

1 PURPOSE

- 1.1 This policy sets out the Company's policy on equity and diversity, to support a working environment and culture in which unlawful and unfair discrimination is not condoned or tolerated.
- 1.2 This Policy intends to communicate the commitment of the organisation to the promotion of equal opportunities and encouraging diversity both as an employer and a provider of services.

It is our Policy to provide employment equity to all; this includes those covered by the Equality Act's 9 protected characteristics:

- Sex
 - Gender reassignment
 - Marital or civil partnership status
 - Religious belief
 - Race (including colour, nationality, ethnic or national origin)
 - Disability
 - Sexual orientation
 - Age
 - Pregnancy and maternity
- And also those potentially adversely affected by other issues such as:
- Part time or fixed term contract status
 - Having dependents
 - Rural isolation

- 1.3 Therefore all service users, employees, volunteers (both present and potential) and contractors who work on behalf of the organisation will be treated fairly and will not be discriminated against on any of the above grounds.
- 1.4 Decisions about recruitment and selection, promotion, training, remuneration (including benefits), access to services and service delivery will be made objectively, and without unlawful discrimination.
- 1.5 The organisation has developed policies, procedures and practices to ensure that discrimination does not occur in employment, access to services or service delivery.

The organisation is committed to regular monitoring and review of its policies, procedures and practices to ensure that they are effective in this regard, and will ensure that all those involved in recruitment, management and the procurement and provision of services are aware of, adhere to and promote this policy.

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2 SCOPE

- 2.1 All Children's Links, and its subsidiaries (the Group) employees, volunteers, those that deliver services on behalf of the Group and members of the public that use our services should demonstrate behaviour that adheres to this policy.

3 DEFINITIONS

- 3.1 **Equal Opportunity** – The development of policies, procedures and practices that promote fairness and equity in all aspects of employment and service delivery to enable development to full potential, together with the removal of barriers of discrimination and oppression experienced by certain groups.

- 3.2 **Diversity** – The concept of diversity encompasses acceptance and respect. It means understanding that each individual is unique, and recognising our individual differences. These can be along the dimensions of race, ethnicity, gender, sexual orientation, socio-economic status, age, physical or learning abilities, religious beliefs, political beliefs, or other ideologies.

It is the exploration of these differences in a safe, positive, and nurturing environment. It is about understanding each other and moving beyond simple tolerance to embracing and celebrating the rich dimensions of diversity contained within each individual.

- 3.3 **Direct Discrimination** – Occurs where someone is treated less favourably from others in the same circumstances due to a particular characteristic. An example would be a refusal to appoint someone to a particular post, or exclude them from a service, simply because of their sexual orientation,

- 3.4 **Indirect Discrimination** – It is also unlawful to discriminate indirectly against anyone. That means applying a provision, criterion or practice which although applied equally to everyone is such that a considerably smaller proportion of a particular group can comply with it and which cannot be justified. An example would be making a rule about dress or uniform which would disadvantage those from a certain racial or ethnic group and for which there was no justification.

- 3.5 **Associative Discrimination** – It is discrimination against a person because they have an association with someone with a particular protected characteristic. This already applies to race, religion or belief, and sexual orientation and is now to be extended to cover age, disability, gender reassignment and sex.

An example of associative discrimination might be a non-disabled employee who is discriminated against because of action they need to take to care for a disabled dependant.

- 3.6 **Perceptive Discrimination** – is discrimination against a person because the discriminator thinks the person possesses that characteristic, even if they do not in fact do so. Perceptive discrimination already applies to age, race, religion or belief and sexual orientation, and is now extended to cover disability, gender reassignment and sex.

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- 3.7 **Harassment** – Subjecting someone to harassment can amount to discrimination. Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment having regard to all the circumstances and the perception of the victim. The organisation has in place a Dignity at Work Policy with a view to preventing harassment in the workplace and to ensure that appropriate action is taken when allegations of harassment by employees/ volunteers, service users or members of the public are made.
- 3.8 **Victimisation** – occurs where an individual is treated less favourably than colleagues or other service users because they have initiated complaints proceedings or taken action to assert their legal rights or have assisted a colleague or service user in that regard.
- 3.9 **Positive Action** – discrimination is only permitted in very limited circumstances if there is a genuine occupational requirement for an individual to have a particular characteristic. Selection for recruitment or promotion must be on merit: however, in some circumstances it is possible to take certain steps to redress the effects of previous inequality of opportunity. This is called positive action and employers may give special encouragement to or provide training to individuals with a specific characteristic.

