



## **POLICY & PROCEDURE DOCUMENT**

**Document Ref No:** Key9

**Subject Title:** Equality and Diversity Policy

**Version:** 2

**Date of Issue:** November 2011

**Last Reviewed:** January 2016

**Hyperlink:**

**Document Owner:** David Nuttall

**Date of Board Approval:** 17<sup>th</sup> February 2016

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## INTRODUCTION

Key is committed to equality of opportunity for all its employees, volunteers and service users. Key aims to provide an environment in which individuals are encouraged to achieve their full potential. We value openness, accessibility, fairness and transparency.

Key recognises that all people are different and must be treated as individuals. All of Key's services have a proactive approach to enabling individuals make informed choices and to progress with their life so that they can maximise their potential; as such Key lays the foundations for greater social inclusion and community cohesion.

Key in particular focuses on improving the lives of the least advantaged.

Key has signed up to Lancashire County Council's Equalities Scheme- Narrowing the Gap.

Challenging inequality, discrimination and prejudice is essential if Key is to succeed in delivering genuine equality of opportunity as an employer and as a service provider

Key recognises that certain groups in society continue to be discriminated against. Our practices, however, will seek to ensure that young people using our service and anyone applying for employment or volunteering opportunities will not be discriminated against on the basis of their:

- sex
- age
- religion or belief
- race
- disability
- nationality
- sexual orientation
- gender reassignment
- pregnancy and maternity
- marriage and civil partnership

(These are the protected characteristics as outlined in the Equality Act 2010)

We believe that we have much to learn and gain from diverse cultures, experiences and perspectives, and that diversity will ensure

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our organisation is more effective in meeting the needs of those who choose to use the services Key provide.

This policy applies to all aspects of Key's work and it is the responsibility of any individual acting on behalf of Key to adhere to it

## 1. SCOPE OF THE POLICY

1.1 This policy is aimed at all staff, volunteers and trustees, with a view to utilising it as and when dealing with the public and during the recruitment processes.

1.2 In order to address the need to meet our equality and diversity objectives throughout the organisation we will strive to be fair in all activities and take account of the diverse nature of the communities we serve. We will do this by the following undertakings-

- Our commitment as an Employer
- Our commitment as a Service Provider
- Our Governance

## 2. RESPONSIBILITY

2.1 The Trustees acting through its Chair are responsible for implementing and monitoring the policy and procedure; any actions required to work towards eliminating discriminatory practices will form part of Key's Business Plan- Action Plan.

2.2 Employees, Trustees and Volunteers are expected to:

- Comply with the letter and spirit of this policy.
- Be aware of the various behaviours and barriers that discrimination can take, and understand the negative impact that these can have.
- Inform a manager if they know or expect that inequality or discrimination is occurring.
- Give consideration to whether any changes will impact on any of the protected groups. Where initial screening indicates a need an equality impact assessment will be conducted. (Changes include changes to policy and changes to service delivery)
- Bare the Act in mind when delivering services to service users

2.3 Failure to comply with and support this policy will be dealt with under the Code of Conduct and/ or the Disciplinary Policy/ procedures. This could include warnings or dismissal.

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#### 2.4 Additional Responsibilities of Managers

- Explaining to staff the aims of the Equal Opportunities Policy and the means of achievement.
- Making sure staff understand the policy and carry out their role.
- Assessment of employees training needs and ensuring that these are met in relation to Equal Opportunities as outlined in this policy.
- Applying employment practices, procedures and conditions of service fairly and consistently. For, example in terms of recruitment. Appraisal and selection for promotion.
- Dealing with complaints fairly and speedily.
- Identifying and removing practices, which may lead to discrimination or oppression
- Taking immediate action to stop any unlawful discrimination at work, giving support to the person discriminated against and dealing appropriately with the responsible person.

### 3. POLICY

3.1 Our commitment to anti-discriminatory practice relates to direct and indirect discrimination, harassment and victimisation as set out below:

- Direct discrimination – where someone is treated less favourably than another on any of the grounds set out above.
- Indirect discrimination – when a requirement or condition is applied which has a detrimental effect on a particular group as set out above, where this cannot be objectively justified.
- Harassment – unwanted conduct which has the purpose or effect or violating someone’s dignity or which is hostile, degrading, humiliating or offensive. (see Appendix 1 for more detail)
- Victimisation- treating someone unfavourably because they have taken (or might be taking) action under the Equality act or supporting someone who is doing so.

3.2 It is important to recognise that treatment can be MULTILAYERED, or can occur because of:

- An aspect of individuality e.g. may stand out because of dress
- Our state/situation e.g. homelessness.

Key will adhere to the requirements and guidance contained in the Equality Act 2010. This replaces 9 separate pieces of legislation that relate to this area. The aim of this is to simplify and strengthen the law in this area in order to tackle discrimination and inequality.

