

Equality and Diversity Policy



This policy applies to: colleagues (employees, volunteers, students, apprentices, trustees & others who work within our organisation) and service users (guests and clients)

Responsibility under the Policy: Trustees have the overall responsibility for this policy but the CEO has the responsibility for the operational implementation and ensuring its review

Date Agreed: April 2022

1. Our commitment

We are committed to providing equal opportunities in employment and to avoiding unlawful discrimination. This policy is intended to assist putting this commitment into practice. Our aim is that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect, which is an important aspect of ensuring equality and diversity opportunities in employment.

2. The law

It is unlawful to discriminate directly or indirectly in recruitment or employment because of a 'protected characteristic'. The Equality Act defines the protected characteristics as being age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality, caste and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership.

Discrimination after employment may also be unlawful, eg refusing to give a reference for a reason related to one of the protected characteristics.

It is also unlawful to discriminate against or harass a member of the public or service user in the provision of services or goods or to fail to make reasonable adjustments to overcome barriers to using services 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.

Types of unlawful discrimination

- **Direct discrimination** is 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.
- **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.
- **Harassment** is 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.

- **Associative discrimination** is 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.
- **Perceptive discrimination** is where the individual discriminated against or harassed does not have a protected characteristic but they are perceived to have a protected characteristic.
- **Third-party harassment** occurs where an employee is harassed by third parties such as service users, due to a protected characteristic.
- **Victimisation** is treating someone unfavourably because they have taken some form of action relating to the Equality Act, ie 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.
- **Failure to make reasonable adjustments** is where a rule or policy or way of doing things has a worse impact on someone with a protected characteristic compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

3. Equal opportunities in employment

We will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy. Job descriptions will avoid any unnecessary requirements (those unrelated to effective performance) that may otherwise have deterred applicants. We will base decisions on objective criteria. We will consider making reasonable adjustments in recruitment as well as in day-to-day employment.

4. Service users, suppliers and others

We will not discriminate unlawfully against service users using or seeking to use the services we provide. If you perceive that you are bullied or harassed by a service user, suppliers, contractor, visitor or others, or if you witness someone else being bullied or harassed, you are asked to report this to your manager who will take appropriate action.

5. Training

We will provide information and guidance to those involved in recruitment or other decision making where equality and diversity issues are likely to arise to help them understand their responsibilities and to avoid the risk of discrimination.

6. Responsibilities

All staff, volunteers and trustees must adhere to this policy. The management team and the Chair of the Board of Trustees are accountable for ensuring the policy is implemented.

Role of Line Managers

Every line manager has a responsibility to:

- set a positive example by ensuring that their actions and behaviours promote equality and diversity
- stop inappropriate behaviour as soon as they become aware of it.
- support and implement action that Rainbow Centre takes to improve diversity, inclusion and equal opportunities, where that action has been agreed in this policy
- encourage staff and volunteers to maximise their contribution to the work of the Rainbow Centre and support them to reach their full potential.
- ensure staff and volunteers are aware of and carry out their responsibilities under the law and this policy.

Role of Employees

Every employee has a responsibility to:

- act in ways that respects and values the diversity of others.
- challenge and report any behaviour that could be interpreted as discriminatory.
- understand what is expected of them in terms of their performance, their behaviour and their conduct towards others.
- set a positive example at all times.
- listen to and respect others and discourage discriminatory speculations.

Role of Volunteers

Every volunteer has a duty to:

- act in ways that respect and value the diversity of others
- not discriminate unfairly against service users when giving help and support, or other members of the organisation.
- understand what is expected of them in terms of their performance, their behaviour and their conduct towards others.
- report any behaviour that could be interpreted as unfair discrimination to a line manager.
- listen to and respect others and discourage discriminatory speculations and behaviour.

Role of Trustees

Every trustee has a duty to:

- act in ways that respect and value the diversity of others.
- challenge any behaviour that could be interpreted as unfair discrimination.
- listen to and respect others and discourage discriminatory speculations and behaviour.

7. Status of this policy

This policy and procedure is not a contractual term of employment. It is intended to act as a general framework only. It may be varied in any way and at any time where the Rainbow Centre reasonably deems this to be necessary.

Policy Review Date: April 2024