

## Equal Opportunities and Diversity Policy

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| <b>Policy information</b>                 |   |
| <b>Organisation</b>                       | National Survivor User Network (NSUN)   |
| <b>Scope of policy</b>                    | The policy covers compliance with legislation that protects the rights of individuals and advances diversity and equality of opportunity for all. |
| <b>Policy operational date</b>            | May 2010  |
| <b>Policy prepared by</b>                 | Sarah Yiannoullou, NSUN Managing Director   |
| <b>Date approved by Board of Trustees</b> | May 2010  |
| <b>Policy review date</b>                 | May 2012 / May 2013 / May 2017  |

### 1. Introduction

Equality and diversity is not just seen as something to aim for but as something to be valued and an asset in delivering different services to different people. NSUN recognises that certain groups and individuals are discriminated against in society and is fully committed to valuing diversity and ensuring that equal opportunity becomes an integral feature of all its activities.

The Equality Act 2010 (the Act) consolidates and replaces most of the previous discrimination legislation for England, Scotland and Wales. It sets out the personal characteristics that are protected by the law and the behaviour that is unlawful. The Act covers discrimination because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. These categories are known in the Act as '**protected characteristics**'. This policy refers to the Equality Act 2010 Code of practice, Employment: Statutory Code of practice  
<https://www.equalityhumanrights.com/en/publication-download/employment-statutory-code-practice>

### 2. Statement

NSUN is committed to diversity and providing equal opportunities in employment and to avoiding unlawful discrimination. Our aim is that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect. NSUN will not accept a contract, which is identified as unreasonably discriminatory and will work positively within the given parameters to provide equal access to all. Unequal treatment, prejudice or harassment of an employee or member is unacceptable and unwanted in our organisation. This policy is intended to assist putting this commitment into practice.

### 2. Purpose

The policy aims to ensure that:

- NSUN trustees and staff understand that it is unlawful to discriminate directly or indirectly in recruitment or employment because of a 'protected characteristic'.
- NSUN trustees and staff understand that it is also unlawful to discriminate against or harass a member of NSUN or the wider public or to fail to make reasonable adjustments to overcome barriers caused by disability.

The Equal Opportunities and Diversity Policy applies to the following:

- NSUN Members, Trustees, Staff and Volunteers
- Staff recruitment, employment and development.

### **3. Types of unlawful discrimination**

NSUN accepts the definition of “direct” and “indirect” discrimination as stated in the legislation and extends the scope of these definitions to include AIDS/HIV status and history of mental health or addiction problems.

**Direct Discrimination** will have occurred where:

- A person treats another **less favourably** than they treat or would treat others because of a protected characteristic.
- Where people are deliberately **segregated or harassed** on the basis of their protected characteristic.
- Where a person is **victimised** for making a complaint of discrimination, representing a complainant or acting as a witness in a complaint of discrimination.
- An employer treats a worker less favourably because of the worker’s association with another person who has a protected characteristic.

**Indirect Discrimination** occurs where:

- In the application of terms, conditions or requirements a proportion of one group finds it harder to comply with the terms, conditions or requirements than an alternative group and there is no justifiable reason for such terms, conditions or requirements. The requirements in the person specification of a job will always be subject to the application of this definition.

### **4. Equal Opportunity in Access**

In accordance with the Equality Act 2010, NSUN will take reasonable steps to obtain aids and assistance that will help any person with a disability access and engage with the organisation.

NSUN will liaise with partners to ensure that all new projects are designed with accessibility for people with physical disabilities and projects developed in established buildings will be made as accessible as possible within the resources available.

### **5. Equal Opportunity for Staff**

All NSUN appointments and promotions will be based on merit and no job applicant or employee will be unfairly discriminated against on grounds of a ‘protected characteristic’.

All candidates short-listed for any vacancy must meet the criteria outlined in the person specification. Any disclosure of health problems, including mental health or addiction problems will be discussed constructively and in enough detail at the interview to determine whether or not this is likely to affect the person’s ability to undertake the duties outlined in the job description. It may be necessary to ask the candidate for permission to contact their general practitioner or consultant.

NSUN will make reasonable changes to the workplace and to employment arrangements so that any person with a disability is not at any substantial disadvantage compared to non-disabled people.

All staff will have equal access to staff development and training.

Any member of staff who breaches this policy may be the subject of grievance and/or disciplinary procedures.

## **6. Members, volunteers, suppliers and others**

NSUN will not discriminate unlawfully against members using or seeking to use the services we provide. If you are bullied or harassed by a member, volunteer, suppliers, contractor, visitor or others, or if you witness someone else being bullied or harassed, you are asked to report this to an NSUN manager who will take appropriate action.

## **7. Responsibility for Implementation**

NSUN Trustees, having formally adopted the Equal Opportunities and Diversity Policy, accept responsibility for monitoring the overall effectiveness of the policy.

The day-to-day responsibility for implementation lies with the Managing Director.

All staff and members have a responsibility to ensure the positive application of this policy.

## **8. Implementing the Equal Opportunities Policy**

### **Members**

All NSUN projects will have clear written information outlining the application process and eligibility criteria for involvement in the project. This information will be distributed widely with particular attention given to reaching groups who are likely to be marginalised and discriminated against. Anybody who disagrees with any decision made will be given details of NSUN's complaints procedure and given assistance to make their views heard, if this is necessary.