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- 3.3 Key will seek to make our services accessible to disadvantaged young people.
- 3.4 Key will aim to establish a work culture that values diversity, inclusiveness, and respect, and empowers our staff to reflect those values in their dealings with clients, stakeholders, and the public.
- 3.5 Key will ensure that Trustees, volunteers and staff are aware of this policy at induction and then through follow on training.
- 3.6 Key will take steps to help users of our services understand this policy and how to alert Key to instances of discrimination or harassment.
- 3.7 The Operations Manager will investigate urgently any claim of discrimination or harassment, using Key's complaints policy or grievance policy, and report the outcome to Trustees.
- 3.8 Equality Impact Assessments will be carried out for all service user and staff facing policies and procedures to ensure we can look to address any negative impacts on the protected characteristics and provide as many positive impacts as possible.

These assessments will be reviewed alongside policy and procedure reviews to ensure that equality and diversity is considered with regards to any changes.

- 3.9 Developing and publicising our policy
- A copy of our policy will be issued to all applicants for employment and staff and volunteers.
  - Information about this policy will be available in appropriate form to young people.
- 3.9 Monitoring the policy
- The Operations Director will collect and monitor details of the sex, disability and ethnic origin of all applicants for employment/ volunteering and service users and report these results to Trustees annually.
- The Operations Manager will seek opportunities to update Trustees volunteers and staff on current practice and to monitor whether young people are aware of this policy.

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For clarification about this policy you should contact Key's Operations Manager.

### 3.10 Abbreviations

- PHG: Progress Housing Group

### 3.11 Definitions

Equality and Diversity- A term used in the United Kingdom to define and champion equality, diversity and human rights as defining values of society. It promotes equality of opportunity for all, giving every individual the chance to achieve their potential, free from prejudice and discrimination. United Kingdom legislation requires public authorities to promote equality in everything that they do, also making sure that other organisations meet their legal duties to promote equality while doing so themselves.

### 3.12 References

It is important that we are all aware of the legal framework for equality and diversity. Key is committed to the provisions of the Equality Act 2010 which has brought together the following legislation:

- Civil Partnership Act
- Disability Discrimination Act 1995
- Disability Equality Duty 2006
- Employment Equality (Age) Regulations 2006
- Employment Equality (Religion and Belief) Regulations 2006
- Employment Equality (Sexual Orientation) Regulations 2006
- Equal Pay Act 1970
- Gender Recognition Act 2004
- Human Rights Act 1998
- Protection from Harassment Act 1997
- Race Relations Act 1976
- Race Relations (Amendment) Act 2000
- Sex Discrimination Act 1975 (updated 1986)
- Special Education Needs and Disability Act 2001

### 3.13 Data Protection

- All data will be handled in accordance with Key's Data Protection Policy ensuring compliance with the Data Protection Act 1998.
- Where data is collated for the purposes of equality and diversity monitoring for example when assessing satisfaction forms, all data will be made anonymous.

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- Personal data will not be shared with 3<sup>rd</sup> parties unless stated and it is required to ensure we can deliver services in line with policy.

#### 4 IMPLEMENTATION

##### 4.1 Training and Personal Development

- Equality and diversity issues and cultural awareness will be included in the core training for all staff and board members. At the recruitment stage for both staff and board members, potential applicants will be made aware of our commitment to equality and diversity, particularly emphasising the behaviour expected of them.
- Staff will receive training on equality and diversity issues at least every three years to ensure that they are able to deal sensitively with the diverse needs of those that use Key's services.
- Equality and diversity forms part of the annual appraisal of all staff at Key. Where training issues are highlighted or training is requested by staff this will be provided.

4.2 The Operations Director will report annually to Trustees on KEY's performance, based on the monitoring information collected, and on progress with any specific initiatives agreed in the previous year's report. The Trustees will agree a plan of action for the forthcoming year to enable Key to better meet the stated aims of this policy.

4.3 Linked documents  
N/A

#### 5 PROCESS MAP

N/A

#### 6 PROCEDURE

N/A

#### 7 CONSULTATION

No consultation for this review needed.

#### 8 REVIEW

8.1 This policy may be reviewed at any time and will normally be reviewed every 3 years, unless changes are required due to

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legislation, best practice, regulatory requirements or business change.

## 9 EQUALITY IMPACT ASSESSMENT

9.1 Key aims to consult those who may be affected by a policy before it is formally introduced. Key encourages involvement in shaping new services and wants to take account of the needs, circumstances and experience of those likely or be affected by a proposed policy and identify any possible inequalities or discrimination between differ.

9.2 Key has undertaken an Equality Impact Assessment screening on this Policy and Procedure and has determined they do not demonstrate any adverse impact on equality groups.

