



GRASSROOTS Equality and Diversity Policy

1. Introduction

- (A) This policy applies to all members of the board of trustees, employees and volunteers, in addition to all of its clients, service users, service partners and providers. The legislative background to this policy appears in Appendix A and definitions of terms in Appendix B.
- (B) GRASSROOTS work is primarily focused on working with difference and diversity and encouraging community development and cohesion across faith and cultural divides. Consequently the organisation is firmly committed to appreciating and celebrating diversity, promoting equality of opportunity and stamping out discriminatory practices. It therefore aims to ensure that in all areas of its operation these principles are paramount.
- (C) It is the organisation's aim to ensure that no one involved with the organisation receives less favourable treatment than another on any grounds including gender, sexual orientation, age, disability, political or religious belief, race, ethnic or national origin, offending background, marital status or family circumstances.

2. Code of Practice for Employment

- (A) GRASSROOTS is an equal opportunities employer and will, regardless of its size or number of employees, seek to ensure that:
 - 1. Every applicant for a job, or every employee, shall be given equal opportunity whatever his or her personal status, except in a matter of religious belief in any case where the Christian base of the work is declared and is seen clearly to require membership of or links with a Christian church, or sympathy with its aims;
 - 2. Persons already employed will be made aware of the provisions of this policy;
 - 3. The application of any collective agreements, recruitment, training and promotion policies will be solely on the basis of job requirements and the individual's ability and fitness for that work;
 - 4. Recruitment literature will not imply that there is a preference for one group of applicants as against another unless there is a genuine occupational requirement which will be clearly stated;
 - 5. The most effective ways will be employed to bring job vacancies to the attention of potentially disadvantaged groups;
 - 6. Applicants for posts will be given clear, accurate and sufficient information through advertisements, job descriptions and interviews to enable them to assess their own suitability for a post;

7. A criminal record is not an automatic bar to employment with this organisation. The specific details of each ex-offenders case will be considered on an individual basis. As the nature of our work is such that all employees are likely to come into contact with children and vulnerable adults (ie all posts meets the requirements in respect of exempted questions under the Rehabilitation of Offenders Act 1974) a criminal record check from the Criminal Records Bureau (or its successor, the Independent Safeguarding Authority) will automatically be undertaken for relevant offences;
8. All persons responsible for the selection, management and promotion of employees will be given information and / or training to enable them to minimise the risk of discrimination;
9. Appropriate training will be provided to enable employees to perform their jobs effectively;
10. Age limits for entry to training are not such as unnecessarily to exclude certain groups of employees;
11. Encouragement is given to all employees to take advantage of opportunities for training;
12. Employment policies and procedures are kept under review, in appropriate cases by formal monitoring routines, to secure that they do not operate against equal opportunities;
13. Where it appears that equal opportunities are not being offered the circumstances will be investigated to see if there are any policies or criteria which exclude or discourage employees and, if so, whether these policies and criteria are justifiable;
14. Appropriate action is taken where necessary to redress the effects of any policy or criteria which are found to have unjustifiably limited the provision of equal opportunities;
15. Particular care is taken to deal effectively through the grievance procedure with any complaints of discrimination and harassment.
16. Where appropriate ensure that the changing and developing needs of employees and volunteers are recognised and appropriate adjustments made to working conditions/and or provided.

3. Code of Practice for Service Delivery

- (A) GRASSROOTS is committed to the elimination of all forms of discrimination and to the promotion of respect for the social and cultural diversity of all users of its services. In providing services GRASSROOTS will seek to ensure equality of treatment for all concerned.
- (B) No-one using the services of GRASSROOTS or its allied programmes will be treated less favourably than anyone else because of their race, colour, ethnic or national origin, sex, disability, age, sexual orientation, gender identity, offending background, political or religious beliefs, marital status or family circumstances..
- (C) GRASSROOTS will also seek to ensure that everyone using their services treats every other user of our services with full respect for their race, colour, ethnic or national origin, sex, disability, age, sexual orientation, gender identity, offending background, political or religious beliefs, marital status or family circumstances.

