



EQUALITY AND DIVERSITY POLICY

1.0 INTRODUCTION

- 1.1 Bury Drop In strives for high standards both as an employer and as a provider of services. In so doing, we recognise the need for and strongly support the encouragement of diversity in our work and wholeheartedly support a Policy of Equal Opportunities in all areas of our activities and responsibilities.
- 1.2 This Policy provides guidance to enable all who work with or for Bury Drop In to comply with anti-discrimination legislation. The Policy will also address anti-discrimination issues involving areas that currently fall outside any legislation.
- 1.3 Failure to follow the procedures in this Policy may lead to disciplinary or other appropriate action.
- 1.4 The aims and objectives of this Policy will be achieved through action planning, effective monitoring and a willingness to tackle problems where they arise. Through our training, interaction with members and other activities, Bury Drop In will inform those we work with of this Policy document.
- 1.5 Bury Drop In is committed to reviewing this Policy on an annual basis. We will also regularly examine the implementation of the Equality and Diversity Policy. Where evidence is found of ineffectiveness, immediate remedial action will be taken to ensure implementation.
- 1.6 Bury Drop In urges staff, trustees, committee members, volunteers, and service users to be aware of the less obvious types of discrimination which result from general assumptions and pre-conceptions about the capabilities, interests and characteristics of individuals.

2.0 DEFINITIONS

- 2.1 Equal Opportunities – Bury Drop In aims to ensure that policies, procedures and practices do not unfairly discriminate against our employees, volunteers, stakeholders and service users. The Charity aims to treat people fairly and equitably regardless of who they are, their background or their lifestyle.
- 2.2 Diversity – Bury Drop In aims to ensure that all people are valued as individuals and are able to maximise their potential and contribution. It recognises that people from different backgrounds can bring fresh ideas and a different approach that can make the way we work and learn more fun, more creative, more efficient and more innovative.
- 2.3 Direct Discrimination - as defined in law, occurs when a person is dealt with less favourably than other people because of a 'protected characteristic'. These are defined in the Equality Act 2010 as being:

- Age – a person of a particular age group, but does not apply to those under the age of 18.
- Disability – a person who has a physical or mental impairment, where the impairment has a substantial and long-term effect on the person’s ability to carry out day-to-day activities.
- Gender Reassignment – a person who is proposing to undergo, is undergoing or has undergone a process, or part of a process, for the purpose of reassigning the person’s gender by changing physiological or other attributes of gender.
- Marriage or Civil Partnership – Marriage is defined as a 'union between a man and a woman' or 'between partners of the same-sex'. Same-sex couples can have their relationships legally recognised as civil partnerships. Civil partners must be treated the same as married couples.
- Pregnancy and Maternity – a woman who is pregnant has a protected characteristic for the whole pregnancy and for a period of 26 weeks from the day she gives birth (in the case of a still born child the 26-week period exists if the birth takes place after the 24th week of pregnancy). A woman who has given birth and is breast-feeding has a protective characteristic when accessing premises, services and public functions.
- Race – a person or group of people defined by their race, colour, nationality, including citizenship, and ethnic or national origins. A racial group can include more than two distinct racial groups; e.g. Black Britons would comprise of those people who are both black and who are British citizens.
- Religion or Belief - a person’s religion, religious or philosophical belief, lack of religion or lack of religious or philosophical belief. A belief will affect a person’s choices or the way they live for it to be considered a protected characteristic.
- Sex – a person who is a man or a woman.
- Sexual Orientation – a person’s sexual attraction towards a person of the same sex, another sex, or people of both sexes.

This Policy uses a wider definition of characteristics and includes caste, caring responsibility, mental health, class, HIV status, employment status, unrelated criminal convictions, and union activities.

2.4 Associated Discrimination is direct discrimination against a person because they associate with another person who possesses a protected characteristic.

E.g. a person is refused entry to the library because the person they are with has limited mobility and uses crutches to help them move around.

