

POLICY 5: EQUAL OPPORTUNITIES POLICY

1. Introduction

The purpose of this policy is to ensure that all ICA employees and volunteers (includes trustees) are aware of its Equal Opportunities Policy and the standards of work and performance expected of them.

2. Policy Statement

ICA has a responsibility for ensuring that it creates an inclusive and respectful environment for all those that engage with it. In order to meet this responsibility, ICA is committed to:

- 2.1. Achieving equal opportunities across all the employment, volunteering and service opportunities it offers.
- 2.2. Ensuring that no ICA employee, volunteer (includes trustees), client or job applicant should receive less favourable treatment because of the following protected characteristics – age, disability, gender reassignment, marital or civil partnership status, pregnancy and maternity, race, religion or belief, sex or sexual orientation.
- 2.3. Promoting equal opportunities and challenging discrimination wherever it occurs.
- 2.4. Providing a framework through which breaches of its Equal Opportunities Policy can be addressed.

NB: ICA recognises that some clients may, because of their past or present distress or situation, say or do things which would otherwise be unacceptable and incompatible with ICA's Equal Opportunities Policy. ICA will do all it can to challenge such behaviour whilst maintaining support for the distressed client.

3. Responsibilities

- 3.1. The ICA Board of Trustees (BoT) has overall responsibility for the delivery and operation of its Equal Opportunities Policy. However, all employees and volunteers of ICA have a duty to ensure that the policy works in practice.
- 3.2. The ICA BoT has appointed Kim Wilcocks, CEO as its Equal Opportunities Manager (EO). The EO will advise, inform and consult with the ICA BoT, employees, volunteers and clients to progress and improve equal opportunities within ICA, including ICA's ongoing equal opportunities training needs and provision.
- 3.3. Those directly responsible for recruiting and managing employees and volunteers must ensure these individuals are aware in detail of ICA's Equal Opportunities Policy and also adhere to it while working at ICA. This awareness will be initiated during the ICA induction process, with additional training being provided as required.

- 3.4. ICA's EO will be available in an advisory capacity in the case of a grievance involving equal opportunities issues.
- 3.5. It is not intended that ICA's EO should represent particular views, opinions or interests of individuals or groups, nor have the authority within this role to discipline either employees or clients or raise a grievance on behalf of others.
- 3.6. ICA's EO will be given adequate time off from his / her normal duties to attend relevant meetings and training events. Expenses will be covered.

4. Types of Unlawful Discrimination

- 4.1. **Direct discrimination** – Where a person is treated less favourably than another because of a protected characteristic. However discrimination may be lawful if there is an occupational requirement which is core to a job role and a proportionate means of achieving a legitimate aim.
- 4.2. **Indirect discrimination** – Means putting in place, a rule or policy or way of doing things that has a worse impact on someone with a protected characteristic than someone without one, when this cannot be objectively justified.
- 4.3. **Harassment** – Where there is unwanted behaviour related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity) which has the purpose or effect of violating someone's dignity or which creates a hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.
- 4.4. **Associative discrimination** – Where the individual treated less favourably does not have a protected characteristic but is discriminated against because of their association with someone who does e.g. the parent of a disabled child.
- 4.5. **Perceptive discrimination** – Where the individual discriminated against or harassed does not have a protected characteristic but they are perceived to have a protected characteristic.
- 4.6. **Third-party harassment** – Occurs where an employee is harassed by third parties such as service users, due to a protected characteristic.
- 4.7. **Victimisation** – Treating someone unfavourably because they have taken some form of action relating to the Equality Act i.e. because they have supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint.
- 4.8. **Failure to make reasonable adjustments** – Where a rule or policy or process has a worse impact on someone with a protected characteristic compared with someone without that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

5. Positive Action

5.1. ICA believes that passive support for equal opportunities is not enough and that positive steps shall be taken. ICA is committed to:

5.1.1. Recognising and developing potential which has not been used before because of past discrimination and disadvantage.

