

# ST MATHEW'S CHILDREN'S ACTION GROUP

## EQUALITY & DIVERSITY

### **Introduction**

St Matthews Children's Action Group hereinafter referred to as the Organisation, strives for high standards both as an employer and as a provider of services. In so doing, we recognise the need for encouraging diversity and wholeheartedly support a policy of equal opportunities in all areas of our work and responsibilities.

This policy provides guidance to enable all who work with or for the Organisation to comply with anti-discrimination legislation. The policy will also address anti-discrimination issues involving areas that currently fall outside any legislation. Failure to follow the procedures in the policy may lead to disciplinary or other appropriate action.

The Organisation's aims and objectives will be achieved through action planning, effective monitoring and a willingness to tackle problems where they arise. The Organisation is committed to reviewing this policy on an annual basis. Through our training, publications, interaction with members and other activities, the Organisation will ensure those we work with know our statements of policy.

The Organisation will regularly review the implementation of its Equality and Diversity Policy and strategy. Where evidence is found of ineffectiveness, immediate remedial action will be taken to ensure implementation.

The Organisation urges Staff, Management Committee Members & Volunteers to be aware of the less obvious types of discrimination which result from general assumptions and pre-conceptions about the capabilities, interests and characteristics of individuals.

### **Definitions**

**Equal Opportunities** ensures that policies, procedures and practice within the Organisation do not discriminate against its employees, volunteers and stakeholders. It is about treating people fairly and equally regardless of whom they are, their background or their lifestyle.

**Diversity** ensures that all people are valued as individuals and are able to maximise their potential and contribution to the Organisation and to the community. It recognises that people from different backgrounds can bring fresh ideas and a different approach, which can make the way we work and learn more fun, more creative, more efficient and more innovative.

**Direct Discrimination**, as defined in law, occurs when an individual is dealt with less favourably than other people on the grounds of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity.

The organisation also seeks to promote equal opportunities in terms of class, HIV status, nationality, employment status, unrelated criminal convictions, union activities, political, mental health or caring responsibilities.

**Discrimination by association**- applies to race, religion or belief and sexual orientation, age, disability, gender reassignment and sex. This is direct discrimination against someone because

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they associate with another person who possesses a protected characteristic (race, religion or belief, sexual orientation, age, disability, gender reassignment and sex).

**Discrimination by Perception** – direct discrimination against someone because others think they possess a particular characteristic of age, disability, gender reassignment, race, religion or belief, sex sexual orientation, marriage and civil partnership and pregnancy and maternity.

**Indirect Discrimination** occurs when a provision, criterion or practice puts people of a particular group at a disadvantage and is not justified in relation to the job, for example a rule about clothing that disproportionately disadvantages a racial group cannot be justified.

**Harassment** means unwanted conduct based on race, sex or age etc. which has the purpose or effect of violating the dignity of a person or creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.

Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership. Employees will now be able to complain of the behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves. Employees are also protected from harassment because of perception and association.

**Positive Action** refers to measures taken to assist employees, or learners who have been under-represented in specific areas, to reach a level of workplace knowledge and competencies that is comparable with 'representative' employees. These measures could take the form of additional training or providing the job application form in other languages to encourage applicants from these communities.

**Protected Characteristics** – The Equality Act 2010 covers exactly the same groups of individuals that were protected by the previous legislation. However, the headings of age, disability, gender reassignment, race religion or belief, sex, sexual orientation, marriage and civil partnership, and pregnancy and maternity are now to be known as '**protected characteristics**'.

**Victimisation** means that if a person has made or is making an accusation of discrimination in good faith, it is unlawful to discriminate against them for having done so, or because they intend to do so or it is suspected that they intend to do so. People must be able to act against unlawful discrimination without fear of reprisals.

## **Policy Statements**

### **Diversity**

The Organisation will actively encourage diversity to maximise achievement, creativity and good practice and to bring benefit to individuals and communities. The Organisation encourages all people it works with, and for, to contribute to an environment in which people feel comfortable expressing how they feel and what they need, knowing they will be treated with respect and that their contribution will be valued.

The way we work, train and learn within the Organisation reflects both the Mission and Objectives of the Organisation and the spirit and intentions of legislation that outlaws discrimination and promotes equality and diversity.

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The Organisation will make reasonable adjustments to working practices, equipment and premises and offer, where appropriate, additional support to trustees, staff and volunteers to ensure they are able to take a full and active part in the Organisation's work.

The Organisation will endeavour to deliver services in a way that genuinely recognises the importance of an inclusive society that brings opportunities and access, not barriers to individuals.

### **Equal Opportunities**

The Organisation is an equal opportunities employer and provider of services. No job applicant, employee, volunteer, trustee, member or service user should receive less favourable treatment on the grounds of race, colour, nationality, ethnic or national origin; sex; marital status or caring responsibility; sexual orientation; age; physical, sensory or learning disability; mental health; political or religious beliefs; class; HIV status; employment status; unrelated criminal convictions; union activities. Nor will such person's sex, disability, race, marital or civil partnership status, sexual orientation, religion, colour, nationality or ethnic or national origin, age, trade union membership or non-membership, be disadvantaged by conditions or requirements which cannot be shown to be justifiable.

