

EQUAL OPPORTUNITIES POLICY

EQUAL OPPORTUNITIES STATEMENT

Preamble

- 1) **CARP** believes that all individuals should be able:
 - To have the opportunity to participate in the life of their community as fully as they wish, and to their full potential;
 - To access the services they need in order to be able to do this.
- 2) However, it recognises that this is far from being the case and that, for a great variety of reasons, an individual's opportunities to participate in their community may be restricted.
- 3) These restrictions may come about because of social attitudes; poverty; where someone lives or is educated; the ways in which services and organisations are planned; specific legislation, etc.
- 4) The following headings give some indication of the variety of people who experience restricted opportunities:
 - People who have a physical or learning disability;
 - People who have a sensory impairment;
 - People who have a physical or mental health problem;
 - People who are young, including children;
 - People who are old;
 - Women;
 - Lesbians and gay men,
 - People who are unemployed;
 - People who hold particular religious beliefs;
 - People from black and other minority ethnic communities;
 - People who live in particularly isolated communities...

This is not an exhaustive list
- 5) CARP is committed to ensuring, as much as it can, that it does not limit people's opportunities by how it is structured as an organisation or by how it carries out its work.
- 6) CARP are committed to choosing to do work which opens up opportunities for those with the greatest restrictions placed upon them.
- 7) It is also committed to using its influence with other organisations in order both to increase the opportunities of individuals and to challenge anything which would limit opportunity.
- 8) This Equal Opportunities Policy cross-refers to the National Association of CVS (NACVS) Statement of Values (following).

NACVS STATEMENT OF VALUES

- 1) National Association for Councils for Voluntary Service (NACVS) exists to promote and co-ordinate CVS as development agencies in furthering local voluntary action.
- 2) NACVS recognises that England is a society diverse in race, culture and beliefs. NACVS believes that no person should suffer oppression or lack of opportunity based on race, gender, belief, sexuality, disability, age, class, or geographical location.
- 3) NACVS believes that priority should be given to working with people whose full participation in society is limited by economic, political and social disadvantage.
- 4) NACVS further believes:

- a) That the role of CVS is to affirm and enable all people to collectively play an active part in their community.
- b) That all people have equal rights to work towards social justice and to participate in decision-making processes and local action.
- c) In working towards a just and participatory society.

5) NACVS is committed to challenging oppression and inequality.

NACVS will positively promote its core values in all areas of its work and structure.

SECTION 2

Section 2 is intended to provide guidelines for all those involved in CARP; and for all those who use its services.

In drafting it, we have drawn upon examples of good practice from other organisations.

We intend this document to:

- be a useful working reference manual;
- be specific enough to be useful without being impossibly detailed;
- allow space for further developments of the policy in the future;
- be written in a way that makes the policy itself accessible.

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1. Members

We will..

- 1.1) annually monitor the composition of the membership and encourage under-represented groups to become members
- 1.2) ensure that a copy of the Signposts Equal Opportunities Statement is widely available.

2. Executive Committee

We will..

- 2.1) annually monitor the composition of the Executive Committee (we will do this in advance of the annual process of nominations to the Executive Committee) and if necessary encourage under-represented groups to make nominations to the committee;
- 2.2) where necessary co-opt individuals from under-represented groups on to the committee;
- 2.3) consider providing support from an experienced committee member to help any new committee member who is unfamiliar with committees or CARP to settle in;
- 2.4) ensure that all committee members know that expenses are available and ensure that they are paid promptly;
- 2.5) consider issues of access relevant to the Executive Committee (see Access).

3. Providing Services

CARP aims to provide services to all sections of the community.

We will, where appropriate:

- 3.1) consult with special interest groups to find out needs,
- 3.2) provide special sessions to encourage involvement by those people who do not normally use our services;
- 3.3) develop ways to encourage under-represented users to contribute to our policy-making and provide feedback on how our practice is working;
- 3.4) ensure when planning a new piece of work that it considers the needs of under-represented groups;
- 3.5) monitor our work regularly in relation to equal opportunities.

