

EQUALITY & DIVERSITY POLICY

Other related policies:

WHISTLEBLOWING POLICY (A2)
CODE OF CONDUCT POLICY (A6)
BULLYING AND HARASSMENT POLICY (A7)
COMPLAINTS POLICY (A9)
QUALITY POLICY (A12)
MEMORANDUM AND ARTICLES OF ASSOCIATION (B1)
RECRUITMENT AND SELECTION POLICY (C2)
DISCIPLINARY POLICY (C12)
TRAINING AND DEVELOPMENT POLICY (C18)
PERFORMANCE MANAGEMENT POLICY (C21)

1. Why do we have an equality and diversity policy?

- 1.1. Age UK Derby & Derbyshire (AUKDD) promotes the wellbeing of all older people and works to make later life a fulfilling and enjoyable experience. It recognises that every person is an individual with different needs, preferences and abilities. It aims to reflect this diversity in everything it does, including making its services inclusive and accessible to older people from all sections of the community, and attracting and retaining a diverse workforce. AUKDD believes that harnessing different life experiences, attributes and contributions from staff, volunteers and service users will make AUKDD a more effective and inclusive organisation and a better place to work. We aim for our workforce to be truly representative of all sections of society and our customers, and for each employee to feel respected and able to give their best.
- 1.2. This policy sets out our approach to equal opportunities and the avoidance of unlawful discrimination at work. It applies to all aspects of employment with us, including 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. It also covers the treatment and conduct of volunteers.
- 1.3. The Equality Act became law in October, 2010. It replaced previous legislation (such as the Race Relations Act 1976 and the Disability Discrimination Act 1995) and ensures consistency in what employers and employees need to do to make their workplaces a fair environment and comply with the law.

2. The Policy Statement

- 2.1. AUKDD values diversity. By respecting and using diversity it can maximise its impact through meeting individual needs and staying in touch with the changing societies in which it works.

2.2. Staff and volunteers recognise and fulfil their personal role in making AUKDD a genuinely inviting and inclusive organisation.

2.3. AUKDD has a commitment to diversity, which is about:

- Recognising and valuing difference
- Recognising and seeking to redress inequality and disadvantage
- Treating all in a fair, open, equal and honest manner
- Recognising the right of volunteers, employees and service users to be treated with dignity and respect

2.4. AUKDD is committed to:

- Equality of opportunity
- Tackling unlawful discrimination and disadvantage
- Tackling harassment and intimidation
- Making its workforce and the organisation as a whole more representative of the diverse communities that make up the East Midlands
- Encouraging other organisations to adopt similar policies on Equality and Diversity

2.5. AUKDD will not tolerate less favourable treatment towards protected characteristics on the grounds of sex, gender, gender reassignment, age, race (including: colour, nationality, ethnic or national origin), disability, marital/civil partnership status, sexual orientation, pregnancy or maternity, responsibility for dependents, trade union or political activities, criminal record, place of residence, religion, faith or other beliefs, health status or any other reason which cannot be shown to be justified. AUKDD will never use cultural practices as a justification for, or to ignore an issue of, safeguarding.

2.6. AUKDD believes that unlawful discrimination is wrong and should be actively opposed. Unlawful discrimination denies human dignity, a freedom for people to be themselves, and a place in a free society.

2.7. AUKDD is primarily committed to the welfare of older people and to maintaining their individual dignity and their value to society. AUKDD is also committed to a policy of Equality and Diversity in service delivery and in employment practices and will not accept unlawful discrimination in its work with and for older people.

2.8. This commitment includes training managers and all other employees and volunteers about their rights and responsibilities under the equality policy. Responsibilities include staff and volunteers conducting themselves to help the organisation provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination.

2.9. All staff and volunteers should understand 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, customers, clients, suppliers and the public.

3 Procedures

Provision of Services

- 3.1. AUKDD aims to deliver services throughout Derby and Derbyshire to older people who need them, without discriminating against, stigmatising or patronising older people. Every service user will be treated in a professional manner, with courtesy and respect.
- 3.2. Users of our services and those who take part in our activities will be informed that AUKDD is committed to an Equality and Diversity Policy so that:
- They will know a policy exists and a copy is available so as to guide all members of the organisation and others to share the commitment and code of practice of Equality and Diversity.
 - All who come into contact with AUKDD will know the standards that we are trying to achieve and have the opportunity to assist us in trying to achieve them.
 - They will know they have the right to complain, if they feel these standards are not being adhered to or are dissatisfied with the service provided to them.
- 3.3. AUKDD will make sure that its services meet the needs of its diverse communities by involving communities in identifying their needs and by seeking to meet these needs.
- 3.4. AUKDD will develop services to make sure there is maximum take up by all communities and particularly those groups facing disadvantage and unlawful discrimination. It will do this by:
- Providing information in plain English and using methods other than written documents to present information as appropriate,
 - Offering information on request in accessible formats, including spoken community languages, large print, audio tape/CD, on DVD in British Sign Language and on the internet as appropriate.
 - Accessing interpretation, translation and sign language services on request as appropriate

4. Unlawful discrimination

- 4.1. AUKDD will not unlawfully discriminate against or harass other people including current and former employees, job applicants, volunteers, clients, service users, customers, suppliers and visitors. This applies in the workplace, outside the workplace (when dealing with customers, suppliers or other work-related contacts), and on work-related trips or events including social events.
- 4.2. The following forms of unlawful discrimination are prohibited under this policy and are unlawful:
- 4.2.1. **Direct discrimination:** treating someone less favourably because of a Protected Characteristic. For example, rejecting a job applicant because of their religious views or because they might be gay.
- 4.2.2. **Indirect discrimination:** a provision, criterion or practice that applies to everyone but adversely affects people with a particular Protected Characteristic

more than others, and is not justified. For example, requiring a job to be done full-time rather than part-time would adversely affect women because they generally have greater childcare commitments than men. Such a requirement would be discriminatory unless it can be justified.

