



Colne Valley Help Equal Opportunities Policy

March 2021

Reviewed 17 March 2023

Colne Valley Help – Equal Opportunities Policy

Outline

This document is a statement of the aims and principles of CVH, for ensuring the safety of its trustees, volunteers, users and staff.

Introduction

Colne Valley Help (afterwards referred to as CVH) aims to ensure that adequate training, procedures and checks are in place to keep all its users from harm.

Part I: Policy Details

What does this policy cover?

We do not tolerate discrimination or harassment in any part of CVH operations. We are fully committed to promoting equal opportunities in volunteering and potential future employment.

So, this policy covers any and all aspects of our operations, how we treat those who volunteer for and with us and how we recruit or engage others to join that community.

This means that our policy covers, but is not limited to, the following:

- Worker conditions
- Our recruitment processes
- How we may appraise, reward, incentivise, promote, train, and commit to the continuing professional development of our volunteers
- Our procedures for addressing grievances and disciplinary matters
- How we end supplier, paid workers and volunteer contracts, including related matters, such as how we give references
- How visitors, clients and suppliers and other key contacts and stakeholders are treated

It also means that we will ensure, as far as possible:

- full access to everyone applying for paid or volunteer vacancies with us, and
- that all relevant decisions are made on the basis of objective criteria.

You should familiarise yourself with this policy and all CVH other policies.

Who does it apply to?

All trustees, consultants, suppliers, contractors, volunteers and future potential employees.

What is discrimination?

The Equality Act 2010 is a UK law that protects people from discrimination based on 9 characteristics.

These characteristics are called 'protected characteristics'

- Age
- Disability
- Gender reassignment
- Marital or civil partnership status
- Pregnancy or maternity
- Race (which includes colour and ethnic/national origin)
- Religion or belief
- Sex
- Sexual orientation

If decisions are made about an individual on the basis (whether wholly or partially), of any of these protected characteristics, it is almost inevitable that unlawful discrimination will have taken place.

The sorts of actions that would fall into this category of unlawful and prohibited initiatives, include (but aren't limited to) those set out below. These actions need not be intended or directly committed by someone (indirect responsibility may be sufficient for someone to have unlawfully discriminated) and an omission or failure to do something may be just as culpable as a positive action.

We will not tolerate their practice by anyone within CVH:

Direct discrimination

When someone with a protected characteristic is treated less favourably than somebody else has or would have been in identical circumstances. An example of this would be where an applicant for a job or a potential volunteer is rejected on grounds of their racial background, or a service user is turned away.

Indirect discrimination

When a group of people with one of the protected characteristics is disadvantaged by a provision, criterion or practice that is applied to all staff, volunteers or service users (unless the treatment may be justified for a good charity reason).

Examples of this would be:

- Insisting, without good reason, that all paid workers and volunteers must work full time, (which indirectly discriminates anyone with child-care responsibilities, women in particular)
- Requiring all paid workers and volunteers to work onsite and refusing to consider a request to work remotely or under alternative conditions, like flexible hours to avoid commute times, which could disadvantage someone with a disability or a phobia (e.g. someone who suffers claustrophobia or panic attacks on commuting routes)
- Refusing to provide a room for reflection and prayer, which would discriminate against individuals practising certain faiths

- Dismissing or not employing a woman because she is pregnant or of child-bearing age
 - Refusing to provide food in accordance with dietary or religious needs

Harassment

This covers hostile, humiliating, degrading, intimidating or similarly offensive treatment or conditions to which an individual with one or more protected characteristics is subjected. Any such actions deprive an individual of their dignity and violate them. We draw no distinction between actions that may be labelled as 'joking' and not intended to cause offence, and those that may have been more direct and premeditated in their delivery. So, for example, in line with legal definitions, reflecting general standards of decency, we will regard any of the following as falling within the definition of harassment:

- making lewd comments and/or displaying pornographic material
- calling someone unkind, derogatory or otherwise unwelcome names or nicknames
- making insensitive jokes, whether about someone directly, or the content of which would be evidently offensive to anyone with a protected characteristic
- excluding colleagues or users and/or making them feel that they have no option but to exclude themselves

Victimisation

This has a particular meaning under UK employment law and it is narrower than an ordinary dictionary definition, covering the situation only where:

- a worker or service user has complained of discrimination (or harassment),
- or has supported a fellow worker or user in making a complaint about these concerns, and has then suffered reprisals from others, including those responsible for that worker's employment prospects and working conditions.