4. Access

We aim to make our service provision as accessible as possible. On our own premises, or where we are holding meetings or other events, we will aim to ensure that we:

- 4.1) consider how our environment affects people physically and emotionally;
- 4.2) create a friendly and welcoming atmosphere for all disadvantaged groups;
- 4.3) take into account people's:
 - dependent and childcare responsibilities;
 - different religious and cultural needs;
 - different sexual orientations;
- 4.4) take into account issues of safety, timings of meetings, and single sex provision,
- 4.5) take into account dates of major religious festivals;
- 4.6) have disabled access and toilets;
- 4.7) are as convenient as possible for public transport.
- 4.8) if necessary make available volunteer drivers to bring people to meetings.
- 4.9) are working towards having our equipment usable by people with disabilities,
- 4.10) provide seating at different levels;
- 4.11) where appropriate provide crèche or childcare facilities;
- 4.12) cater for special diets;
- 4.13) provide information where necessary on tape/in Braille/in large print/in translation;
- 4.14) make available signers, induction loop systems or translators if required;
- 4.15) provide materials in appropriate forms for people with learning difficulties;
- 4.16) use colour contrast on literature and signs for people with visual impairments.

5. Publicity

We will check that in our publicity we:

- 5.1) use positive images and pictures of a wide range of groups;
- 5.2) avoid jargon and use clear, direct language,
- 5.3) are careful to avoid creating false expectations;
- 5.4) where appropriate distribute publicity on tape/in Braille/in large print/in translation;
- 5.5) aim to reach all sections of the community by advertising in a wide range of appropriate publications and locations;
- 5.6) target particular groups where appropriate;
- 5.7) where necessary visit under-represented groups to tell them about our work.

6. Recruiting and employing staff

CARP recruits on the basis of best candidate for the job, irrespective of race, gender, religion, sexuality, disability, age, class or geographical location. CARP will follow all legal requirements when recruiting and employing staff and also undertakes to follow current good practice.

We will.-

- 6.1) ensure that all those involved in the recruitment and selection of staff are aware of the Equal Opportunities Policy and have received training in how to implement it;
- 6.2) ensure that the interview panel is involved at all stage of the recruitment process;
- 6.3) consider putting adverts in a wide range of publications and locations, especially those where minority interest groups are likely to see them;
- 6.4) signal that CARP is aiming to become an equal opportunities employer;
- 6.5) consider all jobs for their suitability for job share/flexi-time/part-time term-time working and indicate this in adverts;
- 6.6) consider ways and means of employing disabled people;
- 6.7) use clear language and avoid jargon in all adverts, application forms, job descriptions and person specifications;
- 6.8) use standard application forms and ask only for information relevant to the post to be filled;
- 6.9) write and review job descriptions and person specifications to ensure that they are accurate and fair;
- 6.10) send to all applicants for the post: a job description; a person specification; details of the main conditions of service; a standard application form and monitoring form; the Equal Opportunities Statement (also stating that the full policy is available on request);
- 6.11) base our short listing solely on the job description and person specification and use an agreed scoring system;
- 6.12) ensure the interview panel agrees a structure and common set of questions for the interview;
- 6.13) ensure that questions asked are fair and non-discriminatory with reference to current guidelines on good practice;
- 6.14) make a selection based solely on the candidates performance in relation to the job description and person specification;
- 6.15) consider the needs of any candidate with a disability and if necessary seek advice (eg Disablement Advisory Service);
- 6.16) provide unsuccessful candidates with feedback on why they were not selected;
- 6.17) provide all staff with a copy of their contract and conditions of employment;
- 6.18) consider sympathetically the needs of staff who have childcare or other caring responsibilities, who are pregnant or about to become parents, or who have medical needs,
- 6.19) take disciplinary action against staff (or volunteers) who use discriminatory behaviour;
- 6.20) make available a grievance procedure to any member of staff (or volunteer) who considers themselves to have been discriminated against.

7 Volunteers

CARP intends to create a welcoming environment in which all members of the Community will feel encouraged to volunteer We intend to follow good practice in our policy for volunteers.

We will:

- 7.1) consider what steps can be taken to attract and support volunteers from under-represented groups;
- 7.2) ensure our volunteer work descriptions are clear and avoid creating barriers for people from under-represented groups;
- 7.3) ensure our terms and conditions - insurance, expenses, complaints - are fair and are communicated to volunteers;
- 7.4) consider how far we can support people with special needs;

8 Implementing and monitoring

CARP regards the implementation of its Equal opportunities Policy as a continuing process.

