



# EQUAL OPPORTUNITIES AND DIVERSITY POLICY

## POLICY & PROCEDURE IMPLEMENTATION CHECKLIST

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| <b>Policy lead:</b>                                     | <i>Director of Business</i>                     |
| <b>Document author:</b>                                 | <i>Director of Business</i>                     |
| <b>Version Number:</b>                                  | <i>2 (in this format)</i>                       |
| <b>Approved by Board of Trustees on:</b>                | <i>Reported to the April 2022 Board Meeting</i> |
| <b>Effective from:</b>                                  | <i>1<sup>st</sup> April 2022</i>                |
| <b>Date of next review:</b>                             | <i>1<sup>st</sup> April 2024</i>                |
| <b>Diversity / Equality Impact Assessment required:</b> | <i>n/a</i>                                      |
| <b>Data protection compliant:</b>                       | <i>Yes</i>                                      |
| <b>Staff training / update required:</b>                | <i>All users updated via Staff Newsletter</i>   |

## 1. **POLICY STATEMENT**

- 1.1. BACKUP is committed to developing and maintaining an organisation in which differing ideas, abilities, backgrounds and needs are fostered and valued, and where those with diverse backgrounds and experiences are able to participate and contribute. We are committed to treating people equally and value openness, accessibility, fairness and transparency.
- 1.2. This policy covers all staff employed by BACKUP, all BACKUP volunteers and everyone who receives a service from the charity and is based upon the 2010 Equality Act, which replaced:
- Equal Pay Act 1970
  - Sex Discrimination Act 1975
  - Race Relations Act 1976
  - Disability Discrimination Act 1995
  - Employment Equality (Religion or Belief) Regulations 2003
  - Employment Equality (Sexual Orientation) Regulations 2003[5]
  - Employment Equality (Age) Regulations 2006
- 1.3. Many of the sections within the previous pieces of legislation dealing with discrimination had overlapped, and the Act simplified the law and made it easier for all to understand and apply.

## 2. **THE EQUALITY ACT AND PROTECTED CHARACTERISTICS**

- 2.1 The Act makes it unlawful to discriminate against someone on the grounds of any of the following characteristics:
- sex
  - age
  - religion or belief<sup>1</sup>
  - race
  - disability
  - sexual orientation
  - marriage or civil partnership
  - pregnancy or maternity
  - gender reassignment

which are referred to as 'protected characteristics'.

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<sup>1</sup> Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. Generally, a belief is one that affects life choices and includes man-made climate change, spiritualism and ethical veganism.

## 2.2 The main types of discrimination are:

- **Direct**
  - This occurs where a person is treated differently because he/she has protected characteristics (e.g. race or sex).
  - Direct discrimination may even occur by association (where a person is treated differently because he/she is associated with a person who has a protected characteristic) or by perception (because a person appears to have a protected characteristic he/she is treated differently).
  - Direct discrimination may be failing to promote a person, dismissing them, or not employing them in the first place because of their protected characteristic.
- **Indirect**
  - This form of discrimination is not as obvious and can be unintentional. Indirect discrimination occurs when an organisation has a policy, requirement or practice that appears to apply to all, but its effect in practice disadvantages a particular group of people with a protected characteristic.
  - Indirect discrimination may require for example that a person should be of a certain height, or have worked for a long time before being eligible to apply for a particular role.
  - If the height/age requirement cannot be justified the organisation may be found to be discriminating against a particular group of people who find it difficult to meet the requirement
- **Harassment**
  - This occurs where the conduct or behaviour is unwanted and relates to one or more of the protected characteristics. The conduct must have the effect or purpose of violating a person's dignity or creating a hostile, intimidating, degrading, humiliating or offensive environment for the person receiving it.
  - Harassment can include name calling, threats, jokes, banter, being excluded, insults, and unwanted physical contact.
- **Victimisation**
  - Victimisation happens when a person is treated differently because he/she has made an allegation of or supported a complaint of discrimination. It can even be where the person has given evidence relating to a complaint of discrimination, or raised a grievance concerning discrimination.
  - Examples of victimisation could include situations where an employee, having brought a discrimination claim against his/her employer and having remained in employment, was ostracised as a consequence.

## 2. OUTCOMES

### 2.1. The intended outcomes of this Policy are:

- BACKUP acts in compliance with relevant statutory requirements, specifically the Equality Act.
- BACKUP's workforce better reflects the community we serve.

- there are no significant differences in the employment experience of those with protected characteristics and those without
- BACKUP employees understand and respond effectively to the diverse needs of the communities we serve in order to promote equal access to our services.

### **3. STATEMENT OF RESPONSIBILITY FOR POLICY & PROCEDURE**

3.1. The Board of Trustees, acting through its Chair is responsible for

- Implementing and monitoring the policy and procedure;
- Agreeing any Operational Plan of Action that works towards eliminating any discriminatory practices.

3.2. Employees are expected to:

- To comply with the letter and spirit of this policy.
- To be aware of the various behaviours and barriers that discrimination can take and understand the negative impact that these can have.

### **4. DEVELOPING AND PUBLICISING OUR POLICY**

4.1. A copy of our policy will be made available through our website to all applicants for employment and staff; partners and service users.

### **5. IMPLEMENTING THE POLICY**

5.1. BACKUP will seek to make our services accessible to applicants from disadvantaged groups for housing or employment.

5.2. BACKUP 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.

5.3. We will ensure that Trustees, volunteers and staff are aware of this policy at induction and then through follow on training.

5.4. We will take steps to help users of our services understand this policy and know how to alert the relevant Project Manager or Director of instances of discrimination or harassment.

5.5. We will investigate urgently any claim of discrimination or harassment, using the timescale and process set out in our Complaints Policy, and report the outcome to the Trustee Board.

**6. REASONABLE ADJUSTMENTS**

6.1. Discrimination against a disabled person occurs where an employer fails to comply with a duty to make reasonable adjustments imposed on them in relation to that disabled person, the employer must:

- avoid the substantial disadvantage where a practice applied by or on behalf of the employer puts a disabled person at a substantial disadvantage compared to those who are not disabled.
- Remove or alter a physical feature or provide a reasonable means of avoiding such a feature where it puts a disabled person at a substantial disadvantage compared to those who are not disabled.
- Provide an auxiliary aid where a disabled person would, but for the provision of that auxiliary aid, be put at a substantial disadvantage compared to those who are not disabled.

6.2. BACKUP will strive to ensure that reasonable adjustments are made wherever possible.

**7. MONITORING THE POLICY**

5.1. We will collect and monitor details of the sex, disability and ethnic origin of all applicants for housing or employment and report these results to Trustee Board annually.

5.2. We will seek opportunities to update the Board of Trustees, householders, volunteers and staff on current practice and to monitor whether residents are aware of this policy.

**6. REVIEWING THE POLICY**

6.2. The Director of Business and Director of Services will report annually to Board on the charity’s performance, based on the monitoring information collected, and on progress with any specific initiatives agreed in the previous year’s report. The Trustee Board will agree a plan of action for the forthcoming year to enable BACKUP to better meet the stated aims of this policy.

6.3. The Trustee Board will review this policy after every incident in addition to the organisation’s policy and procedure review timetable.

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This policy is due for renewal on the  
1<sup>st</sup> April 2024

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[www.backup-charity.org.uk](http://www.backup-charity.org.uk)

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