

Adopted: 25th April 2017
Reviewed: September 2019

EQUALITIES POLICY AND CODE OF PRACTICE

PURPOSE

Age UK Cambridgeshire & Peterborough (AUKCAP) is committed to equality of opportunity and encourages diversity for everyone we are in contact with including users of our services, staff and volunteers.

AUKCAP recognises that disadvantage and discrimination does exist in society but the charity has adopted this policy as a statement of intent and a framework for action to:

- ensure people are treated equally
- work towards elimination of discrimination and harassment
- adopt good practice in employment and service delivery
- inform, educate and campaign about issues important to older people and a fair allocation of local resources.
- ensure people can continue to take part in Age UKCAP's activities or benefit from its services.

SCOPE

Equality means recognising that everyone is of equal value and should be respected according to their individual needs and abilities. Our starting point is always to treat people fairly, with respect and with dignity and to positively value differences. We believe harnessing different life experiences and attributes will help to make AUKCAP a better organisation.

All AUKCAP staff and volunteers are expected to adhere to our Equalities policy. Breaches will be regarded as misconduct and could lead to disciplinary proceedings.

POLICY

AUKCAP will not accept any form of discrimination in its work with and for older people. Our policy is based on the principle that no-one should receive less favourable treatment on the grounds of age, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity,

race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation (Protected Characteristics) or political allegiance.

AUKCAP demonstrates its commitment to this policy by adopting a code of practice as a guide to trustees, staff, volunteers, users of our services and members of the public.

AUKCAP will review how our policy has been working annually

CODE OF PRACTICE

AUKCAP demonstrates its commitment to equal opportunities by committing to the following Code of Practice.

1. Direct and indirect discrimination

Legislation on discrimination distinguishes between **direct and indirect** discrimination. Direct discrimination means unlawfully subjecting someone to some detriment because of their Protected Characteristics.

Indirect discrimination means imposing a provision, criterion or practice which is discriminatory in relation to a relevant protected characteristic and which cannot be shown to be justifiable and is to that person's detriment.

Associative Discrimination

This is Direct Discrimination against someone because they associate with another person who possesses one of the Protected Characteristics of Discrimination

Perceptive Discrimination

This is Direct Discrimination against an individual because others think they possess one of the Protected Characteristics

2. Age

In addition to legal requirements, AUKCAP has a special responsibility not to accept discrimination on the grounds of a person's age.

The terms and conditions of employment of the charity will offer flexibility on the date of retirement and will endeavour to offer opportunities for employees to work beyond any contractual retirement date. The continuation of the agreement may be subject to a review of performance and risk assessment.

3. Racial or cultural discrimination

AUKCAP will not accept discrimination on the basis of racial, ethnic or cultural background.

Racial harassment including verbal abuse will be regarded as serious disciplinary matters. All allegations of racial harassment will be treated seriously, investigated carefully and promptly and reported to the Chief Officer or, if appropriate, the Chairman.

4. Religion or belief

AUKCAP will not accept discrimination on the grounds of religious faith or belief.

5. Gender

AUKCAP will not accept discrimination on the grounds of sex or marital status. Sexual harassment of any kind will be regarded as a serious disciplinary matter.

6. Disabilities

AUKCAP will not accept discrimination against people with disabilities. Positive steps will be taken to ensure reasonable alterations, adaptations, facilities and equipment are made available. In the case of a trustee, staff member or volunteer becoming disabled, positive steps will be taken to retain or re-deploy that individual by mutual agreement.

7. Political allegiance

AUKCAP will not accept discrimination on the grounds of a person's political beliefs or membership of a political party.

AUKCAP has a special responsibility as a registered charity, to ensure that we are impartial, independent and give balanced attention to political issues.

8. Sexual orientation

AUKCAP will not accept discrimination on the grounds of a person's sexual orientation or declared sexual identity. A person's sexuality is an entirely private and personal matter which will not affect recruitment, promotion or training, access to services or other activities.

9. Health

AUKCAP will promote good practice in all aspects of health and safety at work. Staff and volunteers who begin to experience long-term illness will, whenever possible (subject to competence and capability to work) be offered continued employment or voluntary work.

Limitations on ability caused by a progressive illness will be recognised as needing specific and constructive action, taking account of a risk assessment appropriate to the circumstances. This will include AIDS related illness.

AUKCAP'S SERVICES AND ACTIVITIES

AUKCAP is committed to improving later life, but recognises that the charity cannot respond to all the diverse needs and possible activities that can contribute to improving the quality of life for older people.

AUKCAP is a small charity with many demands on its resources and we need to prioritise our work on the activities our Trustees decide are appropriate and achieve the charity's objectives.