We will..

- 8.1) make sure all staff and members of the Executive Committee have a copy of the policy, which will also be made known to members, volunteers, potential job applicants and service users,
- 8.2) provide training and guidance to ensure that all staff, committee members and volunteers understand their responsibilities under the policy;
- 8.3) examine all our procedures, services and work practices, identify areas where improvements can be made and draw up plans to implement them;
- 8.4) ensure that the working of the policy is considered by the Executive Committee at least twice in a year.

Appendix: Relevant Legislation

The relevant anti-discrimination legislation comprises the Sex Discrimination Acts, 1975 and 1986, the Race Relations Act, 1976 and (for those employing more than 20 people) the Disability Discrimination Act, 1995.

These state that it is illegal to discriminate against people because of their sex or (for employment purposes) their marital status, or because of their race, colour, ethnic origin, nationality (including citizenship), national origin, or disability. The Acts cover both direct discrimination - treating someone less favourably because of their race, sex, marital status or disability - and indirect discrimination - applying a condition which puts a racial group, one sex, married, or disabled people at a disadvantage.

Appendix: Procedure For Dealing With Complaints Of Sexual, Racial And Other Forms Of Harassment

1. Introduction

Lancashire County Council has stated in its “Guidelines Relating to the Elimination of Sex and Marriage Discrimination” and “Guidelines Relating to the Elimination of Racial Discrimination” that the “County Council recognise the problems of harassment in the workplace and emphasise that it is unacceptable”.

2. Purpose

The purpose of this procedure at employee, management and committee level is to allow for complaints to be properly considered, for conclusions to be reached and, where necessary, to provide for action to be taken to remedy an unsatisfactory situation / improve future working practices. If, at any time during the process / investigation the chief officer is satisfied that harassment has taken place, action will be taken in accordance with the appropriate Disciplinary procedure. When a Disciplinary procedure is invoked, action under the Equal Opportunity Complaints Procedure will cease and appropriate action will be taken solely within the Disciplinary Procedure.

3. Scope of the procedure

This procedure is complementary to the Equal Opportunities Complaints Procedure and is established in recognition of the special nature of harassment complaints and in particular the need for such complaints to be dealt with in as sensitive a manner as possible and in confidence. It supersedes existing Grievance Procedures in relation to complaints of sexual, racial and other forms of harassment.

4. What is harassment

- 4.1 Sexual Harassment is conduct of a sexual nature or other conduct based on sex affecting the dignity of women and men. It is any unwanted sexual attention, advances, propositions, physical and verbal sexual approaches which are either deliberate, unwanted, unreasonable or offensive to the recipient.

Examples of sexual harassment may include verbal threats or abuse, sexual mockery or innuendo, lewd behaviour and conversation (not necessarily directed at the victim), unacceptable touching, sexual assault, suggestions that sexual favours are a condition of retention of jobs, promotion etc. and the display of sexually offensive material in the workplace.

- 4.2 Racial Harassment is conduct of a racial nature, which affects the dignity of individuals (as defined by their racial origins). It includes any comments, including ‘jokes’, of a racial nature (not necessarily directed at the victim), which are deliberate and unwelcome. Threats, abuse, mockery together with any form of assault are more serious manifestations of the same problem. The display of racially offensive material in the workplace is equally unacceptable.
- 4.3 other Harassment, which affects the dignity of individuals, can include any form of unreasonable behaviour directed towards any employee or non-employee which might relate to disability, age, sexual orientation, religion, etc.
- 4.4 All forms of harassment can lower morale, undermine job security, interfere with job performance, cause loss of work time due to sick leave and/or creates a threatening intimidatory or humiliating working environment.

Harassment can also lead to successful claims of: -

Sex Discrimination under the Sex Discrimination Act

Racial Discrimination under the Race Relations Act

Constructive/Unfair Dismissal under the Employment Protection (Consolidation) Act

And in appropriate cases can also be the subject of criminal prosecution.

THE PROCEDURE

5. Throughout this procedure both the complaints and the person(s) complained against have a right to representation at any stage, either by their trade union representative or departmental representative/ counsellor or a friend.

