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## **SEFTON COUNCIL FOR VOLUNTARY SERVICE**

### **EQUALITY AND DIVERSITY POLICY**

Sefton Council for Voluntary Service aims to create a culture that respects and values each other's differences and to secure genuine equality of opportunity in all aspects of its activities. This applies to job applicants, employees, volunteer workers and users of the organisation's services. This policy will set out how we aim to achieve this, the responsibilities of staff, volunteers and service users, and what processes will be put in place to monitor our success.

This policy is influenced by both current legislation and policy, but it also reflects the wish of Sefton CVS to promote the best practice in this area.

In order to ensure that this policy promotes diversity and inclusion it has been developed in consultation with a wide range of staff and trustees, and will be reviewed with appropriate consultation of trustees, staff, volunteers and other members of the community.

#### **Communicating the policy**

All employees, volunteers and users will be made aware of the organisation's commitment to diversity and equality of opportunity, and of the legal commitments of the organisation.

A copy of the equality and diversity policy will be given to all new staff, Board members, volunteers and member organisations of Sefton CVS and induction for staff and volunteers will include training on the policy.

Copies of this policy will be freely available to existing workers, affiliates and any other interested parties on request. A copy of the Equality and Diversity Statement, together with a named contact for more information, will be placed in a prominent position in all CVS offices.

All staff and volunteers will be informed of revisions to the policy, and ongoing training will be used to increase understanding of the issues and to support managers and trustees in implementing the policy and action plan.

Additionally, the supervision and appraisal system will be used as a mechanism for informing staff, ensuring that appropriate training is undertaken, and to address any issues.

Sefton CVS will promote good practice in the voluntary and community sector, and amongst other partner organisations through publicity, training, individual support and

through setting a good example. The principles of equality and diversity will be embedded into partnership working through revision and updating of the Sefton Compact.

### **Functions covered by the policy**

This policy covers all core functions of Sefton CVS, its services and projects, and all policies and procedures will be regularly reviewed to ensure continuous improvement.

### ***Governance and Leadership***

Membership of the Board of Trustees (including co-opted members) should aim to reflect a fair balance and representation of the local community and should endeavour to redress any imbalance of under-represented groups.

### ***Recruitment, selection and management of staff and volunteers***

Sefton CVS is committed to becoming an Equal Opportunity employer. Our policy aims to ensure that no job applicant, employee or volunteer –

- receives less favourable treatment on the grounds of age, race, religion or belief, creed, colour, disability, ethnic origin, nationality, marital / parental status, gender, gender re-assignment, sexual orientation, HIV status, membership of any minority group or offending background.
- is disadvantaged by conditions or requirements which cannot be shown to be justifiable.

Selection criteria and procedures will be frequently reviewed to ensure that individuals are selected, promoted and treated on the basis of their relevant merits and abilities. Positive action to attract applications from under-represented groups will also take place.

Individuals involved in the recruitment process will be trained to take an unbiased approach and to ask only questions which relate to the job that are non-discriminatory.

Advice will be sought and reasonable adjustments will be made to accommodate disabled people and cultural differences.

All employees doing equal jobs are to be treated equally with respect to pay and conditions

### ***Publicity and documentation***

Information on key services will be made available in a variety of formats on request, which may include electronic communication, the use of interpreters, written signs in the appropriate language, the use of pictures or diagrams or audio tapes.

Basic standards of good accessible communication will be developed and used throughout Sefton CVS services including both written documents and websites.

### ***Projects and Service Delivery***

All CVS services are covered by this policy. We will strive to provide quality services to all service users equally and fairly and to ensure that our policies and procedures do not discriminate against any group or individual on the grounds of age, race, religion or belief, creed, colour, disability, ethnic origin, nationality, marital / parental status, gender, gender re-assignment, sexual orientation or HIV status.

Training will be provided to staff and volunteers involved in the delivery of services to provide an appropriate and informed response to all service users without unlawful discrimination

CVS services will be reviewed regularly and changed where needed, and equality of opportunity and celebration of diversity will be built into service planning, including appropriate consultation mechanisms.

Sefton CVS will seek to ensure that services are advertised and promoted in an inclusive way, and if a group or groups are underrepresented in accessing particular services, efforts will be made to redress the balance.

All trainers, facilitators and consultants contracted to work for CVS will be required to support our equality and diversity policy.

