



Equal Opportunities and Diversity Policy

Policy statement

Ashford Place is committed to ensuring that, as far as is practicable, all employees, casual workers, interns, volunteers, free-lance consultants, job applicants, prospective Trustees and Trustees and other people we work with are treated with respect and dignity, and are not subjected to unfair or unlawful discrimination.

A key objective of our Equal Opportunities and Diversity Policy is that we provide a working environment in which current and potential employees feel comfortable and confident that they will be treated fairly and equally, irrespective of age, disability, gender reassignment, pregnancy and maternity, marriage or civil partnership, race, religion or belief, sex or sexual orientation ("protected characteristics" as per the Equal Opportunities Act 2010) or indeed any other characteristic unrelated to the performance of the job.

The principles of non-discrimination and equality of opportunity also apply to the way in which we treat service users, visitors, suppliers, partners, stakeholders and former colleagues.

The success of our organisation depends on the people we work with. We recognise that an effective equal opportunities and diversity policy will help everyone to develop to their full potential, which is clearly in the best interests of individuals and Ashford Place.

We further recognise the benefits of employing individuals from a range of backgrounds, as this creates a workforce where creativity and valuing difference in others thrives. We value the wealth of experience within the community in which we operate and aspire to have a workforce that reflects this.

This policy covers all aspects of employment including advertisements, recruitment and selection, induction, pay, conditions of service, training and development, change management and grievance and disciplinary procedures.

This policy is not contractual, but sets out the way in which Ashford Place aims to manage equal opportunities and address diversity in the workplace. We reserve the right to vary, replace or terminate it at any time.

Scope of this policy

This policy applies to all employees as well as casual workers, volunteers and interns (referred to collectively as “workers” for the purposes of this policy, where relevant) and Trustees.

Legal considerations

The main legislation that covers equal opportunities and discrimination is the Equal Opportunities Act 2010. In addition, the following should be taken into consideration:

- the Rehabilitation of Offenders Act 1974
- the Protection from Harassment Act 1997
- the Human Rights Act 1998
- the Sex Discrimination (Gender Reassignment) Regulations 1999
- the Racial and Religious Hatred Act 2006
- the Enterprise and Regulatory Reform Act 2013
- any Codes of Practice issued by the Equal Opportunities and Human Rights Commission

plus any amendments to the above legislation.

Definitions

Discrimination by or against a worker is generally prohibited unless there is a specific legal exception. Discrimination may occur intentionally or unintentionally, and can take different forms, for example:

- **direct discrimination:** treating an individual with one or more of the protected characteristics less favourably than others
- **indirect discrimination:** unjustified provisions, criterion or practice e.g. our policies, procedures or practices, which are applied to everyone, or groups of people, but have, or will have, the effect of putting those who share a protected characteristic at a particular disadvantage when compared to others
- **harassment:** unwanted conduct linked to a protected characteristic which violates an individual's dignity, or creates an intimidating, hostile, degrading, humiliating or offensive environment for them
- **victimisation:** treating a person less favourably because they have committed a "protected act". "Protected acts" include making or

supporting an allegation of discrimination, or giving evidence relating to an allegation of discrimination, or raising a grievance about Equal Opportunities or discrimination.

- **discrimination by association:** an individual is discriminated against because they associate with someone, e.g. a family member, who possesses a protected characteristic
- **discrimination by perception:** an individual is perceived as having a protected characteristic, irrespective of whether or not this perception is correct

On all occasions where those with managerial responsibility for workers are required to make decisions between them, for example disciplinary matters, selection for training, promotion, pay increases, redundancy etc. it is essential that merit, experience and skills are considered as objectively as possible.

Responsibility for this policy

The overall responsibility for implementing and monitoring the effectiveness of this policy rests with the Chief Executive Officer (CEO).

Managers have a crucial role to play in promoting equality of opportunity in their own areas of responsibility. As employers we are liable for the actions of our workers, and therefore our managers are responsible for this policy's successful implementation and should take steps to ensure their team understand and follow this policy.

All workers, irrespective of their job or seniority, should familiarise themselves with this policy and be aware of their own responsibility and role in promoting equality of opportunity and not discriminating unfairly or harassing colleagues, job applicants or ex-workers, nor encouraging others to do so or tolerating such behaviour. Any worker who witnesses behaviour or decisions that seem contrary to this policy, or experiences it directly, is encouraged to challenge these or raise the issues with their line manager (or their manager's manager, if the concern is about their line manager).

