

## **15. Equality & Diversity Policy**

DRASACS is committed to achieving a working environment which provides equality of opportunity and freedom from unlawful discrimination on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, caring responsibility, gender reassignment, disability, religion or beliefs, age or sexual orientation. This Policy aims to remove unfair and discriminatory practices within the Company and to encourage full contribution from its diverse community. The Company is committed to actively opposing all forms of discrimination. This opposition will be delivered by training, monitoring, support and open challenge of inappropriate behaviours.

Everyone within DRASACS has an equal responsibility for the practical implementation of this Policy in their day-to-day interaction with colleagues, clients and other visitors and members of the Public.

This policy applies to everyone within the organisation, paid or unpaid, whether they are employees, self-employed, contractors, service users, volunteers, job applicants or members of the Trustee Board

Where an employee considers that he/she is suffering from unequal treatment on any of the above grounds the complaint should be dealt with under DRASACS' Grievance Procedure unless it is a matter of harassment in which case it will be dealt with in line with the Bullying and Harassment Policy. Should disciplinary action be appropriate, then DRASACS Disciplinary Policy will be instigated.

DRASACS also aims to provide a service that does not discriminate against its clients in the means by which they can access its services. DRASACS believes that all employees and clients are entitled to be treated with respect and dignity. If any service user considers they have suffered unequal treatment, they may use the DRASACS Complaints Procedure. Any such complaint will be dealt with in accordance with that procedure.

### **1. Objectives of this Policy**

- 1.1 To prevent, reduce and stop all forms of unlawful discrimination in line with the Equality Act 2010.
- 1.2 To ensure that recruitment, promotion, training, development, assessment, benefits, pay, terms and conditions of employment, redundancy and dismissals are determined on the basis of capability, qualifications, experience, skills and productivity.
- 1.3 To fulfil DRASACS' social responsibility towards employees and volunteers and the communities in which it operates.

- 1.4 To review periodically 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, which are appropriate to the job.
- 1.5 To seek to give all employees and volunteers (paid and unpaid) equal opportunities and encouragement.
- 1.6 To distribute and publicise this policy statement throughout DRASACS and elsewhere as appropriate to ensure that all employees of DRASACS are aware of the provisions of this policy.

## **2. Definition of Discrimination**

Discrimination is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation. Discrimination may be direct or indirect, and includes discrimination by perception and association.

## **3. Types of Discrimination**

### **3.1 Direct Discrimination**

This occurs when a person or a policy intentionally treats a person less favourably than another on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

### **3.2 Indirect Discrimination**

This is the application of a policy, criterion or practice which the employer applies to all employees but which is such that:

- 3.2.1 It is detrimental to a considerably larger proportion of people from the group that the person the employer is applying it to represents;
- 3.2.2 The employer cannot justify the need for the application of the policy on a neutral basis; and
- 3.2.3 The person to whom the employer is applying it suffers detriment from the application of the policy.

Example: A requirement that all employees must be 6ft tall if that requirement is not justified by the position would indirectly discriminate against employees

with an oriental ethnic origin, as they are less likely to be able to fulfil this requirement.

### 3.3 Harassment

This occurs when a person is subjected to unwanted conduct that has the purpose or effect of violating their dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

### 3.4 Victimisation

This occurs when a person is treated less favourably because they have brought or intend to bring proceedings or they have given or intend to give evidence.

## 4. Unlawful Reasons for Discrimination

4.1 **Sex** - It is not permissible to treat a person less favourably on the grounds of sex, marital status, civil partnership, pregnancy or maternity, gender reassignment or transgender status. This applies to men, women and those undergoing or intending to undergo gender reassignment. Sexual harassment of men and women can be found to constitute sex discrimination.

Example: Asking a woman during an interview if she is planning to have any(more) children constitutes discrimination on the ground of gender.

4.2 **Age** - It is not permissible to treat a person less favourably because of their age. This applies to people of all ages. This does not currently apply to the calculation of redundancy payments.

4.3 **Disability** - It is not permissible to treat a disabled person less favourably than a non-disabled person. As outlined in the Equality Act :

“a person has a disability if:

- they have a physical or mental impairment
- the impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities”

Reasonable adjustments must be made to give the disabled person as much access to any services and ability to be employed, trained, or promoted as a non-disabled person.

4.4 **Race**- It is not permissible to treat a person less favourably because of their race, the colour of their skin, their nationality or their ethnic origin.

