

SINGLE EQUALITY SCHEME

JUNE 2011-2014

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FOREWORD

SINGLE EQUALITY SCHEME

The Tay Road Bridge Joint Board believes that tackling inequalities provides a strong foundation for cohesive and confident communities. We believe that all citizens have a right to equal access to life opportunities, including representation, services and employment by The Tay Road Bridge Joint Board. To achieve this we are working towards removing barriers to opportunities and to narrowing the gap between the most disadvantaged and others.

Some people may suffer from inequality due to discrimination because of their age, health, ethnic origin, religion, gender, sexuality or because they have a disability. We value the diversity of people within the Tay Road Bridge Joint Board and are committed to eliminating unlawful discrimination, promoting equality of opportunities, eliminating harassment and promoting positive attitudes towards potentially vulnerable groups.

This is The Tay Road Bridge Joint Board's first single equality scheme, building upon the good work of the previous equality schemes for Race, Disability and Gender.

On 5 April 2011 a new Public Sector Equality Duty, specified in the Equality Act 2010, came into force and the existing race, disability and gender equality duties were repealed. The Act places the following general duty on public authorities to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The following protected characteristics are covered by the Act:

Age; Disability; Gender Reassignment; Marriage and Civil Partnership; Pregnancy and Maternity; Race; Religion or Belief; Sex; Sexual Orientation.

INTRODUCTION TO THE TAY ROAD BRIDGE JOINT BOARD EQUALITY SCHEME

COMMITMENT

This equality scheme reflects the Tay Road Bridge Joint Board commitment to achieving the highest equality standards and involving all communities in the development and delivery of equality and diversity.

The aim of having a Single Equality Scheme is to minimise duplication and to provide a coherent approach to tackling Equality and Diversity across all the various strands by focussing on the strategic priorities. To put Equality and Diversity central to the way the Tay Road Bridge Joint Board works by:

- Meeting our Equality & Diversity statutory and regulatory duties for; Age, Disability, Gender, Race, Religion/Belief & Sexual Orientation.
- Involving communities of interest in the delivery of the Tay Road Bridge Joint Board Single Equality Scheme.
- Mainstreaming and sustainability of equalities in the Tay Road Bridge Joint Board.

WHAT HAVE WE DONE UP TO NOW TO PROMOTE EQUALITY AND DIVERSITY?

Tay Road Bridge Joint Board has and continues to deliver a range of initiatives that promote equality of opportunity and embrace diversity. Full details of these and other initiatives can be found on www.tayroadbridge.co.uk in the Equality and Diversity Annual Reports.

ABOUT TAY ROAD BRIDGE JOINT BOARD

The Tay Road Bridge Joint Board comprises elected representatives as follows:-

Dundee City Council	6
Fife Council	5
Angus Council	<u>1</u>
Total	12

The Tay Road Bridge Joint Board is responsible for the operation and maintenance of the Tay Road Bridge, which is a strategic link in the national road network. The Board's aim is to maintain and manage the bridge in such a manner as to maximise the availability of the bridge to all potential users namely motorists, cyclists and pedestrians. Pedestrian access is by means of a central walkway which runs the length of the bridge and is accessed by means of stairs or lift at the Dundee landfall and a ramp at the Fife landfall. There are emergency telephones situated at regular intervals across the bridge with direct contact to the Bridge Control Room. The bridge is staffed 24 hours a day to deal with vehicle breakdowns, emergencies and to deal with adverse weather situations.

The Tay Road Bridge Joint Board employs a staff of 35 to operate, patrol and undertake maintenance works on the bridge.

The Tay Road Bridge Joint Board also owns and maintains a car park with visitor facilities on the Fife landfall.

DISCRIMINATION AND EQUALITY LAWS

DEFINING DISCRIMINATION

Direct discrimination - this occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have, or because they associate with someone who has protected characteristic.

Associative discrimination - this is direct discrimination against someone because they associate with another person who possesses a protective characteristic.

Perceptive discrimination - this is direct discrimination against someone because others think that he/she possesses a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Indirect discrimination - this occurs where there is a condition, rule, policy or practice that applies to everyone but particularly disadvantages people who share a protected characteristic. It can be justified if it is a proportionate means of obtaining a legitimate aim.