5.1.2. Encouraging access and applications from under-represented groups.

5.2. Every effort will be made to ensure that the services offered by ICA reflect the composition of the community it serves.

6. Purchasing

6.1. ICA will endeavour to ensure that, when contracting out work, it encourages and seeks responses from a wide range of individuals and / or agencies.

6.2 ICA will endeavour to ensure that the goods and services it offers are accessible to all groups. It will not knowingly receive or purchase goods and services from agencies which practise discrimination.

7. Service Provision

7.1. Users must have easy access to information about ICA's services which may involve making materials available where appropriate in a variety of media, e.g. in large print or electronically. In particular, where practicable all relevant printed materials will be in Arial font at a minimum 12pt font size.

7.2. ICA recognises that it unlikely that it will be able to meet all the demands made upon its projects/services. As a result, there will be a drawn up and publicly available list of priorities for each project/service, which will be reviewed at least annually.

8. Dealing with Complaints

8.1. If any employee, volunteer, client, job applicant or contractor (includes tutors and trainers) feels that they have been, or are being discriminated against, in any way, they are entitled to pursue the matter with either:

8.1.1. An ICA project manager

8.1.2. ICA's EO

8.1.3. The Chair of the BoT (or other trustee if the grievance is against the Chair).

8.2. All instances or complaints of discriminatory behaviour will be treated seriously.

8.3. Complaints or allegations of an unfounded or malicious nature will also be treated as serious and may involve using the disciplinary procedure.

See ICA's Disciplinary and Grievance Policies for information regarding the process that will be followed for serious complaints.

9. Recruitment

- 9.1. Unless otherwise agreed by the ICA BoT, all job vacancies will be advertised externally to ensure openness and encourage a wide range of individuals to apply.
- 9.2. Where a specialist skillset, qualification or protected characteristic is essential, this must be stated on the recruitment advertisement.
- 9.3. Unless a specialist skillset, qualification or protected characteristic is essential, it must be stated that life experience as well as formal qualifications and work experience is valid.
- 9.4. Job descriptions will avoid any unnecessary requirements (those unrelated to effective performance) that may deter applicants.
- 9.5. All advertisements will state that ICA is an equal opportunities employer.
- 9.6. ICA will base decisions on objective criteria.
- 9.7. ICA will consider making reasonable adjustments in recruitment as well as in day-to-day employment.
- 9.8. In the interests of operating an effective Equal Opportunities Policy, ICA will monitor certain information about job applicants. All such information will be treated as confidential and will be clearly separated from all processes concerned with the selection of employees.

10. Training Opportunities

- 10.1. Subject to the requirements of doing their job and ensuring ICA is able to deliver against all its responsibilities and targets, employees and volunteers will be encouraged to go on courses relevant to their present job or personal development.
- 10.2. Training courses will be non-residential and in working hours, whenever possible.
- 10.3. It is the responsibility of every individual employee and volunteer to participate in equal opportunities training that is provided.

11. Terms and Conditions

- 11.1. ICA will endeavour to ensure that employees and volunteers are not discriminated against through the terms and conditions under which they have been engaged.
- 11.2. ICA recognises that from time to time family and social circumstances may change and consequently that employees and volunteers may need to change their conditions of work. ICA will attempt, where circumstances and resources permit, to accommodate the needs of those employees and volunteers.

12. Pregnancy

- 12.1.** ICA recognises that pregnant women may need changes to their work conditions and will consider sympathetically any requests for such changes.
- 12.2.** Time off with pay will be given to both full and part-time pregnant employees to attend antenatal classes, including medical checks and relaxation/childbirth classes. Similar provision will be made for partners sharing responsibility for childcare to attend antenatal classes where necessary.