(D) GRASSROOTS aims to make its services accessible to as wide a range of the public as possible and in order to achieve this will take steps to remove barriers which prevent potential audience, participants members and users from having equal access to the organisation's activities. This will include:

1. Ensuring that activities take place in venues and premises which are accessible to as wide a range of participants as possible (allowing for disabilities and varied cultural needs etc) which may include providing facilities for people with varied needs to enable them to participate fully in activities e.g. induction loop, interpreters etc;
2. Ensuring that the advertising of services meets the needs of the diverse community;
3. Encouraging and enabling people from underrepresented groups to attend and participate.

4. Code of Practice for External Organisations

(A) GRASSROOTS is committed to the elimination of all forms of discrimination and to the promotion of respect for social and cultural diversity of all individuals who come into contact with us. In dealing with outside organisations GRASSROOTS will seek to ensure equality of treatment for all concerned.

(B) GRASSROOTS will foster relationships with outside organisations which are committed to the same goals. If any employee of GRASSROOTS becomes aware that any outside organisation has been guilty of discrimination, s/he is encouraged to report it to his or her line manager (normally the Director) as soon as possible. The line manager will then report it to the Chair of the Board of Trustees.

(C) If the Board becomes aware that any outside organisation with which it has a contractual or commercial relationship has been guilty of discrimination in any form, the Trustees of GRASSROOTS will consider at the next meeting what action to take. The board will not normally wish to maintain or continue a relationship with an outside organisation which condones or accepts discrimination and does not take positive steps to eliminate it.

5. Protection of this Policy

(A) The policy, which has been developed in the light of employment legislation and good practice guidance, will need the support of all trustees, employees, volunteers and participants taking personal responsibility to ensure its success.

(B) To safeguard individual rights under the policy, anyone who believes that the organisation has applied inequitable treatment to him/her within the scope of the policy may raise this matter through the Complaints Procedure.

(C) In particular, each individual associated with GRASSROOTS:

1. Must not themselves discriminate against others in any employment or service delivery activities;
2. Must comply with measures introduced by the organisation to ensure equal opportunities;

3. Must not victimise individuals who have given information to the organisation on equality matters or who have made complaints;
 4. Should inform the Director or Trustees if they have reasonable grounds for believing discrimination is taking place;
 5. Must not encourage others, or yield to pressure from others, to discriminate unlawfully.
- (D) All members of GRASSROOTS should know that they may be held personally liable under legislation for acts of discrimination which they commit or authorise. The organisation will regard any acts of discrimination or harassment as a disciplinary matter.
- (E) Any member of GRASSROOTS who has concerns or issues for discussion in relation to the policy may either deal with the matter informally by approaching the person most closely associated with it, or formally through the appropriate procedure. Complaints of discrimination, victimisation or harassment will be investigated under the appropriate procedures.

Appendix A - the Legislative Framework

Legislation exists to promote equality of opportunity. A new Equality Act came into force on 1st October 2010. The Equality Act (2010) brings together over 116 separate pieces of legislation into one single Act. Combined, they make up a new Act that provides a legal framework to protect the rights of individuals and advance equality of opportunity for all.

The Act simplifies, strengthens and harmonises the current legislation to provide Britain with a new discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

The nine main pieces of legislation that have merged are:

The Equal Pay Act (1970) (Amendment) Regulations (2004) which aimed to remove discrimination between men and women, in pay and other conditions of their contract of employment.

The Sex Discrimination Act (1975) (Amendment) Regulations (2003) makes it unlawful in the employment field to discriminate directly or indirectly against any person (whether a woman or a man) on the grounds of sex or marital status unless the job qualifies for a Genuine Occupational Qualification (GOQ) on the grounds of gender under section 7 of the Sex Discrimination Act (1975).

The Race Relations Act (1976) (Amendment) Regulations (2003) makes it unlawful in the employment field to discriminate directly or indirectly against any person on the grounds of race, colour, nationality, ethnic or national origins unless it has been formally decided to address an area of under-represented groups under Section 37 & 38 of the Race Relations Act (1976).

