

Voluntary Action-**Leeds** Equal Opportunities Policy

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1.00 Introduction

Voluntary Action–Leeds is committed to the principles of equal opportunities and to maintaining, developing and supporting policies which translate this commitment into practice. The aim of our Equal Opportunities Policy is to ensure that no individual is treated less favourably than another, either in employment or in accessing services, on the grounds of their:

- gender
- race
- colour
- nationality
- ethnic origin
- religious or philosophical belief
- disability
- HIV status
- age
- marital status
- parental status
- sexual orientation
- political belief or trades union membership
- class
- responsibility for dependants
- appearance
- ex-offender status as defined by the Rehabilitation of Offenders Act 1974
- lack of formal qualifications where such qualifications are not directly relevant to a post
- or on any other grounds which cannot be shown to be justifiable within the context of this Policy.

1.01 Voluntary Action–Leeds recognises and welcomes its responsibilities under the Equal Pay Act 1970 and Equal Pay (Amendment) Act 1983, the Rehabilitation of Offenders Act 1974, the Sex Discrimination Act 1975 and Gender Reassignment Regulations 1999, the Race Relations Act 1976, the Disability Discrimination Act 1995, the Protection from Harassment Act 1997, the Human Rights Act 1998, and other relevant legislation and codes of practice, and seeks to fulfil its commitments by recognising the expertise, abilities and needs of every individual and by acknowledging the right to dignity and respect of every human being.

1.02 Voluntary Action–Leeds recognises the centrality of equal opportunity to organisational effectiveness, and it has in place a range of policies and procedures which should be viewed concurrently to its Equal Opportunities Policy; all VA-L policies are intended to reinforce the basic precepts of equal opportunities. The following documents may be relevant:

- Terms & Conditions of Employment
- Complaints Policy
- Data Protection Policy
- Disciplinary Procedure
- Flexitime Guidelines
- Grievance Procedure
- Health & Safety Policy
- Home-working Guidelines
- Internet Code of Practice
- Lieu Time Policy
- Maternity Rights
- Other Leave Policy
- Personal Safety Guidelines
- Review & Appraisal Policy
- Training Policy.

2.00 Definitions

Voluntary Action-Leeds is against discrimination, victimisation, harassment and bullying, which it defines as follows:-

2.01 In this policy “discrimination” includes both direct discrimination (which occurs when a person or group is treated less favourably than others) and indirect discrimination (which occurs when a provision, criterion or practice is imposed which, although it may be applied equally to all, adversely affects a particular individual or group and cannot be justified on non-discriminatory grounds).

2.02 “Victimisation” refers to discrimination because a person has asserted her/his rights under the relevant legislation or under this Policy or has helped another person assert these rights.

2.03 “Harassment” refers to a whole range of behaviour which is unacceptable to the recipient and which creates an intimidating, hostile or offensive environment for employment or services. This may be *personal harassment* (any unsolicited or unwelcome hostile or offensive act, expression or derogatory statement based on an individual’s age, sexuality, class, or other personal characteristics as outlined in the first section of this Policy which unreasonably interferes with an individual’s work or creates an intimidating or hostile environment or undermines their dignity or integrity),

sexist harassment (any unwanted sexual comments, looks, actions, suggestions or contact which is found objectionable and which threatens an individual's work, environment, dignity or integrity, *racist harassment* (any unwelcome terms, comments, actions or behaviour which members of a racial, cultural or religious group find abusive, offensive or insulting, and which threatens the individual's work, environment, dignity or integrity) or *harassment based on disability* (any unwelcome terms, comments, actions or behaviour which is found objectionable and which threatens an individual's work, environment, dignity or integrity). Harassment based on gender, race or disability constitute acts of discrimination in terms of legislation, but all harassment on any ground listed in section one of this Policy is viewed as contrary to this Policy, and will be taken equally seriously by Voluntary Action–Leeds.

2.04 “Bullying” refers to behaviour which is stressful, fearful or intimidating to an individual, and which may unreasonably interfere with an employee's work, environment, dignity or integrity. Bullying may include misuse or abuse of power, coercion, “picking on” people, and similar behaviour. It may be persistent or an isolated incident, and may be directed at one individual, or at more than one person.

3.00 Responsibility

3.01 The Trustee Board of Voluntary Action–Leeds wishes it to be known that it is committed to VA-L being an equal opportunities organisation, and that the Board recognises and accepts its ultimate authority for implementation of this Equal Opportunities Policy.

3.02 This Policy applies to everyone connected with Voluntary Action–Leeds: members of the Trustee Board, employees at every level, volunteers, trainees, job placements, service users, tenants, and contractors/sub-contractors.

3.03 Responsibility for the day-to-day implementation, monitoring and evaluation of this Policy rests with the Chief Executive and Management Team of Voluntary Action–Leeds, answering to the Trustee Board and with the advice and assistance of the widest possible constituency; however, every trustee and employee has a personal responsibility to accept, adhere to and promote this Policy at all times. Specifically, staff are expected to co-operate with measures taken to implement this Policy, report any suspected acts of discrimination, and take particular care to ensure that enquiries from groups facing disadvantage are dealt with in a way which those groups find helpful, relevant, and appropriate. The Trustee Board wishes to remind all staff that breaches of this Policy are considered a disciplinary offence (please see documents “Disciplinary Procedure” and “Terms & Conditions of Employment”).

