**Equal Opportunities and Diversity**

## Introduction and Purpose

The aim of the policy is to ensure no job applicant, employee, trustee, volunteer or participant is discriminated against either directly or indirectly on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex (gender) or sexual orientation.

## Who is responsible for this policy?

For this policy to be successful, it is essential that everyone is committed to and involved in its delivery.  All trustees, employees and volunteers have a part to play in ensuring that there is no unlawful discrimination, bullying or harassment at Active8 and that the Equal Opportunities and Diversity Policy is promoted and implemented fairly and effectively.

All staff should understand that they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, volunteers, members and the public.

## Scope of policy

This policy applies to all established and temporary participants, volunteers, employees, trustees and job applicants. This policy has relevance to all those concerned with recruitment, training and promotion.

#### **What is Discrimination?**

The Equality Act of 2010 defines four types of discrimination:

* **Direct discrimination** – treating someone less favourably because of a protected characteristic (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex (gender) and sexual orientation.
* **Indirect discrimination** – applying a provision, criterion, or practice to all people but which disproportionately disadvantages those with a particular protected characteristic compared with another group and where that treatment cannot be objectively justified.
* **Victimisation** – treating someone less favourably because they have raised a complaint or concern about discrimination.
* **Harassment** - unwanted conduct related to a protected characteristic, such as sexist jokes, racist banter or inappropriate comments related to disability. As well as being related to a protected characteristic, the conduct must have the purpose or effect of
* violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Further statutory requirements set out in:

The Rehabilitation of Offenders Act 1974, Sex Discrimination Act 1975 (SDA), Race Relations Act 1976 (RRA), Sex Discrimination (Gender Reassignment) Regulations, Equal Pay Act 1970, Race Relations (Amendment) Act 2000, Protection from Harassment Act 1997, Disability Discrimination Act 1995 (the DDA), Human Rights Act 1998, Employment (Religion or Belief) and (Sexual Orientation) Regulations 2003, Equality Act 2010

## Policy statement

Active8 is committed to the equal treatment for all volunteers, employees, trustees, job applicants and participants. To ensure this is put into practice, we will:

* not unlawfully discriminate because of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex (gender) and sexual orientation.
* oppose and avoid all forms of unlawful discrimination. This includes pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities.
* create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff and volunteers are recognised and valued.
* make the best possible use of the skills, talents and abilities of all participants.
* ensure as far as possible that its services reflect the diverse needs of its participants.
* take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by anyone in the course of the organisation’s work activities.

## Implementation of the policy during recruitment and selection

*In relation to recruitment and selection of staff and volunteers*

* We will endeavour to ensure that employees making selection and recruitment decisions do not discriminate, whether consciously or unconsciously, in making these decisions.
* Promotion and advancement will be made on merit and all decisions relating to this will be made within the overall framework and principles of this policy.
* Job descriptions, where used, will be in line with our diversity and equal opportunities policy. Job requirements will be reflected accurately in any personnel specifications.
* We will adopt a consistent, non-discriminatory approach to the advertising of vacancies.
* All applicants who apply for jobs with us will receive fair treatment and will be considered solely on their ability to do the job.
* Interview questions will be related to the requirements of the job and will not be of a discriminatory nature.
* Selection decisions will not be influenced by any perceived prejudices of other staff.
* Volunteers will be placed on the basis of their knowledge, skills, experience and ability.

## Adherence to the policy

All employees, trustees, volunteers and participants must:

* Co-operate with any measures introduced to ensure equal opportunity;
* Report any suspected discriminatory acts or practices;
* Not engage in bullying, harassment, victimisation or unlawful discrimination towards other participants, volunteers, employees or trustees

## Complaints

Active8 takes very seriously complaints of bullying, harassment, victimisation and unlawful discrimination by anyone in the course of the organisation’s work activities. Any breach of the Equal Opportunities and Diversity Policy will be dealt with through the disciplinary procedure. Serious offences, such as harassment, will be treated as gross misconduct.

If any trustee, member of staff, volunteer or participant considers that he or she is the subject of, or witnesses, unequal treatment, a complaint may be made through the agreed procedures outlined in the Complaints policy, Grievance Policy or Whistleblowing Policy.

***Specific to staff appointments***

Any employee who has a concern regarding the application of the Equal Opportunities Policy should normally discuss this with their manager in the first instance (or a Trustee if the concern is related to their manager). If needed the whistleblowing policy can be used.

Employees wishing to raise a grievance alleging unlawful discrimination during an internal selection procedure should discuss this with the recruiting manager in the first instance. An appeal, where necessary, should be made to the Trustees.

Any prospective employee wishing to raise a complaint should do so, in writing, to the Trustees within 15 working days, at the latest, of the alleged incident. An investigation will then be conducted by a trustee who has not been previously involved in the selection procedure. The Trustee’s ruling will be final. The individual will receive written notification as to the outcome, within 28 working days of Active8 receiving the complaint.