

Reigate & Banstead Borough Council - Corporate Equality Policy

1. Introduction

- 1.1 Reigate & Banstead Borough Council is committed to creating an inclusive community where everyone is treated with dignity, respect, and fairness. We value diversity in all its forms and believe that varied perspectives drive innovation and success. The Council is committed to eliminating all forms of unlawful and unfair discrimination, victimisation and harassment which are under its control, and to promoting equality and good relations both within the Council organisation and within and between all communities in the borough.
- 1.2 The Council has had a Corporate Equality Policy in place since January 2007, outlining the policy towards fair treatment and equal access to our services and employment. Since first being in place, the Corporate Equality Policy has been reviewed several times to ensure it reflects latest legislation and guidance and remains up to date.
- 1.3 The Policy was most recently reviewed in the 2025/26 financial year, following the Council's adoption of new Equality Objectives as part of its Corporate Plan for 2025-2030. [The Corporate Plan and Equality Objectives](#) can be found on the Council's Website.

2. Legislative framework

- 2.1 Section 149 of the 2010 Equality Act sets out the general equality duty and covers the nine protected characteristics (age, disability, sex, gender reassignment, pregnancy and maternity, race, religion or belief, marriage and civil partnership, and sexual orientation.)
- 2.2 In summary, those subject to the general duty must have due regard to the need to:
 - a. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - b. Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - c. Foster good relations between people who shared a protected characteristic and those who do not.

The three aims of the duty apply to all protected characteristics apart from marriage and civil partnership, which is only relevant to the first aim (eliminating discrimination).

2.3 Having due regard for advancing equalities is explained in the Act as involving:

- a. Removing or minimising disadvantages suffered by people due to their protected characteristics.
- b. Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- c. Encouraging people from protected groups to participate in public life or other activities where their participation is disproportionately low.

The Act describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the duty may involve treating some people more favourably than others. This Policy supports consideration of equality, diversity and inclusion with regard to some aspects and characteristics which extend beyond the legislative framework. Details of the approach of the policy are set out below. The details of the Act specifically can be reviewed here - [Equality Act 2010](#).

3. Definitions

3.1 The Corporate Equality Policy applies in respect of all the characteristics below, including those protected characteristics recognised in the Equality Act 2010 (in bold):

- a. **Age**
- b. Ability and **disability**
- c. **Gender reassignment** and gender expression
- d. **Marriage, civil partnership**, and personal relationships
- e. **Pregnancy, maternity**, and parenthood
- f. **Race**, ethnicity and cultural identity
- g. **Religion or belief**
- h. **Sex**
- i. **Sexual orientation**

3.2 Appendix 2 provides further information about the Equality Act and the protected characteristics, along with additional notes on where the Council supports equality, diversity and inclusion beyond the requirements of the Act:

3.3 The Policy applies to all aspects of the Council's functions, including:

- a. The provision and planning of directly provided services

- b. The commissioning and procurement of goods and services
- c. The recruitment, employment, training and development of staff
- d. Our community involvement
- e. Grant making
- f. Consultation with local people and in our partnerships with other organisations
- g. Our exercise of statutory powers and responsibilities.

3.4 The Policy applies at all levels in the Council, including individual levels.

3.5 Appendix 3 provides a glossary of terminology.

4. Aims

4.1 The Council aims to:

- a. Eliminate all forms of unlawful and unfair discrimination, victimisation and harassment which are under its control and influence and comply with all relevant legal requirements in relation to equality and diversity.
- b. Demonstrate leadership by advancing equality of opportunity, including between those with one or more of the characteristics identified within point 3.1 of this policy (including the protected characteristics) and those without, and by recognising and valuing diversity (both within the council and the borough's communities).
- c. Encourage good relations between people of different groups and foster social inclusivity and community cohesion (both within the council and the borough's communities).
- d. Support the delivery of the Council's Equality Objectives, these being:
 - (i) Plan and shape services to support equality using data and local insights.
 - (ii) Support strong, inclusive communities.
 - (iii) Provide accessible information and services.
 - (iv) Embrace equality and inclusion as an employer.

