

Equality and Diversity Policy

1 Introduction

- 1.1 Sacriston Youth Project (“the Charity” or “We”) strives to be an equal opportunities employer. The Charity recognises that it has a responsibility to treat all job applicants and employees, trustees and volunteers fairly and equally, regardless of sex, pregnancy, transgender status, sexual orientation, religion or belief, marital status, civil partnership status, age, race, colour, nationality, national or ethnic origins or disability. Furthermore, the Charity will monitor the composition of the workforce to ensure that this policy is effective.
- 1.2 Through this policy and procedure and the training and development of all employees, the Charity will do all it can to promote good practice in this area in order to eliminate discrimination and harassment as far as is reasonably possible. (Forms of discrimination from the Equality Act 2010 are outlined in Appendix 1).

2 Scope

- 2.1 The Charity recognises its legal obligations to provide equality for all under the Equality Act 2010 and associated legislation.
- 2.2 The following procedure will enable the Charity to:
 - a) encourage development of people’s abilities to the full by removing artificial and irrelevant barriers to recruitment and promotion;
 - b) attract potential employees from the widest possible pool of talent;
 - c) meet legal and moral obligations;
 - d) implement good management practice.
- 2.3 Successful implementation of this policy can only be achieved with support from the Business Manager and the allocation of necessary resources.

3 Procedure

The Charity will specifically address equality of opportunity in the following areas:

3.1 Recruitment

- 3.1.1 The Charity will ensure that, all processes relating to advertising, short-listing and interviews for all jobs (other than any, which may be covered by a Genuine Occupational Qualification) will be fair and transparent to all applicants.
- 3.1.2 Complete and accurate information will be requested in respect of all candidates for

recruitment into the Charity, as well as for current employees. Data relating to employees should include applications, recruitment, and promotion, mode of employment and training and development activity. This information is anonymous and used for statistical and monitoring purposes.

- 3.1.3 The Charity will periodically review its selection criteria and procedures to maintain a system where individuals are selected, promoted and treated solely on the basis of their merits and abilities appropriate to the job.

3.2 Training and Development

- 3.2.1 The Charity will seek to provide all employees equal opportunity and encouragement to progress within the Charity by implementing an on-going training and development programme. Training is seen as an integral part of the promotion of equal opportunities.
- 3.2.2 Information on equal opportunities will be given to all new employees; their duties under the policy will be fully explained to them.

3.3 Employment

- 3.3.1 Within the considerations of the Charity' business priorities, a Family Friendly Policy has been implemented giving consideration to hours of work, part-time employment, job-share facilities and other related matters.
- 3.3.2 Insofar as the Charity may have discretion in these areas, its practices with regard maternity rights and other issues relating to pay and conditions of employment will be operated without discrimination. Victimisation and any other forms of bullying or harassment will not be tolerated.

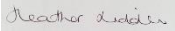
3.4 Environment

- 3.4.1 The Charity will address, where possible, the needs of disadvantaged or minority groups in the provision of appropriate facilities in terms of design and access. Consideration will be given to restructuring of job content, to enable a disabled person to contribute fully to their work.
- 3.4.2 The Charity will provide facilities for any employee, trustee, volunteer or service user who believes that inequitable treatment has been applied to them and within the scope of this policy, to raise the matter through the appropriate grievance procedure.

4 Responsibility

- 4.1 The Charity is responsible for the maintenance of this policy and practices of the Charity will be kept under continuous review. The overall responsibility for monitoring the effectiveness of this policy and for implementing an on-going programme of action to make the policy fully operative is vested in the Business Manager.
- 4.2 It is the responsibility of all employees to accept their personal involvement in the practical application of this policy. Specific responsibility falls upon the Business Manager to supervise and train employees who are professionally involved in the recruitment and selection of employees.

This policy has been approved & authorised by:

Name: Heather Liddle
Position: Trustee – Sacriston Youth Project
Date: April 2021
Signature: 

Date of Review	Reviewed By	Changes Made	Date of Next Review
April 2021	Jo Cameron - Trustee		April 2022

Appendix 1

Who is protected by the Equality Act?

Everyone in Britain is protected. This is because the Equality Act protects people against discrimination because of the protected characteristics that we all have. Under the Equality Act, there are nine protected characteristics:

1. age
2. disability
3. gender reassignment
4. marriage and civil partnership
5. pregnancy and maternity
6. race
7. religion or belief
8. sex
9. sexual orientation

Forms of Discrimination (Equality Act 2010)

Under the Equality Act, there are four main types of discrimination:

1. Direct discrimination
2. Indirect discrimination
3. Harassment
4. Victimisation.

No minimum length of continuous employment is necessary for a discrimination claim to be made to an employment tribunal. Protection starts from when a role is advertised through to the last day of employment and beyond to include references.