13. Flexible Hours and Job Sharing

- 13.1.** Working hours and arrangements will, whenever possible, be flexible for both full and part-time employees, to facilitate the caring for children and other dependants.
- 13.2.** Requests for job sharing, part-time working or shorter hours will be sympathetically considered. However, this will be subject to operational requirements.

NB: No request made against points 13.1. and 13.2. will be granted if it is felt that it will compromise ICA's ability to deliver its ongoing work and project/service related commitments.

14. Disability

- 14.1.** ICA will endeavour to ensure, as far as is practicable, that it is able to accommodate employees and volunteers with any form of disability.
- 14.2.** ICA will also endeavour to ensure, as far as practicable, that its office premises has disabled access.
- 14.3.** ICA will not discriminate against or harass a member of the public or client in the provision of services or goods or to fail to make reasonable adjustments to overcome barriers to participation caused by disability.

The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

ICA recognises that it will not always be possible to deliver its services and events in venues with disabled access, however, it will always endeavour to do so.

15. Use of Language

- 15.1.** Employees, volunteers and clients will avoid and challenge the use of language which, in any way, belittles:
 - 15.1.1.** Disabled groups and / or individuals with special needs
 - 15.1.2.** Any race, culture or religion
 - 15.1.3.** A person's gender
 - 15.1.4.** A person's sexual orientation
 - 15.1.5.** A person's physical appearance or age

- 15.2. Where the language used has a personal impact on others, and it has been made clear to the person concerned that their use of such language is unwelcome and/or offensive, disciplinary action may be taken if they persist with it.
- 15.3. All materials used or developed by ICA will be judged in the light of the promotion of equal opportunities, and those considered to be discriminatory will not be used.

16. Sexual Harassment

- 16.1. No employee, volunteer or client should be subject to sexual harassment.
- 16.2. Sexual harassment can be interpreted as unwanted sexual behaviour, including:
 - 16.2.1. Contact harassment – where inappropriate physical contact occurs (e.g. touching or kissing)
 - 16.2.2. Non-contact harassment – where someone is harassed without being touched. This could happen in person or online (e.g. verbal abuse, remarks which an individual finds offensive or showing someone something they do not want to see)
- 16.3. If it has been made clear to the person concerned that their behaviour is unwelcome and they persist with it, then the employee, volunteer or client who is the recipient of the behaviour will be entitled to make a formal complaint.

17. Employee Responsibilities

- 17.1. ICA employees are responsible to support the organisation to meet its commitment and avoid unlawful discrimination. If an employee believes that they have been discriminated against they should report this to ICA's EO or a project manager under the grievance procedure.

ICA takes any complaint seriously and no employee will be penalised for raising a grievance, even if the grievance is not upheld, unless the complaint is both untrue and made in bad faith.

- 17.2. If an employee witnesses what they believe to be discrimination they should report this to their line manager or the CEO as soon as possible.
- 17.3. Employees can be held personally liable as well as, or instead of, the organisation for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence. Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under our disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

(See ICA's Disciplinary and Grievance Policies for information regarding the process that will be followed for a serious complaint).

Main contact for issues related to ICA's Equal Opportunities Policy:

Kim Wilcocks, CEO

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LINKED POLICIES	
POLICY NUMBER	POLICY TITLE
1	Confidentiality Policy
2	Conflict of Interest Policy
3	Disciplinary Policy
4	Environmental Policy
5	Equal Opportunities Policy
6	Financial Procedures Policy
7	UK GPDR Policy
8	Grievance Policy
9	Health & Safety Policy
10	Lone Working Policy
11	Online Cookie & Privacy Policy
12	Risk Management Policy
13	Safeguarding_Children & Young People Policy
14	Safeguarding_Vulnerable Adults Policy
15	Training & Development Policy
16	Transport Policy
17	Whistleblowing Policy

APPROVAL

This policy was referred to and signed by the CEO and Chair of the Board of Trustees.

Date...31st March 2021...

Review date...31st March 2022...

Chief Executive Officer.....



Chair of Board Signature.....



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