Facts about the age, gender, and ethnicity, of staff and members will be part of the required information collected for projects where relevant and possible. All employees will be expected to highlight any possible implications regarding equal opportunities to the Managing Director and agree positive action to overcome any difficulties e.g. the difficulties associated with being the only black service user in any project; the appropriate mix of male/female staff. Equal opportunity is a key element of the management reports and quality audit completed by NSUN staff for all projects.

### **Staff Recruitment, Employment and Development**

#### **Recruitment**

Staff will be required to attend a NSUN Recruitment and Selection training before participating in short-listing and interviewing.

There will be clear person specifications and job descriptions for all jobs and candidates will be short-listed according to these criteria. The interviews will be conducted in accordance with NSUN's policies.

NSUN will take positive action in recruitment advertising by utilising the relevant sections of the Equalities Act 2010, when this is relevant.

Advertisements for jobs will be placed in black and other minority publications, as appropriate.

## **Employment**

Any employee, who has a complaint of discrimination, will be encouraged to raise the matter under NSUN's Grievance Procedure. The complaint will be fully and objectively investigated and all possible action taken to eradicate the problem.

## **Staff Development**

NSUN will ensure that all staff are made aware of the Equal Opportunities Policy during their induction period.

Staff will be made aware that differences of culture and life-style are to be valued and enhanced not just accepted and tolerated. An appreciation of diversity enables NSUN to provide better services to people with diverse needs.

All staff will have a personal training needs analysis as part of their ongoing supervision and appraisal. This will enable them to have an equal access to training and development opportunities according to the requirements of their post and the region within which they are employed. NSUN also recognises that individuals learn in a variety of ways and opportunities for learning will be provided to reflect this.

## **9. Policy review**

This policy will be reviewed annually and in line with any new legislation and good practice. Next review date: May 2018.

**May 2010. Reviewed: May 2012, May 2017**

# Appendix 1

## Statement of Intent

NSUN recognises the Equality Act 2010 which brings together a number of existing laws into one place so that it is easier to use. The Equality Act 2010 sets out the personal characteristics that are protected by the law and the behaviour that is unlawful.

It is the policy of NSUN to ensure that all employees are recruited, trained and promoted on the basis of ability, the requirements of the job, and similar objective and relevant criteria. All employees will be encouraged to take advantage of facilities for development opportunities at work.

No applicant for employment or employee will be treated less favourably than another on grounds of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality, caste and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership.

It is the duty of all employees to accept their personal responsibility for the practical application of the policy but NSUN acknowledges that specific responsibilities fall upon management and individuals professionally involved in recruitment and staff management.

To ensure that this policy is consistently applied co-ordinating responsibilities have been assigned to the Managing Director who will monitor the operation of the policy for both employees and job applicants and undertake periodic audits.

To safeguard individual rights under the policy any employee who believes that NSUN has applied inequitable treatment to him or her within the scope of the policy should raise the matter through the appropriate Grievance Procedure if a staff member or the Complaints Procedure if a volunteer or member.

To make the policy work requires much more than this formal statement. The policy will assist the creation of the right climate for success but it is for each employee to make his or her own contribution. The policy will, therefore, be brought to the attention of every employee and job applicant and will be kept under regular review.

NSUN wishes to be known as an Equal Opportunity Employer by the community as a whole.

## Appendix 2

### Promoting a fair living and working environment

#### Code of Practice on Harassment

This code of practice outlines the responsibility of the Trustees, the Management Team and all employees in promoting equal opportunities by eliminating harassment. It complements the Equal Opportunities Statement and Policy.

#### Definition of Harassment

Harassment includes unreciprocated and unwelcome comments, looks, actions, materials, suggestions or physical contacts that are offensive to the recipient and may create an intimidating living and work environment.

The determining factor in the occurrence of harassment is primarily the perception of the conduct by the recipient rather than a certain form of conduct in isolation. It is the unwelcome or unwanted nature of the behaviour, which distinguishes harassment from friendly behaviour.

#### Dealing with and Eliminating Harassment

NSUN recognises that harassment is a serious issue that can affect people's health, sense of security, work performance, promotion and job prospects.

#### Members, volunteers, suppliers and others

Any members, volunteers, suppliers and others practising racial, sexual or any other form of harassment will be confronted by staff in an honest and non-punitive manner that allows for learning to take place.

Harassment is always unacceptable but there also needs to be an understanding that extreme distress may provide mitigating circumstances.

Any person who persists will be warned about the consequences of their behaviour and if there is no improvement there may be a decision taken to no longer work with you.

#### Staff

NSUN will not tolerate harassment in the workplace and understands that it may be unlawful.

Individual staff will be held personally responsible for their behaviour.

Managers will confront any harassment that they witness and treat any allegation of harassment seriously. The matter will be discussed with their Line Manager as a priority.

Any staff member who has experienced harassment will be encouraged to raise the matter under NSUN's Grievance Procedure. The complaint will be fully investigated and every possible step taken to eradicate the problem.

Staff making or supporting a harassment complaint will not be penalised or victimised in any way.