



EQUALITY AND DIVERSITY POLICY

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This policy covers all aspects of employment including job adverts, recruitment, induction, pay, conditions of service, staff development, change management, promotions, grievance and disciplinary procedures, training and development and assessment. It applies also to relationships with suppliers and contractors, as well as to potential employees.

Commitment to implement and observe BDCVS's Equalities and Diversity Policy and Code of Conduct is a condition of employment.

BDCVS staffs are issued with a staff handbook which contains all of BDCVS's policies including Equality and Diversity policy (Equal Opportunities). The staff handbook ensures that all BDCVS staff are inducted into BDCVS's policies and procedures and provides a reference should staff require any clarification.

BDCVS's staff and volunteers have a duty to co-operate with the organisation to ensure that this policy is effective to ensure equal opportunities and to prevent discrimination. Action under BDCVS's disciplinary procedure will be taken against any staff member who is found to have committed an act of improper or unlawful discrimination. Serious breaches of this Equality and Diversity Policy will be treated as potential gross misconduct and could render the staff member liable to dismissal.

It is BDCVS's policy to take all reasonable steps to employ and promote staff on the basis of their abilities and qualifications without regard to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality and ethnic or national origins), religion or belief, sex and/or sexual orientation. These are known as the 'protected characteristics'.

Summary of BDCVS policy:

1. To ensure that no person applying for a job or contractual work is treated less favourably than another because of their race, age, colour, ethnic origin, religion, disability or sexual orientation.
2. To work towards staffing levels and management committee representation which, reflects the ethnic composition of the local population and the organisation's client group.
3. To abide by the Race, Disability and Gender Equality legislation and to implement the provisions of the Equality and Human Rights Commission.
4. To make clients, staff and Management Committee members fully aware of the above provisions and to make the Code of Practice available for inspection.
5. To review practices and policies to ensure that discrimination does not exist. The organisation's Management Committee is responsible for monitoring work in this area and for establishing policy. Responsibility for implementing the policy in practical terms rests with the board and nominated manager.

Equality

BDCVS is the umbrella organisation for the voluntary and community sector in Barking & Dagenham (including social enterprises and faith organisations). We promote and

support the sector, helping it to be autonomous, effective, influential, flexible, responsive, value based, community led and well resourced.

We work at a strategic level to promote and represent the interests of the sector, and provide practical support and direct services to organisations and the people who run them.. BDCVS undertakes to:

- Welcome and respect diversity
- Promote equality of opportunity
- Oppose discrimination and oppression

BDCVS will promote equality and oppose discrimination, particularly based on the following: Discrimination on the grounds of age, appearance, caring responsibilities, class, criminal conviction, civil partnership, disability, gender, HIV Status, gender reassignment, immigration status, long term illness, marital status, mental health, pregnancy and maternity, nationality, race (including colour, nationality and ethnic or national origins) religion or belief, sex, sexual orientation or trade union involvement. (This list is not exhaustive)

BDCVS will challenge prejudiced beliefs about different groups and communities in society. BDCVS will take positive action in delivery of service and employment practices to oppose all forms of discrimination. BDCVS will challenge prejudiced beliefs about older people, disabled people and people who are socially excluded and transgender individuals.

Employer Responsibilities

BDCVS complies with:

- Equality Act 2010
- Rehabilitation of Offenders Act 1974
- Asylum and Immigration Act 1996
- Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- Civil Partnership Act 2004
- Equality Act 2010

Positive discrimination (selecting a candidate purely on grounds of membership of a particular minority group) is unlawful (with the exception of employees on maternity leave or at risk of redundancy, where special rules apply). However employers are permitted to discriminate in favour of under-represented groups in the workforce when choosing between candidates who are otherwise equally qualified.

Application of the Policy

This policy applies from recruitment to employment and employment practice and to the following groups involved in BDCVS:

- paid staff
- volunteers

- consultants
- service users
- management committee members

Terms and Conditions of Employment

This policy forms part of the terms and conditions of employment for staff.

