



## **ReachOut Equal Opportunities Policy**

Version: 3.0

Last reviewed: April 2018

Approved by: Frances Ellis

Policy owner: Frances Ellis

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## 1 General

### 1.1 Application

1.1.1 This policy is applicable to all Trustees, staff, volunteers, management committee members, users and the general public.

### 1.2 Review of this policy

1.2.1 This policy will be reviewed at least annually, or upon material changes in practice, or changes in regulation or legislation.

### 1.3 Policy Breaches

1.3.1 Breaches of this policy will be reported to Frances Ellis.

### 1.4 Associated Policies and Related Documents

1.4.1 This policy should be read in conjunction with the following documents:

- ReachOut Employee Handbook

### 1.5 Definitions

**1.5.1 Age:** Where this is referred to, it refers to a person belonging to a particular age (for example 32 year olds) or range of ages (for example 18 to 30 year olds).

**1.5.2 Disability:** A person has a disability if she or he has a physical or mental impairment, which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

**1.5.3 Gender reassignment:** The process of transitioning from one gender to another.

**1.5.4 Marriage and civil partnership:** Marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple. [1] Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act). [1] Section 1, Marriage (Same Sex Couples) Act 2013, Marriage and Civil Partnership (Scotland) Act 2014.

**1.5.5 Pregnancy and maternity:** Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

**1.5.6 Race:** Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

- 1.5.7 Religion and belief:** Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (such as Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.
- 1.5.8 Sex:** A man or a woman.
- 1.5.9 Sexual orientation:** Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

## 2 Aims

- 2.1.1 Equality and diversity are central to the work of ReachOut.
- 2.1.2 We are committed to providing equal opportunities in employment and to avoiding unlawful discrimination. This policy is intended to assist putting this commitment into practice. Our aim is that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect, which is an important aspect of ensuring equal opportunities in employment.
- 2.1.3 ReachOut will treat all people with dignity and respect, valuing the diversity of all. We will promote equality of opportunity and diversity. We will eliminate all forms of discrimination on grounds of race, gender, marital status, caring responsibilities, disability, gender re-assignment, age, social class, sexual orientation, religion/ belief, irrelevant offending background or any other factor irrelevant to the purpose in view. We will tackle social exclusion, inequality, discrimination and disadvantage.
- 2.1.4 For this policy to be successful, it is essential that everyone is committed to and involved in its delivery. ReachOut's goal is to work towards a just society free from discrimination, harassment and prejudice. ReachOut aims to embed this in all its policies, procedures, day-to-day practices and external relationships.

## 3 The law

- 3.1.1 It is unlawful to discriminate directly or indirectly in recruitment or employment because of a 'protected characteristic'. The Equality Act defines the protected characteristics as being age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality, caste and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership.
- 3.1.2 Discrimination after employment may also be unlawful, eg refusing to give a reference for a reason related to one of the protected characteristics.
- 3.1.3 It is also unlawful to discriminate against or harass a member of the public or service user in the provision of services or goods or to fail to make reasonable adjustments to overcome barriers to using services caused by disability.

- 3.1.4 The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

## 4 Types of unlawful discrimination

- 4.1.1 **Direct discrimination** is where a person is treated less favourably than another because of a protected characteristic. However, discrimination may be lawful if there is an occupational requirement which is core to a job role and a proportionate means of achieving a legitimate aim.
- 4.1.2 **Indirect discrimination** means putting in place, a rule or policy or way of doing things that has a worse impact on someone with a protected characteristic than someone without one, when this cannot be objectively justified.
- 4.1.3 **Harassment** is where there is unwanted behaviour related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity) which has the purpose or effect of violating someone's dignity or which creates a hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.
- 4.1.4 **Associative discrimination** is where the individual treated less favourably does not have a protected characteristic but is discriminated against because of their association with someone who does, eg the parent of a disabled child.
- 4.1.5 **Perceptive discrimination** is where the individual discriminated against or harassed does not have a protected characteristic but they are perceived to have a protected characteristic.
- 4.1.6 **Third-party harassment** occurs where an employee is harassed by third parties such as service users, due to a protected characteristic.
- 4.1.7 **Victimisation** is treating someone unfavourably because they have taken some form of action relating to the Equality Act, ie because they have supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint.
- 4.1.8 **Failure to make reasonable adjustments** is where a rule or policy or way of doing things has a worse impact on someone with a protected characteristic compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

## **5 Equal opportunities in employment**

- 5.1.1 We will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy. Job descriptions will avoid any unnecessary requirements (those unrelated to effective performance) that may otherwise have deterred applicants. We will base decisions on objective criteria. We will consider making reasonable adjustments in recruitment as well as in day-to-day employment.

## **6 Service users, suppliers and others**

- 6.1.1 We will not discriminate unlawfully against service users (including young people and volunteers) using or seeking to use the services we provide. If you are bullied or harassed by a service user, suppliers, contractor, visitor or others, or if you witness someone else being bullied or harassed, you are asked to report this to your manager who will take appropriate action.

## **7 Training**

- 7.1.1 We will provide information and guidance to those involved in recruitment or other decision making where equal opportunities issues are likely to arise to help them understand their responsibilities and to avoid the risk of discrimination.

## **8 Your responsibilities**

- 8.1.1 All staff are responsible to support the organisation to meet its commitment and avoid unlawful discrimination. If you believe that you have been discriminated against you should report this to your line manager or the chief executive under the grievance procedure. If your complaint involves bullying or harassment, the grievance procedure is modified as set out in the Employee Handbook. We take any complaint seriously and you will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.
- 8.1.2 If you witness what you believe to be discrimination you should report this to your line manager or the chief executive as soon as possible.
- 8.1.3 Employees can be held personally liable as well as, or instead of, the organisation for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence. Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under our disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

## 9 Monitoring and review

- 9.1.1 This policy will be monitored periodically to judge its effectiveness and will be updated in accordance with changes in the law. We will report to the board of trustees on any actions or activities undertaken to improve equality of opportunity. Any information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the General Data Protection Regulation (GDPR).

## 10 Implementation

- 10.1 ReachOut intends to implement this policy by:
- 10.1.1 Ensuring that it is a condition of paid employment in ReachOut;
- 10.1.2 Ensuring that Trustees, Management committee, volunteers and users are made aware, understand, agree with, and are willing to implement, this policy. All staff and volunteers will be given a copy of this policy as part of their induction;
- 10.1.3 Actively encouraging Trustees, staff, management committee and volunteers to participate in anti- discriminatory training, and making time and resources available for such training;
- 10.1.4 Monitoring the services, publicity and events provided by ReachOut, to ensure that they are accessible to all sections of the population and do not discriminate, and taking active steps to ensure that participation is representative.

## 11 Appendices

### Appendix A

Version	Approval Date	Approved by	Summary of Changes
1.0	January 2011		
2.0	October 2015		
3.0	April 2018	Frances Ellis	Incorporating information from NCVO template policy.

2.0, 3.0, 4.0 for annual reviews

.1, .2, .3 for minor changes