



## Equality and Diversity Policy POSCH (Parents and Carers of Special Children)

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This statement of policy and procedures applies to all staff and volunteers, employed or deployed by POSCH. The policy will also address anti-discrimination issues involving areas that currently fall outside any legislation.

### **1. Policy Statement**

#### **Diversity**

- POSCH will actively encourage diversity to maximise achievement, creativity and good practice and to bring benefit to individuals and communities.
- POSCH encourages all people it works with and for 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.
- The way we work, train and learn within POSCH reflects both the Mission and Objectives of the Organisation and the spirit and intentions of legislation that outlaws discrimination and promotes equality and diversity.
- POSCH will make reasonable adjustments to working practices, equipment and premises and offer, where appropriate, additional support to trustees, staff and volunteers to ensure they are able to take a full and active part in the Organisation's work.
- POSCH 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**

POSCH is an equal opportunities employer and provider of services. No job applicant, employee, volunteer, trustee, member or service user should receive less favourable treatment on the grounds of race, colour, nationality, ethnic or national origin; sex;



marital status or caring responsibility; sexual orientation; age; physical, sensory or learning disability; mental health; political or religious beliefs; class; HIV status; employment status; unrelated criminal convictions; union activities. Nor will such person's sex, disability, race, marital or civil partnership status, sexual orientation, religion, colour, nationality or ethnic or national origin, age, trade union membership or non-membership, be disadvantaged by conditions or requirements which cannot be shown to be justifiable. This principle applies to all aspects of the Organisation's activities as an employer and provider of services, including recruitment, promotion, transfer, training, benefits, facilities, procedures and all terms and conditions of employment.

### **Aims and Objectives**

- Encourage, promote and celebrate diversity in all our activities and services.
- Ensure equal access to jobs, volunteer opportunities.
- Ensure compliance with legislation on discrimination and equality including Equal Pay Act 1970, Sex Discrimination Act 1975, Race Relations Act 1976, Disability Discrimination Act 1995, Employment Rights Act 1996, Race Relations (Amendment) Act 2000, Employment Act 2002, Race Relations Act 1976 (Amendment) Regulations 2003, Religion or Belief Regulations 2003, Sexual Orientation Regulations 2003 and Employment Equality (Age) Regulations 2006.
- Promote equal opportunities in other areas not currently covered by legislation.
- Create environments free from harassment and discrimination.
- Maximise the use of resources in the best interests of staff, volunteers and service users.
- Confront and challenge discrimination where and whenever it arises whether it be between colleagues, or in any other area relating to the Organisation's work.
- Make a willingness to accept and implement this policy to be a necessary qualification for any position in the Organisation.
- Ensure, through positive action and so far as is practicable, that all the Organisation's premises and services are accessible to all people.
- Ensure that employment and advancement within the organisation is determined by objective criteria and personal merit.



## **Review**

POSCH will ensure that issues of safeguarding receive continuous attention and will regularly review the way that we operate to support this principle. This policy should be reviewed every 2 years or when there are any changes in legislation.

**Date approved: October 2017      Date of next review: October 2019**

## **2. Definitions**

Equal Opportunities ensures that policies, procedures and practice within POSCH do not discriminate against the people within it. It is about treating people fairly and equally regardless of who they are, their background or their lifestyle.

Diversity ensures that all people are valued as individuals and are able to maximise their potential and contribution to the Organisation and to the community. It recognises that people from different backgrounds can bring fresh ideas and a different approach, which can make the way we work and learn more fun, more creative, more efficient and more innovative.

Direct Discrimination, as defined in law, occurs when an individual is dealt with less favourably than other people on the grounds of: race, ethnic or national origin, disability, sex, age, actual or perceived religion or belief or sexual orientation. However in terms of this policy the definition is taken to be wider and includes for example: colour, nationality, marital status or caring responsibility, age, mental health, political, class, HIV status, employment status, unrelated criminal convictions, union activities.