4 PRINCIPLES

4.1 The Group is committed to:-

- Promoting equality of opportunity for all employees, volunteers, customers, contractors and service users both present and prospective.
- Promoting a fair, good and harmonious working and service environment in which all persons are treated with dignity and respect.
- Treating all those we come into contact with fairly.
- Creating an open and trusting environment where individuals are encouraged to discuss issues relating to equality of opportunity and diversity and are encouraged to challenge inequality in an appropriate manner.
- Preventing occurrences of unlawful direct discrimination, indirect discrimination, harassment and victimisation.
- Fulfilling all our legal obligations under equality legislation and associated codes of practice.
- Complying with our own equity and diversity policy and associated policies.
- Taking lawful affirmative or positive action, where appropriate.
- Regarding all breaches of equal opportunities policy as misconduct, which could lead to disciplinary proceedings.
- Making events and services more accessible and inclusive for those with a disability, cultural sensitivity and any other reasonable requirements identified.

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5 DISCRIMINATION

Discrimination can take a number of different forms and may be direct, indirect or amount to harassment. The following list is an example of common forms of discrimination but is by no means intended to be a definitive list:

(a) Stereotyping

Stereotyping involves holding a fixed and often oversimplified view about another person's beliefs, needs or characteristics. Stereotyping can be:

- a. Negative. For example, the idea that vegetarians are pedantic; or
- b. Positive. For example, the idea that all Asian students are good at maths.

Both positive and negative stereotypes can have a negative effect on an individual and lead to feelings of isolation and promote a sense of "us and them" within communities. Stereotyping is not conducive of inclusiveness and is therefore unacceptable within our working environment.

We understand that stereotyping is, to a degree, a product of culture but ask staff to treat all of our customers and service-users with respect and with an open mind. Many studies have shown that stereotypes are rarely correct.

(b) Cultural or other ignorance

It should always be borne in mind that an intention to discriminate is not necessary for discrimination to have taken place; discrimination may occur because of covert or subconscious prejudices but also because of a lack of understanding.

For example, the role of eye contact across different cultures differs considerably. Most white British people value eye contact as a key aspect of effective communication and may regard people who deliberately avoid eye contact as rude. In many other cultures, for example, in such some Asian cultures, avoiding eye contact may be a sign of respect, especially if the person avoiding making eye contact is subordinate to the person with whom they are communicating.

We do not expect our staff to be cultural diversity experts. Nonetheless, we encourage staff to engage meaningfully and non-judgmentally with customers and service-users about their wants and needs and to consider carefully the way that interactions are managed. Staff who are concerned about a particular form of behaviour may like to consider that culture or other characteristics may play a part in influencing that behaviour. That is likely to be something to discuss with their line manager.

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(c) Making assumptions

The Company regards the making of assumptions particularly unacceptable because, much (albeit not all) of the time, confusion and distress can be avoided through proper and effective communication.

We encourage our employees to engage with customers and service-users to ascertain their wants and needs. Provided that such engagement is appropriate and in accordance with this policy, we do not blame our employees if offence is taken unreasonably.

Making assumptions about a disabled person's capabilities is a particularly common form of discrimination. Our clients and service-users are free to make their own choices, provided that they have the capacity to make those decisions. The role of our employees is to guide and support, not to restrain or inhibit a customer or service-user's rightful autonomy.

Do not assume. Ask.

(d) Prejudice

Whilst stereotyping is usually an exaggerated belief about a particular group of people, prejudice occurs where a person develops a negative attitude towards a particular person simply because of that person's affiliation with a particular group. This may or may not be because of stereotyping.

Staff are asked to think carefully about prejudice. Most people harbour some forms of prejudice; that is not unusual. However, allowing prejudices to affect the way that employees work or treat people is unacceptable, irrespective of whether or not any harm was intended.

(e) Bullying

In the legal sense, bullying that is influenced by a Protected Characteristic is likely to be regarded as a form of harassment (see the legal framework in Appendix 1). Staff who harass clients or service-users are likely to have personal liability for that harassment and, in extreme cases, may also be committing a criminal offence.

Bullying is usually regarded as the most serious manifestation of discrimination in this context and is totally unacceptable. The Company takes a zero-tolerance approach to instances of bullying.

6 MANAGEMENT RESPONSIBILITIES

6.1 Those with specific responsibilities for implementing this policy shall do so by:-

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EQUITY, DIVERSITY AND INCLUSION

- ✓ Communicating the policy to all employees, volunteers, service users, contractors, job applicants and potential relevant others.
- ✓ Ensuring that the principles laid out in this policy are built into working practices.
- ✓ Conducting equality impact assessments on all policies and procedures.
- ✓ Providing training and guidance as appropriate, including training during induction and management courses.
- ✓ Ensuring that those who are involved in assessing candidates for recruitment or promotion will be trained in non-discriminatory selection techniques.
- ✓ Incorporate equal opportunities notices into general corporate communication practices.
- ✓ Obtaining commitments from other persons or organisations such as subcontractors or agencies that they too will comply with the policy in their dealings with our organisation and our workforce.
- ✓ Ensuring that adequate resources are made available to fulfil the objectives of this policy.

