

# Equality and Diversity Policy

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## Equal Opportunities

Relates to treating people in the same way, although they may belong to certain groups. Equal Opportunities in particular relates to a Legal Framework, which makes it illegal to discriminate against people because they belong to particular groups.

## Diversity

Diversity is a broader concept that builds upon the progress made through equal opportunities. Everyone is different and diversity is about recognising, respecting and valuing the differences we each bring to work.

Equal opportunities and diversity work together by addressing the inequalities and barriers faced by people in under-represented groups and by valuing, learning and benefiting from the diverse cultures in society and our staff and volunteers.

### 1. Declaration of Intent

Nova is committed to taking positive action to fight unlawful discrimination in every respect of its work.

Nova is an equal opportunities employer and organisation. The aim of its Equality and Diversity Policy is to ensure that no job applicant, employee volunteer or service user receives less favourable treatment on the grounds of race, colour, ethnic or national origin, being a traveller or gypsy, age, religion, gender or transgender identity, sexual orientation, marital and civil partnership status, family circumstances or caring responsibilities, pregnancy and maternity or disability, nor should they be disadvantaged by requirement or discriminated against due by association. Nova will strive to redress any imbalance that may become evident.

Nova will endeavour to establish a broad base for consultation to identify priorities and needs as reflected by the local population at large, and in all work will maintain the objectives stated above.

The Management Committee shall review the content and effectiveness of the policy when necessary. The Director is responsible for the policy's day-to-day implementation. Nova will monitor and review the composition of its Management Committee with the aim of promoting a broad-based representation.

## 2. What we Expect from our Employees, Volunteers and Service Users

Whilst the responsibility for creating and monitoring a culture of equality of opportunity rests with Nova, its success relies on each individual playing their part.

Employees, volunteers and service users have a number of responsibilities; many of which are directly related to their roles, but the following are general instructions that apply to everyone:

- a) Every individual shall comply with measures that are introduced to ensure equality of opportunity and non-discrimination. Training appropriate to each individual's role will be provided.
- b) Those individuals responsible for other employees or volunteers are not to discriminate when applying processes relating to the training, advancement, performance management, transfer, redeployment, discipline, retirement, dismissal or redundancy, benefits, facilities and services
- c) No individual shall induce, or attempt to induce other individuals or management to discriminate
- d) No individual shall victimise an individual on the grounds that they have made complaints or provided information about discrimination or harassment.
- e) No employee shall harass, abuse or intimidate another employee on any grounds.

It will be made clear to all employees that discrimination, abuse or harassment on the grounds of a 'Protected Characteristic' (race, colour, ethnic or national origin- including being a traveller or gypsy, age, religion, gender or transgender identity, sexual orientation, marital and civil partnership status, family circumstances/caring responsibilities or pregnancy and maternity)- if proven - is a dismissible offence, as set out in Nova's Disciplinary and Grievance Procedures.

Harassment is defined by the Equality Act 2010 as, 'unwanted conduct (relating to a relative protective characteristic), which has the purpose or effect of violating an individual's dignity or creating an intimidating, degrading, humiliating or offensive environment for that individual.' Nova will, of course, seek to apply the spirit and letter of the Act, but it also considers harassment and/or bullying on any grounds, including those not covered as a protected characteristic to be unacceptable, and will deal with all allegations appropriately.

**Victimisation** is a type of harassment. This occurs when an individual treats another individual less favourably because she or he has alleged that harassment has occurred or is helping someone else to do so.

The Equality Act protects individuals against harassment by considering whether the conduct that has taken place falls within the definition of harassment. The Act also provides additional protection as follows:

It protects people against harassment on the grounds of a **perceived protected characteristic**, even if that perception is incorrect e.g – making offensive remarks about gay people because a colleague is perceived as gay, even though they are straight.

An individual is protected from harassment on the grounds of their **association** with another person who has a protected characteristic, e.g – because they are the friend of a disabled colleague.

People have the right to complain about behaviour they find **personally offensive** even if it wasn't directed at them e.g – a male worker can complain about sexist remarks about a female worker (whether or not she was present when the remarks were made).

Examples of harassment include (but are not limited to):

- Unwanted physical contact
- Unwelcome remarks or jokes about, for example, a person's age, appearance, marital status
- Unwelcome advances, attention or propositions
- Unwelcome written or visual communication such as posters, graffiti or offensive gestures
- Intrusive questioning
- Publicising, or threatening to publicise the sexual orientation of someone without their permission
- Misuse of the internet and social networking sites to ridicule or harass
- Isolation, non-cooperation, or deliberate exclusion of an individual from a work or study situation.