Indirect Discrimination occurs when a provision, criterion or practice puts people of a particular group at a disadvantage and is not justified in relation to the job, for example a rule about clothing that disproportionately disadvantages a racial group cannot be justified.

Victimisation means that if a person has made or is making an accusation of discrimination in good faith, it is unlawful to discriminate against them for having done so, or because they intend to do so or it is suspected that they intend to do so. People must be able to act against unlawful discrimination without fear of reprisals.

Harassment means unwanted conduct based on race, sex or age etc. which has the purpose or effect of violating the dignity of a person or creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. Harassment can be sexual, racial, directed against people with disabilities or indeed related to any characteristic exhibited by the individual. (See the Organisation's Harassment Policy for guidance where harassment has occurred).

Positive Action refers to measures taken to assist employees or learners who have been under-represented in specific areas, to reach a level of workplace knowledge and competencies that is comparable with 'representative' employees. These measures could take the form of additional training or providing the job application



form in other languages to encourage applicants from these communities. 'Positive discrimination' at the point of selection for work is not permissible.

### **3. Organisational Commitments**

#### **Expectations**

POSCH recognises that passive policies do not provide equality and the Organisation will seek to promote equality and diversity within the following framework of responsibilities.

Responsibility for implementing and developing the policy rests with the Trustees. The overall co-ordinating responsibility for equal opportunities and management of diversity is delegated to the Chair of Trustees. However, the Organisation believes that all who work with or for the organisation have an individual responsibility: to accept the policy and ensure a personal involvement in its application; to co-operate actively to ensure that the environment we desire is a reality. Therefore the Organisation requires individuals to:

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

#### **The Organisation requires its Trustees, Managers/Coordinators to:**

- Ensure that proper records of employment decisions are maintained and regular reviews of employment practices are carried out.
- Ensure that grievances are dealt with in a fair and consistent manner and in line with the Organisation's Grievance Policy and Procedure.
- Ensure that individuals within their area are aware of their legal responsibilities, and the organisation's Equality and Diversity Policy.
- Promote actively the benefits of employee and participant diversity, in employment, services and training.

The Chair of Trustees will, with support from other delegated Trustees as appropriate at any one time:



- Ensure that Managers/Coordinators are supported in their roles in regard to the Equality and Diversity Policy and Procedures.
- Ensure that Trustees and Managers/coordinators are appraised annually on the state of equal opportunities and diversity within the Organisation.
- Ensure that the highest standards of Equal Opportunities practice are observed in the delivery of the Organisation's services and to undertake training and development opportunities to ensure that competence is maintained.
- Offer advice and guidance to members of staff and volunteers on the Organisation's Equality and Diversity Policy and Procedures.
- Seek the views and opinions of employees, volunteers and stakeholders on the operation of this policy in their localities or areas of responsibility, in particular to meet the diverse needs of service.
- Facilitate training and discussion on Equal Opportunities and Diversity issues as appropriate, for example at Board/team meetings.
- Ensure that the Equality and Diversity Policy and associated documents are reviewed on a regular basis.
- Review and approve policies, procedures and practices that impact on equal opportunities and diversity practice.

### **Recruitment and Promotion**

POSCH strives to ensure that our trustees, staff and volunteers reflect the wider community.

Clear and accurate information on vacant posts should be available through advertisement, job descriptions, person specifications and interview. Vacancies should be advertised sufficiently widely to reach the widest possible range of candidates, either internal and/or external.

All recruitment material should not imply any preferred group, unless a genuine occupational qualification exists limiting a post to a particular group.

Applicants will be informed, through all recruitment material of the Organisation's commitment to Equal Opportunities and Diversity and the existence of this policy.

Person specifications may include 'essential' and 'desirable' requirements that are necessary and justifiable. Care, and advice where necessary, is needed to ensure these are not discriminatory.

Staff and volunteers should be encouraged to discuss their development and training needs through a process of regular support and annual appraisals.

