality & Diversity report and objectives:

7. DISABILITY EQUALITY
The West Midlands Fire Service recognises that people with a disability are disadvantaged by both a social and physical environment focused on the needs of non-disabled people. As such, the West Midlands Fire Service is committed to achieving disability equality by eliminating unlawful discrimination on the grounds of disability the Service embraces the social model of disability and aims to make sure that the working environment, where practical, is accessible in order that employees with disabilities are not disadvantaged.

All managers have a responsibility to make sure that if employees declare a disability or become disabled during the course of their career the employee is offered the right support to allow continued employment whenever possible including the consideration of any reasonable adjustments that may be required.

Further information is outlined in the Equality & Diversity report and objectives

Dignity at Work – 0217 Dignity at Work

Attendance Management – 0501 Attendance Management Policy

8. GENDER REASSIGNMENT
The Service works with Transgender support groups such as 'Gender Matters' to increase understanding within our workforce and service delivery. We also develop awareness with our employees where appropriate so that the employee understands and can respond to the needs of individuals who are transgender.

Managers are expected and required to provide support to an employee who is or was under going gender reassignment to ensure that the employee is not subjected to harassment or bullying. The manager and the employee in question would be able to access support and information from Equality and Diversity team to ensure that the transgender employee's workplace was a supportive environment.

9. MARRIAGE AND CIVIL PARTNERSHIP
The Service is opposed to unlawful discrimination on the grounds of marital status including civil partnership and we will ensure policies and procedures are monitored in order that employees and
service users who are married or in a civil partnership are not disadvantaged in the provision of employment and goods and services.

10. PREGNANCY AND MATERNITY
The Service provides a range of flexible working arrangements and opportunities for its employees and has an excellent record of women returning to work after maternity which we aim to sustain. The West Midlands Fire Service is opposed to unlawful discrimination on the grounds of pregnancy and maternity.

Managers are expected to support employees returning to work following maternity leave to ensure a smooth transition back into the work place.

Further details are set out in 0408 Pregnancy, Maternity, Paternity, Adoption SP Provisions Leave and Pay 06.

11. RACE EQUALITY
Race includes colour, nationality, ethnic or national origins. In relation to the protected characteristic of race, a reference to a person who has a particular protected characteristic is a reference to a person of a particular racial group.

The Service will target appropriate and relevant prevention activities to vulnerable communities, where there is evidence of disproportionate risk to the safety of individuals. The Service will continue to undertake monitoring in relation to race to make sure employees are not being disadvantaged and have equal access to equality of opportunity during their employment including promotion progression, training and development opportunities.


12. RELIGION OR BELIEF EQUALITY
The Service represents an extremely diverse region for faith with large faith communities and is committed to tackling unlawful discrimination on the grounds of religion and belief and promoting good relations between people of different religions and beliefs.

The Service provides reflection rooms which are for the use of all employees (and where requested and practical, visitors and/or guests). The use of the room is not specific to any particular faith and can also be used by employees who may wish to use the room during break periods for quite reflection – Please find more details in appendix 1 Provision of personal reflection rooms.

The Service also recognises and respects different religions and beliefs developing appropriately sensitive employment practices and through our etiquette, our behaviours, and the ways in which we communicate and engage in delivering our services.

13. **SEX EQUALITY**
Within our communities, single parents, the majority of which are single mothers have been identified as being statistically at greater risk of fire. This is being addressed by partnership work to get fire safety messages to this group as well as through the education of children. We also continue our commitment to this work, through our work with health services and addressing well being issues.

Further information is outlined in the Equality & Diversity report and objectives:


14. **SEXUAL ORIENTATION EQUALITY**
The Service is opposed to unlawful discrimination on the grounds of a person’s sexual orientation. The Service will ensure where appropriate that the employee understands and can make considerations to the needs of individuals with a different sexual orientation. The Service will take action in relation to complaints or allegations about bullying and harassment in the workplace in respect of sexual orientation and create an environment where employees are free from unfair treatment and feel safe to be open about their sexuality if the employee chooses to do so. The Service will ensure that policies and procedures are monitored in order that employees are not disadvantaged in the provision of employment.

Further information is outlined in the Equality & Diversity report and objectives for 2012-2015 on our website.

15. **HARASSMENT UNDER THE 'DIGNITY AT WORK' POLICY**
Within the Equality Act, the definition for harassment is ‘unwanted conduct on the grounds of a protected characteristic under the Equality Act which has the purpose or effect of either violating the employee's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them’.

Further details can be found in the Dignity at Work, 0217 Dignity at Work.

16. **PRACTICES AND SUPPORTING POLICIES**
In order to ensure equality of opportunity for all, our procedures and practices will provide a framework to ensure that no job applicant, employee or service user receives less favourable treatment on any grounds that cannot be justified. These include Age, Disability, Gender Reassignment, Marriage & Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex, Sexual Orientation.

17. **EQUALITY IMPACT ASSESSMENTS**
The Service will carry out equality impact assessments (EIAs) to demonstrate legal compliance with the Equality Act 2010.

The Service has a legal duty to assess the impact of its services and policies in terms of the general equality duty as set out in the Equality Act 2010. Those subject to the equality duty must
have due regard to the need to eliminate unlawful discrimination, harassment and victimisation. Those subject to the equality duty must foster good relations between people who share protected characteristics and those who do not.