Our commitment to the policy also applies to:

- all aspects of service provision
- promotional work e.g. publicity
- joint work and liaison with other agencies

BDCVS seek to provide equality of opportunity for all applicants and employees via our recruitment, selection, development and promotion policies.

The actions BDCVS will take to make this policy work include:

- providing training and communications to raise awareness and understanding of diversity and equal opportunities issues, to show their impact on BDCVS and individuals
- ensuring that decisions on recruitment, access to training and promotion are made only on the basis of ability
- regularly reviewing our employment policies to ensure that everyone is treated fairly, equitably and consistently with their skills and abilities
- developing patterns of work which are consistent with the need of all staff to maintain an appropriate work-life balance
- reviewing working arrangements to ensure that they do not restrict the opportunity for employment or career progression of members of disadvantaged groups
- monitoring the composition of our workforce to provide us with robust data to evaluate the effect of our policies
- routinely monitoring all actions under the grievance and disciplinary procedures by gender, race, disability, age and any other criteria BDCVS deem to be appropriate
- providing the opportunity for employees, who think they have been treated in any way contrary to this policy, to raise and resolve issues.

This policy applies to all BDCVS employees, who are required to understand and follow this policy, together with our associated policies in the BDCVS staff handbook, including code of conduct and bullying/harassment.

BDCVS will take all reasonable steps to ensure that the working environment does not prevent anyone from taking up positions for which they are suitably qualified. This may include physical adaptations or more flexible ways of working including home-working (where appropriate and practical).

BDCVS employment policies and procedures will be continually reviewed to ensure compliance with this policy, to reflect current best practice and to remove barriers experienced by members of disadvantaged social groups in seeking employment with us, and working for us.

We will provide full and fair consideration for all job applicants, based on merit and ability.

BDCVS will review and develop recruitment procedures to encourage applications from, and the employment of, people from a range of backgrounds reflecting our client base and population. Procedures for testing or assessment will be reviewed so as not to disadvantage any applicant.

BDCVS aim to ensure that our recruitment practices are free from unlawful discriminatory criteria. Questions relating to applicants' race, disability, sexual orientation, religion or belief, age, marital status or civil partnership, pregnancy/maternity, gender reassignment, current or future family responsibilities, or unrelated criminal convictions will not form part of the selection process.

BDCVS challenges both direct and indirect discrimination on the grounds of:

- Racial Discrimination
- Sexual Orientation and Gender Identity
- Sex Discrimination
- Age Discrimination
- Discrimination on the Grounds of Sexual Orientation
- Disability Discrimination
- Religious Belief (Employment law defines religion or belief as any religion, religious belief or similar philosophical belief. There's no specific list, but it includes all major religions, and less widely practised ones. If it is uncertain what counts as a religion or belief under law, an Employment Tribunal can decide).

Civil Partnerships

Since December 2005, same-sex couples can register a civil partnership. A civil partner is entitled to the same benefits as a state married person. BDCVS recognises that there exists a diverse range of relationships and will consider these varying relationships when applying statutory rights and contractual rights based on maternity leave and pay, paternity leave and pay, care duties, pension rights etc.

Discrimination on the Grounds of Class

This is discrimination against a person on the grounds of their socio-economic background or present status.

Discrimination on the Grounds of Blood Borne Viruses

This is discrimination against a person who is, or is believed to be, positive for a blood borne virus.

HIV/AIDS

The principle underlying this policy is that people living with HIV and AIDS will not be treated in any disadvantageous way.

There will be no discrimination in the recruitment of staff or in promotion procedures on the grounds of HIV status or assumed status. BDCVS will not require an employee, volunteer or applicant to be medically screened for HIV/AIDS. Employees and service users will not be treated in any disadvantageous way on the basis of their actual or assumed HIV/AIDS status. The needs of employees or volunteers supporting or caring for partners or relatives with HIV/AIDS will be treated sympathetically and confidentially.