Job titles that are discriminatory should be avoided.



## **Interviews and Selection**

In line with the intentions of this policy, efforts must be made to select a recruitment panel which is inclusive in terms of gender, disability and ethnicity.

The shortlisting panel will select candidates on the basis of an objective assessment of their match with the requirements as described in the job description and person specification; this will not take into account the gender, name, race, religion or belief, possible disability or age of the candidate.

The interview panel must take extreme care not to ask discriminatory questions which do not comply with the Organisation's Equality and Diversity Policy Statements, e.g. questions relating to race, colour, nationality, ethnic or national origin; sex; marital or civil partnership status or caring responsibility, sexual orientation, age, physical, sensory or learning disability, mental health, political or religious beliefs, class, HIV status, employment status, unrelated criminal convictions, union activities.

## **Training**

In line with the intentions of this policy, the Organisation will not discriminate in the provision of training courses/ opportunities wherever possible.

Appropriate training will be provided to enable trustees, staff, volunteers and committee members to perform their jobs effectively. The training offered will take into account the needs of all people.

Briefing on this policy will form part of the Induction Procedure for trustees, staff, volunteers and committee members.

## **4. Enforcement**

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

### **Policy Enforcement – Grievances**

- Any staff member or volunteer who feels they have been a victim of discrimination or unfairly treated in a way contrary to the intention of this policy should raise the issue through the Organisation's established Grievance Procedure.
- Any service user who feels he/ she has been unfairly treated in a way contrary to the intention of this policy should make a complaint through the Organisation's Coordinator, who must report any such complaint to the Chair of Trustees. If the complaint is about the Coordinator, this should be made through the Chair of Trustees.



- 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 coordinator or the Chair of Trustees.
- The Organisation will not treat lightly or ignore grievances from members of disadvantaged groups on the assumption that they are over-sensitive about discrimination.

### **Policy Enforcement – Disciplinary Procedure**

- Any member of staff found to be in breach of this policy will be subject to disciplinary action in line with the Standard Terms of Employment.
- All incidents of direct discrimination are disciplinary offences and will be dealt with under the Disciplinary Procedure.
- Incidents of indirect discrimination will be investigated to determine whether they should be dealt with under the Disciplinary Procedure.
- Incidents of victimisation or harassment will be dealt with in accordance with the Organisation's Harassment Procedure. Where incidents of victimisation and harassment are proven, the issue will be dealt with under the Organisation's Disciplinary Procedure.
- Any volunteer, including Trustees or members of any committee, found to be in breach of this policy will be counselled on his/her actions and may, where necessary, be removed from the Organisation's volunteer register.
- Any service user found in breach of this policy will, where appropriate, be counselled on his/her actions and may, where necessary, be referred back to their organisation or refused future services from the Organisation.

### **5. Monitoring and compliance**

POSCH regards the collection/analysis of data as vital in informing change and improving performance. Where appropriate, statistics on the Organisation's services will be collected and analysed in relation to equality and diversity matters. We will review volunteer and employee turnover and seek information on reasons for leaving.

The Trustees will review annually equality of opportunity relating to the Organisation's services. Recruitment and selection procedures will be monitored and reviewed annually by the coordinator who will report to the Chair of Trustees. All aspects of personnel policies and procedures shall be kept under review to ensure that they do not operate against the Equality and Diversity Policy.

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:



- Equality and diversity will be an agenda item at the Organisation's meetings at least twice each year
- The Chair of Trustees will undertake an annual policy review. All relevant parties will be encouraged to submit comments for consideration.
- The review recommendations will be presented to the next Trustee meeting for their comments and ratification.

Where it appears that there may have been or there is a breach of the policy, the Chair of Trustees will investigate the circumstances and action will be taken to counter any proven breach of policy.

If it is found that the policy is excluding or discouraging the development of trustees, staff or volunteers or restricting service users, the Chair should take positive action to re-adjust the policy.