2.5 Discrimination by Perception is direct discrimination against a person because it is perceived that they possess a particular protective characteristic.

E.g. a man who is perceived to be a woman because they have a high voice on the phone is refused access to a men-only service. This would be sex discrimination because the man has wrongly been perceived to be a woman.

2.6 Indirect Discrimination occurs when an apparently neutral practice, provision or criterion puts people with a particular protected characteristic at a disadvantage compared with others who do not share that characteristic, and when applying the practice, provision or criterion cannot be objectively justified.

E.g. an organisation has a policy of reminding people of forthcoming appointments by phone. This would indirectly discriminate against deaf people as they would not receive a reminder of their appointment.

- 2.7 Victimization means subjecting a person to detrimental treatment because they are or are believed to be bringing proceedings under the Equality Act; giving evidence or information in connection with proceedings under the Equality Act; doing any other thing for the purposes or in connection with the Equality Act or making an allegation that a person has contravened the Equality Act.

A person must be able to act against unlawful discrimination without fear of reprisals or being subjected to a detrimental effect.

E.g. a patient makes a complaint to a service provider where they were obtaining treatment because they felt they were discriminated against for being gay. The complaint is resolved, but if the person who provides the treatment refuses to treat the gay client, this would be victimisation.

- 2.8 Harassment means unwanted behaviour that has the purpose or effect of violating a person's dignity or creates a degrading, humiliating, hostile, intimidating or offensive environment.

Sexual harassment is any conduct of a sexual nature that is unwanted by the recipient, including verbal, non-verbal and physical behaviours, and which violates the victim's dignity or creates an intimidating, hostile, degrading or offensive environment for them.

Harassment can be sexual, racial, ageist, directed against people with disabilities or indeed related to any protected or other characteristic exhibited by the individual.

E.g. A male employee is disabled and is claiming harassment against his line manager after she frequently teased and humiliated him about his disability. A female employee shares an office with the male employee and she too is claiming harassment, even though she is not disabled, as the manager's behaviour has also created an offensive environment for her.

- 2.9 Harassment by a third party means unwanted, repeated conduct by a third party based on a protected characteristic, which has the purpose or effect of violating the dignity of a person or creating an intimidating, hostile, degrading, humiliating or offensive environment for a person and where the employer does nothing to prevent it from reoccurring. A third party is defined in law as not being the employer or employees of the employer, such as customers or clients.

E.g. A manager of a Benefits Office hears from one of his staff, who is gay, that he is feeling unhappy after a claimant made homophobic remarks in his hearing. The manager is concerned and monitors the situation. Within a few days the claimant makes further offensive remarks.

The manager reacts by having a word with the claimant, pointing out that this behaviour is unacceptable. He considers following it up with a letter to him pointing out that he will ban him if this happens again. The manager keeps the gay employee in the picture with the actions he is taking and believes he is taking reasonable steps to protect the employee from third party harassment.

- 2.10 Positive Action can be taken when it is clear that a group of people who share a protected characteristic and who are, or could become, employees, volunteers or service users, suffer a disadvantage linked to that characteristic, have disproportionately low levels of participation, or have different needs from a service as compared to other groups.

The positive action must be proportionate and aim to increase participation, meet different needs or overcome disadvantage. The positive action must be appropriate to its aim and other actions would be less effective in achieving this aim or likely to cause greater disadvantage to other groups.

Positive action could take the form of additional training or providing a job application form in other languages to encourage applicants from these communities. 'Positive discrimination' at the point of selection for employment is not permissible.

3. POLICY STATEMENTS

Diversity

- 3.1 Bury Drop In encourages all people it works with to contribute to an environment in which people feel comfortable expressing how they feel and what they need, knowing they will be treated with respect and that their contribution will be valued.
- 3.2 Bury Drop In through its Mission Statement and Aims and Objectives supports the spirit and intentions of legislation that outlaws discrimination and promotes equality and diversity.
- 3.3 Bury Drop In will make reasonable adjustments to working practices, equipment and premises and offer, where appropriate, additional support to trustees, committee members, staff and volunteers to ensure they are able to take a full and active part in the Organisation's work.
- 3.4 Bury Drop In will endeavour to deliver services in a way that genuinely recognises the importance of an inclusive society that brings opportunities and access, not barriers to individuals.