Other discriminatory actions that are also prohibited

The Equalities Act also identifies other actions that can be unlawful under the equal opportunities' legislation. Examples of these include:

- Failing to make reasonable adjustments to minimise certain disadvantages suffered by a disabled employee (or job applicant) or service user
- Instructing another person (or applying pressure on them) to discriminate
- Knowingly assisting somebody else when they carry out a discriminatory act
- Discriminating against somebody believed to have a protected characteristic, whether or not they actually do, or because they associate with a third party who does.

Part II: Our procedures and approach to this policy

Duties and responsibilities

Overall responsibility for the effective implementation and operation of the policy lies with CVH management, specifically with the board of trustees. All managers are expected to lead by example, and attain and maintain appropriate standards of behaviour.

However, everyone who works in or volunteers for and with CVH is responsible for ensuring that this policy works to prevent the activities that it prohibits from taking place within CVH.

However, you need to be aware that the breach of these legal obligations alone will mean that any individual can be found personally liable for unlawful discrimination where they have breached this policy and they will face disciplinary action by us and potentially other legal actions. This is because if you breach this policy, you may also make CVH liable for your actions, and both of us may have to pay compensation to anyone who claims against us.

We therefore expect you to take personal responsibility for adhering to this policy's aims and commitments and for promptly and appropriately drawing any breaches of them to our attention.

We always welcome feedback on how we can best promote and ensure equal opportunities throughout CVH. Please let a trustee know if you have any ideas or would like to be involved in any of our existing initiatives.

Recruitment, promotions and identifying candidates for other opportunities

In any selection process that we use within CVH, whether we're selecting interviewees for volunteer opportunities, offering roles, we will apply a rigorous, objective selection process using non-discriminatory criteria, as far as possible.

All future potential job adverts and opportunity announcements must be:

- Discussed with and signed off by a trustee, one of whose responsibilities is to ensure that any advert is compliant with this policy
- Located and/or circulated so as to reach as wide and diverse a pool of interested candidates as possible, and
- Worded so as to encourage, as far as possible and reasonable, applications from individuals of all characteristics to apply – or, at the very least, so as not to discourage any individuals with protected characteristics from applying.

There may be circumstances where some indication of required skills (that do discriminate) is justified and where self-deselection is inevitable, for example, where the job vacancy is for a window cleaner who works at height, wearing abseiling harnesses. The job advert might specify that interested candidates must be willing and capable of abseiling to be considered for the job.

If you are involved in interviewing and or any other part of our recruitment process, you must never ask a job applicant about their health, attendance record, or whether they have a disability before making a job offer to them (except in very limited circumstances).

You can ask someone if they have any particular needs or requirements with which you can assist if they are coming to meet you for an interview. In certain limited cases, it may also be permitted to make a job offer conditional on a successful medical examination.

During interviews or other interactions with candidates for a role, you must not ask anything that might infer a bias against any candidate with one or more protected characteristics. So, for

example, asking a candidate if they are married, intend to have children (or any more children), or whether their religion permits them to work at weekends, are strictly no-go zones.

If you are ever in doubt about what can or must not say, or if you believe that a particular role vacancy needs a medical examination as part of the recruitment or onboarding process, you must check the position with a trustee.

Monitoring the policy and our personnel

During any recruitment and onboarding process, we may ask questions that include some protected characteristics to help us monitor our diversity and how we are succeeding in our commitment to promote equal opportunities. Including health or disability questions in equal opportunities monitoring exercises is acceptable, but the data gathered must not be used for any employment-related decisions, such as whether to offer a role or opportunity to a particular candidate.

We may also record and analyse information about equal opportunities more generally within the workplace. We do this so that we can make sure this policy operates successfully. The data helps us to refine it, review the composition of our workforce, and to promote workplace equality.

When you join CVH, you give us consent to gather and process this data about you.

Handling breaches and enforcement

We take all allegations of breach and any breaches that we discover very seriously. All allegations and/or suspicions of breach will therefore be thoroughly investigated.

If you wish to complain or raise an allegation of breach (or potential breach) under the policy, you should contact a trustee as soon as possible

Anyone raising a concern about matters covered by this policy, who does so in good faith, will have our full support and co-operation in getting to the bottom of what has happened and any appropriate action that needs to follow on from that examination. This will be the case regardless of our conclusions and including where we determine that the allegation was mistakenly made. There will never be any reprisals against those who genuinely have, or consider that they have, valid grounds to bring concerns about discrimination to our attention.

However, complaints made in bad faith, for whatever reason (including where this is an attempt to avoid or to deflect disciplinary action), will be treated as misconduct and may lead to a dismissal for gross misconduct.

We will also take prompt disciplinary action against you if we discover that you have harassed or discriminated against anyone else in breach of this policy. If we conclude that your behaviour amounts to gross misconduct, we will be within our rights to dismiss you without notice.

Date of meeting where approved: 29/03/2021

Reviewed at Board meeting: 17/03/23