However, particular attention will be given to promoting equality of opportunity by:

- being aware and developing a strong evidence base of knowledge and information about the service needs of older people in the area. This evidence will take into account the cultural diversity of the area, the urban and rural communities and the extent to which the charity can effectively respond to the needs of vulnerable older people.
- continuing to build relationships with individual organisations and groups that can be a source for signposting, referral or assist or develop our equalities work
- raising local public awareness of issues important to older people by information, promotion and campaigning.
- ensuring information and guidance is available to staff, volunteers and trustees about equal opportunities and good practice is encouraged.

PROCEDURES

1. EMPLOYMENT PRACTICES AND VOLUNTEER RECRUITMENT

1.1 AUKCAP is committed to equality of opportunity in employment and in working with volunteers. AUKCAP aims to reflect the community we serve in the people who represent the charity as staff members, volunteers or trustees. *(see AUKCAP's recruitment policy for detailed information)*

This includes:

- fair recruitment and selection procedures
- ensure workplace practices are free from discrimination
- monitoring recruitment, selection and the composition of the workforce
- communication and involvement of staff and volunteers on policy development
- opportunities for staff and volunteers to raise concerns

1.2 All job descriptions will be carefully checked to ensure they do not ask for any unnecessary requirements and have only essential personal details

- 1.3 If some groups of people are under represented additional targeted activities may be considered to specifically encourage these groups to apply. All applications will be treated strictly on merit at the stage of short-listing and selection.
- 1.4 All those involved in the process of recruitment and selection will receive training in order to carry out our policy effectively.
- 1.5 Candidates will be expected to demonstrate their commitment to equality of opportunity.
- 1.6 Short-listing and selection decisions will be fully recorded in accordance with AUKCAP recruitment policy.
- 1.7 Disclosure & Barring checks will be carried out in accordance with AUKCAP guidelines (see separate AUKCAP policy). AUKCAP is exempt from the provisions of the Rehabilitation of Offenders Act 1974.

A risk assessment will be carried out for all ex-offenders whose previous convictions (and in some cases spent convictions) are judged to pose a potential risk to older people. Access to appropriate supervision by AUKCAP will be taken into account.

2. TRAINING, GUIDANCE AND DEVELOPMENT

- 2.1 All AUKCAP representatives will receive a copy of AUKCAP's Equalities Policy or a summary, as appropriate.
- 2.2 AUKCAP will provide training and guidance on diversity and equalities to enable all our representatives to understand, adopt and progress this policy.
- 2.3 AUKCAP recognises the value of continuing personal development and will encourage and support staff and volunteers who wish to develop new skills, so far as possible within the resources available.
- 2.4 AUKCAP will give equal access to opportunities for promotion within the charity.

3. CONDITIONS OF SERVICE – EMPLOYEES AND VOLUNTEERS

- 3.1 AUKCAP recognises that all employees are entitled to fair treatment regarding pay and other benefits of employment with the charity.
- 3.2 In addition to the legal rights of parents, adoptees and carers of related adults, consideration will be given to revising staff terms and conditions

of service (such as leave arrangements and hours of work) to take account of dependants and partners.

4. INDIVIDUAL RESPONSIBILITIES

- 4.1** AUKCAP representatives – trustees, staff and volunteers – have the individual responsibility, regardless of their role within the charity, to ensure that this policy is applied in practice. This includes recruitment, employment, volunteering, providing services and delivering services.
- 4.2** All people representing AUKCAP, organisations or individuals acting on behalf of AUKCAP, collaborating with or in partnership with the charity will be expected to adopt and adhere to the principle of equality.

5. HARASSMENT AND BULLYING

- 5.1** Every member of staff or volunteer has the right to be treated fairly and with dignity and respect. Harassment occurs when someone engages in unwanted conduct which has the purpose or effect of violating someone else's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Bullying is just as unacceptable as any other form of harassment.

Any behaviour which is offensive to a member of staff or causes them to feel threatened or humiliated or which unfairly undermines their work performance or job security is harassment.

- 5.2** Any form of harassment or bullying is prohibited in the workplace. Any such unacceptable behaviour will be treated as a disciplinary offence. Any staff member who seriously or repeatedly harasses another staff member, a representative of AUKCAP or anyone else connected to the charity will be at risk of dismissal for gross misconduct.

In circumstances where a client of AUKCAP is believed to be repeatedly harassing a representative of AUKCAP and measures to address the situation have not been successful, AUKCAP will consider whether to withdraw the service. This decision must be approved by the Chief Executive, taking fully into account the particular circumstances. Options for alternative service arrangements will be carefully considered as part of this process.

- 5.3** When they see unacceptable behaviour managers are expected to treat the matter seriously whether or not a complaint is made.

