

Equal Opportunities Policy & Procedures



Scope

In this document, the terms “we”, “us”, “our” and/or “Clear Sky” refer to Clear Sky Children’s Charity. The terms “you” and/or “your” refer to all employees of Clear Sky, who are covered by this policy. It does not form part of your terms and conditions of employment and may be subject to change and statutory updates at our discretion.

Policy Statement - Our commitment to you:

- We will seek to prevent discrimination and ensure equal representation in the services we provide, the structures that we facilitate and the practice through which we carry out our work. We will do this by developing diversity in our management committee, networks and membership, to ensure a genuinely wide representation
- We realise that discrimination exists in society (whether protected by law or not), and believe that this prevents young people, and others, from realising their potential
- We accept the responsibility, as a provider of a service to the community, to promote equal opportunities and challenge discrimination wherever it occurs

Key Principles

- We will not tolerate discrimination or harassment and are fully committed to promoting equal opportunities in employment. Our staff and anyone applying for a job with us will receive fair and equal treatment
- We will never victimise anyone who makes a legitimate complaint if they, or somebody else, is being harassed or discriminated against
- We will do all that we can to challenge any language or behaviour of any user of our services that is unacceptable and incompatible with this policy. In cases where intervention is possible, we will adopt a gentle approach, which aims to alter attitudes and behaviour while maintaining support for the distressed client

Other Information

- We reserve the right to open our membership to any organisation who supports our aims and objectives. However, we will exclude from membership those organisations that actively work against the development of an equal opportunities policy over time, despite encouragement from us
- We will endeavour to ensure, as far as is practicable, that all the premises we use have disabled access. When considering new premises, every effort will be made to ensure such premises are fully accessible
- We will endeavour to ensure, as far as is practicable, that our volunteers and service users should avoid and challenge the use of language, which, in any way, belittles anyone. Where the language used has a personal impact on others, and it has been made clear to the person concerned that their use of such language is unwelcome and/or offensive, disciplinary action may be taken if they persist with it

Equal Opportunities Procedure/Guide

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Glossary of terms used

Discrimination – The following list gives you a general description of the types of acts that may both breach this policy and be unlawful. Sometimes actions can be intentional, and sometimes unintentional and we include examples of both types in this list:

- When somebody is treated less favourably because of a protected characteristic than somebody else has been – or would have been – in identical circumstances, then this is **direct discrimination**. Rejecting a job applicant because of their beliefs would, for example, amount to direct discrimination
- When a group of people with one of the protected characteristics (subject to a couple of exceptions) is put at a disadvantage by a provision, practice or criteria applied to all staff, this is **indirect discrimination**
- When a hostile, humiliating, degrading or similarly offensive environment is created in relation to a protected characteristic, this is **harassment**. We also consider it harassment for a worker to be subjected to uninvited conduct related to a protected characteristic that – as an intended or unintended consequence – violates their dignity. Name calling, lewd comments, excluding colleagues, making insensitive jokes, and displaying pornographic material are all examples of harassment. We deal in detail with harassment under our separate policy on harassment and bullying
- When a worker has complained about harassment or discrimination, or supported a colleague in their complaint, it is **victimisation** if they are then treated less favourably

Protected characteristics – these are characteristics, which it is **unlawful** to use as a basis to discriminate against someone who possesses one or more of the characteristics, and are:

- Age
- Race (which includes colour and ethnic/national origin)
- Disability
- Religion or belief
- Gender
- Gender reassignment
- Pregnancy or maternity
- Sexual orientation
- Marital or civil partner status

In addition, nor will we discriminate against someone due to their:

- Partnership status or home responsibility
- HIV or AIDS status
- Political or religious belief
- Trade union activity
- Socio-economic background
- Refugee or asylum seeker status

Glossary of terms used (cont'd)

NB - There are other actions, which are illegal under the equal opportunities legislation, and these are collectively labelled **other acts**. Examples include:

- Instructing another person – or applying pressure on them – to discriminate
- Knowingly assisting somebody else when they carry out a discriminatory act
- Discriminating against somebody believed to have a protected characteristic, whether or not they actually do, or because they associate with a third party who does

Sexual Harassment - This is interpreted as unwanted behaviour of a sexual nature including:

- verbal sexual abuse
- physical contact
- repeated remarks which an individual finds offensive

If it has been made clear to the person concerned that their behaviour is unwelcome and they persist with it, then the service user or volunteer who is the recipient of the behaviour will be entitled to make a formal complaint.