This principle applies to all aspects of the Organisation's activities as an employer and provider of services, including recruitment, promotion, transfer, training, benefits, facilities, procedures and all terms and conditions of employment.

### **Aims and Objectives**

The aims and objectives of the Equality and Diversity Policy are:

- To encourage, promote and celebrate diversity in all our activities and services
- To ensure equal access to jobs, volunteer opportunities
- To ensure compliance with legislation on discrimination and equality according to The Equality Act 2010 and adhering to key concepts such as Protected Characteristics.
- To promote equal opportunities in other areas not currently covered by legislation.
- To create environments free from harassment and discrimination.
- To maximise the use of resources in the best interests of staff, volunteers and service users.
- To confront and challenge discrimination where and whenever it arises, whether it be between colleagues, or in any other area relating to the Organisation's work.
- A willingness to accept and implement this policy to be a necessary qualification for any position in the Organisation.
- To ensure, through positive action and so far as is practicable, that all the Organisation premises and services are accessible to all people.
- To ensure that employment and advancement within the Organisation is determined by objective criteria and personal merit.

### **Policy Implementation: Expectations**

The Organisation recognises that passive policies do not provide equality and encourage diversity in employment/training/services. The Organisation will seek to promote equality and diversity within the following framework of responsibilities.

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Responsibility for implementing and developing the policy rests with the Trustees. The overall co-ordinating responsibility for equal opportunities and management of diversity is delegated to the Project Manager.

However, the Organisation believes that all who work with or for the organisation have an individual responsibility: to accept the policy and ensure a personal involvement in its application; to co-operate actively to ensure that the environment we desire is a reality. Therefore the Organisation requires individuals:

- To implement measures introduced by the Organisation to ensure equality of opportunity, diversity and non-discrimination.
- Not to harass, abuse or intimidate any other employee or participant on the grounds of race, colour, nationality, ethnic or national origin; sex; marital or civil partnership status or caring responsibility; sexual orientation; age; physical, sensory or learning disability; mental health; political or religious beliefs; class; HIV status; employment status; unrelated criminal convictions; union activities.
- To inform management if they suspect discrimination is taking place.

The Organisation requires its Line Managers:

- To ensure that proper records of employment decisions are maintained and regular reviews of employment practices are carried out.
- To ensure that grievances are dealt with in a fair and consistent manner and in line with the Organisation's Grievance Policy and Procedure.
- To ensure that individuals within their area are aware of their legal responsibilities, and the organisation's Equality and Diversity Policy.
- To promote actively the benefits of employee and participant diversity, in employment, services and training.

The Organisation will appoint and support Equality and Diversity Advisers who will:

- To support Line Managers, offer advice and make recommendations in relation to Equal Opportunities and Diversity and implementing relevant policies and procedures.
- Ensure that the highest standards of Equality Opportunities practice are observed in the delivery of the Organisation's services and to undertake training and development opportunities to ensure that competence is maintained.
- Collate and discuss relevant organisational information and make recommendations to the Project Manager.
- Offer advice and guidance to members of staff, volunteers and organisations in the Organisation's Equality and Diversity Policy and Procedures.
- Seek the views and opinions of employees, volunteers, customers and clients on the operation of the policy in his/ her locality/ area of responsibility, in particular to meet the diverse needs of the users.
- Facilitate training and discussion on Equal Opportunities and Diversity issues as appropriate.

The person with overall responsibility for Equality and Diversity will:

- Ensure that Managers and Equality and Diversity Advisers are supported in their roles in regard to the Equality and Diversity Policy and Procedures.

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- Ensure Trustees and Managers are appraised regularly on the state of equal opportunities and diversity within the Organisation.
- Ensure that the Equality and Diversity Policy and associated documents are reviewed on an annual basis.
- Review and approve policies, procedures and practices that impact on equal opportunities and diversity practice.
- Co-ordinate the delivery of an equality and diversity strategy and action plan.

### **Policy Implementation: Recruitment and Promotion**

The Organisation strives to ensure that our trustees, staff and volunteers reflect the wider community.

Clear and accurate information on vacant posts should be available through advertisement, job descriptions, person specifications and interview. Vacancies should be advertised sufficiently widely to reach the widest possible range of candidates, either internal and/or external.

All recruitment material should not imply any preferred group, unless a genuine occupational qualification exists limiting a post to a particular group. Applicants will be informed, through all recruitment material of the Organisation's commitment to Equal Opportunities and Diversity.

Person specifications may include 'essential' and 'desirable' requirements that are necessary and justifiable. Care, and advice where necessary, is needed to ensure these are not discriminatory.

No questions regarding health and/or disability will be asked until a person is offered a job other than in line with the limited number of exceptions outlined in the Equality Act 2010 (which includes monitoring and exceptions for certain kinds of jobs amongst other).

