



Your **Community** Your **Trust**

Registered Charity no. 1135640
Company no. 7140266

Equality & Diversity Policy

Introduction

Access Community Trust, 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 antidiscrimination 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 customers, staff and volunteers to be aware of the less obvious types of discrimination which result from general assumptions and preconceptions about the capabilities, interests and characteristics of individuals.

Definitions

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

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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 race, ethnic or national origin, disability, sex, actual or perceived religion or belief or sexual orientation.

However, in terms of this policy, the definition is taken to be wider and includes, for example, colour, nationality, marital status or caring responsibility, age, mental health, political, class, HIV status, employment status, unrelated criminal convictions, union activities.

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.

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.

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 can be sexual, racial, directed against people with disabilities or indeed related to any characteristic exhibited by the individual. (See the organisation's Harassment Policy for guidance where harassment has occurred).

Positive Action refers to measures taken to assist employees, volunteers or customers who have been under-represented in specific areas, to reach a level of workplace knowledge and competencies that is comparable with 'representative' employees, volunteers or customers. These measures could take the form of additional training or providing a job application form in other languages to encourage applicants from these communities. Positive discrimination at the point of selection for work is not permissible.

Policy Statements

Diversity

Policy Reviewed: June 2023
Next Review Date: June 2024
Reviewed by: PM

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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.

The organisation will make reasonable adjustments to working practices, equipment and premises and offer, where appropriate, additional support to staff, volunteers, customers and trustees 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, customer or trustee, 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, gender reassignment, pregnancy or maternity, 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:

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- 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 including Equal Pay Act 1970, Sex Discrimination Act 1975, Race Relations Act 1976, Disability Discrimination Act 1995, Employment Rights Act 1996, Race Relations (Amendment) Act 2000, Employment Act 2002, Race Relations Act 1976 (Amendment) Regulations 2003, Religion or Belief Regulations 2003, Sexual Orientation Regulations 2003 and Employment Equality (Age) Regulations 2006. Equality Act 2010.
- 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 customers.
- 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.
- To make 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 as 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.

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 REDACTED Safeguarding 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.

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- 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 complaints are dealt with in a fair and consistent manner and in line with the organisation's Complaints 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 as members of the People, Culture & Welfare Committee:

- To support Line Managers, offer advice and make recommendations in relation to Equal Opportunities and Diversity and implementing relevant policies and procedures.
- To 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.
- To collate and discuss relevant organisational information and make recommendations to REDACTED Safeguarding Manager.
- To offer advice and guidance to members of staff, volunteers and organisations in the organisation's Equality and Diversity Policy and Procedures.
- To seek the views and opinions of employees, volunteers, residents / clients on the operation of the policy in his/ her locality/ area of responsibility, in particular to meet the diverse needs of the users.
- To facilitate training and discussion on Equal Opportunities and Diversity issues as appropriate.

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The person with overall responsibility for Equality and Diversity will:

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

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.

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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.

The short-listing panel will select candidates on the basis of an objective assessment of their match with the requirements as described in the job description and person specification; this will not consider the gender, name, race, religion or belief, possible disability or age of the candidate.

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. questions relating to 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.

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 and volunteers to perform their jobs effectively. The training offered will consider the needs of all people.

Briefing on this policy will form part of the induction programme for Trustees, staff and volunteers.

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, volunteer or customer who feels they have been a victim of discrimination or unfairly treated in a way contrary to the intention of this policy should

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raise the issue through the organisation's **established** complaints / grievance procedures.

- Any member of staff who feels he/she may have been unfairly treated in a way contrary to the intention of this policy should make a complaint through their line manager (who, in turn, must report any such complaint to the HR Advisor). If the complaint concerns the line manager or HR advisor, this should be made through the Head of Business Support.
- 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 HR advisor
- 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**.
- 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.

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- Any external agency representative or customer 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 HR advisor who will report to the director of services. All aspects of HR policies and procedures shall be kept under review to ensure that they do not operate against the Equality and Diversity 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 equality and diversity will be an agenda item at the organisation team meetings.
- REDACTED, Safeguarding 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 HR advisor 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 residents or clients, the Safeguarding Manager should take positive action to re-adjust the policy.

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