4.2 In acting in the way described above, the following outcomes will be pursued:

- a. Borough Councillors and Council employees are aware of their general and specific duties in relation to equality and act in a manner consistent with these duties in undertaking their work within the Council and the borough.

- b. Borough Councillors and Council employees who are supportive of and act in a manner consistent with inclusion in undertaking their work within the Council and the borough.
 - c. The services that the Council delivers are provided fairly and are accessible by all members of all communities within Reigate & Banstead borough.
 - d. The Council provides information about its services in a way which is accessible by and considerate of the needs of all members of all communities within Reigate & Banstead borough
 - e. Services plans and other activities are developed with consideration and understanding of their equality, diversity and inclusion implications.
 - f. Employment opportunities at the Council are fair and open to all applicants
 - g. Staff training and development opportunities are fair and open to all employees
 - h. Pay and conditions of service are fairly applied to all employees
 - i. Member learning and development opportunities are fair and open to all Councillors
 - j. Partners and stakeholders who carry out work alongside and on behalf of the Council can demonstrate a commitment to promoting equality of opportunity for all customers and fostering good community relations.
- 4.3 The Council undertakes an annual service and financial planning process to inform its operations and set its budget. In addition to this, from time to time the Council will update existing policies, strategies and operational practices; and will also develop and implement new projects as well as delivering 'business as usual' services.
- 4.4 Across all this work, the Council will take into account its responsibilities within the Equality Act 2010 and other statutory obligations (as set out in Appendix 2), and will seek to support the wider aims and principles of this policy.
- 4.5 The Council will also adhere to its statutory obligations in respect of employment and the recruitment of staff to delivery Council services and the procurement of goods and services.

5. Roles and responsibilities

5.1 The following have specific responsibilities:

Council

5.2 The Council has the direct responsibility to ensure that the local authority complies with its statutory requirements in relation to equality issues, and to confirm the arrangements for review and revision of procedures, and monitoring methods, to ensure equality of opportunity and the effectiveness of the Council's Corporate Equality Policy and other related policies.

Elected Borough Councillors

5.3 Elected councillors ('members') have a responsibility to maintain an up-to-date understanding of the Corporate Equality Policy, and to act in a manner that furthers the Council's general equality duty and its specific equality objectives. They also have a responsibility to ensure that Council's services are fairly available to all members of the borough's communities and set a good example by treating all residents, other Council service users, employees and other workers with dignity and respect.

Chief Executive, Deputy Chief Executive, Chief Finance Officer and Strategic Heads of Service (together comprising the Senior Management Team)

5.4 The Senior Management Team have a responsibility to:

- a. Ensure that the Corporate Equality Policy is implemented; that all those with management responsibilities, and all employees, work actively to forward its aims
- b. Ensure that their behaviour towards residents, other Council service users, employees and other workers does not involve any form of harassment or discrimination, leading with behaviours of the highest standard
- c. Consider – through their work in partnership with other local authorities, agencies and partners – opportunities to further promote the Council's equalities duties and objectives

Heads of Service and all people managers

5.5 Heads of Service and all people managers have a responsibility to ensure that the services their teams provide are fairly available to all members of the community (including those with protected characteristics) in accordance with this policy, and that they observe their responsibilities, setting an example with behaviour that is of the highest standard. Heads of Service, and their teams must also ensure that they

consider the equality implications of any policies and procedures in operation within their service.