7 RELIGIOUS OBSERVANCE

It is the intention of Children's Links and its subsidiaries (the Group) where possible, to accommodate time off, or provide suitable facilities, to allow its employees, Board Members, volunteers, service users and others attending our sites to observe religious events

7.1 Statutory and customary holiday arrangements include Christmas and Easter, both of which are Christian religious festivals. A very small minority of employees may be required to work Easter Sunday. Any affected employee who is a practicing Christian should draw this to the attention of their line manager at the earliest opportunity to determine whether alternative cover can be found. Those employees practising other religions may request to take their holiday entitlement on the dates most significant to them.

7.1.1 Requests to use holiday entitlement for events of religious significance will be considered and treated sympathetically bearing in mind business need.

7.1.2 The ability to apply to take up to 5 days unpaid holiday a year provides further flexibility and is available for all staff.

7.1.3 Subject to the eligibility criteria set out at paragraph 4.3 of the Flexible Working Policy thereof, employees are entitled to submit for consideration a request for Flexible Working under the organisation's Flexible Working Policy (CL/0044)

7.2 If you are working from any of the Groups bases, please ask site manager for the arrangements that can be made to accommodate your requirements for a prayer

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room or a quiet room to observe any religious event.

- 7.3 Wherever practicable, when catering for events, we will provide food that meets employees' requirements (e.g. vegetarian, halal.)

8 MAKING A COMPLAINT

- 8.1 Any person who feels that they have been treated less favourably than others in the same circumstances has the right to use the organisations *Grievance Policy and Procedure* to seek redress. Or in the case of service users, our Customer Feedback Policy and Complaints procedure.

All complaints and grievances in respect of equality and equal opportunity issues will be thoroughly investigated and dealt with fairly and consistently.

- 8.2 All employees and volunteers have a right to work in an environment, which is free from harassment. Harassment at work in any form is unacceptable behaviour and will not be permitted or condoned. Any individual who considers they have been subject to harassment may take action in accordance with the organisations *Dignity at Work Policy*.

9 RELEVANT LEGISLATION AND NATIONAL DOCUMENTS

- 9.1 Implementation of this Equal Opportunity Policy ensures that the organisation complies with the Equality Act 2010 (Amendment) Order 2012 and associated legislation.

The Equality Act 2010 came into force on 1st October 2010 and consolidated all previous anti-discrimination laws, including:

- Equal Pay Act 1970
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Disability Discrimination Act 1995
- Equality Act 2006, Part 2
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Age) Regulations 2006
- Equality Act (Sexual Orientation) Regulations 2007

The Equality Act 2010 is concerned with the avoidance of discrimination and the promotion of environments where diversity can be encouraged and people of all kinds can work together. Working in a non-discriminatory environment is a basic human right. The Company expects our staff to avoid all kinds of discrimination and to work positively with staff of all backgrounds.

One East Midlands – East Midlands Inclusion Framework.

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10 RESPONSIBILITIES ASSOCIATED WITH THE POLICY

- 10.1 All Managers are responsible for implementing fair non-discriminatory practices within their services and or departments.
- 10.2 All employees, volunteers, service users and contractors (those carrying out activities on behalf of the organisation) are responsible for ensuring that they are aware of, understand and comply with this policy and associated procedures, and that they help create the equality environment which is its objective.
- 10.3 The Human Resources Department is responsible for monitoring and reviewing the policy in accordance with legislation and good practice.

11 MONITORING

- 11.1 The Human Resources Department will undertake equal opportunities monitoring and report statistics to the Board on a quarterly basis. In addition, an annual report will be produced on the workforce profile. All monitoring will be carried out on an anonymous basis.
- 11.2 Specific departments within the organisation will conduct equal opportunity monitoring as deemed appropriate for their service activity. All monitoring will be carried out on an anonymous basis.

12 ASSOCIATED POLICIES AND PROCEDURES

- Dignity at Work Policy
- Grievance Policy and Procedure
- Disciplinary Policy and Procedure
- Whistleblowing Policy
- Flexible Working Rights Policy
- Redundancy Policy
- Dress Code
- Parental Leave Policy
- Recruitment and Selection Policy
- Purchasing Policy
- Complaints and Feedback Policy and Procedure
- Equality Impact Assessments and Action Plans

13 ADDITIONAL INFORMATION

- 13.1 Further information can be obtained from the Equality and Human Rights Commission (EHRC) at www.equalityhumanrights.com.

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14 REVIEW

- 14.1 The policy will be reviewed on a three year cycle or earlier if subject to legislative changes.

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