Roles and Responsibilities

We will:

- Take overall responsibility for the effective operation of this policy
- Take responsibility for ensuring that when we recruit volunteers to work in our projects that they are aware of our Equal Opportunities Policy and adhere to it while working for us
- Provide such training as is necessary to ensure that the policy is effective and that everyone is aware of it
- Treat all instances or complaints of discriminatory behaviour seriously
- Also treat complaints or allegations of an unfounded or malicious nature as serious

You will:

- Act at all times in a manner that is consistent with Clear Sky's values
- If any service user or volunteer feels that they have been, or are being discriminated against, in any way, they are entitled to pursue the matter with the committee

Our volunteers and service users will:

- Have a duty, as part of their involvement with us, to do everything they can to ensure that the policy works in practice

How we carry out our responsibilities and duties

- We are all essential for ensuring the success of this policy and each of us has our own duties and responsibilities
- We all have a legal responsibility to comply, and any of us – management and staff – may be found personally liable for unlawful discrimination if we breach the terms of the policy
- Overall responsibility for the effective implementation and operation of the policy lies with **management**, specifically with the Charity Director and board of Trustees
- Everyone is expected to act in full accordance with this policy, and attain and maintain appropriate standards of behaviour in all aspects of their work with us
- The ethos and standards covered by this policy can only be achieved and maintained if all **employees and volunteers** also co-operate fully, and it is important to understand that you also have a legal responsibility to comply
- If you breach this policy, you may also make us liable for your actions and both of us may have to pay compensation to anyone who claims against us
- We accordingly expect you to take personal responsibility for adhering to the policy's aims and commitments and for drawing any breaches to our attention
- We also encourage everyone to take part in promoting equal opportunities across the Charity and please let us know if you have any ideas about how we could do this better, or you would like to play a bigger role

How we recruit, promote, and make other selections

- We carry out all recruitment, promotion and other types of selection procedures on the basis of merit using non-discriminatory and, as far as possible, objective criteria
- Advertisements for vacancies must not include wording that may discourage some groups of people from applying, or stereotype in any way, and they must be placed where they can reach as wide and diverse a pool of potential candidates as possible

- Nobody applying for employment or volunteering opportunities with us must be asked about their health or whether they have a disability before a job offer is made, except in very limited situations. It may, for example, be justifiable to ask whether the applicant needs any disability-related measures put in place for the interview, or to check that they are capable of carrying out a key part of the job. It is acceptable to make some job offers dependent on a medical examination
- It is unlawful to ask job applicants anything that might suggest intent to discriminate on the grounds of a protected characteristic
- Asking an applicant about their religion for a job entailing weekend working would not, for example, be permissible
- Including health or disability questions in equal opportunities monitoring exercises is acceptable, but the data gathered must not be used for selecting or other employment-related decisions

How we enforce this policy and handle breaches

- We investigate any complaint or allegation you raise regarding a potential breach of this policy, and if you believe you have been harassed or discriminated against you should contact your **line manager** as soon as possible
- If you want to take formal action, you will need to follow our grievance procedure and read our policy on harassment and bullying
- You will face disciplinary action if we find you have harassed or discriminated against anyone else in breach of this policy. Sometimes this type of behaviour may amount to gross misconduct, in which case you will be dismissed without notice and with no payment in lieu of notice
- Occasionally, people make complaints knowing them not to be true. They might do this to avoid or deflect disciplinary action, for example
- We view any complaint made in bad faith as an act of misconduct and this will normally lead to disciplinary action. In exceptional cases, bad faith complaints can lead to summary dismissal for gross misconduct

How we monitor whether the policy is working

- We may record and analyse information about equal opportunities within the workplace, and when you join us you give us consent to gather and process this data about you
- We use the information to make sure this policy is operating properly and refine it, to review the composition of the workforce, and to promote workplace equality
- Our management committee will constantly review this policy to ensure that no member of the group is put to a disadvantage either, directly or indirectly. This monitoring will apply to the practices of staff and volunteers, the member organisation, the composition of the Committees and the provision of services
- The committee of Clear Sky Children's Charity will review this policy every 3 years

Equal Opportunities Policy & Procedures ***Last reviewed & updated Jan 2017***