Equal Opportunities

- 3.5 Bury Drop In strives to be an equal opportunities employer and promotes equality of opportunity through all of its activities.

No job applicant, employee, volunteer, trustees, committee member or service user should receive less favourable treatment on the grounds of race, colour, nationality, ethnic or national origin, sex, marital or civil partnership status, caring responsibility, sexual orientation, age, physical, sensory or learning disability, mental health, religious beliefs, class, HIV status, employment status, unrelated criminal convictions, and union activities.

ASSISTANCE DOGS

- 3.6 Bury Drop In welcome assistance dogs. This information is intended to provide helpful information about assistance dogs and their handlers.

What is an assistance dog?

Assistance dogs are trained to aid or assist an individual with a disability. They include 'guide dogs', 'hearing dogs' as well as other trained dogs who carry out a wide range of tasks. They are instantly recognisable by the harness or identifying dog jacket they wear.

What do assistance dogs do?

Assistance dogs carry out a variety of practical tasks for disabled people in order to support their health and independence. They are specially trained to behave appropriately in public places. They are legally entitled to accompany their handlers almost everywhere and have undergone thorough training to ensure their suitability for this.

What is the responsibility of the owner?

Owners will have received specialised training in the safe and effective use of their dog. The dog's behaviour is a key part of this training to ensure that they are entirely under control at all times including following strict rules about how to behave well around people and go to the toilet on command, so are unlikely to foul in a public place.

In the rare event that an assistance dog misbehaves, please inform the team leader who will inform the owner.

4.0 AIMS & OBJECTIVES

4.1 The aims and objectives of the Equality and Diversity Policy are:

- To encourage, promote and celebrate equality and diversity in all Bury Drop In's activities and services
- To ensure equal access to services, jobs and volunteer opportunities
- To ensure compliance with legislation on discrimination and equality (including the Equality Act and any other legislation which becomes law)
- To promote equal opportunities in other areas not currently covered by legislation
- To create environments free from harassment and discrimination
- To maximise the use of resources in the best interests of trustees, committee members, staff, volunteers and service users
- To confront and challenge discrimination where and whenever it arises, whether it be between colleagues, or in any other area relating to Bury Drop In's work
- To make a willingness to abide by and implement this policy a necessary condition of employment for any position in Bury Drop In
- To ensure, through positive action and so far as is practicable, that all the Bury Drop In's premises and services are accessible to all people. For our policy on welcoming assistance dogs to the Drop In, please refer to an accompanying document titled, Assistance Dog Policy.
- To ensure that employment and advancement within Bury Drop In's is determined by objective criteria and personal merit.

5. POLICY IMPLEMENTATION - EXPECTATIONS

5.1 Bury Drop In recognises that passive policies do not provide equality and encourage diversity in employment / training /services. Consequently, Bury Drop In will seek to promote equality and diversity within the following framework of responsibilities.

5.2 Responsibility for implementing and developing this Policy rests with the Bury Drop In trustees. Bury Drop In believes that all who work with or for Bury Drop In have an individual responsibility: to abide by the Policy and ensure a personal involvement in its application; to co-operate actively to ensure that a fair and equitable environment is a reality. Therefore, Bury Drop In requires individuals:

- to implement measures introduced by Bury Drop In to ensure equality of opportunity, diversity and non-discrimination
- not to harass, victimise, abuse or intimidate any other employee, volunteer or service user on the grounds of race, colour, nationality, ethnic or national origin, sex, marital or civil partnership status, caring responsibility, sexual orientation, age, physical, sensory or learning disability, mental health, religious beliefs, class, HIV status, employment status, unrelated criminal convictions and union activities.
- to inform management if they suspect discrimination is taking place.

