

Equality, Diversity & Human Rights Policy & Procedures



Title of Policy: Equality, Diversity & Human Rights

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Policy Administrator: Tracy Kinghorn

Policy authorised by: Nicola Williams

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Introduction

Allsorts Support Services CIC & Allsorts Community (Which will be referred to as the organisation throughout this policy).

We want all service users to have successful and fulfilling lives.

This policy document should be considered in conjunction with all other relevant duties, policies and guidance.

Aim of the Policy

This policy is intended to set out the values, principles and policies underpinning the organisation's approach to Equality, Diversity & Human Rights for all staff and volunteers.

The policy has the following aims:

- To maintain a safe and healthy environment for all service users and employees.
- To comply with applicable laws and legislation.

This policy is informed by the organisation's understanding of its statutory duties as an employer.

Having effective, up to date and easy to follow policies and written documents minimises risk to service user's, employees, volunteers and the organisation itself and can ensure that statutory requirements, standards and regulations are understood and provides a framework to monitor compliance. To ensure the organisation provides a robust and clear framework, the organisation has developed this policy to manage processes to achieve compliance and effective co-ordination across the organisation.

Through this policy the organisation will ensure that there is a process whereby all policy documentation is consistent. In addition, there will be an effective process for managing and reviewing policies and any associated written documents on a regular basis, to ensure that documentation remains legally compliant and actions are undertaken in a safe and efficient manner.

This policy will ensure that the organisation meets its legal responsibilities and provides a clear organisational approach to documentation.

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Policy Statement

The organisation will provide a structure for the development of policies and other written documents.

This will include:

- Ensuring that staff and volunteers has access to the most recent copies of the organisation's documents.
- Establishing a control procedure for all policies and other written documents to ensure that those in use are current and relevant.
- Ensuring that the equality impact assessment process is completed on all policies and procedures.
- Ensuring systems exist to monitor the use of, and compliance with, all written documents
- Developing and maintaining a central database of policies, procedures and written documents
- Maintaining an archive of past written documents, for reference and to meet legal requirements.

The organisation affirms its commitment as an employer towards meeting the public sector equality duty under the Equality Act 2010.

All staff in the course of their work has a responsibility:

- To eliminate harassment, third party harassment and victimisation in relation to the protected characteristics as defined under the Equality Act and are required to co-operate with measures introduced by the organisation to combat this.
- To guard against the use of language and behaviour that could be perceived as, or have the effect of being offensive or demeaning in relation to any of the 'protected characteristics'. Any use of language or behaviour by staff or volunteer that could be perceived as, or has the effect of being, racist, sexist, homophobic, transphobic or demeaning to any of the groups covered in this policy, is unacceptable.
- To co-operate with measures introduced by the organisation to ensure equality of opportunity, respect for diversity and non-discrimination.
- To report incidents of harassment, abuse, victimisation and pressure to discriminate unlawfully. The Manager is expected to respond

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appropriately and in line with the organisation's policy and legislative requirements to reported incidents of breaches in equalities and human rights legislation in the provision and delivery of services.

Purpose and Scope of this Policy

In acknowledging its moral and legal obligations as an employer, this Policy seeks to:

- Communicate the commitment of the organisation to equality of opportunity and diversity in employment;
- Ensure that employment matters within the organisation adhere to best practice and pertinent legislation;
- Clarify the duties and responsibilities of staff, volunteers and Manager under statute, relevant codes of practice and in the operation of the policy;
- Eliminate unlawful discrimination, harassment and victimisation in the workplace;
- Advance equality of opportunity within the workplace.
- Promote good relations between people from diverse groups.
- Provide a procedural framework for use when individuals believe they have been discriminated against, contrary to provisions of the policy.

The policy will apply equally to all employees and volunteers of the organisation.

Definitions used: an explanation of terms

'Equality is essentially about creating a fairer society where everyone can participate and has the opportunity to fulfil their potential. It is backed by legislation designed to address unfair discrimination (past, present or potential) that is based on membership of a particular group. It is often summarised in terms of equal access, equal treatment, equal shares and equal outcomes.