Victimisation - this occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so.

Harassment - Unwanted conduct related to a protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. Employees are also protected from harassment because of perception and association.

DISCRIMINATION LEGISLATION

The Equality Act 2010 became law on 1 October 2010. The Act harmonises and replaces previous legislation, and strengthens the law to support progress on equality. It also ensures consistency in what organisations need to do to make the workplace a fair environment and to comply with the law.

The Equality Act covers the following protected characteristics:

Age - The Act protects people of all ages; however different treatment because of age is not unlawful if it can be demonstrated that this treatment is a proportionate means of meeting a legitimate aim.

Disability - A person is disabled if he /she has a physical or mental impairment which has a substantial and long term adverse effect on his / her ability to carry out normal day to day activities.

Gender Reassignment - The Act provides protection for transsexual people. A transsexual person is someone who proposes to, or starts to, or has completed a process to change his or her gender. The person no longer requires to be under medical supervision to be protected therefore a woman who decides to live permanently as a man but does not undergo any medical procedure would be protected. However transgender people such as cross dressers, who do not intend to live permanently in the gender opposite to their birth sex, are not protected by the Act.

Marriage and Civil Partnership - The Act protects employees who are married or in a civil partnership against discrimination. Single people are not protected.

Pregnancy and Maternity - A woman is protected against discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and any statutory maternity leave to which she is entitled.

Race - The term 'race' includes colour, nationality and ethnic or national origins.

Religion or Belief - The Act protects both those who hold a religious or philosophical belief and those who hold none. A religion must have a clear structure and belief system; and a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour. Political beliefs are not protected.

Sex - The Act protects both men and women.

Sexual Orientation - The Act protects bisexual, gay, heterosexual and lesbian people.

EQUALITY DUTIES

The Equality Act 2010 included a new Public Sector Equality Duty, replacing the separate duties on public bodies relating to race, disability and gender equality. The duty requires public bodies to show the measures they are taking to tackle inequality.

Copies of the Board's previous equality schemes and annual reports are available at www.tayroadbridge.co.uk.

HOW THE TAY ROAD BRIDGE JOINT BOARD WILL DELIVER ITS EQUALITY DUTY

The Board will continue to work towards achievement of the following aims:

- to analyse the disability, gender and race profile of the current workforce and to devise an action plan to redress any imbalances found
- to ensure that all employees are trained in how to implement this scheme as is relevant and appropriate to their jobs
- to establish a system for assessing and consulting on the likely impact of the Board's policies on the promotion of equality
- to monitor the Board's existing and proposed policies for any adverse impact on the promotion of equality
- to ensure public access to information and services

HOW THE EQUALITY PRIORITIES AND FUNCTIONS HAVE BEEN SET

The Board has in place arrangements for monitoring, by reference to disability, gender, race and age the numbers of staff in post, and the number of applicants for employment, training and promotion.

The Board currently fulfils its responsibility to monitor the required areas and the results will continue to be published annually by the Board.

The Clerk and the Treasurer to the Board and their respective staffs are employees of Dundee City Council and will be subject to its monitoring processes.

In developing its Equality Scheme, the Board must acknowledge its small size, low turnover of staff, and limited contact with members of the public. Therefore the main priority for the Board is to recognise the importance of analysing the information obtained from the monitoring in order to identify any potential problems/difficulties. The Bridge Manager will investigate the processes that have resulted in any differences and take the necessary action to address barriers or failings.

The Bridge Manager, in conjunction with Dundee City Council's Personnel Department will continue to analyse the monitoring data and develop action plans where appropriate.

COMPLAINTS

In its scrutiny role, the Board is required to keep itself informed as to the manner in which the Bridge Manager deals with operational matters and to this end it receives periodic reports from the Bridge Manager on matters relating to policies and operations of the organisation and its performance, including any complaints received.

To date the Bridge Manager has not received any complaints in respect of equality issues.

APPOINTMENTS

The Board operates a Guaranteed Job Interview Scheme for people with a disability who meet the requirements of the person specification of the particular post for which they apply.