5.3 Bury Drop In requires its Trustees: -

- to preserve the Christian nature and leadership of the organisation, Trustees will normally be practicing Christians and that volunteers and any employees should be sympathetic to the Christian character of the organisation and be willing to work within that context. None of this will in any way hinder BDI offering services to all homeless guests irrespective of their religion, culture, nationality, sexuality etc.
- to ensure that proper records of employment decisions are maintained and regular reviews of employment practices are carried out
- to ensure that grievances are dealt with in a fair and consistent manner and in line with the Charity's Grievance & Disciplinary Policies
- to ensure that individuals whom they manage are aware of their legal responsibilities, and the Equality and Diversity Policy
- to promote actively the benefits of diversity for employees, volunteers and service users, in employment, volunteering, services and training.

6.0 POLICY IMPLEMENTATION

Recruitment, Interviews, Selection & Promotion

6.1 In line with the intentions of this Policy, Bury Drop In strives to ensure that trustees, committee members, staff and volunteers reflect the wider community.

7.0 POLICY IMPLEMENTATION – TRAINING

- 7.1 In line with the intentions of this policy, Bury Drop In will not discriminate in the provision of training courses wherever possible.
- 7.2 Appropriate training will be provided to enable trustees, committee members, staff, and volunteers to perform their roles effectively. The training offered will take into account the needs of all people.
- 7.3 Bury Drop In will strive to ensure that all training offered will be accessible to all people.

8.0 POLICY IMPLEMENTATION – ENFORCEMENT

- 8.1 Bury Drop In recognises the need for a continuing commitment to genuine equal opportunities and diversity within the Charity. The effectiveness of the policy's aims and objectives can only be judged by how the policy operates in practice.

8.2 Policy Enforcement - Grievance

Any staff member or volunteer who feels aggrieved as a result of discrimination or unfairly treated in a way contrary to the intention of this policy should raise the issue through the Grievance & Disciplinary Policy.

Any job applicant who believes that he / she has been treated unfairly and contrary to the intention of this policy should raise the issue with the Executive Chairman.

Bury Drop In will not treat lightly or ignore grievances from members of disadvantaged groups on the assumption that they are over-sensitive about discrimination.

8.3 Policy Enforcement – Discipline

Any member of staff suspected of being in breach of this policy will be subject to disciplinary action.

All incidents of direct discrimination are disciplinary offences.

All incidents of indirect discrimination are disciplinary offences.

Incidents of victimisation or harassment will be dealt with in accordance with Bury Drop In's disciplinary processes.

Any volunteer, including trustee or committee members, found to be in breach of this policy will be counselled on his / her actions and may, where necessary, be asked to leave the Charity.

Any service user found in breach of this policy will, where appropriate, be counselled on his / her actions and may, where necessary, be refused future services from Bury Drop In.

9. POLICY IMPLEMENTATION – MONITORING

- 9.1 Bury Drop In regards the collection of data as vital in informing change and improving performance and complying with legislation. Where appropriate, statistics on the Charity's services will be collected and analysed in relation to equality and diversity matters. We will review recruitment and turnover and seek information on reasons for leaving.
- 9.2 The trustees will review annually the equality of opportunity relating to Bury Drop In's services. Recruitment and selection procedures will be monitored and reviewed annually by the board. All aspects of policies and procedures shall be kept under review to ensure that they do not operate against the Equality and Diversity Policy.
- 9.3 Equality of opportunities in the workplace will be monitored for all staff and volunteers through the appraisal systems.
- 9.4 In order to determine the impact of this policy it is important that a monitoring system be developed which will measure commitment, progress and effectiveness.

The Diversity and Equality Policy will be monitored and reviewed as follows:

- Diversity and Equality will feature as a regular agenda item at all trustee meetings
- A review of the policy will be undertaken annually and will take into account minutes from trustee meetings
- trustee, committee members and volunteers will be encouraged to submit comments for consideration
- The review recommendations will be presented to the relevant trustee meetings for discussion.

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