Diversity is about the recognition and value of difference in its broadest sense. It is about creating a working culture and practices that recognise, respect, value and harness difference for the benefit of the organisation and the individual... There is an emphasis on social inclusion rather than a focus on race, gender and disability. Diversity is more about the collective mixture of individuals, cultures and organisational expertise, all the differences that make us unique and the commonalities that connect us for the benefit of the individual and the organisation.

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Policy

Equality and Diversity Legislation

The Equality Act 2010 applies to people who have particular ‘protected characteristics’. These ‘protected characteristics’ are: race (including nationality, ethnicity and colour), disability, gender, gender reassignment, religion or belief, sexual orientation, age, pregnancy and maternity, marriage or civil partnerships.

Under the Equality Act 2010, it is unlawful to discriminate against, harass or victimise a person for a reason relating to a ‘protected characteristic’. The types of discrimination, harassment and victimisation made unlawful under The Equality Act 2010.

The organisation affirms its commitment as an employer towards meeting the public sector equality duty under the Equality Act 2010

A public authority and a person who exercises public functions must, in the exercise of those functions, have due regard to the need to;

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic* and persons who do not share it; in particular, to the need to;
- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it, involving having due regard, in particular, to the need to;
- Tackle prejudice, and;
- Promote understanding.

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The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Compliance with these duties may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

Equality and Diversity Principles

All employment activities must fulfil the organisation's obligations under legislation relating to equality, diversity and human rights.

Within the workplace, equality of opportunity is not about treating everyone the same, but about responding to different needs and circumstances in a positive and fair way. It is important that employees are given support, guidance and training to help them achieve their best potential and make a positive contribution to the organisation and service delivery.

Diversity is recognising and valuing the different backgrounds and experience (race, culture, gender, gender-reassignment, disability, religion, sexual orientation, age) that staff have and embracing the contribution and difference of others by actively utilising skills and experiences to help promote the best care possible to service and other users. This can best be achieved by having a workforce that reflects the community we serve at all levels.

It is important that the workforce is reflective of demographic changes and birth rates which are changing the cultural and ethnic make-up of the UK. The organisation is enriched by these differences and values the input of its diverse workforce.

Commitments

In stating its commitment to equality, diversity and human rights in the workplace, the organisation supports the rights of all people to seek, obtain and to hold employment without unlawful discrimination, with equality of opportunity and with respect towards their diversity and human rights.

The organisation is committed to providing an environment in which all staff, volunteers, service users and visitors are treated with respect and dignity.

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As part of its commitment to equality, diversity and human rights, the organisation will:

- Continually review the processes for recruitment and selection, promotion and the provision of training to ensure that no unlawful discrimination takes place;
- Continually monitor the application of the policy to ensure effectiveness;
- Provide training for managers in equality and diversity. This should include working together to gain greater understanding of different cultures, values, traditions and beliefs.
- Review the organisation policies to ensure that they comply with relevant legislation and promote a positive working environment that embraces diversity and human rights.
- Continually monitor the application of policies such as grievance, disciplinary and dignity at work to ensure that no unlawful discrimination takes place against any diverse group recognised under Equalities legislation as ‘protected characteristics’: race/ethnicity, disability, gender, gender re-assignment, age, sexual orientation, religion or belief, pregnancy and maternity, marriage and civil partnership.
- Have an appropriate infrastructure in place that is supported by the manager, to promote equality, diversity and human rights within the organisation.
- Develop ongoing action planning to promote initiatives to tackle inequality and ensure that practice and process are monitored, evaluated, reviewed and action taken as appropriate.

Policy in Practice

All staff and volunteers in the course of their work have a responsibility:

- To ensure that in the course of their employment no employee, or job applicant is discriminated against, or harassed in relation to any of the ‘protected characteristics’ as defined by the Equality Act 2010, or social background, HIV status, trade union membership or non-membership, political affiliation, domestic circumstances or employment status.
- To eliminate harassment, third party harassment and victimisation in relation to the protected characteristics as defined under the Equality Act and are required to co-operate with measures introduced by the organisation to combat this.

