

OB03: Equality & Diversity Policy

1.0 Scope

- 1.1 This policy applies to all service users, employees and volunteers of After Adoption (the 'Organisation'). It aims to foster a working environment in which the dignity of all individuals is respected and promoted.
- 1.2 The Organisation is committed to providing equality of opportunity and will ensure its policies and practices comply with the Human Rights Act 1998 and Equality Act 2010 along with subsequent amendments and current legislation as outlined below.
- 1.3 For the purpose of implementing, reviewing and monitoring, the HR Manager, working with the CEO will be responsible for ensuring that all employed staff, volunteers, students and associates embrace the practice within this policy.

2.0 Definitions

- 2.1 Discrimination is to distinguish or make a judgement. All organisations are obliged by law not to discriminate against employees or job applicants by reason of their age, gender, relationship status, disability, race, nationality, ethnic or national origins, sexuality, religion or belief.

Discrimination may fall under the 4 recognised headings:

- i) **Direct Discrimination** – someone who is treated less favourably than another person because of a protected characteristic they have or are thought to have or because they associate with someone who has a protected characteristic.
Protected Characteristics are:
1. Age
 2. Disability
 3. Gender reassignment
 4. Marriage and civil partnership
 5. Pregnancy and maternity
 6. Race
 7. Religion or belief
 8. Gender
 9. Sexual orientation
- ii) **Discrimination by Association** – this is direct discrimination against someone because they associate with another person who possesses a protected characteristic.
- iii) **Discrimination by Perception** – This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.
- iv) **Indirect Discrimination** – Discrimination can occur when you have a condition, rule, policy or even a practice that applies to everyone but particularly disadvantages people who share a protected characteristic.
- 2.2 Harassment is unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. The Equality Act applies to harassment of employees by a third party is not an employees of the agency.
- 2.3 Victimisation occurs specifically when a person is treated less favourably than their fellow employees. Victimisation is a form of misconduct which may in itself result in disciplinary action being taken, regardless of the outcome of the original complaint of harassment.
- 2.4 Age Equality is about creating a fairer society where everyone can participate and has the opportunity to fulfil their potential, regardless of age.

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2.5 Diversity is the recognising and valuing differences in a broad sense.

3 Appointed Equality & Diversity Manager

After Adoption's designated Equality & Diversity Manager can be contacted through the following:

- After Adoption, Unit 5 Citygate, 5 Blantyre Street, Manchester, M15 4JJ
- Tel: 0161 830 2029
- Email: equalityanddiversity@afteradoption.org.uk

4 Policy detail

4.1 After Adoption values the individuality, diversity and creative potential that every employee brings to the organisation and supports the continuous development of their skills and abilities.

4.2 The Organisation recognises the importance of acting fairly towards all individuals creating a culture of fairness, respect and equality.

4.3 Race and Ethnicity Statement

4.3.1 The work of After Adoption is based on a belief in the unique value, and the right to respect, of every individual, with no exceptions.

4.3.2 We aim to respect the race, age, culture, gender, sexuality, religion and all other characteristics of people using our services and the same to our paid and voluntary staff. We embrace anti discriminatory acts such as:

Equality Act 2010

Race Relations Act 1976, Amended 2000

Gender Recognition Act 2004

Human Rights Act 1998

EU Employment Directives 2006

Disability Discrimination Act 1995 & 2005

Religion & Sexuality Act 2003

Sex Discrimination Act 1975

We commit to observe as far as possible the Equality & Human Rights Commissions Code of Practice for Employment, Equal Pay to services, public functions and associations.

After Adoption is committed to a service based on racial equality and equal opportunities. We are opposed to all practices and attitudes, which do not reflect this, and we will do all we can to ensure that we live up to these beliefs. To this end we have resolved:

- To undertake a continuing review of our policies and practices;
- To work towards a better awareness of racism and discrimination and their pernicious effects;
- To try to ensure that the services we provide are relevant and accessible to people of all races and persuasions.
- To regularly assess the impact of these policies and ensure that the impact is positive.

4.4 Compliance

4.4.1 It is the responsibility of management to ensure that this policy is communicated, understood and acted upon. Managers must positively promote it by personal example and are not entitled to permit exceptions to the required behaviour.

4.4.2 All employees should familiarise themselves with the policy and must comply with it. Failure to action compliance is likely to result in disciplinary action against both the employee committing the breach and others who condone it.