- 4.5 **Sexual Orientation**- It is not permissible to treat a person less favourably because of their sexual orientation. For example, an employer cannot refuse to employ a person because s/he is homosexual, heterosexual or bisexual.
- 4.6 **Religion or Belief** - It is not permissible to treat a person less favourably because of their religious beliefs or their religion or their lack of any religion or belief.

## 5. **Positive Action in Recruitment**

Under the Equality Act 2010, positive action in recruitment and promotion applies as of 6 April 2011. 'Positive action' means the steps that the Company can take to encourage people from groups with different needs or with a past record of disadvantage or low participation, to apply for positions within the Company.

If the Company chooses to utilise positive action in recruitment, this will not be used to treat people with a protected characteristic more favourably, it will be used only in tie-break situations, when there are two candidates of equal merit applying for the same position.

## 6. **Reasonable Adjustments**

DRASACS has a duty to make reasonable adjustments to facilitate the employment of a disabled person. These may include:

- 6.1 Making adjustments to premises;
- 6.2 Re-allocating some or all of a disabled employee's duties;
- 6.3 Transferring a disabled employee to a role better suited to their disability;
- 6.4 Relocating a disabled employee to a more suitable office;
- 6.5 Giving a disabled employee time off work for medical treatment or rehabilitation;
- 6.6 Providing training or mentoring for a disabled employee;
- 6.7 Supplying or modifying equipment, instruction and training manuals for disabled employees; or
- 6.8 Any other adjustments that the Company considers reasonable and necessary provided such adjustments are within the financial means of the Company.

If an employee has a disability and feels that any such adjustments could be made by the Company, they should speak to the Manager.

## 7. **Responsibility for the Implementation of this Policy**

All employees, volunteers, subcontractors and agents of the Company are required to act in a way that does not subject any other employees or clients to direct or indirect discrimination, harassment or victimisation on the grounds of their race, sex,

pregnancy or maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

The co-operation of all employees and volunteers is essential for the success of this Policy. Senior employees are expected to follow this Policy and to try to ensure that all employees, subcontractors and agents do the same.

Employees and volunteers may be held independently and individually liable for their discriminatory acts by the Company and in some circumstances an Employment Tribunal may order them to pay compensation to the person who has suffered as a result of discriminatory acts.

The Company takes responsibility for achieving the objectives of this Policy, and endeavours to ensure compliance with relevant Legislation and Codes of Practice.

All employees and volunteers have a responsibility to accept their personal involvement in the practical application of this policy but specific responsibility falls upon managers and others involved in recruitment, employee administration and training.

Initial responsibility on a day-to-day basis for the observance of this policy lies with the Manager, final responsibility lies with the Directors, or such delegated members as outlined in other relevant DRASACS policies.

It is DRASACS's policy to provide equality in accordance with legislation to protect against discrimination in employment.

DRASACS is committed to ongoing equality and non-discrimination for all and will ensure that all persons are selected, promoted and treated equally on the basis of their relevant aptitudes, skills and abilities with no regard to any of the characteristics listed above.

It is the duty of all employees and volunteers to accept their personal responsibility for the practical application of the policy.

To safeguard individual rights under the policy, if you believe that DRASACS has applied inequitable treatment to you, you may raise the matter through the Grievance Procedure.

## **8. Acting on Discriminatory Behaviour**

In the event that an employee is the subject or perpetrator of, or witness to, discriminatory behaviour, please refer to the Discipline and Grievance Policies in this Handbook.

## **9. Advice and Support on Discrimination**

Employees and volunteers may obtain advice and support through their regular one-to-one discussions with their line manager. If their concern relates to their line manager then they may approach any other line manager for advice and support.

## **10. The Extent of the Policy**

The Company seeks to apply this Policy in the recruitment, selection, training, appraisal, development and promotion of all employees and volunteers. The Company offers services that comply with the spirit of this Policy.

This Policy does not form a part of any employment contract with any employee and its contents are not to be regarded by any person as implied, collateral or express terms to any contract made with the Company. The Company reserves the right to amend and update this Policy at any time.

All members of DRASACS are required to indicate their awareness of this policy and are expected to abide by it. Any breach of the policy could result in disciplinary action.

### **Review and Revision**

Approved by the Board of Directors on 19th November 2014

Reviewed by: R McMinn (Manager)  
Reviewed: October 2022  
Review due: October 2023