BDCVS recognises that the examples described above are not exhaustive of those situations where discrimination may occur and we are committed to ensuring that the policy is monitored and reviewed.

Diversity

BDCVS values the diversity of its staff and clients. We aim to make our services as accessible and responsive as possible to all existing and potential clients, and to provide a service to them which recognises and respects their differences. We recognise that our ability to meet their needs is improved by having a diverse workforce which generally reflects our client base. We also wish to provide the best opportunities to all of our employees, based on their abilities and potential.

It is not contractual, but indicates the way BDCVS wishes to address diversity in the workplace. Whilst BDCVS fully accept all of our responsibilities under current legislation, BDCVS also aim to go beyond the strict confines of the law to provide equality of opportunity for all. BDCVS will continue to formulate and review policies to that end.

BDCVS aim to:

- recognise that everyone has a right to their distinctive and diverse identities
- have staff which generally reflects the clients and the population BDCVS serves
- understand how diversity can improve our ability to deliver better services
- provide services which are responsive to our clients' needs
- provide all staff with the necessary training and development they need to contribute to BDCVS aims and objectives
- provide a supportive, open environment where all staff may use their talents fully, and where staff, volunteers and clients are treated fairly and with dignity and respect, in an environment free from abuse or offensive behaviour, bullying or harassment, intimidation or prejudice regardless of race, sex, disability, sexual orientation, religion or belief, age, marital status or civil partnership, pregnancy/maternity, gender reassignment, impairment, responsibility for dependants, social background or any other individual characteristic which may unfairly affect their opportunities in life.

Furthermore, BDCVS recognise the benefits of helping staff to balance the responsibilities of their work and private life.

Learning to work with people's differences, visible or not, enables us to all work together effectively and helps us to anticipate and meet the needs of all of our clients; recruit, retain and develop the best people; act responsibly in the communities of which we are a part; and also fulfil our legal commitments.

Induction training for all new staff will be tailored to individual needs, but will in all cases include awareness of BDCVS's Equality and Diversity policy and how it applies to individuals.

BDCVS will then continue to take specific steps to raise awareness of diversity throughout the organisation, initially particularly targeting staff and volunteers who are involved in recruitment and selection processes.

Any staff member whose circumstances change whilst employed by BDCVS will be given full support by BDCVS to maintain or return to a job appropriate to their experience and abilities.

BDCVS will consider requests for flexible working under our policies in a way which fairly balances the needs of the individual and our organisation.

BDCVS will monitor its progress towards diversity by doing the following:

- monitoring the ethnic, gender, age and disability profile of our staff to enable us to understand the composition of our workforce to identify any areas of inequality
- monitoring applicants for jobs, training and development, grievances, disciplinary hearings, dismissals and other reasons for leaving
- monitoring employee opinions and comments through an annual appraisal system
- performance monitoring through customer feedback, surveys, focus groups, and proper investigation of any client complaints
- Any employee who feels they have been treated in a way which is contrary to this policy should raise this either formally through the grievance procedure, or informally with the Chief Executive.
- Any breaches of this policy by employees will be fully investigated and may lead to disciplinary action
- This policy will be reviewed on a regular basis following its implementation (at least annually) and additionally whenever there are relevant changes in legislation or to our working practices.

Procedure

To fulfil our responsibilities as outlined above, we will:

- assess competence at recruitment and induction stage by undertaking training needs analysis ;
- provide a systematic programme of induction training for all employees covering diversity and equality

- provide in-house or external training for those employees, identified through the risk assessment process.
- provide training for temporary workers;
- ensure that appropriate information is provided to staff and visitors;
- ensure that training programmes are conducted by competent persons;
- maintain up to date training records for all staff in order to demonstrate competence; and provide refresher training, as and when appropriate, for employees

Guidance

Introduction

If employers are to make the maximum contribution to equality and diversity, there must be proper arrangements in place to ensure that they are competent. Clear standards should be developed, as these will allow those carrying out the work, as well as those supervising it, to know conclusively whether they possess the necessary competence. Training helps people acquire the skills, knowledge and attributes to make them competent in the equality and diversity aspects of their work. It includes:

- formal, off the job, training;
- instruction to individuals and groups;
- on the job coaching; and supervision

Assess competence at recruitment and induction stage by undertaking training needs analysis.