The Disability and Discrimination Act (1995) requires employers and providers of goods and services to eliminate discrimination against disabled people at all levels. The full effect of the Act has been phased in over a number of years. Thus from 2ND December 1996, due to the employment measures of the Act, it has been unlawful to treat a person, without good reason, less favourably because of their disability. Discrimination also occurs if, without justification, a “reasonable adjustment” is not made.

The Employment Equality (Religion or Belief) Regulations (2003) apply to discrimination on grounds of religion, religious belief or similar philosophical belief. They cover discrimination on grounds of perceived as well as actual religion or belief. The Regulations also cover association, i.e. being discriminated against on grounds of the religion or belief of those with whom you associate.

The Employment Equality (Sexual Orientation) Regulations (2003) apply to discrimination on grounds of orientation towards persons of the same gender, the opposite gender and the same and opposite gender. They cover discrimination on grounds of perceived as well as actual sexual orientation. The Regulations also cover association, i.e. being discriminated against on the grounds of the sexual orientation of those with whom you associate.

and

The Employment Equality (Age) Regulations (2006)

The Equality Act (2006), Part 2

The Equality Act (Sexual Orientation) Regulations (2007)

Other legislation relevant to this policy includes the following:

The Rehabilitation of Offenders Act (1974) requires employers not to discriminate against candidates with spent convictions. However, for teaching posts, there is an obligation on the part of the candidate to declare any conviction whether spent or not. In addition, for teaching and certain other posts there are requirements to carry out checks of Police records through the DBS as part of the recruitment process.

The Human Rights Act (1998) places a duty on all courts and tribunals in the United Kingdom to interpret legislation so far as possible in a way compatible with the rights laid down in the European Convention on Human Rights (section 3(1)). The Human Rights Act applies to all public bodies within the United Kingdom, including central government, local authorities, and bodies exercising public functions.

The Gender Reassignment Regulations (1999) under section 2A of the (1975) Act make it unlawful for an employer to discriminate against an employee (or job applicant) less favourably than other employees on the ground that the person in question is undergoing, has undergone or intends to undergo gender reassignment.

Disability Discrimination (Provider of Services) (Adjustment of Premises) Regulations 2001 and 2005 which set out circumstances in which it reasonable or unreasonable for a service provider to make alterations to premises under S.21 of the (1995) Act.

The Race Relations Act 1976 (Amendment) Regulations (2003) implement the EC Article 13 Race Directive. The new definition of indirect discrimination replaces “condition or requirement” with the phrase “provision, criterion or practice”. The new definition covers formal requirements, conditions and provisions, as well as informal practices, thus widening the circumstances where indirect discrimination could occur. Such discrimination is unlawful unless it can be justified on other grounds. The burden of proof is now with the respondent/employer as opposed to the applicant.

For post 16 education providers new duties came into effect in September 2002 under Part IV of the DDA as amended by the **Special Educational Needs and Disability Act (SENDA) (2001)**. These require providers of adult education and youth services to ensure that they do not discriminate against disabled people. There is also the duty to provide auxiliary aids by way of reasonable adjustment.

Appendix B - Definitions

Personal Status refers to sex, colour, race, nationality or ethnic or national origins, marital status, disability, sexual orientation, age or religious belief.

In this policy, the term “**Discrimination**” refers to circumstances in which a person is treated less favourably than others.

Discrimination can take different forms including:

Direct Discrimination where one person is treated less favourably than another in the same or similar circumstances in any aspect of employment e.g. recruitment, selection, promotion, redeployment, or in any aspect of the delivery of services on the grounds of ‘personal status’.

Indirect Discrimination where an unjustifiable requirement or condition for employment which, on the face of it, is apparently the same, but which in practice has a disproportionate effect on one sex or racial group than another. Examples of indirect discrimination may also include promotion according to seniority and applying an unjustifiable age barrier.

Abuse or Harassment where such actions would constitute less favourable treatment by creating a hostile working environment likely to affect the work and personal well-being of Employees and/or recipients of services.

Discrimination by Victimisation where a person is treated less favourably or discriminated against because s/he has, in good faith, or it is suspected that s/he intends to pursue their rights under this policy via the grievance procedure and/or legal proceedings.