6. REPORTING SUSPECTED BREACHES

All allegations of discrimination should be reported to the appropriate service manager who will investigate promptly and carefully. The details will be reported to the Chief Executive or, where appropriate, the Chairman.

In cases where there may be barriers to approaching a Manager, allegations can be discussed with the Chief Executive.

AUKCAP's complaints policy, grievance policy or disciplinary policy may be implemented depending on the particular circumstances.

7. PROMOTION AND PUBLICITY

AUKCAP will ensure that appropriate publicity and information is available about the policy to all trustees, volunteers, staff members and the general public.

8. ACCESSIBLE INFORMATION STANDARD

The Accessible Information Standard was approved in July 2015 and sets out what steps health and social care providers must / should take in order to ensure that people who access their services receive information in the format they require and have appropriate communication and support.

There are five basic steps which make up the Accessible Information Standard:

1. Ask if an individual has any information or communication needs, and find out how to meet their needs.
2. Record these needs in a clear, unambiguous and standardised way.
3. Highlight or flag the individual's file or notes so that whenever a service user's records are accessed by other staff members, they are prompted to take action to communicate appropriately with the individual.
4. Share information about service user's communication needs with other providers of adult social care when they have consent or permission to do so.
5. Take steps to ensure that service users receive information which they can access and understand, and they receive communication support if needed.

9. MONITORING AND REVIEW

- 9.1** AUKCAP will demonstrate on-going commitment to implement this policy by regular review, monitoring and record keeping. These records will be kept on forms specially designed to eliminate any breach of confidentiality, but capable of analysis by anyone, even those not in any way connected with the organisation.
- 9.2** AUKCAP's Chief Executive is responsible for the implementation and monitoring of this policy and guidance. All AUKCAP's representatives will be expected to support the charity, the Chief Executive and their manager in undertaking this task.
- 9.3** AUKCAP's Board of Trustees has responsibility for adopting, monitoring and reviewing this policy. The Board of Trustees must also ensure adequate resources are made available to undertake these tasks.
- 9.4** There must be consultation within AUKCAP about this policy and its review.
- 9.5** The policy will be subject to annual review.

This policy will be reviewed in 12 months.

Equalities policy approved: 01/09/2020 (Date)



Signed by Chair of Trustees

Appendix 1 – Legislative framework

OTHER ASSOCIATED AUKCAP POLICIES OR PROCEDURES

Recruitment and selection

Policy and code of practice on the use of DBS Checks and recruitment of ex-offenders

Time off and absence from work

REFERENCES AND ACKNOWLEDGEMENTS

1. Voluntary Sector legal Handbook – Adirondack and Taylor 2001
2. Equal Opportunity - A guide for Age Concern Organisations. AC England 2000
3. ACAS. Tackling discrimination and promoting equality-good practice guide for employers March 2005
4. ACAS. Bullying and harassment at work.
5. ACAS Equality and Discrimination October 2010

LEGISLATIVE FRAMEWORK

(A summary)

The Equal Pay Act 1970

The Equal Pay Act 1970 makes it unlawful for any individual to be treated less favourably than a person of the opposite sex who works for the same employer. This is in regards to pay and other terms and conditions of employment where they are employed in work that has been rated as equivalent under a job evaluation scheme or on work which is of equal value.

The Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act 1974 exists to protect people from discrimination due to past convictions. A person convicted of a criminal

offence can become rehabilitated after a defined period of time following conviction, through a conviction becoming 'spent', which allows the person to be treated for most purposes as if the conviction never occurred.

Convictions involving custodial sentences of over 30 months cannot become spent. For some professions and areas of employment the law requires disclosure of all convictions including those deemed to be spent.

The Human Rights Act 1998

The Human Rights Act 1998 came into force on 2 October 2000. The Act allows people to claim their rights under the European Convention on Human Rights (ECHR), in UK courts and tribunals instead of going to the European Court in Strasbourg. The Act requires all public authorities in the UK to act compatibly with the Convention rights and has significant implications for many areas of local government activity. The Act includes a number of rights relevant to service delivery including the right to private and family life, freedom of thought, conscience and religion, freedom of expression and freedom of assembly

Criminal Justice and Public Order Act 1994

Harassment on any basis may fall within the criminal offence of intentional harassment. If it involves harassment, alarm or distress caused by threatening, abusive or insulting words or behaviour, disorderly behaviour or writing, signs or other visible representations which are threatening, abusive or insulting.

Employment Rights Act 1996

Requires certain terms and conditions of employment to be set out in a single document. The written terms and conditions will contain both contractual and statutory rights, that is both those protected by law and those negotiated directly between the employer and the employee or representative.

The Equality Act 2010

The Equality Act 2010 consolidates the legislation relating to Discrimination on any of the Protected Characteristics.