Carrying out a training needs analysis affords the opportunity to create a 'quick glance' guide to the training requirements of the organisation. It also helps to identify training already carried out.

Provide in-house or external training for those employees, identified through the risk assessment process. This training will be prioritised in accordance with the requirements of the work.

The manager is to complete the Individual Training Record Form in conjunction with the employee. This details training already undertaken by the employee as well as any identified future training needs.

Ensure that training programmes are conducted by competent persons.

When selecting individuals to deliver training programmes ensure that they have suitable and sufficient knowledge, skills and experience.

Maintain up to date training records for all staff in order to demonstrate competence.

Training records enable BDCVS to demonstrate at any point that all staff have been trained to appropriate levels for their roles and responsibilities. The manager completes a Competency Record in conjunction with the employee.

Provide refresher training, as and when appropriate, for employees.

In some cases, refresher training is mandatory. In others, it is seen as good practice to remind staff of what they have already learned. Annual equality and diversity awareness training for all staff is an example

BDCVS's staff and volunteers have a duty to co-operate as a condition of employment or volunteering to ensure equal opportunities and prevent discrimination. Action under BDCVS's disciplinary procedure will be taken against any staff member who is found to have committed an act of improper or unlawful discrimination. Serious breaches of the Equality and Diversity Policy will be treated as potential gross misconduct and could render the staff member liable to dismissal.

Management Committee - Valuing Diversity

BDCVS's Management Committee will endeavour to actively seek members who are representative of the diversity of the local population.

Publicising Management Team Opportunities

BDCVS will publicise information related to Management Committee opportunities as widely as possible, following the same principles as paid staff and volunteer recruitment.

Management Committee Information Pack

All potential Management Committee Members will receive an information pack containing appropriate and sufficient information to ensure individuals have an adequate understanding of BDCVS, its services, activities and the role of Management Committee members. The information pack will include a form for the potential members to include personal details, interests and experience and a form for monitoring equality and diversity.

Training and Support

All Management Committee members will be offered training on policies and procedures related to their duties which include implications for ensuring equality and accessibility in services and activities.

BDCVS Activities and Service Users

Accessibility of Services and Activities

BDCVS is committed to the continuous improvement of accessibility in services and activities. We undertake to listen to our clients and involve them in the development of services which recognise and value their diversity. In order to ensure that BDCVS follow best practice and keep ourselves up to date, we will liaise with external organisations and charities to help develop a policy of continuous improvement. BDCVS may decide to provide specific training or development opportunities aimed at under-represented groups to enable them to compete equally for job opportunities, and we will do this wherever BDCVS feel it may be necessary to promote our equality and diversity policy.

BDCVS will endeavour to hold public meetings in premises which optimise accessibility for all participants including access for those with limited mobility, hearing induction loops, access by public transport, parking arrangements, childcare facilities, language interpretation, text phone and catering needs which includes cultural and religious dietary requirements.

BDCVS uses accessible outreach premises in the community and is committed to improving the accessibility of its current premises to meet the specific requirements of staff, management committee members, volunteers, members and visitors.

Publicity of Activities

In an effort to ensure as many people as possible are aware of the services provided by BDCVS and can access these, BDCVS will publicise its services and activities by a range of means, both electronic and in printed form. Information will be made available on tape and in large type, on request.

BDCVS will use positive and inclusive language and images in all its publicity materials to affirm its commitment to valuing diversity and continuously improving accessibility and will review all such materials, in consultation with members and other voluntary organisations, on an annual basis.