3.04 All new trustees, short-listed job applicants, volunteers and members will be provided with a copy of this Policy within one month of joining Voluntary Action–Leeds.

4.00 Monitoring

4.01 This Policy will be reviewed on an annual basis by both the Personnel Committee and the Performance Review Committee of the Trustee Board to assess its effectiveness and any need for amendment to reflect new legislation/good practice issues. As part of this process, specific monitoring data will be collected, collated, analysed and reported to these committees for evaluation.

5.00 Positive Action

5.01 Voluntary Action–Leeds is committed to positive action to achieve a Trustee Board, staff/volunteer group, membership and range of services representative of the communities it seeks to serve. VA-L will investigate any circumstances in which it appears that equal opportunities have not been offered, and action will be taken to redress the effects of any policy or procedure which has been found to limit the provision of equal opportunities. Any positive action taken by Voluntary Action–Leeds will be with regard to the relevant legislation.

6.00 Employment

6.01 Recruitment & Selection:

Voluntary Action–Leeds will conduct its recruitment and selection procedures openly and fairly, and these procedures will be kept under review. All jobs with Voluntary Action–Leeds will have a job description and person specification which relate strictly to the job itself, and job descriptions will be reviewed annually to ensure that they remain relevant and that they do not impose any unjustifiable or non-essential experience, qualifications, or conditions which may be discriminatory. Job advertisements will be written in non-discriminatory language (except where there is a genuine occupational need as permitted by legislation), and will not be restricted to areas or publications which exclude or disproportionately reduce the number of applicants from the groups listed in section 1.00 of this Policy; it is our expectation that vacancies will be publicly advertised (please refer to Redundancy Procedure relating to vacancies during proposed redundancies). Job advertisements and application packs will include an Equal Opportunities statement, and application packs will include a monitoring form and a statement explaining the purposes of monitoring and the way in which the data will be controlled. The composition of interview panels will be taken into account as far as possible, and all panel members will be given training where necessary. Adjustments will be made as needed for disabled interview candidates, and all reasonable adaptations will be made to work stations, etc, for disabled employees. Recruitment and selection will be on merit by open and fair competition and will be conducted to ensure that no job applicant receives less favourable treatment on any of the grounds laid out in the first section of this Policy. Records will be kept of all interviews and their outcomes.

6.02 Terms & Conditions:

Voluntary Action–Leeds will seek to ensure equality of opportunity and treatment for all individuals, and will not discriminate in the setting or provision of its terms and conditions of employment including facilities, pay and benefits on any of the grounds listed at the beginning of this Policy. Where compatible with the effective functioning of the organisation, VA-L will endeavour to meet all reasonable requests from staff to vary their working hours. Should a member of staff become disabled during their employment by VA-L, provision will be made wherever possible for that staff member to continue their normal duties through provision of equipment/aids, or changed working patterns, or redeployment if available.

6.03 Promotion:

Promotion within Voluntary Action–Leeds will be on merit by open and fair competition and in a manner which ensures that no staff member receives less favourable treatment on any of the grounds laid out in the first section of this Policy.

6.04 Training:

Voluntary Action–Leeds is committed to staff training and development, as laid out in its Training Policy, and no staff member will receive less favourable treatment in terms of access to training. VA-L will seek to overcome any problems which may prevent staff members from taking advantage of training opportunities. VA-L will ensure that all staff and trustees receive training on its Equal Opportunities Policy and on equality awareness as necessary, and that they are informed of and consulted on reviews/revision of the Policy. Where possible, internal short-term secondment may be used to enable staff development and expansion of skills and experience; such secondments will be decided in line with VA-L's commitment to equality of opportunity in staff training.

6.05 Leave Entitlement:

Voluntary Action–Leeds recognises that leave entitlement and the way that this is organised may be of particular concern to certain groups of employees (for example: black/minority ethnic staff who may need time off for religious observance, or extended leave to visit family/friends abroad; disabled staff who may need time off for extra medical treatment; staff who are parents or who have other dependants may need time off relating to school holidays, etc; et al). It will therefore endeavour to ensure that all leave requests received are dealt with both appropriately under the relevant policy/procedure, and in accordance with the spirit of its Equal Opportunities Policy.

7.00 Harassment & Bullying

7.01 Voluntary Action–Leeds recognises its responsibility to safeguard the welfare of its employees and to promote a working environment free from harassment and bullying. Whether the harassment or bullying is personal, sexist, racist, heterosexist, or relating to any other item listed in the first section of this Policy, VA-L views this issue with the utmost seriousness. Any individual who feels that they are being harassed or

bullied by anyone associated with Voluntary Action–Leeds is actively encouraged to report this to management without fear of reprisal. Harassment and bullying in any form are contrary to this Policy, and are viewed as serious disciplinary offences which will not be tolerated (please refer to documents “Disciplinary Procedure” and “Terms & Conditions of Employment”). Trustees, managers and any staff with supervisory responsibility will ensure that all allegations of harassment and/or bullying are taken seriously and fully investigated. They are also expected to challenge unacceptable language and behaviour whenever this occurs, promoting this Policy.

