



## Equality Policy

<b>Document Owner</b>	Head of Policy and LTP Development
<b>Author</b>	Suzanne Cain
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## **Equality Policy**

**This policy came into force on 1 April 2014 and was updated in March 2018. It sets out Merseytravel's statutory responsibilities under the Equality Act 2010 - Public Sector Equality Duty.**

### **Aims of Policy**

This policy explains our duty under the Equality Act 2010, which provides a cross-cutting legislative framework to protect the rights of individuals, and to advance equality of opportunity for all.

The Public Sector Equality Duty (PSED), Section 149(1) of the Act, sets out the equality requirements placed on public bodies when carrying out their day-to-day work. There are 2 elements to the PSED. The first is the General Duty, which says that a public authority must, in the exercise of its functions, have due regard to the need to—

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

The second element of the PSED is the Specific Duty. This is set out in a Statutory Instrument (2011 No. 2260) which accompanies the legislation, and says that we must publish information to demonstrate our compliance with the duty imposed by section 149(1) of the Act. In other words, we have to provide evidence of how consideration of equality issues has influenced our decisions. We look in more detail at this later in this Policy.

This policy itself is not a legal requirement, but taken in conjunction with our Equality Impact Assessment Toolkit will help ensure we meet our statutory duty under the PSED.

### **Scope of the Policy**

In very simple terms, "having due regard" means consciously thinking about the 3 aims of the PSED as part of our decision making process; consideration of equality issues must therefore influence our decision making. This includes how we develop and evaluate policy, how we design deliver and evaluate services, and how we procure from others. More detail on how we demonstrate and monitor "due regard" is given in our Equality Impact Assessment Toolkit.

The Equality Act originally included a provision (the Socio Economic Duty) that would have required all public bodies to assess whether they were addressing inequalities caused by socio-economic factors. It would encourage them to improve, for example, health and education outcomes in more deprived areas. Although this duty was abandoned before the PSED came into force in April 2011, Merseytravel has made a commitment to continue honour it.

Our commitments and responsibilities as an employer are covered in our Equality in Employment policy. This policy establishes our commitment to building equality into employment practices, policies and procedures. Our commitment to ensuring that all employees have dignity at work, and are not subjected to an environment where they are exposed to any kinds of bullying, harassment or discrimination, are covered in our Dignity at Work Policy.

### **Implementation**

Merseytravel is the Executive Body providing professional, strategic and operational transport advice to the Liverpool City Region Combined Authority. The Combined Authority is the highest level of local political decision making, responsible for making strategic transport, economic housing and employment and skills decisions. We work collaboratively with the districts of the Liverpool City Region, the Local Enterprise Partnership, the Department for Transport and other key stakeholders, in ensuring that we are focused on delivering the key priorities of the Combined Authority, providing transport infrastructure services that support economic growth.

This policy aims to be clear about our equality duty, in support of our corporate vision, mission, and values as set out in our Corporate Plan:

#### **Our vision**

A world class, integrated and sustainable transport network, enabling a prosperous, inclusive and growing Liverpool City Region

#### **Our Mission**

To provide professional transport advice and excellent service delivery to Liverpool City Region

#### **Our Values**

Ownership, Professionalism and Collaboration

The PSED is one of a number of factors that need to be considered, the weight given being dependant on how much that function affects discrimination, equality of opportunity and good relations, and the extent of any disadvantage that needs to be addressed.

## **Equality Objectives**

In complying with the Equality Act Specific Duty, local authorities are required to publish information which demonstrates their compliance with the Equality Duty, and to set and publish equality objectives which will help them to further the three aims of the Duty.

Meeting the needs of our customers is central to everything we do. This means that engagement with our customers is key to understanding their needs, be they existing or potential customers. As such, we will continually review our methods, to ensure that the views of the whole community and all protected groups inform policy and delivery within the organisation, and embrace new technology and social media.

## **Responsibility**

Merseytravel's approach to the PSED is to "mainstream" responsibility for equalities and legislative compliance throughout the organisation. For example, the Policy Development team provide general advice, raise awareness and build capacity within the organisation, and reporting our progress with the Specific Duty is the responsibility of the Performance Team.

Each HoS is responsible for demonstrating due regard to the PSED in how they oversee the design, delivery, quality and effectiveness of the organisation's functions within their own service areas. In terms of equality of opportunity, this particularly applies to the need to:

- Remove or minimise disadvantages suffered by people due to their protected characteristics;
- Meet the needs of people which are specific to their protected characteristics; and
- Encourage people who share a protected characteristic to participate in public life and in activities where their participation is low.

Fostering good relations involves tackling prejudice and promoting understanding between people who share a protected characteristic and others. Fundamentally, it places responsibility on all Merseytravel staff to consider how their actions can affect everyone in different ways, which may result in unfair disadvantage.

To be able to demonstrate "due regard", it is essential that all staff with roles in developing policy; the design, and delivery of services; and commissioning and procuring from others are aware of the requirements of the PSED. Furthermore, consideration of the duty must form an integral part of the decision making process, since we cannot satisfy the PSED by justifying a decision after it has been made.

## **Evaluation**

The policy will be reviewed on a biannual basis in the context of the legislative framework and the latest guidance. Furthermore, the Performance Management Framework and Performance Management Policy provide a focused approach to demonstrating that the activities undertaken to deliver the Corporate Plan are delivered responsibly. This includes compliance with Equalities legislation.

## **Protected Characteristics**

The Equality Act protects against discrimination. To do this, it says that a number of our characteristics, or the attributes that define us, are “protected” by law. These are known as the “protected characteristics”. There are nine of them, and these are described below.

### **Age**

An age group includes people of the same age and people of a particular range of ages. Where people fall in the same age group they share the protected characteristic of age.

### **Disability**

This protected characteristic defines a disabled person as someone who has a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities. There is no need for a person to have a medically diagnosed cause for their impairment; what matters is the effect of the impairment.

### **Gender reassignment**

Gender reassignment is a personal process (rather than a medical process) which involves a person expressing their gender in a way that differs from or is inconsistent with the physical sex they were born with. This personal process may include undergoing medical procedures or, it may simply include choosing to dress in a different way as part of the personal process of change.

### **Marriage and civil partnership**

The Act protects employees who are married or in a civil partnership against discrimination. Civil partners must be treated the same as married couples on a wide range of legal matters. This characteristic is not covered by the Public Sector Equality Duty

### **Pregnancy and maternity**

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in an employment context. In the non-work context, protection against maternity discrimination covers 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

### **Race**

Race can refer to a person’s colour, nationality (including citizenship), or ethnic or national origin. A racial group is composed of people who have or share a colour, nationality or ethnic or national origins.

### **Religion or belief**

This is the protected characteristic of religion, religious or philosophical belief, or a lack of religion or belief. The religion must have a clear structure and belief system.

**Sex**

A person's sex refers to their gender.

**Sexual orientation**

Sexual orientation means the feelings a person has towards another person, irrespective of gender, which determines who they form intimate relationships with or are attracted to.

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**Socio-economic Status**

The Act originally included a provision that would have required all public bodies to assess whether they were addressing inequalities caused by class factors. It would encourage them to improve, for example, health and education outcomes in more deprived areas. Although this was abandoned before the PSED came into force in April 2011, Merseytravel continues to honour this duty.