**Bullying** is not specifically defined by law but can be characterised as offensive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power which has the effect of undermining, humiliate or injuring the recipient.

Bullying can be carried out by an individual or a group. It can take many forms, including someone in authority bullying an individual, peer to peer, or an individual to a line manager.

Examples of bullying may include (but are not limited to):

- Exclusion with negative consequences e.g - essential information being purposefully withheld so a task may be delayed
- Verbal abuse / insults
- Persistently ignoring or patronising an individual
- Being treated less favourably than other colleagues
- Persistent unjustified criticism

- Being pressured into behaviours or actions against the wishes of the individual
- Intimidation
- Blame for things beyond the control of the individual

### **3. Recruitment of Staff**

A written job description and person specification shall be prepared in respect of every vacancy that arises and every new post that is created. It shall be checked and agreed by the staff and honorary officers for direct and indirect discrimination, including culture-bound assumptions and ageism before the recruitment procedures commence. Applicants should be made aware that general life experience and voluntary as well as paid work are valued.

All jobs must be advertised as widely as possible. Advertisements should clearly state the minimum requirements for the post. At both the short-listing and the appointment stage, brief notes shall be made on each application indicating clearly why the applicant has or has not been short-listed or appointed.

No interview for any post should be conducted by a panel of fewer than two selected representatives from Nova. All interview panels should where possible include women and be suitably representative of the various ethnic groups within the membership of the organisation. Whenever possible, an external assessor shall be invited to join the panel in a non-voting capacity.

An open invitation will be given to short-listed applicants with a disability to discuss their specific needs and requirements. Nova will take all reasonable steps to ensure that the specific needs of disabled employees are met.

During each interview, notes should be taken and at the end of the interview a form should be completed for each candidate, assessing their response to the topics and themes raised. These should be reviewed at the end of the interview process by the panel to see that each candidate has been treated fairly.

Questions on the following topics are forbidden in an interview (with limited exceptions). Any candidate who is asked these questions has the right to refuse to answer. It is the responsibility of the Chair, or any other member of the panel to stop such questions being asked:

- Marital status
- Sexual orientation
- Occupation of partner

- Number of children/domestic arrangements (it should be made clear that the organisation aims to be flexible to individual requirements)
- Age
- Religion/Belief
- Gender Reassignment
- Pregnancy/Maternity
- Disability/Health (including time taken off in previous jobs)

An equal opportunity section should be included on the application form and an opportunity given to detail any special requirements needed to enable the applicant to attend an interview.

The equal opportunities policy and the purpose of monitoring should be clearly explained.

#### **4. Recruitment of Volunteers**

A written role description shall be prepared in respect of every vacancy that arises and every new voluntary post that is created. It shall be checked and agreed by the staff for direct and indirect discrimination, including culture-bound assumptions and ageism before the recruitment procedures commence. Applicants should be made aware that general life experience and voluntary as well as paid work are valued.

An open invitation will be given to applicants with a disability to discuss their specific needs and requirements. Nova will take all reasonable steps to ensure that the specific needs of disabled volunteers are met.

Questions on topics forbidden are as for recruitment of paid staff (see above).

#### **5. Recruitment of ex-offenders**

As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for positions of trust, Nova new opportunities complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions, both paid and voluntary, fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.

Full details can be found in Nova's Policy on the Recruitment of Ex-Offenders, in the Human Resources Folder in the Policies and Procedures file on recephare.

#### **6. Training**

Nova's policy of equality extends to training; this covers its general training programme and training in disability awareness and equality and diversity training. Each employee and

volunteer has the right to expect not to be unreasonably discriminated against, either directly or indirectly, in the opportunities to be trained, in how it is provided, where it is provided and through what medium.

Where relocation or redeployment is being considered, re-training will be discussed with the individual concerned and if found to be necessary and appropriate will be agreed in advance of any decision being taken.

All staff involved in selection or interviewing shall be trained to ensure that appointments are made on an objective basis.

Personnel involved in management, selection and dealing with the public shall be trained and receive guidance in the law, best practice and organisational policy, their own personal responsibilities and corporate liability under the law and the nature and effect of both reasonable and unreasonable discrimination.

Full details of our training policy are outlined in Training & Development Policy in the Staff Handbook and the Human Resources folder in the Policies and Procedures file on recepshare.

## **7. Terms and Conditions of Employment/ Voluntary Placement**

Nova complies with the Equal Pay Acts and is committed to ensuring that the organisation does not unreasonably discriminate against any individual in the terms and conditions, both contractual and implied, within which they offer and provide employment.

Staff and volunteer facilities and services shall be equally available to all employees and volunteers and where, for reasons of space and cost, this is not being achieved, reasonable alterations will be made.