All managers involved in recruitment and selection have received appropriate training including awareness of equality issues.

THE BOARD'S POLICIES

The Board believes that its policies in relation to standing orders, financial regulations and agreed procedures are applied in a fair and consistent manner and are in no sense inherently unfair. All policies will continue to be screened for adverse impact on equality groups and a full Equality Impact Assessment (EQIA) will be completed where appropriate.

Screening of existing policies has been undertaken and may be consulted on the Tay Road Bridge Joint Board's website at www.tayroadbridge.co.uk.

EQUALITY IMPACT ASSESSMENT OF POLICIES AND PRACTICES

The Tay Road Bridge Joint Board has approved the adoption of a new Equality Impact Assessment Tool that has been extensively tested by Dundee City Council Equality Champions. The aim of the 'Rapid Impact Assessment Tool' (RIAT) is to provide those drafting new or reviewing existing policies, procedures, strategies or practice, with a simply designed tool. This will aid them along with training and guidance, in completing equality impact assessments and relating the assessment to their practice. The tool will help authors in establishing whether there is a negative or adverse effect or impact on any particular groups or communities of interest who face discrimination and help identify positive changes that can enhance equality of opportunity. The Rapid Impact Assessment tool is not designed to replace Full Equality Impact Assessments that may be more appropriate for larger or more complex issues.

EQUALITIES MONITORING

The Tay Road Bridge Joint Board will continue to monitor its staff and applicants for posts, in relation to selection and recruitment, promotion, grievances, disciplinary action, ceasing employment, applying for and receiving training in respect the ethnic origin, gender, disability and age. The Board will continue to work towards improving the level of responses by existing and new staff by engaging with staff representatives and communities of interest to identify barriers and make recommendations for action.

TRAINING

The Tay Road Bridge Joint Board will identify and put in place arrangements for training its employees in relation to its duties to promote positive attitudes to equality issues. The Board will ensure that its employees receive adequate training in these areas.

The induction programme has been updated to include information on the equality issues.

To assist in the promotion of positive attitudes to all equality and diversity strands, "Tip Cards" produced by the Dundee Equality and Diversity Partnership have been purchased for use by those employees who regularly come into contact with members of the public. They will also be included in induction training for all new employees.

INVOLVING COMMUNITIES OF INTEREST IN DEVELOPING THE SCHEME

The Board sought the views of people with disabilities in 2006 and 2010 by means of questionnaires issued in person, by email, and by post to individuals and organisations representing people with disabilities.

From the questionnaires returned, no specific actions were identified as being required.

In developing its Equality Scheme, the Board acknowledges its small size which makes consultation exercises difficult. Steps have therefore been taken to involve the Tay Road Bridge Joint Board with the Equality and Diversity Partnership of the Dundee Partnership, in order that its consultation processes may be integrated with those of other public sector organisations and avoid unnecessary duplication of work for those organisations and individuals asked to participate.

PUBLICITY

The Board is required to identify the arrangements it will make to publish the results of any assessments, consultations and monitoring carried out to establish whether its policies have any impact on equality. The Board is bound by and complies with the requirements of the Local Government etc. (Scotland) Act 1994 in respect of access to information. Anything that might reasonably be regarded as a policy will be the subject of a public report to the Board, as will the results of any monitoring of the impact of policies. These will be published and posted on the Board's website.

The Board is also required to identify the arrangements it will make for ensuring public access to the information and services it provides. The Board will draw on the expertise of its constituent authorities in this matter and consider what action it requires to take to develop public awareness.

This Scheme will be published and circulated to all members, officers and employees of the Board. Copies will be available from the Bridge Manager at Tay Road Bridge Administration Office, Marine Parade, Dundee, DD1 3JB. The Scheme will also be placed on the Board's website at www.tayroadbridge.co.uk. Translations will be made available on request using the services of locally identified translators or through services accessed outwith the area.

The document will also be available in alternative formats, eg Easy to Read, Large Print, Braille, audio tape, on request.

DURATION AND REVIEW

This scheme is intended to cover the period June 2011 - June 2014. The Board may, if considered appropriate, review the Scheme or any part of it at an earlier date in response to comments made from individuals or organisations or consultations with other bodies.