4.2.3. **Harassment:** this includes sexual harassment and other unwanted conduct related to a Protected Characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our Anti-harassment and Bullying Policy.

4.2.4. **Victimisation:** retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment.

4.2.5. **Disability discrimination:** this includes direct and indirect unlawful discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

5. Recruitment and Selection

5.1. AUKDD will ensure that recruitment practices fulfil the requirement of the equality and diversity policy.

5.2. Vacancies should generally be advertised to a diverse section of the labour market. Advertisements should avoid stereotyping or using wording that may discourage particular groups from applying. All posts will have a job description and person specification, which will contain essential and desirable skills, qualifications and experience. Person specifications will only contain details which are required. All recruitment adverts will carry the statement "Age UK Derby & Derbyshire promotes quality and Diversity. A copy of our Equality and Diversity Policy will be available on request".

5.3. Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.

5.4. Shortlisting should be done by more than one person if possible. The format for interview will be agreed before it takes place and will remain constant for all interviews for the position.

5.5. Every effort will be made to make provision for staff and volunteers with a disability through reasonable adaptations.

5.6. Posts which are deemed suitable will be advertised as available for job share. Job shares may also be available to staff in suitable posts on request, and providing that a suitable job sharer may be recruited.

5.7. All staff and trustees involved in recruitment and selection will be aware of this policy and adhere to it at all times. All applicants for posts will be treated strictly on merit, against objective criteria that avoid unlawful discrimination. As an exception, posts targeted at specific groups of people will be exempted, as allowed by legislation.

5.8. All application forms will include an optional and detachable section for Equality and Diversity monitoring, which will not be used as part of the selection process. The information will be individually confidential and used for assessing recruitment and advertising practices periodically.

5.9. An appointed person will be responsible for vetting, in confidence, applicants for sensitive posts; this may include Disclosure and Barring Service (DBS) checks. Reasons for the decision to appoint, or not, will be noted and kept for at least six months.

5.10. AUKDD will oppose and avoid all forms of unlawful discrimination in the work place, including in pay and benefits; terms and conditions of employment; dealing with grievances and discipline; dismissal; redundancy; leave for parents; requests for flexible working; selection for employment; promotion; training or other development opportunities.

6. Part-time and fixed-term work

6.1. Part-time and fixed-term employees should be treated the same as comparable full-time or permanent employees and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified.

7. Disabilities

7.1. If an employee is disabled or becomes disabled, they are encouraged to talk about their condition so that reasonable adjustments or support may be considered as appropriate.

8. Training and Development

8.1. The Board of Trustees, staff and volunteers need to recognise and fulfil their personal role in making AUKDD a genuinely inviting and inclusive organisation. AUKDD will ensure that all staff and volunteers know about the Equality and Diversity policy and their responsibilities within it, by including it within Induction Training, and ensuring it has a high profile within our internal communications and practices.

8.2. Additional role specific training will be undertaken to ensure understanding of and commitment to Equality & Diversity policies and procedures as appropriate.

9. Recording and Monitoring

9.1. AUKDD may monitor and review the take up of the service with records being kept of actions and decisions by trustees, staff and volunteers. Monitoring will be carried out on the basis of ethnic background, gender, age, place of residence, sexual orientation and disability. Provision of individual monitoring data will be supplied on a voluntary basis, using agreed categories.

- 9.2. AUKDD may monitor the make-up of the workforce regarding information such as age, gender, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality and diversity.
- 9.3. Monitoring will also include assessing how the equality policy, and any supporting action plan, are working in practice, reviewing them annually, and considering/ taking action to address any issues.

10. Responsibilities

- 10.1. The Board of Trustees has the ultimate responsibility to provide, implement and review the policy. It is the responsibility of trustees, staff and volunteers to support the policy by ensuring that AUKDD's activities promote equality and diversity. The Chief Executive or appointed representative holds the day to day responsibility for ensuring that the policy is implemented and, in the first instance, for dealing with or taking action on disciplinary offences.
- 10.2. The Board of Trustees will receive a report analysing monitoring data on an annual basis, in order to retain oversight of the impact and implementation of the policy.

11. Breaches of this policy

- 11.1. AUKDD takes seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, volunteers, customers, clients, suppliers, visitors, the public and any others in the course of the organisation's work activities.
- 11.2. We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Procedure. Serious cases of deliberate unlawful discrimination may amount to gross misconduct resulting in dismissal without notice.
- 11.3. Sexual harassment may amount to both an employment rights matter and a criminal matter, such as sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.
- 11.4. If an employee believes that they have suffered unlawful discrimination the matter can be raised through AUKDD's Grievance Procedure or Bullying and Harassment Policy. Complaints will be treated in confidence and investigated as appropriate.
- 11.5. Employees must not be victimised or retaliated against for complaining about unlawful discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under our Disciplinary Procedure.