Consultation with Service Users

BDCVS will actively invite feedback from all service users through the evaluation process, surveys and any other appropriate methods.

BDCVS may, from time to time, conduct consultation exercises with other organisations or other bodies on specific areas of policy or practice. This may take the form of questionnaires, public meetings, workshops or meetings with individual organisations. BDCVS will endeavour to ensure the process is consistent and transparent and that outcomes of consultations are disseminated for the widest possible use.

Monitoring

BDCVS will use a variety of methods to monitor all of its services. This information will be used in the development of BDCVS's strategy and services and to ensure that our services are delivered to a wide cross-section of our members and service users. Monitoring is compliant with the Data Protection Act.

Information collected from monitoring and evaluation exercises relevant to operational policies and practice will be fed into the planning process for the purposes of staff supervision, team meetings, planning and project meetings. Information relevant to strategic development will be fed into the planning process through reports to the Management Committee for consideration.

Challenging Discrimination

All paid staff, volunteers and Management Committee members of BDCVS must accept the variety of backgrounds and experiences of those working within the organisation and

those using BDCVS's services. Such diversity affords a wealth of valuable contributions to the development of activities and services.

In all interaction with service-users, members, the public or representatives of external agencies, paid staff, volunteers and Management Committee members must behave in a courteous, calm and professional manner.

If a dispute arises between individual paid staff, volunteers and/or Management Committee members, those involved must endeavour to resolve the conflict with sensitivity, consideration and respect for all viewpoints expressed. Conflicts amongst individuals within BDCVS must never lead to a disruption of BDCVS's activities or services.

Should a disagreement not be resolved in an informal manner, the matter must be addressed promptly through the application of the appropriate organisational procedure (e.g. Grievance, Disciplinary or Complaints Procedure.)

Any remark or behaviour which is intended to intimidate another person in any way, verbally or non-verbally, directly or indirectly and/or is experienced as intimidating by another person, will not be tolerated.

Any remark intended to offend another person in any way, directly or indirectly, whether on the grounds of race, religion, class, sexual orientation, disability or other grounds and/or is experienced as offensive by another person will not be tolerated.

If an allegation of intimidating or offensive remarks or behaviour is made against any individual, the person against whom the allegation is made may be suspended on full pay (in the case of a paid worker) or asked to withdraw from further involvement in the project (in the case of a volunteer or Management Committee member) pending a full and prompt investigation of the matter, using the appropriate organisational procedure for this purpose (e.g. Grievance, Disciplinary or Complaints Procedure.)

Staff members, volunteers and members of the Management Committee are actively encouraged to challenge examples of discriminatory behaviour from external organisations if they feel comfortable to do so. Where appropriate, this will include a formal complaint against the individual or organisation concerned. BDCVS will endeavour to refer individual callers and organisations to services which do not display discriminatory attitudes and behaviour.

BDCVS reserves the right to withdraw its services from anyone who uses discriminatory or intimidating language. BDCVS reserves the right to deny partnership working and/or membership to or withdraw partnership working and / or membership from an organisation which demonstrates discriminatory behaviour. This may also include filing a formal complaint against the organisation concerned.

During training, groups, seminars, workshops or other public events, BDCVS will make clear that language or behaviour which may be experienced by any participant as discriminatory or excluding will not be acceptable and will require participants to agree to accept such ground rules. Should a participant fail to uphold the agreed ground rules, BDCVS reserves the right to request that that participant withdraw from the event.

Staff, volunteers and Management Committee members will be offered support in identifying and challenging discriminatory and intimidating behaviour and language through supervision, meetings for mutual support and training on either an external or in-house basis.

Complaints Procedure

Information on the Complaints Procedure will be made available to service users and potential service users through publicity materials and evaluation forms. Service users will be actively encouraged to use the Complaints Procedure to seek redress about concerns related to the services and activities of BDCVS.

Monitoring and Reviewing this Policy

The Management Committee holds overall responsibility for development, implementation, monitoring and reviewing the Diversity and Equality Policy.