- 5.6 Heads of Service and all people managers have a responsibility to ensure that staff act in a manner that furthers the aims of the Corporate Equality Policy. All managers must:
- a. Ensure that all staff and workers are aware of the Council's Corporate Equality Policy and that they know how to raise any issues
 - b. Set a good example by treating all residents, other Council service users, and employees and other workers fairly, and with dignity and respect
 - c. Be alert to, and correct, unacceptable behaviour, guiding staff, other workers or people representing the Council if they (the Managers) witness unacceptable behaviour by explaining politely but firmly to them that such behaviour is unacceptable (calling out observed unacceptable behaviour immediately)
 - d. Deal with any complaints or allegations which come to their attention appropriately, effectively and confidentially
 - e. Ensure that they consider the equality implications of any policies, procedures and projects for which they are responsible, which will include undertaking Equality Impact Assessments and ensuring that the outcomes of such assessments are available to the decision-maker

Employees

- 5.7 It is the responsibility of all employees of the Council to ensure that:
- a. They understand the Corporate Equality Policy and their responsibilities to uphold it
 - b. They ensure their own conduct does not discriminate, harass, victimise, cause offence or misunderstanding
 - c. Be alert to unacceptable behaviour and raise concerns direct with the individual or with their line manager, Head of Service or direct to the Human Resources team
 - d. They help ensure that services and information provided to all members of the borough's communities are accessible and provided in a fair and inclusive way.

Trade Unions

- 5.8 The Council recognises the need to have full consultation with the trade unions on the contents of the policy and the arrangements for its operation, to ensure co-operation with the implementation and monitoring of the policy.
- 5.9 It is also the responsibility of the trade unions to support the implementation of this policy.

6. Implementation Requirements & Strategy

- 6.1 This Corporate Equality Policy sets the framework within which the Council will discharge its equality duties.
- 6.2 The Council is a public body which, under the Equality Act 2010, also has a specific duty to publish one or more equality objectives to demonstrate how it is meeting the aims of the general equality duty. This Policy should be read in conjunction with the Council's Equality Objectives.
- 6.3 The latest set of Equality Objectives is available via the Council website at www.reigate-banstead.gov.uk/equality, supported by information about why the objectives have been selected, and how the Council will seek to achieve its objectives.

7. Version control information

Policy status	Version 6
Last review date	June 2026
Next review date	June 2028
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Appendix 1 – Related Policies

All Council policies should consider equalities issues through appropriate processes, such as the completion of equality impact assessments. All policies therefore relate to equality, but there are several key policies which play a particular role in addressing equalities issues including: -

- Recruitment & Selection Policy & Procedure
- Absence and Leave Management Policies & Procedures
- Dignity at Work
- Housing register & nominations policy
- Procurement policy

The Council will build monitoring and evaluation into its Corporate Equality Objectives and equality issues will be considered in all service and function reviews.

Appendix 2 – The Equality Act and the Protected Characteristics

The Equality Act 2010

- The Equality Act 2010 provides the legislative framework to protect the rights of individuals and advance equality of opportunity for all.

Public Sector Equality Duty

The Equality Act includes a single equality duty which requires public bodies to have due regard to the need to:

1. Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Act
2. Advance equality of opportunity and foster good relations across all the protected characteristics with the exception of marriage and civil partnership.

The Act also incorporates two specific duties:

1. A local authority was required to demonstrate its compliance with the general duty no later than 31 January 2012 and subsequently at intervals of not greater than one year beginning with the date of the last publication.
2. A local authority must publish its equality objectives at least every four years following 6 April 2012. An objective must be specific and measurable.

The Council's latest Equality Objectives are published on the Council website at www.reigate-banstead.gov.uk/equality.

The Protected Characteristics

The Act collectively terms the areas where equality considerations must apply as the 'protected characteristics'.

The protected characteristics under the Act are:

- Age
- Disability
- Gender reassignment
- Marriage and Civil Partnership
- Pregnancy and maternity
- Race
- Religion or Belief
- Sex
- Sexual orientation

Full definitions of each characteristic can be found in sections 5-12 of the Act. Some of the relevant considerations are summarised below.

Age

The Act protects people of all ages from unlawful discrimination. The act identifies that this may be on the basis of a person being of a particular age, or on the basis of belonging to a range of ages.

It is important to note that this is the only protected characteristic where direct discrimination may be justified, as organisations may be able to justify differential treatment on the grounds of age if they can demonstrate that the different treatment is a proportionate means of achieving a legitimate aim (e.g. age-based concessions).