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- 4.4.3 The standards set out in this policy are general and do not address each and every situation that may confront employees. Guidance on particular situations should be sought from management and HR.
- 4.4.4 The Organisation will actively and regularly review the effectiveness of its equal opportunities policy in the light of monitoring and will take appropriate action to address any weakness where necessary.
- 4.5 Equal Opportunities
- 4.5.1 Services
- 4.5.1.1 The Organisation expects all employees and volunteers to promote equal opportunities in the provision of its services. Effort will be made to ensure that services are advertised and marketed in such a way that all groups will have equal access to services.
- 4.5.1.2 This will be achieved through using a variety of advertising methods and referral sources. Where possible use will be made of local organisations representing minority ethnic groups, women and people with disabilities, to make these people aware of our services. Specialist and ethnic minority press will be used where appropriate. Where there is under-representation of ethnic minorities, we will encourage greater participation by the use of outreach methods in the communities.
- 4.5.1.3 Staff must remain respectful at all times of service users ethnic origin, religion, culture, language, sexuality, gender and disability and their experience and understanding of adoption.
- 4.5.2 Employment
- 4.5.2.1 All job applicants and employees must be treated with equal respect and dignity and should be provided with equality of opportunity to develop themselves and their careers.
- 4.5.2.2 There will be no discrimination in respect of marital status, gender, sexuality, disability, age, colour, race, religion, nationality, ethnicity or national origins. After Adoption is committed to following the Commission for Race Equality's Code of Practice for Employment.
- 4.5.2.3 The organisation, where possible will utilise external funding opportunities to support employees in their work. Information on how to access this can be found at www.gov.uk/accesstowork.
- 4.5.2.4 There will be no discrimination on these grounds with respect to Recruitment, Selection and Promotion
- 4.5.2.5 All job opportunities will be communicated; the reasons for selection and rejection of applicants for all vacancies will be recorded and employees will be recruited and promoted on the basis of ability and other objective relevant criteria.
- 4.6 Retirement
- 4.6.1 There is now no default retirement age and employees can choose when they want to retire.
- 4.6.2 Retirement is a form of resignation and therefore the standard notice period in their terms and conditions of contract of employment will apply.
- 4.6.3 If an employee wishes to retire they must discuss this with their line manager as early as possible.
- 4.7 Victimisation
- 4.7.1 All employees are assured that they will not suffer any detriment or less favourable treatment by the Organisation, as a result of asserting any of their statutory rights, or assisting someone else to do so.
- 4.7.2 In addition, the Organisation will take all reasonable steps to protect individuals from retaliatory intimidation, victimisation, discrimination or bullying as a result of making

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complaint. This again extends to any individual who has assisted someone in making his or her complaint.

4.8 Making a complaint and breaches of policy

4.8.1 A complaint of discrimination, harassment or victimisation should be made as per the Organisation's Grievance Policy and Procedures (PM EM05). Service users may use the Organisation's Complaints Procedure (AA05). All complaints will be thoroughly investigated.

4.8.2 Any employee found to have discriminated, harassed or victimised another employee on the grounds of age, gender, sexual orientation, race, ethnicity, religion and belief, disability or asserting a statutory right may be the subject of disciplinary action, in line with the Organisation's disciplinary policy and procedures (PM EM04).

4.9 Monitoring

4.9.1 Service delivery, employment procedures such as recruitment and selection and operational practices throughout the Organisation are regularly reviewed to ensure that no group is put at a disadvantage either directly or indirectly, deliberately or inadvertently.

4.9.2 For this reason a monitoring system is maintained with regard to ethnic origin, gender, disability, religion and age of those accessing the services and applying for and taking up positions within the organisation. We also request ethnicity and race on our service users' evaluation forms.

4.9.3 All information volunteered is confidential and kept purely for the purposes of monitoring.

4.9.4 This process and policy will be reviewed on an annual basis or when new legislation requires it.

5 Procedures

5.1 All employees should have an awareness of what discrimination – direct and indirect, harassment and also, victimisation means, both in terms of service delivery and in the workplace.

5.2 Regular monitoring should be completed and the results analysed and responded to as appropriate.

5.3 Any employee wishing to make a complaint of discrimination, harassment or victimisation should refer to the Grievance Procedures.

5.4 All complaints will be dealt with informally if possible in the first instance. However, if this is neither appropriate nor successful then the formal procedure will be followed.

5.5 HR will investigate any internal complaints swiftly and confidentially ensuring the rights of all parties are respected.

5.6 The making of false or unsubstantiated allegations with malicious intent will be investigated thoroughly and may result in disciplinary action.

5.7 After an investigation has taken place – regardless of the outcome – the individuals' line managers should monitor for signs of victimisation towards either party or whether there are further instances of harassment or discrimination.

6 References

www.gov.uk/accesstowork

AS Guidance – Section 5 – Termination of Employment

Complaints Policy – AA05

Disciplinary Policy and Procedures – PM EM04

Grievance Policy and Procedure – PM EM05