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## Appendix 1

### DEFINITIONS OF HARASSMENT/ BULLYING

- 1.1 Harassment and bullying can range from extremes such as violence, to less obvious forms like ignoring someone. Whatever the form, it will be unwanted behaviour that is unwelcome and unpleasant. It may be directed at an individual or groups of individuals, it is insulting and demeaning to the recipient(s), and as such is unacceptable behaviour. It may be related to any of the protected characteristics, and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient.

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

Harassment may be deliberate and conscious, but it can also be unintentional – ‘I meant no offence’, or ‘it was just a joke’ is a common, sometimes genuine protest when someone has been oblivious to another person's feelings or sensitivities. Many people genuinely believe that they have no prejudices. Although the intention of the perpetrator may provide an explanation for harassment it can never be an excuse.

## 2. DEFINITIONS

- 2.1 Racial Harassment - Can be defined as ‘racially motivated actions and behaviour which are directed at people because of their race, colour, ethnic or national origins and which are unwanted and/or cause offence and distress’. Examples of this could include:
- racist ‘jokes’, banter, insults, taunts, gibes, insinuations, literature, and graffiti or other visual materials
  - racial abuse and stereotyping
  - shunning people because of their race, colour, nationality or ethnic background
  - excluding black and/or ethnic minority people from talk and activities
  - being condescending or deprecating about the way someone dresses or speaks

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- picking on them unnecessarily
- physical assault

2.2 Sexual Harassment -Can be defined as ‘unwanted conduct of a sexual nature or other conduct based on sex affecting the dignity of men and women at work’. It typically affects a person’s ability to do their work. Sexual harassment is often dismissed by those not suffering from it as ‘just a bit of fun’ or ‘a bit of harmless flirting’. In reality, it is a very specific form of sex discrimination and is against the law. Examples of this could be:

- unnecessary touching, patting, pinching or brushing against a person’s body
- physical assault
- demands for sexual favours, propositions or pressure for sexual activity – by a member of the same sex or the opposite sex
- continued unwelcome invitations to social activity outside the workplace
- leering, rude gestures, whistling, catcalls
- pornographic pin-ups or other offensive visual material
- the circulation of obscene material (by e-mail for example)
- comments about the way a person looks which are demeaning - appearance, body size, clothes etc.
- suggestive/indecent remarks and innuendoes
- questions about an individual’s sex life
- other verbal abuse
- any conduct of a sexual nature which creates an intimidating, hostile or humiliating working environment

Incidents involving touching and other physical threats are a criminal offence and could be reported to the police.

2.3 Sexual Orientation Harassment - Can be defined as ‘unwanted conduct or actions towards a person because of that person’s sexual orientation, including Lesbians, Gay Men, Bisexuals and Transsexuals’. Examples of this could be:

- verbal abuse and innuendo
- use of inappropriate language and gestures
- homophobic comments which may imply that they “can be cured” or “haven’t met the right partner of the opposite sex yet”
- suggestions or comments that may imply that they are somehow “second class” i.e. that Gay Men aren’t real or proper men

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- making judgements about a person's character or lifestyle based on inappropriate stereotypes
- threatening to make public (outing) the fact that a colleague is lesbian, gay, bisexual or transsexual
- exclusion
- preventing access to support and networking.

2.4 Harassment of People with Disabilities - Can be defined as 'less favourable treatment of a person because of their substantial and long term physical or mental impairment which affect their ability to carry out normal day to day activities'. Examples of this could include:

- 'jokes' about disabled people
- unwanted or patronising comments which repeatedly draw attention to an impairment, or any aids or equipment they may use
- stereotyping and/or commenting about disabled people's abilities
- persistently patronising behaviour
- exclusion

2.5 Age Harassment - can include:

- displaying misconceptions and prejudices about age rather than judging solely on talent and skills
- unjustifiable age related criteria;
- providing training on the basis of age rather than need
- stereotyping youth as inexperienced for promotion
- side-stepping people or excluding people based on the assumption that they are too young/old to take part or be promoted

2.6 Religious Harassment (Religion or Belief) - can include:

- behaviour which fails to tolerate or acknowledge the rights or needs of people with different beliefs and practices
- purposely mocking people who respect/practice their religion
- making fun of people because of their religious beliefs
- misusing or defacing a person's religious artifacts

2.7 Bullying - can be the outcome of a form of harassment detailed above. Examples of this could include

- demonstrating excluding behaviour
- constantly using foul language and/or aggressive language;

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- persistently picking on or ridiculing a person or persons in public or private
- purposely giving a variety of mixed messages to disrupt a team's functioning
- singling out person(s), treating them less favourably than the rest of the group
- 

2.8 Environmental Harassment - An individual can feel oppressed, victimised or harassed by actions or situations that while not directed specifically at them, can still cause offence or distress. Examples of this could include:

- sexist or racist graffiti
- conversations which exclude members of particular groups