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- To guard against the use of language and behaviour that could be perceived as, or have the effect of being offensive or demeaning in relation to any of the ‘protected characteristics’. Any use of language or behaviour by staff that could be perceived as, or has the effect of being, racist, sexist, homophobic, transphobic or demeaning to any of the groups covered in this policy, is unacceptable
- To co-operate with measures introduced by the organisation to ensure equality of opportunity, respect for diversity and non-discrimination.
- To report incidents of harassment, abuse, victimisation and pressure to discriminate unlawfully. Manager is expected to respond appropriately and in line with the organisation’s Policy and legislative requirements to reported incidents of harassment, abuse, victimisation and pressure to discriminate unlawfully.

In acknowledging their responsibilities under this Policy, members of staff and volunteers need to be aware that they may be called to give evidence in public at any Employment Tribunal where an allegation of discrimination, unlawful under the Equality Act 2010, has been made.

As the Policy is not only concerned with unlawful discrimination, employees and volunteers must be mindful of all circumstances in which they might be perceived as directly or indirectly discriminating against an individual or a group. The organisation will take account of available guidance on equality, diversity and human rights, including the advice of the Equality and Human Rights Commission.

The decision to progress a formal complaint under the Policy rests with the individual complainant unless the situation is so serious that by not taking action the organisation would be in breach of legislation or of prejudicing its reputation and welfare responsibilities.

The organisation will consider taking disciplinary action against any employee behaving in breach of this policy.

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Human Rights

The organisation recognises its direct responsibilities under the Human Rights Act 1988 and is committed to respecting the human rights of its staff. Policies and practice will, at all times, take account of the need to protect and develop human rights.

The organisation's policies and practice will be considered in the light of human rights guidance, to identify whether practice could breach, or changes could strengthen and foster, human rights.

Policies and practice will be kept under review. As much of Human Rights Law is related to the way Courts interpret the Act, any legal changes or developments will be reflected in changes to the organisation policy and practice.

Where the rights of different groups seem to conflict, or where rights may be breached but there would appear to be justification for such a breach, expert advice, including legal advice if necessary, will be sought.

The organisation encourages staff to approach the manager where they have concerns about possible or potential Human Rights breaches. The Manager will ensure complaints made under the terms of the Policy are dealt with in a consistent manner.

All policies and other written documents

It is the responsibility of the Policy administrator to ensure that when a document is revised, a copy of the original is forwarded to the Manager. Once revised policies and other written documents are approved, the Manager will pass on to all employees.

Staff will be notified of newly approved/revised policies, procedures and guiding documents within one week of approval by the manager.

Non-compliance with this Policy

In the unlikely event of a member of staff or volunteer not respecting the policy, the organisation's manager should attempt to resolve the situation informally in the first instance. Ultimately, repeated breaches of the policy will result in disciplinary procedures and may lead to dismissal.

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Policy Implementation

It is the responsibility of the Policy administrator to keep all policies and procedures up to date. The manager will identify how any policy or written document will be implemented. This will include liaising directly with the policy administrator in order to ensure that staff training requirements have been highlighted. Overall responsibility for ensuring the policy is implemented, monitored and reviewed rests with the organisation's Manager.

Information on the policy will be:

- Circulated to all staff
- Provided to all new employees

Training

All new staff and volunteers will be required to read all policies as part of their induction process.

Review Process

The Manager requires that certain policies must be reviewed annually. These are:

- Safeguarding policy
- All other policy documents must be reviewed no later than three years after initial approval and regularly reviewed on the same basis thereafter.
- Documents will be reviewed more frequently if changes in legislation or the service requires it.
- It is the responsibility of the policy administrator will ensure that documents are reviewed in line with their review dates.

Where a review necessitates considerable change to the previous document, the process will be treated as though it is a new document.

Minor amendments can be notified by distributing copies of the policy to appropriate recipients, with a cover sheet with the changes are and their implications. This sheet should be kept with the original.

Review of Policy

This policy will be reviewed on a three yearly basis or at an earlier date if changes are required due to changes in government advice.

