



Policy No. 4006	EQUALITY
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AGE UK CROYDON is a registered charity no. 1081013 and a registered company no. 3921436. AGE UK CROYDON TRADING LIMITED, registered company no. 5792724 is a wholly owned subsidiary of AGE UK CROYDON. All Policies and Procedures apply to both companies.

AGE UK CROYDON is an equal opportunities employer and any discrimination or harassment on the grounds of colour, sex, race, nationality, religion, ethnic origin, sexual orientation, disability, marital status, domestic circumstances, trade union membership/non-membership, or age will not be tolerated.

POLICY

- 1.0 AGE UK CROYDON is committed to equality in all aspects of employment, volunteering opportunities and the provision of services to all clients.
- 2.0 As an employer and service provider AGE UK CROYDON believes that staff, applicants, volunteers (including members of the Board of Trustees) and clients must be treated equally by the organisation, its employees, volunteers or agents regardless of colour, sex, race, nationality, religion, ethnic origin, sexual orientation, disability, marital status, domestic circumstances, trade union membership/non-membership, or age and that this equal treatment applies to every aspect of employment and service.
- 3.0 AGE UK CROYDON aims to create a work environment in which all personnel are treated equally and are free from discrimination, bullying, victimisation or harassment in any work-related environment. This applies in any work-related situation. AGE UK CROYDON aims to allow all people to give of their best and to make all decisions on merit.
- 4.0 A breach of the equality policy will be dealt with under AGE UK CROYDON disciplinary and grievance procedures.
- 5.0 AGE UK CROYDON confirms its awareness that it can be held legally responsible for anyone doing anything that is classed as unlawful discrimination, harassment or victimisation who is employed by AGE UK CROYDON or acting as an agent for AGE UK CROYDON whether or not the organisation knew about or approved of what the employee, volunteer or agent did.

- 6.0 The Board of Trustees confirms that it will regularly consider monitoring information as set out in the monitoring procedure, compare this to information about the area served and ensure any action to address inequalities in practice is taken.
- 7.0 The Board of Trustees confirms that data will not at any time be used to discriminate against someone or harass or victimise them.
- 8.0 In reporting or publishing data AGE UK CROYDON will ensure that confidentiality for applicants, personnel or clients is not breached.

DEFINITIONS

9.0 Types of Discrimination

- 9.1 Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perception discrimination below), or because they associate with someone who has a protected characteristic (see discrimination by association below).
- 9.2 Discrimination by association is direct discrimination against someone because they associate with another person who possesses a protected characteristic.
- 9.3 Perception discrimination is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.
- 9.4 Indirect discrimination can occur when you have a condition, rule, policy or even a practice in your company that applies to everyone but particularly disadvantages people who share a protected characteristic.
- 9.5 Harassment; is "unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual".
- 9.6 Third party harassment. In some cases, AGE UK CROYDON may be liable for harassment of its employees by people (third parties) who are not your employees, such as customers or clients.
- 9.7 Victimisation; occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

PROCEDURE

1.0 Putting equality into practice

- 1.1 The Board of Trustees aims to ensure that the policy is implemented and will apply the policy in relation to all of its decisions.
- 1.2 The policy and procedures will be discussed with personnel and where possible with clients to enable them to fully understand and contribute to the development of the policy.
- 1.3 All personnel will be provided with a copy of the policy, and asked to read and sign this. The policy will be made available to all clients, potential employees and volunteers, other agents, contractors and suppliers.
- 1.4 Training will be provided for all personnel to ensure that they fully understand the policy and its implications, and this will be incorporated into induction training.
- 1.5 The Board of Trustees and all other personnel will be required to confront discrimination in the most appropriate way using the guidance provided.
- 1.6 The policy will be incorporated into all aspects of AGE UK CROYDON'S business strategy.
- 1.7 AGE UK CROYDON will challenge and discipline anyone not following the policy.
- 1.8 The policy will be reviewed regularly together with progress in delivering the action plan for its implementation.
- 1.9 The principles set out in the policy will be used to ensure that any changes in AGE UK CROYDON are implemented fairly. This will include rearrangement of the workplace and promotion.
- 1.10 The policy will be publicised and promoted.

2.0 Implementing training

- 2.1 Training may be provided as part of an induction process and if appropriate by asking personnel to attend specific courses or asking them to complete an on-line training package.
- 2.2 Training will explain what the Equality policy is, why it has been introduced and how it will be put into practice.

- 2.3 Training should cover the law of all protected characteristics and what behaviour is and is not acceptable.
- 2.4 Training should include the risk of ignoring or seeming to approve inappropriate behaviour, and personal liability for this.
- 2.5 As discrimination can affect the way an employer functions, training should include the impact that generalisations, stereotypes, bias and inappropriate language in day-to-day operations can have on people's chances of obtaining work, promotion, recognition, services and respect.
- 2.6 Training should include information on the monitoring processes and why these are undertaken.

3.0 Confronting discrimination

- 3.1 Discrimination against individuals is not to be tolerated by AGE UK CROYDON trustees, employees or volunteers who are expected to confront discrimination of all types. This includes confronting an individual when it is safe to do so, whistle blowing, reporting individuals and organisations when necessary and educating others. 'Confronting' is seen as an educational and campaigning process.
- 3.2 If individual action is not appropriate, a discriminatory situation should always be noted and reported to line managers, the Chief Executive or a member of the Board of Trustees. A report may then be made to another organisation such as the Equality and Human Rights Commission, the police or social services. The Chief Executive may decide to work with other organisations locally or nationally to counter discrimination.
- 3.3 It may be necessary for AGE UK CROYDON to support an individual to taking a case through the court processes to eliminate the discrimination.
- 3.4 AGE UK CROYDON has a role to educate others in recognising, understanding and eliminating discriminatory practices. Demystifying 'difference' helps to reduce discrimination in all its forms.