Contracts and Terms and Conditions of employment/voluntary placement shall be made available in a variety of media and positive consideration will always be given to requests for them in other formats.

## **8. Support**

All workers should have access to support. If a worker feels isolated, provision should be made for support from other parts of Nova or outside the organisation. If any minority groups would like to set up a support group, this should be encouraged.

## **9. The Scope of this Policy**

This policy applies to:

- All staff employed by Nova, and all its volunteers, irrespective of funding agent.
- All aspects of promotional, educational, and campaigning functions of Nova.

- Members and affiliate organisations, contractors and partners. Nova would expect its membership to concur with and actively promote these objectives.
- Nova service users.

## 10. Implementation

Employment procedures and practices will be undertaken strictly in accordance with the following and all other relevant legislation:

- Race Relations Act 1976
- Sex Discrimination Acts 1975-85
- Equal Pay Act 1970
- Disability Discrimination Act 1995
- Rehabilitation of Offenders Act 1974
- Equality Act 2010

In order to implement this Equality and Diversity Policy; Nova accepts that it needs to ensure that all service users, volunteers and staff are given adequate and appropriate training in:

- Interview techniques
- Codes of practice
- Disciplinary and grievance procedures as contained in the Nova staff handbook
- Embedding equality & diversity across the planning and course materials for all classes.

## 11. Key tasks in developing and implementing policy

Sub-committees may be set up to develop action plans based on this statement. This should include short or long term objectives.

- Developing and producing mechanisms for consumer consultation.
- Establishing guidelines for service monitoring
- Designing training packages for the organisation which ensure that staff feel confident to promote the policy
- Progressing and updating the equal opportunities work programme
- Encouraging delivery staff to work together to share ideas and promote best practise.

## 12. Monitoring

All aspects of Personnel policies and procedures, including those for volunteers shall be kept under review and as part of the monitoring process, and in order to identify the

effectiveness of Policy implementation, an anonymous and confidential record maintained giving a profile of Nova's staff and volunteer make up. A voluntary monitoring form shall be issued with every application form with a separate and identifiable envelope for its return with the application. The Senior Administration Team shall ensure that they remain unopened until a successful appointment has been made. The information will then be logged for monitoring purposes.

The employee and volunteer audit will be carried out annually, normally in May to establish the composition of the work force.

Employees and volunteers are entitled to access, check, correct and update their own record of these details. Otherwise access to this information shall be restricted and controlled by the Senior Administration Team.

### **13. Complaints Procedure**

Everyone at Nova must comply with this policy and report any incidents or alleged incidents to their tutor or line manager. Anyone who believes they are the victim of discrimination, victimisation or harassment should where possible raise the matter with the person against who they have the complaint and attempt to resolve the matter without recourse to any formal procedures.

If the situation cannot be resolved informally then it will be dealt in line with Nova's Dignity & Respect Policy and Disciplinary Procedures, if appropriate. All complaints will be treated seriously and with appropriate confidentiality.

All employees should note: behaviour or actions which contravene this policy or which are against the spirit and/or laws on which this policy is based, will usually be treated as gross misconduct and, in line with Novas disciplinary procedures, may lead to dismissal.

### **14. Equality and Diversity in Service Provision**

#### **Nova's commitment:**

Nova is committed to ensuring equality of access to all its services. The Management committee will take action to provide genuine equality of opportunity to counter past discrimination and to monitor the outcome. The Management Committee will aim to ensure that no sector of the community shall be denied access or receive a poor service on the grounds of age, race, gender, disability, being a lesbian or gay man, marital status, ethnicity or religious belief.



The Management Committee will aim to ensure that all its services will be provided in line with this anti discrimination policy. In order to promote equality of access the executive will aim to ensure the following:

- That services are based on consultation with those who receive the services and positive steps are taken to include excluded groups in decision making.
- That all services are flexible and responsive to the changing needs in the community.
- That information on services is widely available and where necessary targeted to ensure maximum awareness of provisions.
- That systems are developed to audit and monitor service delivery and consumer satisfaction.
- That an accessible complaints procedure will be developed to ensure against discrimination in service allocation and delivery.
- That positive action programmes will be developed to target the needs of under-represented groups.
- That in advertising and publicity Nova will be presented as an organisation committed to promoting equality of access to employment and services.
- That all delivery staff and managers are aware of the importance of celebrating diversity and promoting equality in all areas of their work.

### **15. Review**

Nova will monitor and review the effectiveness of this equal opportunities policy on a bi-annual basis.

### **16. Information**

This document shall be circulated to all existing and applicant employees and volunteers and copies will be available at our premises for service users.

**Last updated:** August 2019

Last review date: March 2020

**Next** review date: March 2021