CVS recognises that not everyone has access to personal transport or is able to use it and will plan its services and activities with this in mind.

### **Responsibilities**

Equal Opportunities Officer - The senior staff member or the Chief Executive of the organisation will be nominated as the person charged with securing the day to day implementation of the Equal Opportunities Policy with overall co-ordination by the Board of Trustees.

Internal Equalities Working Group – This group will have responsibility for ongoing review of the policy and action plan, and will make recommendations to the board of trustees and senior managers.

All employees, volunteers and users of the organisation's services are expected to accept their personal responsibility for the practical application of the policy, and must ensure that they do not discriminate in any way against employees, volunteers or members of the public with whom their work may bring them into contact.

Specific responsibility falls upon the Board of Trustees and senior managers to ensure that this policy is disseminated and implemented.

Sefton Council for Voluntary Service as an employer may be held responsible for the actions of their employees if they act in a discriminatory way.

If a complaint is made against any individual (including staff, volunteers and service users), and it can be shown that discrimination has taken place contrary to laid down procedures, that individual will be held personally responsible and the organisation may decide not to assist in their defence.

Staff or volunteers who do not abide by the terms of this policy will be subject to disciplinary procedures, and service users who break the terms of this policy may be denied access to services and buildings operated by Sefton CVS.

### **Grievance /complaints**

Any job applicant, employee, volunteer or user of the organisation's services who feels that they have been unfairly treated can raise the matter through the Complaints or the Grievance Procedure. The use of this internal procedure does not take away an individuals' right under the Law to take a case to an Employment Tribunal. A complaint under the Sex Discrimination Act must be lodged with the Central Office of Employment Tribunals within 3 months of the date of the alleged discriminatory act.

No-one who brings a complaint or grievance in good faith under the policies will be subject to victimisation or any other detriment as a result of their action.

Harassment / Abuse by employees will not be tolerated and offenders will be subject to action under the Disciplinary Procedures.

The Complaints and Grievance Procedures will be communicated to all staff and volunteers as part of the induction process. Copies of the policies will be made freely available and the policies will be clearly advertised in all building and services.

All complaints and grievances will be investigated and acted upon in accordance with the appropriate policy.

### **Monitoring and Evaluation**

In order to ensure that the organisation's policy objectives are being met, data needs to be gathered and progress monitored to ensure that Sefton Council for Voluntary Service complies with both the spirit and the letter of anti-discriminatory legislation..

A monitoring form will be issued with every application form, and an audit will show how the workforce, including employees and volunteers, is made up. This information will not influence the selection, promotion or treatment of staff.

Appropriate mechanisms will be developed to monitor the take up of Sefton CVS's services.

Baseline information will be collected and used to assess the success of Sefton CVS in providing relevant and accessible services to a diverse community, and this information will be used to inform future service planning and delivery.

### **Other policies and procedures**

A number of other policies support and complement our commitment to equality and diversity. These include recruitment & selection guidelines, grievance procedure, complaints procedure, values statement, statement of terms and conditions and recruitment of ex-offenders policy.

In line with the good practice that can be drawn from statutory obligations, all relevant current and future legislation and examples from other agencies Sefton CVS will endeavour to systematically assess the impact of all policies and procedures on equality and diversity and will review the policies as appropriate.

### **Action Plan**

We are committed to a programme of action to make this policy effective and an action plan will be devised to lay out timescales and responsibilities. This policy and the Equality & Diversity Action Plan will be reviewed annually.

## **Appendix 1: Definition of key terms used in the policy**

**Discrimination** occurs when a condition, or requirement is applied which cannot be justified.

- **Direct discrimination** is treating one person less favourably than another in the same or similar circumstances or segregating them from others solely because they are, for example, a lesbian, a gay man or because they have a disability or illness.
- **Indirect discrimination** occurs where there is a requirement or condition which applies equally to everyone but which, in practice, has an adverse impact on a particular group and cannot be justified. For example an unnecessary physical or age requirement can discriminate against women or disabled people.
- **Abuse and/or harassment** – Discrimination also covers actions which amount to abuse and/or harassment of people or groups of people because for example they are a member of a national, racial or ethnic minority group, a woman, a lesbian, a gay man or have a disability or illness.
- **Victimisation** occurs when a person is treated less favourably or is discriminated against because she/he has pursued or intends to pursue their rights in respect of alleged discrimination.
- **Institutional racism (Macpherson Report, 1999)** - The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen in the processes or attitudes and behaviour, which amount to discrimination, to unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantages minority ethnic people.
- **Racist incident (Macpherson Report, 1999)** - Any incident which is perceived to be racist by the victim or any other person. If the victim doesn't want to complain, another person may do so.