Workers should be aware that not only is the employer liable for any cases of discrimination or harassment that occur, but individuals also may be held personally liable for their own acts and behaviour.

Aims of this policy

Our aim is to provide a working environment free from harassment, intimidation or discrimination in any form that may affect the dignity of an individual.

Whilst we fully accept all of our responsibilities under the current legislation outlined above, we also aim to go beyond the confines of the law to provide equality of opportunity for all. We aim to:

- recognise that everyone has a right to their distinctive and diverse identities
- ensure that all workers and potential workers are treated fairly and with respect at all stages of their employment/engagement with us
- understand how diversity can improve our ability to provide better services, and therefore have a workforce which generally reflects the service users we serve
- provide services which are responsive to the needs of our service users
- provide all workers with the necessary support, training and development they need to contribute to our objectives and goals
- provide a supportive, open environment where workers and service users are treated fairly and with dignity and respect, in an environment free from harassment and bullying of any description, or any other form of unwanted behaviour.

Learning to work with people's differences, visible or not, enables us to all work together effectively and helps us to anticipate and meet the needs of all of our service users; recruit, retain and develop the best people; act responsibly in the communities of which we are a part and also fulfil our legal commitments.

The working environment

We will take all reasonable steps to ensure that our working environment does not prevent people from taking up positions for which they are suitably qualified. This may include physical adaptations or more flexible ways of working (where appropriate and practical).

Terms and conditions of employment

Our employment policies and procedures will be reviewed regularly to improve, amend or adapt current practices to promote equality of opportunity within Ashford Place, and to remove barriers experienced by members of disadvantaged social groups in seeking employment with us and working with us.

We will ensure that all of our employment policies including pay, benefits and any other relevant issues associated with terms and conditions of employment, are formulated and applied without regard to age, disability, gender reassignment, pregnancy and maternity, marriage or civil partnership status, race, religion or belief, sex or sexual orientation.

These will be reviewed regularly to ensure there is no discrimination. Length of service as a qualifying criterion for benefits will not exceed five years unless clearly justifiable.

Employees will not be subjected to any detriment if they wish to join our pension scheme, nor will they be offered any inducement not to do so.

Recruitment and selection

We aim, through appropriate information and supervision, to ensure that all employees who are responsible for recruitment and selection are familiar with this policy and apply it in conjunction with our Recruitment and Selection Policy.

We aim to ensure that our recruitment practices are free from unlawful discrimination. Our standard recruitment and selection processes will be adjusted where necessary to ensure applicants with disabilities are not disadvantaged.

Job adverts will normally state: "Ashford Place is an equal opportunity employer and values diversity".

All workers will be made aware of vacancies being recruited to so as to ensure access to all. This includes forwarding advertisements to employees on long term leave including maternity, adoption, paternity and parental leave.

Job descriptions and person specifications will be reviewed to ensure that criteria are not applied which are either directly or indirectly discriminatory and that they do not impose any condition or requirement which cannot be justified by the demands of the post.

Shortlisting and interviewing will normally be carried out by 3 people, to minimise the risk of conscious or unconscious bias.

Selection will, as far as possible, be conducted on an objective basis and will focus on the applicants' suitability for the role and their ability to fulfil the role requirements. Our interest is in the skills, abilities, qualifications, aptitude and the potential of individuals to do the job.

Questions asked of candidates will relate to the requirements of the job as set out in the job description and person specification. Questions about marriage plans, family intentions, religious or political beliefs, health (unless a Genuine Occupational Requirement applies), caring responsibilities or any other issues which may give rise to suspicions of unlawful discrimination should not be asked.

Selection tests will be specifically related to the job, measuring an individual's actual, or inherent, ability to do or train for the job.

Training and development

We recognise that our ability to meet the diverse needs of our service users is improved by having a workforce which has the skills and understanding to achieve our objectives. All workers will be encouraged to discuss their career prospects and training needs with their line manager.

Induction training will include awareness of our Equal Opportunities and Diversity Policy, and how it applies to individuals.

The provision of training and development opportunities will be kept under review to ensure that provisions are made where necessary to enable part-time workers, shift workers or those returning to work following a break to benefit from such opportunities.

Flexibility

We recognise the benefits of helping our workers to balance the responsibilities of their work and private life. We will consider any requests for flexible working in a way which aims to balance the needs of the individual and our organisation.