7.02 If any employee feels that they have been subjected to harassment or bullying they following procedure should be used:

- i. the matter should be reported *as soon as possible* (staff should not wait until working conditions become intolerable, or their personal wellbeing is jeopardised) to the appropriate line manager (or to another manager if the line manager is involved, or if the line manager is the Chief Executive and is involved, to the Chair of Trustees); the line manager will make a formal note of the report, and may ask for the complaint to be confirmed in writing. Full written details should be collected within three weeks of the event.
- ii. When the matter is reported, the employee will be asked if they wish to nominate an internal personal support contact, who will listen, maintain confidentiality, and offer assistance during the investigation and any subsequent processes; the identity of this contact may be decided by the complainant with the agreement of their line manager (or another manager if their own is involved in the case), but must be someone who is not involved nor likely to become involved in the case. An investigation will be conducted by the line manager (or alternatives as above), within two weeks of compilation of the written details, and the results along with recommendations on any further action will be passed to the Chief Executive (or as above) who will seek to respond formally within one week.
- iii. At this stage, the Chief Executive may instigate disciplinary proceedings against the alleged perpetrator (please refer to the document “Disciplinary Procedure” for the detail of this process) or may dismiss the complaint.
- iv. If the matter proceeds to disciplinary stage, the complainant may need to be interviewed again, or to make further statement(s), and they will be given every support throughout this process, both by their personal support contact and by their line manager. They may also wish to be accompanied by a trade union representative or friend during any interviews.
- v. If the complaint is dismissed, the complainant has the right to appeal against this decision, and they should write to the Chief Executive (or as above) within one week of receipt of the decision to dismiss, providing reasons for the appeal. The appeal will be dealt with by VA-L’s Personnel Committee, which will normally organise a hearing within three weeks of receipt of the appeal. The complainant will be able to put their case in person, and to be accompanied by a union representative or friend.
- vi. If the appeal is dismissed, the complainant will be notified in writing within three working days. If the appeal is upheld, the complainant will also be notified in

writing within three working days, and the outcome may be one or more of the following:

- A formal apology
 - Financial compensation (IF the employee has suffered any financial loss, and subject to availability of funds)
 - Disciplinary action against the perpetrator
 - Changes in the content of this Policy
- vii. VA-L acknowledges the right of any employee who is being sexually or racially harassed to take action in the civil courts.

8.00 Service Provision

8.01 Voluntary Action-Leeds is committed to equality of opportunity for everyone using its services, and it is also committed to prioritising its services and targeting its resources and being responsive to communities and groups in greatest need. Services are designed and publicised to reflect these commitments, and are monitored accordingly. As far as possible and reasonable given its resources, VA-L will endeavour to provide its services in ways and in premises which are accessible to the communities it seeks to serve.

9.00 Complaints under this Policy

9.01 General (for example, complaints relating to the non-enforcement of this Policy, etc):

Any such complaints may be raised either informally with line managers, or formally in which case the steps outlined in VA-L's Grievance Procedure should be followed. Staff are encouraged to draw to managers' attention any improvements which may be needed to this Policy or its operation.

9.02 Employment:

Job applicants – any job applicant who wishes to complain about VA-L's recruitment and/or selection procedure in general, or about her/his experience of applying for a specific post should write to the Chief Executive as soon as possible, and within one month of the alleged incident if the complaint relates to an application for a specific post. The Chief Executive will arrange for the complaint to be investigated, involving the relevant staff/trustees/members of the Personnel Committee as appropriate, and will give the complainant a written response including a summary of any action taken within one month of receipt of the complaint.

Employees – any employee who wishes to complain about any aspect of this Policy other than complaints of harassment relating to gender, race or disability or similar grounds as it relates to their employment should follow the steps outlined in VA-L's

Grievance Procedure; complaints relating to harassment should be raised by using the procedure outlined in pages 6-8 of this Equal Opportunities Policy.

9.03 Service Provision:

Any individual or group wishing to make a complaint about any aspect of service provision by Voluntary Action–Leeds should follow the procedure outlined in VA-L's Complaints Policy.

9.04 Any action taken under any of the above options is without prejudice to any statutory right to complain to an Employment Tribunal or other appropriate statutory body, or to involve the Commission for Racial Equality, Equal Opportunities Commission, Disability Rights Commission, or any other appropriate external body.

9.05 As far as is reasonably practical, Voluntary Action–Leeds will protect employees or service users who make a complaint under these procedures from victimisation.

Revised Equal Opportunities Policy adopted by the Trustee Board of Voluntary Action–Leeds on 23/4/02; this Policy replaces all previous ones.