Disability

The Act defines that a person has a disability if they:

- have a physical or mental impairment, and
- the impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

Further detail as to the definition of the term 'disability' can be found at Schedule 1 of the Act.

In addition to consideration of disability as defined within the Act, the Council is also supportive of those who have differences in requirements, even where these may not represent a disability.

Gender Reassignment

The Act defines that a person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex. In addition to the definition of gender reassignment within the Equality Act 2010, the Council also supports freedom of gender expression more generally, and opposes discrimination on grounds of gender expression or gender identity.

Marriage and Civil Partnership

Discrimination on grounds of marriage or civil partnership is prohibited under the Act. The prohibition applies only in relation to employment and not the provision of goods and services.

In addition to Marriage and Civil Partnership as defined in the Act, the Council also supports fair treatment of all persons with regard to other personal relationships (with consideration of any potential conflict of interest a personal relationship could create).

Pregnancy and Maternity

The Act specifies that discrimination on the grounds of pregnancy or maternity during pregnancy and any maternity period is prohibited. There are different provisions covering the work and non-work context.

In addition to the definition of pregnancy and maternity within the Equality Act 2010, the Council also opposes discrimination on grounds of parenthood more generally.

Race

The Act confirms that it is unlawful to discriminate on grounds of colour, nationality or ethnic/national origins.

In addition to race as defined within the Act, the Council is also supportive of consideration of other cultural matters and backgrounds, whether or not directly related to colour, nationality or ethnic or national origins.

Religion or Belief

The Act defines religion or belief to include any religion, including a lack of religion, and belief to mean any religious or philosophical belief or a lack of such belief.

Sex

The Act defines the protected characteristic of sex as apply with reference to a person being a man or woman.

The Council is also supportive of persons who may be intersex or otherwise neither a man or a woman, and opposes discrimination on such grounds.

Sexual Orientation

This is defined in the Act as whether a person's sexual attract is towards their own sex, the opposite sex, or to both sexes. The Council also opposes discrimination on grounds of the absence of sexual attraction, or attraction based on a non-binary understanding of sex.

Appendix 3 – Legal definitions for the purpose of this Policy and Related Policies

The Equality Act 2010 defines the various kinds of discrimination with reference to the characteristics which are protected under the Act. It legally protects people from discrimination in the workplace and in wider society.

Harassment

Harassment is defined in the Act as:

'unwanted conduct related to a relevant 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'.

Harassment applies to all protected characteristics except for pregnancy and maternity, and marriage and civil partnership.

The Act specifically prohibits three types of harassment:

- Harassment related to a 'relevant protected characteristic'
- Sexual harassment (further enhanced by the Duty to Prevent Sexual Harassment (October 2024) and Employment Rights Act 2025, which places a responsibility on employers to take 'reasonable steps' to prevent sexual harassment of employees and 'all reasonable steps' in October 2026).
- Less favourable treatment of a service user because they submit to or reject sexual harassment related to sex or gender reassignment.

For harassment related to a protected characteristic, 'related to' includes where the employee or client being harassed has a protected characteristic or where there is any connection with a protected characteristic. 'Any connection' includes a situation where the employee or client being harassed has an association with someone who has a protected characteristic or where they are perceived wrongly as having a particular protected characteristic.

From October 2026, under the Employment Rights Act 2025, employers will be liable for harassment from third parties, for example customers or clients, unless they have taken all reasonable steps to prevent it happening – this will apply to all types of harassment.

Victimisation

Victimisation occurs when an employer or service provider subjects a person to a detriment because the person has carried out (or you believe they have or may carry out) what is referred to as a 'protected act'.

A protected act is any of the following

- bringing proceedings under the Act
- giving evidence or information in proceedings brought under the Act
- doing anything which is related to the provisions of the Act
- making an allegation that another person has done something in breach of the Act

The term 'detriment' has not been defined under the Act, but it can be reasonably inferred that if an action has the effect of putting a person at a disadvantage or if it makes their position worse, such treatment will amount to a detriment.