Disability

We aim to provide a safe working environment for workers with disabilities. We will make reasonable adjustments to the workplace and/or working

arrangements for people with disabilities where they cause disadvantage to the person.

If, due to changing circumstances, an employee with disabilities is unable to carry out their existing duties, every effort will be made to find suitable alternative employment within the organisation, and retraining will be provided as necessary.

Where an employee without disabilities becomes disabled during their employment, we will make every effort to facilitate continued employment in their existing job. Where this is not possible, suitable alternative employment will be considered, and we may provide training and support as required.

Whilst we will make every effort to retain employees in these circumstances, we cannot make any guarantees about continued employment.

Grievances, disputes and disciplinary procedure

Employees who believe they have been discriminated against should bring this to our attention as soon as possible. In the first instance, employees are encouraged to do this informally, but where it has not been possible to resolve this informally, or where the matter is particularly serious, they are advised to use our internal Grievance Procedure. An employee who brings a genuine complaint of discrimination must not be victimised or less favourably treated as a result. However, allegations made for malicious reasons or in pursuit of a personal grudge will be managed under the Disciplinary Procedure.

Harassment (behaviour that is offensive, frightening or in any way distressing) or bullying will not be tolerated, and any individual who feels that they have been subjected to harassment or bullying should refer to our Anti-Harassment/Bullying Policy. Equally, anyone who witnesses incidents of harassment or bullying should report this to their line manager (or their manager's manager, if the concern is about their line manager).

When dealing with general disciplinary matters, care is to be taken that employees who have, are perceived to have, or are associated with someone who has, a protected characteristic are not dismissed or disciplined for performance, conduct or behaviour which could be overlooked or condoned in other employees.

References

We will not discriminate against individuals who have left Ashford Place by providing references that are not based on factual information.

Retirement

We have no fixed retirement age and employees who wish to work beyond State Pension Age may choose to do so.

Positive action

We recognise that passive policies will not reverse the discrimination experienced by many groups of people.

Positive discrimination (selecting a candidate purely on grounds of membership of a particular minority group) is unlawful, however we may decide to take positive action to help workers or applicants who:

- are at a disadvantage because of a protected characteristic, and/or
- are under-represented in our organisation, and/or
- have special requirements connected to a protected characteristic.

Examples of measures include:

- actively encouraging applications from groups under-represented within the organisation, and/or
- taking positive action in favour of under-represented groups in the workforce when choosing between candidates who are otherwise equally qualified.

Any measure taken should not be construed as positive discrimination.

Involvement

We will take appropriate steps to encourage the participation of all workers to ensure that, wherever possible, our employment practices recognise and meet their needs.

Service user involvement

We endeavour to ensure that our services are sensitive and appropriate to the needs of all groups. We undertake to listen to our service users and involve them in the development of services which recognise and value their diversity.

Service provision

We aim to make our services as accessible and responsive as possible to all existing and potential service users and to provide a service to them which recognises and respects their differences.

Anyone who feels they have been denied equality of opportunity whilst in receipt of our services will be encouraged to make their complaint in writing so that their concerns can be investigated and responded to. Workers are expected to make our service users aware of their rights and responsibilities with regards to Equal Opportunities of opportunity and should be referred to our Complaints Policy for further information.

We reserve the right to withdraw our services to any service user if that individual behaves in a discriminatory, disruptive or abusive manner to any worker, trustee or other person.

We are committed to meeting the requirements of the Equal Opportunities Act 2010, and will make every effort to ensure that our services and communications are accessible to people with special requirements, including those with visual, audio, cognitive and/or physical impairments, and those who are unable to communicate effectively in English.

Communication of this policy

All workers will be made aware of this policy on joining us. The policy can be accessed by all workers at any time via **“About Us” section of our website.**

Data Protection

Relevant data will be collected to support this policy. Ashford Place treats personal data collected by workers or applicants for the purposes of equal opportunity monitoring in accordance with our Data Protection Policy. Information about how data is used and the basis for processing personal data is provided in our Privacy Notices.

Inappropriate access or disclosure of personal data constitutes a data breach and should be reported in accordance with our Data Protection Policy immediately. It may also constitute a disciplinary offence, which will be dealt with under our Disciplinary Procedure.

Implementation, monitoring and review of this policy

This policy will take effect from 1 July 2019. The Chief Executive Officer has overall responsibility for implementing and monitoring this policy, which will be reviewed on a regular basis following its implementation and may be changed from time to time.

Any queries or comments about this policy should be addressed to the line manager in the first instance.