



Groundwork Sheffield

Equal Opportunities Policy

GWS 003

Approved by the Board of Trustees February 2015

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1. Introduction

Groundwork Sheffield values and welcomes diversity and wholeheartedly supports the principle of equality of opportunity and opposes all forms of unlawful or unfair discrimination on the grounds of colour, race, ethnic origin or nationality, gender, religion, belief, sexual orientation, marital status, responsibility for dependants, employment status, age or disability.

2. Policy

Groundwork Sheffield believes that it is in the best interests of the Trust and of all who work in it to ensure that the human resources, talents and skills available throughout the community are considered when employment and contract opportunities arise. Groundwork Sheffield is committed, within the framework of the law and wherever practicable to achieving and maintaining a workforce which broadly reflects the community in which it operates.

Every possible step will be taken to ensure that individuals are treated equally and fairly and that decisions on recruitment, selection, training, promotion and career management are based solely on objective and job related criteria.

- 2.1 Equality of opportunity is vital if employees are to have a fair and equal chance of developing their abilities and to ensure that Groundwork Sheffield makes the most effective use of its staff.
- 2.2 The aim of the policy is to ensure that no job applicant or employee receives less favourable treatment on the grounds of race, colour, nationality, ethnic origin, gender, religion, belief, marital status, sexual orientation, responsibility for dependants, employment status, age, or disability.
- 2.3 Although the prime responsibility for achieving and providing equality of opportunity rests with the employer, employees at every level have an individual responsibility for complying with and promoting the policy.
- 2.4 Equal opportunity does not follow from good intentions alone, and it is important to support this policy with practical action. Both the policy and the associated action will be implemented in accordance with the statutory requirements.
- 2.5 Groundwork Sheffield is committed to the elimination of unlawful or unfair discrimination on any grounds, including race, colour, nationality, ethnic origin, gender, religion, belief, marital status, sexual orientation, responsibility for dependants, age, employment status or disability.
- 2.6 Individuals will be selected, promoted, and treated on the basis of their relevant merits and abilities. All employees will be afforded equal opportunity and access to training to enable them to progress within Groundwork Sheffield.
- 2.7 Operational policies and procedures will be regularly reviewed, including recruitment and selection, and training and development. In the first instance, this will be after 12 months and thereafter at a timescale to be determined.

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3. Scope

This policy applies to all Groundwork Sheffield employees.

4. Legislation

Groundwork Sheffield's Equal Opportunities Policy has been developed within the framework of existing legislation, including:

- Sex Discrimination Act (1975)
- Race Relations Act (1976), Race Relations (Amendment) Act 2000
- Employment Relations Act (1999)
- Disability Discrimination Act (1995)
- Criminal Justice & Public Order Act (1994)
- Equal Pay Act (1970)
- Employment Rights Act (1996)
- Protection from Harassment Act (1997)
- Data Protection Act (1998)
- Human Rights Act (1998)
- Equality of Employment (Sexual Orientation) Regulations (2003)
- Equality of Employment (Religion or Belief) Regulations (2003)
- Employment Act 2002 (Dispute Resolution) Regulations (2004)
- Employment Equality (Age) Regulations (2006)
- Racial and Religious Hatred Act (2006)

4.1 Implications of the Legislation

Both Groundwork Sheffield and individual members of staff concerned may be liable to legal proceedings if found to be in contravention of the Race Relations Act, Sex Discrimination Act, Disability Discrimination Act, and/or the Equality of Employment Regulations with regards to Sexual Orientation, Religion, Belief or Age. Groundwork Sheffield will take all reasonable practicable steps to prevent acts of discrimination.

4.2 Codes of Practice

Codes of Practice have been issued by the Commission for Racial Equality and the Equal Opportunities Commission which set out the practices which employers should adopt in order to ensure equal opportunities at work. The Codes do not have statutory provisions, but lay down well-defined operating practices for employers, which if not followed, may result in action through Employment Tribunals. In such a case, the Tribunal will have regard to the extent to which an employer had followed the guidelines contained in the Codes of Practice.