Further details can be found in 0214 Equality Impact Assessment.

18. EMPLOYMENT PRACTICES
The Service recognises that clear and fair recruitment and selection practices are critical to ensuring equality of opportunity. The Service will guarantee a job interview to candidates with disabilities who meet the minimum criteria for the post for which they are applying as permitted by the Equality Act.

The Service will consider positive action in recruitment and also internal progression in line with the Equality Act 2010 to address under representation within its workforce.

18.1 Learning and Development
Training and development on equality and diversity enables employees to be sensitive and responsive to the needs of the wider community, in the delivery of our services of prevention, protection and response. It also equips employees with the skills and knowledge to enable individuals to understand their workplace rights and challenge unlawful discriminatory behaviour.

Training and learning opportunities designed to promote understanding of equality and diversity will be arranged regularly for all employees as well as online resources which can be accessed by all employees.

18.2 Service delivery
The West Midlands Fire Service is committed to making sure that equality and diversity is integrated into all relevant areas of service planning and this is reflected in 'The Plan' which sets out the key priorities for reducing risk in the community.

At the core of our work, we aim to deliver the best possible level of service to the people of the West Midlands in order to make them safe. We will ensure that we provide suitable, accessible and effective services and facilities free from unlawful discrimination, prejudice or stereotyping.

18.3 Monitoring
West Midlands Fire Service has a legal duty to regularly monitor the make up of its workforce to make sure that individuals are not disadvantaged. Our equality monitoring data is to be published annually, considered by Authority members and Strategic Enabling Team with regard to our Equality Objectives as set out within our specific duties under the Equality Act.

18.4 Procurement
As a public authority West Midlands Fire Service has a duty to follow national and European Union public procurement legislation. West Midlands Fire Service will make sure that all external providers carrying out work on our behalf sign up to the Service's Equality and Diversity policies and standards.
19. RIGHTS AND RESPONSIBILITIES

19.1 Rights
Any service user or member of the public who feels that they have received less favourable treatment or have been unlawfully discriminated against on the grounds of their protected characteristic is encouraged to submit a complaint to West Midlands Fire Service which will be dealt with via the Compliment Comments and Complaints process.

All employees, service users, Authority members, partner agencies, contractors and any other individual or groups that we engage with have a right to be treated with dignity and respect, see 0212 Code of Conduct and 0217 Dignity at Work.

19.2 Responsibilities
The West Midlands Fire Service recognises its responsibilities as an employer, both legally and morally for the full implementation and monitoring of this policy.

The Service will make sure that the policy and procedures contained within this standing order are evaluated, reviewed and regularly updated.

The Service will consult regularly with the recognised trade unions, employee representatives and employee forums on equality and diversity matters and their implications.

20. MANAGER RESPONSIBILITIES
In addition to our individual responsibilities, all employees with managerial or supervisory responsibilities have a key role to play in the promotion of the Equality and Diversity Policy.

Managers and employees must abide by the appropriate HR policies and procedures at all times.

Further guidance on managers and supervisors responsibilities can be found in 0217 Dignity at Work.

21. EMPLOYEE RESPONSIBILITIES
All West Midlands Fire Service employees are responsible for upholding this policy and all managers are accountable for its effective implementation. Failure to abide by this policy may result in disciplinary action.

22. CROSS REFERENCES
0212 Code of Conduct
0217 Dignity at Work
0408 Pregnancy, Maternity, Paternity, Adoption SP Provisions Leave and Pay 06
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23. KEY CONSULTTEES
JCC
JWP
PROVISION OF PERSONAL REFLECTION ROOMS

Reflection rooms are for the use of all employees (and where requested and practical, visitors and/or guests). The use of the room is not specific to any particular faith and can also be used by employees who may wish to use the room during break periods for quite reflection.

Approach
The manager responsible for each location which currently has a reflection room should make sure that all employees are aware of the availability of the room.

Employees who identify a need for a room in which to practice their faith through prayer or contemplation should, in the first instance, discuss it with their line manager. Together they should consider the rooms available within the location to try to identify a suitable room. It is an organisational commitment and legal requirement for all managers to give serious consideration to
all requests relating to the practice of an employee's faith. The line manager should draw upon the expertise of the Facilities Management Section or the Equality and Diversity Team for further assistance if required.

Failure to reach a satisfactory agreement between the employee and line manager should be documented. An appeal of the decision can be made via the grievance process.

ROOM guidelines

The Service recognises different faiths have different religious practices, customs and requirements concerned with prayer, worship or spiritual contemplation. When choosing and setting up a reflection room, the Service will consider the following.

- **Location**: There may be requests for use of the reflection room by members of the public during events or meetings so it maybe worth considering public access, also consider access requirements for staff or public who may have disabilities, for example ground floor or wheelchair access.
- **Safety considerations**: The Service will need to consider fire safety implications when employees are using rooms, for example the use of candles in the reflection rooms is **not** permissible due to fire safety risks and where possible in the event of a fire an easy escape route should be clearly identified.
- **Dual-use of room**: If the space for a dedicated room is not available it is permissible for a room to have dual use. The times when the room is being used as such need to be clearly displayed and measures put in place to ensure that the room is private and those using the room for prayer or reflection will not be disturbed.

If you would like to use a room for any reason please inform your manager who can make the necessary arrangements.