

## POLICY REVIEW – EQUALITY AND DIVERSITY POLICY

### Introduction

On 30 October 2023, Council considered the interim report of the Policy Review Working Group in respect of the review of the first tranche of the Council's policies. Specific mention was made of the Council's policy on equality and diversity which had been debated by the Working Group but was then recommended for no change.

During the debate on the Council's equality and diversity policy, the Council had invited Cllr Lisa Goudie to propose alternative wording to the policy and present that proposal to a future meeting of the Council (ref. minute 23/179). Cllr Goudie has provided a proposal for inclusion in the Council's policy. That wording is set out below and is put forward for consideration by Council in accordance with minute 23/179.

### Proposal

Cllr Lisa Goudie proposes the following addition to the Council's equality and diversity policy:

*One person's beliefs, opinions, and rituals may contradict those of another. As we are strongly committed to treating everyone equally, council members and employees are prohibited from engaging in any personal beliefs, religious, or cultural rituals during working hours or official council meetings.*

*Accepting diverse beliefs and behaviours in professional public gatherings without offending individuals could be very challenging. Professional gatherings such as council meetings or workplaces must have transparent policies that allow each individual involved to feel comfortable and welcome. In order to achieve a balanced harmony between individual differences, basic casual dress code requirement could be recommended for men and women according to their officially recognised gender status as stated in their passport or any other government-approved identity verification document.*

*My suggestion for adding this to the policy is as follows: Councillors and council personnel are required to dress casually and in accordance with their officially recognised gender status as stated in their passport.*

### Matters for Consideration

The Council's equality and diversity policy seeks alignment with the Equality Act 2010 which contains nine protected characteristics including religion and belief. Stating that "council members and employees are prohibited from engaging in any personal beliefs, religious or cultural rituals during working hours or official council meetings" appears to be in breach of the Equality Act 2010 and converting that statement into Council policy might well be unlawful.

The Council's equality and diversity policy seeks everyone being treated with acceptance and respect and as we would like to be treated ourselves – even if “One person's beliefs, opinions, and rituals may contradict those of another”.

Gender recognition and the rights of those who have or are in the process of transitioning is currently on the national political agenda with some calling for restrictions on access to single-sex facilities for those who have or are in the process of realigning their gender status. Whilst councillors may feel that this is not an issue which has to date arisen within the Council membership or its staff, the possibility of responding in the future cannot be ruled out.

All Council employees have been consulted on the proposal and:

- disagree with a casual dress code at work on the basis that employees feel they would not be able to represent the Council professionally. Employees dress smart casual or formal or wear Council livery.
- would be really concerned if they were required to dress in accordance with the officially recognised gender status which is recorded in their passport.

### **Recommendation**

To consider whether or not the Council wishes to make an addition to the Council's equality and diversity policy as proposed by Cllr Lisa Goudie.