5. The Nature of Discrimination

This policy refers to several forms of discrimination. These are explained below:

- 5.1 Direct Discrimination results from treating a person less favourably on the grounds of sex, marital status, responsibility for dependants, disability (mental,

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sensory or physical), sexual orientation, race, colour, ethnicity, nationality, religion, belief, social background, part time employment or age in relation to:

- Denying them a job interview
- Refusing them access to employment
- Offering them less favourable terms and conditions of employment
- Withholding opportunities for promotion, transfer or training
- Segregating them from other members of the workforce.
- Victimising, harassing, or permitting others to do so
- Dismissing them, selecting them for redundancy, or subjecting them to any other detriment.

5.2 Indirect Discrimination arises where a requirement or a condition, although applied equally to individuals within the groups mentioned in 3.1 above, has the effect of excluding or treating less favourably any individual or individuals within these groups, and cannot be shown to be justifiable (e.g. a height requirement which would preclude more women than men).

5.3 Victimisation occurs if someone is given less favourable treatment than others because they have exercised their rights under the policy, or the relevant legislation, or brought to the attention of others, acts of discrimination (e.g. by making a complaint or providing information on discrimination).

5.4 Harassment is any behaviour deliberate or otherwise, directed at an individual by another individual whilst at work, which is found to be offensive to the recipient and which threatens an employee's job security or creates an intimidating environment.

5.5 Examples and further descriptions of forms of harassment are given below:

- **Racial harassment** includes racial abuse, racially explicit, derogatory statements which are found objectionable and offensive and make the employee to whom they are addressed feel threatened or humiliated.
- **Offensive jokes** of a racial nature or an offensive manner in communication which is not used with other employees are likely to constitute racial harassment.
- **Sexual harassment** includes unwanted verbal or sexual advances, sexually explicit derogatory statements or sexually discriminating remarks made by someone in the working environment which are offensive to the worker involved, which cause the worker to feel threatened, humiliated, patronised or harassed, or which interfere with the worker's job performance, or undermines job security or creates a threatening or intimidating work environment.
- **Harassment on grounds of age** includes violating dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.
- **Victimisation** includes forms of bullying, harassment, most commonly from a more senior member of staff although, not exclusively. Examples include

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being singled out, being made to look or feel silly, the removal of opportunities within the workplace – e.g. training, and promotion, amongst others.

6. Responsibilities under the Equal Opportunities policy

All managers and staff share responsibility for promoting equality of opportunity. These responsibilities are as follows:

- 6.1 The Board of Trustees has overall responsibility to provide equal opportunity for all job applicants and employees; to seek to eliminate any discriminatory practice in respect of the treatment of the providers and users of the service; and to promote equality of opportunity. The adoption, implementation and monitoring of an Equal Opportunities Policy will be important steps towards satisfying this responsibility.
- 6.2 The Groundwork Sheffield administrator is responsible for co-ordinating the introduction, operation, and monitoring of the Equal Opportunities Policy. It will be her/his duty to ensure managers receive guidance on the proper application of the policy, that adequate recording systems are established, and that the monitoring of procedures and selection decisions are carried out. She/he will also ensure that regular reports are produced on the operation of the policy and that remedial action is taken as necessary.
- 6.3 Managers and supervisors will be responsible for the practical application of the Equal Opportunities Policy and in particular should ensure that:
- All employees are aware of their responsibilities according to the legislation, relevant codes of practice and the Equal Opportunities Policy of Groundwork
 - Employment decisions are not discriminatory
 - Proper records of employment decisions are maintained
 - Fair standards of employment practice are maintained
 - Employment practices are reviewed regularly by monitoring records of employment decisions.

6.4 The Responsibility of Individual Employees

All employees have a responsibility for ensuring that they do not unlawfully discriminate during the course of their employment.