Staff and volunteers should be encouraged to discuss their development and training needs through a process of regular support and annual appraisals. Job titles that are discriminatory must be avoided.

### **Policy Implementation: Interviews and Selection**

In line with the intentions of this policy, efforts must be made to select a recruitment panel, which is inclusive in terms of gender, disability and ethnicity. Recruiting staff should have relevant training.

The short-listing panel will select candidates on the basis of an objective assessment of their match with the skills and competencies as described in the job description and person specification and will ensure that all candidates have equal opportunity to give examples of how they meet these.

The interview panel must take extreme care not to ask discriminatory questions which do not comply with the Organisation's Equality and Diversity Policy Statements, e.g. age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity, class, HIV status, nationality, employment status, unrelated criminal convictions or union activities, political, mental health or caring responsibilities.

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## **Policy Implementation: Training**

In line with the intentions of this policy, the Organisation will not discriminate in the provision of training courses/ opportunities wherever possible.

Appropriate training will be provided to enable trustees, staff, volunteers and committee members to perform their jobs effectively. The training offered will take into account the needs of all people.

Briefing on this policy will form part of the Induction Procedure for trustees, staff, volunteers and committee members.

## **Enforcement**

The Organisation recognises the need for a continuing commitment to genuine equal opportunities and diversity within the organisation. The effectiveness of the policy's aims and objectives can only be judged by how the policy operates in practice.

## **Policy Enforcement - Grievances**

- Any staff member or volunteer who feels they have been a victim of discrimination or unfairly treated in a way contrary to the intention of this policy should raise the issue through the Organisation's established Grievance Procedure.
- Any service user who feels he/she has been unfairly treated in a way contrary to the intention of this policy should make a complaint through the Organisation's Project Manager who must report any such complaint to the Chair of the Committee. If the complaint is about the Project Manager this should be made through the Chair of the committee.
- Any job applicant who believes that he/she has been treated unfairly and contrary to the intention of this policy should raise the issue with the Project Manager or the Chair of the St Matthews Children's Action Group Committee.
- Incidents of victimisation or harassment will be dealt with in accordance with the Organisation's Harassment Procedure. Where incidents of victimisation and harassment are proven, the issue will be dealt with under the Organisation's Disciplinary Procedure.
- The Organisation will not treat lightly or ignore grievances from members of disadvantaged groups on the assumption that they are over-sensitive about discrimination.

## **Policy Enforcement - Disciplinary Procedure**

- Any member of staff found to be in breach of this policy will be subject to disciplinary action in line with the Standard Terms of Employment.
- All incidents of **direct discrimination** are disciplinary offences and will be dealt with under the Disciplinary Procedure.
- Incidents of **indirect discrimination** will be investigated to determine whether they should be dealt with under the Disciplinary Procedure.
- Incidents of **victimisation** or **harassment** will be dealt with in accordance with the Organisation's Harassment Procedure. Where incidents of victimisation and harassment are proven, the issue will be dealt with under the Organisation's Disciplinary Procedure.

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- Any volunteer, including Trustees or members of any committee, found to be in breach of this policy will be counselled on his/her actions and may, where necessary, be removed from the Organisation's volunteer register.
- Any member of any Committee or working group of the Organisation found in breach of this policy will be counselled on his/her actions and may, where necessary, be asked to leave the Organisation.
- Any service user found in breach of this policy will, where appropriate, be counselled on his/her actions and may, where necessary, be referred back to their organisation or refused future services from the Organisation.

### **Monitoring**

The Organisation regards the collection/analysis of data as vital in informing change and improving performance. Where appropriate, statistics on the Organisation's services will be collected and analysed in relation to equality and diversity matters. We will review employee turnover and seek information on reasons for leaving. Local and national data or statistics will be used to benchmark our performance.

The Trustees will review annually equality of opportunity relating to the Organisation services. Recruitment and selection procedures will be monitored and reviewed annually by the Project Manager who will report to the St Matthews Children's Action Group. All aspects of personnel policies and procedures shall be kept under review to ensure that they do not operate against the Equal and Diversity Policy.

If appropriate action will be taken to encourage wider take up of employment, volunteering, trusteeship, membership and services.

In order to determine the impact of this policy it is important that a monitoring system be developed which will measure commitment, progress and effectiveness. The Diversity and Equality Policy will be monitored and reviewed as follows:

- The equality and diversity will be an agenda item at the Organisation team meetings.
- The Project Manager will undertake an annual policy review. All relevant parties will be encouraged to submit comments for consideration.
- The review recommendations will be presented to the next Trustee meeting for their comments and ratification.

Where it appears that there may have been or there is a breach of the policy, the Project Manager will investigate the circumstances and action will be taken to counter any proven breach of policy.

If it is found that the policy is excluding or discouraging the development of trustees, staff or volunteers or restricting service users, the Project Manager should take positive action to re-adjust the policy.

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