The victim need not have a protected characteristic in order to be protected from victimisation under the Act; for example, they could have been supporting a person with a protected characteristic who is making a claim. Claims for victimisation can only be brought by individuals and not groups.

Discrimination

There are two types of discrimination – direct and indirect.

Direct Discrimination

Direct discrimination occurs when someone is treated less favourably than another person because:

- they have a protected characteristic,
- they are thought to have a protected characteristic or
- they associate with someone who has a protected characteristic.

Direct discrimination under the Act is defined as follows:

'A person (A) discriminates against another (B) if, because of a protected characteristic, A treats B less favourably than A treats or would treat others'.

This definition of direct discrimination applies to all protected characteristics. In relation to the protected characteristic of age, direct discrimination can be justified if it is a proportionate means of achieving a legitimate aim.

Separate provisions exist in respect of discrimination against a woman on the grounds of pregnancy or maternity (sections 17 and 18).

Direct Discrimination - Association and Perception

The definition of direct discrimination under the Act also covers a situation where someone is treated less favourably than another person because they are thought to have a protected characteristic (discrimination by perception) or because they associate with someone who has a protected characteristic (discrimination by association).

Direct Discrimination - Dual Discrimination

Under the Act, there is a category of dual discrimination, which allows claims of discrimination to be brought in relation to a combination of two protected characteristics. Dual discrimination claims can only be brought in relation to direct discrimination.

Claims for dual discrimination only apply to the following protected characteristics: age; disability; gender reassignment; race; religion or belief; sex or sexual orientation.

The provisions relating to dual discrimination have not yet come into force meaning it exists in law but cannot be used until the government brings it into effect.

Indirect Discrimination

Indirect discrimination occurs when a policy or practice that applies to everyone particularly disadvantages people who share a protected characteristic. Indirect discrimination under the Act is defined as follows:

‘A person (A) discriminates against another (B) if A applies to B a provision, criterion or practice which is discriminatory in relation to a relevant protected characteristic of B’s.’

Indirect discrimination can only be justified if you can show that the policy or practice is a proportionate means of achieving a legitimate aim.

Indirect discrimination applies to age, race, religion or belief, sex, sexual orientation, marriage and civil partnership, disability and gender re-assignment. It does not apply to pregnancy or maternity.

Discrimination arising from disability

Under the Act, a person discriminates against a disabled person if they treat them unfavourably because of something arising in consequence of their disability, and this treatment cannot be justified as a proportionate means of achieving a legitimate aim.

If you are acting as either an employer or service provider and did not know and could not reasonably have been expected to know of the disabled person's disability, then the unfavourable treatment will not amount to discrimination. However, you must do all you can reasonably be expected to do to find out if a person has a disability.

Unlike direct and indirect discrimination, this form of discrimination does not require the use of a comparator to establish less favourable treatment.

Duty to make adjustments

The Equality Act 2010 extends duties upon employers and suppliers of goods and services from the Disability Discrimination Act 1995 to make reasonable adjustments for people with disabilities.

The duty is threefold:

- Where a provision, criterion or practice puts a person with a disability at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, the person to whom the duty applies must take reasonable steps to avoid the disadvantage.
- Where a physical feature puts a person with a disability at a substantial disadvantage in comparison with persons who are not disabled, the person to whom the duty applies must take reasonable steps to avoid the disadvantage.
- Where a person with a disability would, but for the provision of an auxiliary aid (e.g. equipment or service), be at a substantial disadvantage in comparison with persons who are not disabled, the person to whom the duty applies must take reasonable steps to provide the auxiliary aid.

In relation to requirements where the provision, criterion or practice in question or the auxiliary aid required relates to the provision of information, 'reasonable steps' include making sure that the information is in an accessible format.

More details about how the duty operates in the goods and services and employment contexts can be found in Schedules 2 and 8 of the Equality Act.