In particular, individual employees must:

- Comply with the Policy and their responsibilities in relation to Groundwork Sheffield colleagues and customers
- Adhere to and give support to any measures introduced to ensure equal opportunity
- Not discriminate, e.g., as supervisors or managers responsible for selection decisions in recruitment, promotion, transfer, training, etc
- Not discriminate in the application of any of Groundwork Sheffield policies
- Not themselves discriminate in applying conditions of employment

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- Not induce, or attempt to induce, other employees, unions or management to practise discrimination
- Not victimise or attempt to victimise individuals on the grounds that they have made complaints or provided information on discrimination
- Not harass, abuse or intimidate other employees, e.g. in attempts to discourage them from continuing their employment.

7. Implementing the Policy

Groundwork Sheffield aims to maintain and extend a fair working environment for all employees through the revision and development of policies to promote equal opportunities in employment at every stage. The stages include:

- Advertisement
- Recruitment and selection
- Training and development
- Retention and retraining
- Terms and conditions of employment
- Discipline
- Grievance
- Dismissal, redundancy or grading
- Providing references
- Retirements

8. Groundwork Sheffield's Commitment

8.1 Groundwork Sheffield will take the following steps to make the policy known:

- Make a copy available to all employees
- Use the main theme of the policy in advertising vacancies and other marketing material.
- Give a copy to all job applicants

8.2 Groundwork Sheffield information and publicity will, whenever possible:

- Contain positive images (i.e. those that challenge stereotypes)
- Be widely distributed and accessible
- Be written in plain language without jargon
- Contain clear information about all aspects of the organisations work, particularly how decisions are made, by whom, and to be made available to all those involved.

8.3 GWS will show the following commitments to disabled applicants and employees:

- To interview all disabled applicants who meet the minimum criteria for a job vacancy and to consider them on their abilities
- Discuss with disabled employees, at least once a year, what GWS and the employees can both do to make sure they can develop and use their abilities
- To make every effort when employees become disabled to make sure they stay in

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employment

- To take action to ensure that all employees develop the appropriate level of disability awareness needed to make these commitments work
- To review these commitments annually and assess what has been achieved, plan ways to improve on them and let employees know about progress and future plans

8.4 Groundwork Sheffield will ensure that key decision makers such as managers and the Board of Trustees and those involved in personnel and management practices are (or have been) provided with training and guidance.

9. Discrimination

Groundwork Sheffield commits itself to the immediate investigation of any claims of discrimination on the above grounds through the Grievance procedure.

All employees will be dealt with under the disciplinary procedure.

10. Monitoring and Reviewing

Monitoring is an essential part of the equal opportunities policy and as such the procedure for this is detailed below.

10.1 To facilitate the ongoing monitoring process, Groundwork Sheffield will maintain records of the sex, marital status, disablement, age and ethnic origin of all employees and job applicants. Such records will be used solely for the purpose of monitoring the equality of opportunity. Analysis of short listing and selection decisions for employment, promotion, transfer and access to training as well as the composition of the workforce will be carried out.

10.2 The results of monitoring will be reviewed to assess the effectiveness of the implementation of the policy. If necessary, adjustment will be made to the policy to ensure that equal opportunities are afforded to all applicants and staff. If factual evidence is found which suggests that the policy is ineffective, this should be investigated and appropriate positive action may be taken.

Groundwork Sheffield will:

- Monitor the workforce and new applicants for vacancies to ensure that the profile of Groundwork Sheffield's staff broadly reflects the local community as far as possible.
- Examine and review procedures for recruitment, selection, promotion and training to make sure that all the processes are fair and open and do not pose barriers to any groups in the community.
- Ensure appropriate mechanisms are put in place for resolving grievances about unfair discrimination and harassment.
- Identify any scope for using lawful positive action, training, encouragement and then put the necessary arrangements in hand.

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- Review the policy on a regular basis and develop both Action Plans (as required) and an appropriate monitoring system.



Signed:

(Chair)

Date: 19th February 2015



Signed:

(Executive Director)

Date: 19th February 2015

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