4.0 Challenging discrimination

- 4.1 The Equality Act 2010 can be used to challenge discrimination in a variety of situations including the process of job application, as an employee or as a recipient of services including education services. AGE UK CROYDON may be challenged by a disabled person if discrimination is evident in its dealing with potential or actual employees or in providing services. 'Challenging' is usually a legal process.

- 4.2 AGE UK CROYDON should not ask questions about health or disability as part of the job selection process. However once the job has been offered, a medical questionnaire can be used, and questions about health asked. AGE UK CROYDON should be aware that there is a possibility of challenge on the grounds of discrimination should a job offer be withdrawn. AGE UK CROYDON is allowed to ask questions of applicants where reasonable adjustment is an issue, such as whether the applicant is able to undertake a key task, and what adjustment may be required to enable him/her to do so.
- 4.3 AGE UK CROYDON must provide all services on the same terms and to the same standards for all users of its services. Where required, AGE UK CROYDON should make reasonable adjustments to enable a person with any particular disability to access services. AGE UK CROYDON can be challenged and prosecuted if it has failed to make a service available, or has failed to make reasonable adjustment in order to make a service available.
- 4.4 AGE UK CROYDON recognises how public literature should reflect diversity of the local population and enable access for non English speakers.

5.0 Monitoring equality

- 5.1 The Board of Trustees will include in its annual business cycle arrangements to monitor and review compliance with the Equality policy in terms of the recruitment, treatment and training of staff, volunteers and members of the Board of Trustees.
- 5.2 The Board of Trustees will include in its annual business cycle arrangement to monitor the equality of access to AGE UK CROYDON services and will ensure that arrangements are in place to monitor the profile of its clients.
- 5.3 Monitoring data can be used in a variety of ways.
 - 5.3.1 Compare with regional representative data to see how far the workforce represents the local community.
 - 5.3.2 Compare with previous year's data and look for patterns and trends to see if there is a cause for concern, and determine what to do about it.

6.0 Gathering and storing information.

- 6.1 Applicants, personnel and clients must be told why they are being asked for monitoring information. People may be concerned about responding fully and honestly; they may be concerned that the information will be used to discriminate against them, or they may have had a previous bad experience where the information was used in the wrong way. This is especially true for job applicants and for particular characteristics, such as disabled people with a mental health condition.
- 6.2 Personnel and applicants can be sent a copy of the procedure as reassurance.
- 6.3 Privacy and confidentiality – individual data needs to be shared on a 'need to know' basis, and should be protected and stored in line with the Data Protection Act.
- 6.4 In particular if someone is a transsexual person (someone with the protected characteristic of gender reassignment) who has a Gender Recognition Certificate, it may be a criminal offence to disclose this without permission.
- 6.5 As a small organisation ensure that staff cannot be individually identified when sharing or publishing information.
- 6.6 Consult personnel about what equality data should be published so that they do not worry about personal information becoming public. If necessary restrict published information to sex, ethnic origin, age and visible disability having confirmed that personnel are happy with this.

7.0 Equality monitoring data should be organised so that it can be used in the future in a variety of ways.

- 7.1 Check whether people with a protected characteristic are more or less likely to apply for a job, be shortlisted and be successful at interview.
- 7.2 Review whether a disabled person who has been appointed to a job is asked whether they need any adjustments when doing the job, so that it can be seen whether these are reasonable.
- 7.3 Check whether people with a particular protected characteristic are more likely to leave AGE UK CROYDON after a short time.

Date this policy came into effect approved by Board of Trustees	Signature: Name: Date:
Next Review by Board of Trustees	Date
Name or position of person responsible for this policy	Signature: <i>M Bennett</i> Name: MARK BENNETT Position: <i>DIRECTOR</i> 08/10/2013
Other related policies	Data Protection Recruitment and Selection Volunteering
Relevant Legislation	Asylum and Immigration Act 1996 Data Protection Act 1998 Disability Discrimination Act 1995 Equal Pay Act 1970; Equal Pay (Amendment) Regulations 1983 Equality Act 2010 Gender Recognition Act 2004 Human Rights Act 1998 Protection from Harassment Act 1997 Race Relations (Amendment) Act 2000 Sex Discrimination Act 1986
Useful information	www.equalityhumanrights.com www.acas.org.uk www.equalities.gov.uk www.direct.gov.uk www.mind.org.uk

PRACTICE NOTE

Issued to: All personnel		SUBJECT: Equality – gathering and storing information		No:	
Issued by:	Date issued:	Date amended:	For Information to:		

Equality monitoring information for staff, applicants and volunteers will be collected on the Equality monitoring form.

- No-one is required to supply the monitoring information unless it has a direct relationship to the job they have applied for/are doing.
- Details of the process for gathering, storing and using information should be given to each individual applicant or staff member.
- Applicants – someone not involved in the decision about their appointment must separate the monitoring sheet from the application so that these are not seen until after decisions have been made on whom to shortlist and interview. If this is not possible because of the size of the organisation, then monitoring forms will be detached and only looked at after a decision to interview has been made.
- Staff and volunteers – AUKC will collect the monitoring information from staff and volunteers on an anonymous form.
- Clients – equalities monitoring information will be collected as part of the referral process. This will be retained with the client's file as it is pertinent to their case.