

Equality and Diversity Policy and Procedure

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Introduction

HOPE 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 HOPE 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.

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

HOPE 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.

Definitions

Equal Opportunities ensure that policies, procedures and practice within HOPE do not discriminate against the people within it. It is about treating people fairly and equally regardless of whom they are, their background or their lifestyle.

Equality of Outcome ensures that policies, procedures and practices within HOPE recognise that not all groups start at the same point in life's race for achievement. Thus HOPE will ensure that we seek to re-dress social imbalances by actively targeting under-represented employees and service users.

Diversity ensures that all people are valued as individuals and are able to maximise their potential and contribution to HOPE 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 occurs when an individual is dealt with less favourably on the grounds of race, colour, nationality, ethnic or national origin or sex. Also because of, for example, 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.

Indirect Discrimination occurs when a requirement or condition, which although it applies equally to persons of all groups, is such that only a considerably smaller proportion of a particular group can comply with it, e.g. a rule about clothing that disproportionately disadvantages a racial group cannot be justified; requiring applicants to have British qualifications.

Victimisation occurs when an individual is treated less favourably because that person has asserted rights under the Sex Discrimination Act 1975, the Race Relations Act 1976, the Disability Discrimination Act 1995, the Employment Equality (Sexual Orientation) Regulations 2003 and the Employment Equality (Religion or Belief) Regulations 2003 or acted as a whistleblower on such activity. People must be able to act against unlawful discrimination without fear of reprisals.

Harassment is a form of direct discrimination, which is repeated, unreciprocated and unwelcome comments, looks, actions, suggestions or physical contact which is found objectionable and offensive and which might threaten an employee or participant or create an intimidating or uncomfortable environment. Harassment can be sexual, racial, directed against people with disabilities or indeed related to any characteristic exhibited by the individual.

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 would normally take the form of additional training. 'Positive discrimination' at the point of selection for work is not permissible.

HOPE urges staff and 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.

Policy Statements

Diversity

HOPE will actively encourage diversity to maximise achievement, creativity and good practice and to bring benefit to individuals and communities.

HOPE 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 HOPE reflects both the Mission and Objectives of HOPE and the spirit and intentions of legislation that outlaws discrimination and promotes equality and diversity.

HOPE 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 HOPE's work.

HOPE will endeavour to deliver services in a way that genuinely recognises the importance of an inclusive society which brings opportunities and access to individuals.

Equal Opportunities

HOPE 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 be disadvantaged by conditions or requirements which cannot be shown to be justifiable. This principle applies to 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 and volunteer opportunities
- To ensure compliance with legislation on discrimination and equality: Disabled Persons Employment Acts of 1944 and 1958, the Sex Discrimination Act 1975 and the Race Relations Act 1976, Disability Discrimination Act 1995, the Human Rights Act 1998, Employment Equality (Sexual Orientation) Regulations 2003 and the Employment Equality (Religion or Belief) Regulations 2003).
- To support the Commission for Race Equality's Code of Practice.
- To promote equal opportunities in other areas not currently covered by legislation. Examples Age, Rural.
- 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 HOPE's work.
- To make a willingness to accept and implement this policy to be a necessary qualification for any position in HOPE.
- To ensure, through positive action and so far as is practicable, that all HOPE 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

HOPE recognises that passive policies do not provide equality. HOPE will seek to promote equality and diversity within the following framework of responsibilities.

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 CEO. However, HOPE 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:

HOPE expects individuals:

- to co-operate with measures introduced by HOPE 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 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 feel sufficiently confident to inform management if they suspect discrimination is taking place.

HOPE expects our senior staff:-

- 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 HOPE'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.

Policy Implementation: Recruitment and Promotion

HOPE 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 HOPE's commitment Equal Opportunities and Diversity and the existence of this policy.

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.

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 should be avoided.

In line with our aim to achieve Equality of Outcome, where necessary HOPE will undertake Positive Action recruitment and selection programmes.

Policy Implementation: Harassment

HOPE defines harassment as behaviour which is unwanted, unreasonable and offensive and which cannot be objectively justified by the professional and/or working relationship between the individuals concerned.

HOPE is opposed to harassment in any form and is committed to providing a working and learning environment which is free from harassment and in which the dignity of all members of HOPE, including staff, volunteers, service users and visitors are respected.

The Harassment Policy applies to harassment on any grounds, but HOPE particularly condemns harassment on any of the prohibited grounds referred to in the statement of the Equal Opportunities Policy.

HOPE is committed to providing effective mechanisms for dealing with complaints of breaches of its Equal Opportunities and Harassment Policies, so that members of HOPE can feel confident in the knowledge that the organisation will deal with complaints seriously, promptly and impartially. Making a genuine complaint will not adversely affect a service user or a member of staff's prospects at HOPE. Mechanisms are in place to bring forward and address complaints at both formal and informal levels.

Policy Implementation: Interviews and Selection

In line with the intentions of this policy, interviewing and selection policies and processes must take care to reflect the gender, disability, ethnic, religious and sexual orientation make up of HOPE when selecting the panel.

The short-listing panel will not select candidates on the basis of their name, age or the gender, disability, ethnic origin, religion or sexual orientation of the candidate.

The interview panel must take extreme care not to ask discriminatory questions unrelated to the requirements of the job, e.g. 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.

The interview panel will not access a candidate's Criminal Record Bureau details or information Independent Safeguarding Authority record (if the post requires such), unless the candidate is offered the post applied for.

Policy Implementation: Training

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

Appropriate training will be provided to enable trustees, staff and volunteers to perform their jobs effectively. All 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- Grievances

HOPE 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.

Any staff member or volunteer who feels they have been a victim of unlawful discrimination or treated in a way contrary to the intention of this policy should raise the issue through HOPE'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 HOPE's General Manager, who must report any such complaint to the Trustees. If the complaint is about the General Manager, this should be made through the Chair of the Trustees.

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 General Manager or the Chair of the Trustees.

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 HOPE's Harassment Procedure. Where such incidents are proven, the issue will be dealt with under HOPE's Disciplinary Procedure.

HOPE will not treat lightly or ignore grievances from members of disadvantaged groups on the assumption that they are over-sensitive about discrimination.

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. Where appropriate, the staff member will be reported to relevant public bodies (i.e. the police, social care services and/or the ISA.)

Any volunteer found to be in breach of this policy will be counselled on his/her actions and may, where necessary, be removed from HOPE's volunteer register. Where appropriate, the staff member will be reported to relevant public bodies (i.e. police, social care services and/or the ISA.)

Any member of any Committee or working group of HOPE found in breach of this policy will be counselled on his/her actions and may, where necessary, be asked to leave HOPE. Where appropriate, the staff member will be reported to relevant public bodies (i.e. police, social care services and/or the ISA.)

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 HOPE.

Monitoring

HOPE view the collection/analysis of data is vital in informing change and improving performance. Where appropriate, statistics on HOPE'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. For any instance where data is absent HOPE will consult with specialist agencies to seek advice.

The Trustees will review annually equality of opportunity relating to HOPE services. Recruitment and selection procedures will be monitored and reviewed annually by the CEO who will report to the Trustees. All aspects of personnel policies and procedures shall be kept under review to ensure that they do not operate against the Equal Opportunities Policy.

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 policy will be an agenda item at HOPE team meetings.
- The Trustees 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 Trustees will investigate the circumstances and action will be taken to counter any proven breach of policy.

Where it appears that there may have been or there is a breach of the policy, even if completion of an investigation has not been possible (i.e. if the person has left the organisation).

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