The last two definitions can be applied to other forms of discrimination e.g. institutional ageism, homophobic or anti-gay incident.

Discrimination in any of the forms stated above is unacceptable, regardless of whether there was any intention to discriminate or not.

**Positive Action** - Within defined limits, the law permits employers to take positive action to improve the position of disadvantaged groups and allows employers to give special encouragement and provide specific training so that the effects of past discrimination can be overcome.

**Genuine Occupational Qualification** - There are employment exceptions allowable which are recognised by Law. An employer may claim G.O.Q.' to recruit, train, promote or transfer a person of a particular sex or racial group as stated in the Sex Discrimination Act 1975 and within the Race Relations Act 1976.

## **Appendix 2 - Review of legal requirements**

### **Race Equality Legislation**

The **Race Relations Act 1976 (RRA)** makes it unlawful to discriminate on the grounds of colour, race, nationality, or ethnic or national origin in employment, education, housing and the provision of goods, facilities and services.

The **Race Relations (Amendment) Act 2000 (RRAA)** places enforceable duties on specified public bodies, including a responsibility to comply even if functions have been contracted out to voluntary and community sector organisations.

It places a **general duty** on all public bodies to:

- eliminate unlawful discrimination
- promote equality of opportunity
- promote good relations between persons of different ethnic groups.

The act also places **specific duties** on certain public bodies, including the need to monitor, review and consult on policies and services.

The **Race Regulations 2003** (The Race Relations Act 1976 (Amendment) Regulations 2003) incorporate the EU Race Directive into domestic law and include new definitions, protections and a new exception from the prohibition to discriminate in employment where it can be shown that there is a genuine requirement for someone from a particular race or ethnic or national origin. It also abolishes previous exceptions against discrimination on the basis of race, ethnic or national origins for charities in their role as employers.

### **Religion or Belief Equality Legislation**

The **Employment Equality (Religion or Belief) Regulations 2003** and **Amendment** prohibit discrimination on the grounds of religion or belief in the employment field, including in occupational pension schemes.

### **Gender Equality Legislation**

The **Sex Discrimination Act (SDA) 1975** and **Amendments** (Latest amendment 2003) make it unlawful to discriminate on the grounds of sex in employment, education, housing and the provision of goods, facilities and services, or to discriminate against married people in employment or recruitment. The provisions of the Sex Discrimination Act apply to both Men and Women. There are exceptions allowed under specific circumstances.

The **Sex Discrimination (Gender Reassignment) Regulations 1999** extend the provisions of the SDA to make it unlawful to discriminate on the grounds of gender reassignment in employment and vocational training.

The **Equal Pay Act (EPA) 1975** and **Amendments** (Latest amendment 2003) makes it unlawful to discriminate between women and men in their contracts of employment, including pay and all other contractual benefits.

### **Disability discrimination legislation**

The **Disability Discrimination Act (DDA) 1995** makes it unlawful to discriminate against disabled people in the areas of employment, the provision of goods, facilities, services and premises, education and public transport. This law is being implemented in stages, and since October 2004 the employment regulations were extended to include, amongst others, organisations with less than 15 staff. October 2004 was also the deadline for organisations to have made reasonable adjustments to premises remove physical barriers to services. In 2006 there will be a statutory requirement of public bodies to eliminate unlawful discrimination and promote equality of opportunity.

### **Sexual Orientation Equality Legislation**

The **Employment Equality (Sexual Orientation) Regulations 2003** and **Amendment** prohibit discrimination on the grounds of sexual orientation in the employment field, including in occupational pension schemes.

### **Age Equality Legislation**

Legislation against discrimination in the field of employment on the grounds of age should be in effect by 2006.

### **Other legislation supporting diversity and equality**

The **Employment Relations Act 1999** gives working parents of young children or children with disabilities the right to unpaid parental leave and time off to deal with emergencies.

The **Employment Act 2002** (Flexible Working Regulations) is a wide ranging package. The provisions concerning maternity leave and pay, paternity leave and the right to request flexible working are implemented through Regulations effective from April 2003.