Direct discrimination

Direct discrimination occurs where someone is treated less favourably directly because of:

- a) a protected characteristic they possess – this is direct discrimination; and/or
- b) a protected characteristic of someone they are associated with, such as a friend, family member or colleague – this is direct discrimination by Charity; and/or
- c) a protected characteristic they are thought to have, regardless of whether this perception by others is actually correct or not – this is direct discrimination by perception.

Direct discrimination in all its forms could involve a decision not to employ someone, to dismiss them, withhold promotion or training, offer poorer terms and conditions or deny contractual benefits because of a protected characteristic.

Indirect discrimination

This type of discrimination is usually less obvious than direct discrimination and can often be unintended. In law, it is where a provision, criterion or practice is applied equally to a group of employees/job applicants but has (or will have) the effect of putting those who share a certain protected characteristic at a particular disadvantage when compared to others in the group, and the employer is unable to justify it.

An employee or job applicant claiming indirect discrimination must show how they have been personally disadvantaged, as well how the discrimination has or would disadvantage other employees or job candidates with the same protected characteristic. The Equality Act does not define a 'provision, criterion or practice'.

However, in the workplace, the term is most likely to include an employer's policies, procedures, rules and requirements, whether written down or not. Examples might include recruitment selection criteria, contractual benefits, a redundancy scoring matrix or any other work practice.

In some limited circumstances, indirect discrimination may be justified if it is 'a proportionate means of achieving a legitimate aim'.

Harassment

Harassment is defined as 'unwanted conduct' and must be related to a relevant protected characteristic or be 'of a sexual nature. It must also have the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

- a) Generally, harassment:
- b) includes bullying, nicknames, threats, jokes, 'banter', gossip, inappropriate questions, excluding an employee (for example - ignoring them or not inviting them to meetings), insults or unwanted physical contact
- c) can be verbal, written or physical
- d) is based on the victim's perception of the unwanted behaviour rather than that of the harasser, and whether it is reasonable for the victim to feel that way
- e) can also apply to an employee who is harassed because they are perceived to have a protected characteristic, whether they actually have it or not
- f) can also apply to an employee who is harassed because they are associated with someone with a protected characteristic
- g) can also apply to an employee who witnesses harassment because of a protected characteristic, and which has a negative impact on their dignity at work or the working environment, irrespective of whether they share the protected characteristic of the employee who is being harassed.

While the Equality Act 2010 protects against harassment related to most protected characteristics, other legislation such as the Protection from Harassment Act 1997 may also apply. This legislation is not limited to circumstances where harassment relates to a protected characteristic. For example, it may apply where a protected characteristic is not specifically covered for harassment in the Equality Act (Marriage and civil partnership, and Pregnancy and maternity). Harassment under the Protection from Harassment Act must amount to conduct which is criminal.

Harassment from outside an organisation (third party)

Harassment of an employee by individuals outside an organisation - such as customers, clients and suppliers - as a defined type of discrimination was removed from the Equality Act in October 2013.

However, even though third-party harassment, as it was known, is no longer listed as a specific type

of discrimination under the Act, employees may still be protected against this type of harassment if an employer fails to take reasonable steps to prevent it. The protection may arise from the broader provisions of the Act and other legal protections for employees.

An employer should make it clear, within and outside its organisation, that it will not tolerate harassment, and if it does occur that all reasonable steps will be taken to prevent it from happening again. This is a complex area and employers with concerns may wish to seek legal advice.

Victimisation

Victimisation is when an employee is treated less favourably than others for:

- a. making an allegation of discrimination, and/or
- b. supporting a complaint of discrimination, and/or
- c. giving evidence relating to a complaint about discrimination, and/or
- d. raising a grievance concerning equality or discrimination, and/or
- e. doing anything else for the purposes of (or in connection to) the Equality Act 2010

Victimisation may also occur because an employee is suspected of doing one or more of these things. An employee is protected under the Equality Act if they make, or support, an allegation of victimisation in good faith – even if the information or evidence they give proves to be inaccurate. However, an employee is not protected if they give, or support, information or evidence in bad faith – in other words maliciously.