Responsibility for overseeing day-to-day development, implementation, monitoring and review of the Diversity and Equality Policy is delegated to the Chief Executive of BDCVS.

The Diversity and Equality Policy will be reviewed and revised as necessary, involving consultation with Management Committee Members, paid staff and volunteers.

Legislation Information

Key Anti-Discrimination Legislation

Equal Pay Act 1970

The Health and Safety at Work Act 1974: Makes employers responsible for the health, safety and welfare at work of all their employees. Organisations are liable for the behaviour of their employees at work.

Sex Discrimination Act (SDA) 1975: Applies to both women and men. It makes discrimination unlawful in employment, vocational training, education and the provision of facilities, services and housing.

Race Relations Act (RRA) 1976: This takes the same form as the SDA. It legislates against direct and indirect discrimination.

Disability Discrimination Act (DDA) 1995: Aims to protect disabled people from discrimination in employment and access to goods, facilities and services. The Act bars “less favorable treatment” of disabled people in employment and in the provision of services. A duty to make “reasonable adjustments” in order to ensure access to goods and services came into force in October 2004.

Protection from Harassment Act 1997: This Act relates specifically to activities including stalking, harassment and fear of violence. Offences also include breach of an injunction or restraining order placed on a person who has been engaging in harassing behavior. Harassment is defined as being deemed to occur when unwanted conduct related to racial or ethnic origin takes place with the purpose or effect of violating the dignity of a person and creating an intimidating, hostile, degrading, humiliating or offensive environment.

The Human Rights Act 1998: This came into force in 2000. This incorporates the 18 articles of the European Convention on Human Rights into UK law. Article 14 is particularly relevant as it relates to the right and freedom not to be discriminated against on the grounds of race, ethnicity, belief, sexuality and a range of other categories.

Sex Discrimination (Gender Reassignment) Regulations 1999: Aims to protect transsexual people from discrimination in pay and treatment in employment and vocational training.

Disability Rights Commission Act 1999: Set up the DRC and established its remit and responsibilities.

Race Relations (Amendment) Act 2000: Places a positive duty on public bodies to promote race equality. Previous legislation on gender, race, and disability had focused only on preventing discrimination.

Special Educational Needs and Disability Act (SENDA) 2001: Establishes legal rights for disabled students in pre- and post-16 education.

Employment Equality Regulations 2003 (Sexual Orientation): Makes it unlawful for employers to discriminate on the grounds of (perceived) sexual orientation. Sexual orientation is defined as orientation towards the same sex, both sexes, or the opposite sex.

Employment Equality Regulations 2003 (Religion/Belief): Makes it unlawful for the employer to discriminate on the grounds of (perceived) religion or belief. This covers discrimination on the basis of any religion, religious belief or similar philosophical belief.

Gender Recognition Act 2004: The Act introduces a mechanism whereby transgender people can apply for legal recognition in their acquired gender.

Civil Partnership Act 2004: Allows for a new form of legal relationship which may be formed by two people of the same sex. Civil partnership is of similar seriousness and commitment as civil marriage and has been created in order to provide same-sex couples with a means of having their relationship legally recognised if they wish.

Disability Discrimination Act 2005: This is the Government's final step towards fulfilling its pledge to extend rights and opportunities for disabled people. It builds on other legislative steps already in place, including the setting up of the Disability Rights Commission, and includes measures to amend the DDA 1995 in areas such as the definition of disability, premises and private clubs. It places a duty on public authorities to actively promote disability equality.

The Equality Act 2010 replaces the current public sector duties to promote equality with a single equality duty extending to other protected characteristics. This will oblige public authorities to have regard to the need to eliminate discrimination, harassment, victimisation and other prohibited conduct when exercising their functions. The Equality Act 2010 can be viewed on the OPSI website.

Racial and Religious Hatred Act 2006 seeks to expand the current offence of incitement to racial hatred to instances where people stir up hatred of others on the basis of their religious belief.