Informal Action

- 5.1 Wherever possible the employees(s) should make it clear that the behaviour is unwelcome and ask the harasser to stop.
- 5.2 If it is too difficult or embarrassing for the individual to do so, the initial approach may be made by a colleague, welfare officer, trade union representative etc.
- 5.3 The matter may also be mutually and informally resolved at local management level where this is considered to be a practical and appropriate option.
- 5.4 It is advised that a written record of any informal approach be kept.

If the complainant considers that an informal approach is not appropriate or that having taken it the behaviour complained of persists, formal action should be taken as follows.

Formal Action

6. A complaints form should be obtained (from the complainant's Department or from the Equal Opportunities Section – tel. Preston 263490) and details of the complaints, using the standard form, should be sent to the chief Executive/Clerk, FAO the principal Equal Opportunities Officer, chief Executive/Clerks Department, PO Box 78, County Hall, Preston, PR1 8XJ.
7. The complaint will be registered and a copy will be sent to the Chief Officer of the Department in which the person complained about is employed.
8. A Senior Officer of the Department will organise an investigation of the complaint – see notes 1 – 10 attached.
9. A written report of the investigation will be prepared within 15 working days of receipt of the complaint, which will be sent to the Chief Executive / Clerk for consultation and registration purposes – see notes 11-14 attached.
10. Following this consultation the Department concerned will send a copy of the investigation report to the complainant; it is expected that this would normally be a full copy of the report. However, there may be exceptional circumstances in which certain parts of the report would be deleted, for example, information which may have been relevant to the investigation but which is confidential and would not assist or need to be known by the complainant.
11. The report will be accompanied by a letter from the Department informing the complainant of the further stages of action contemplated. These can include:

- A decision that disciplinary action will be taken (in which case action within the Complaints Procedure ceases), as the Chief Officer is satisfied on the basis of the investigation that harassment has taken place.
- A meeting to be held with the complainant, and if necessary, other people involved, not later than 20 working days from receipt of the complaint. If a meeting is held, the proceedings should be documented and the Chief Officer's decision, including the reasons for it, should be confirmed in writing to the complainant and the Chief Executive/Clerk within 5 working days.
- No further action is appropriate within the Department as the complaint is considered unfounded (see 5.12).

See notes 15-16 attached

11.4 Where a meeting is not offered by the Department the complainants can request such a meeting. The meeting should be held within 5 days of receipt of the request from the complainant.

11.5 If the Chief Officer considers that harassment has not taken place, and therefore disciplinary action is not necessary, and if the complainant continues to be aggrieved the complaint will be taken to the next convenient meeting of a Standing Complaints Sub-Committee of the Equal Opportunity in Employment Sub-Committee. This Sub-Committee shall be constituted with male and female members, when dealing with matters of alleged sexual harassment.

NOTES TO THE PROCEDURE

Information

N.1 The person against whom the complaint has been made should be made aware of the nature of the complaints against him/her, by an appropriate officer of the Department.

The Investigation

N.2 In cases of alleged sexual harassment the investigation will be carried out jointly by a female and male officer, at an appropriate level of seniority.

N.3 In cases of alleged racial harassment, it is advisable to follow a similar principle, i.e. consideration should be given as to whether there is an appropriate officer of a suitable racial group. Contact the Equal Opportunities Section for assistance or advice.

N.4 Consideration can be given as to whether the investigating team should be officers who are not associated with the line management structure of the office, establishment or section in which the complainant works. Investigators who are also the complainant's or the alleged harasser's line manager may find difficulty in continuing to provide the complaint or the alleged harasser with managerial support, whilst maintaining a detached impartiality when investigating the complaint.

N.5 Departments may wish to consider appointing an investigating officer from outside their own Department, where there is not an appropriate officer in the Department, or in circumstances in which they wish to do so for other reasons.

N.6 Investigating officers must be available to conduct the investigation within the timescale laid down within the procedure.

N.7 The parties may on occasion and by mutual agreement modify the time limits referred to in the procedure. In other cases of difficulty caused by leave, sickness or other exceptional circumstances the time limits may also be extended in consultation with the Chief Executive/Clerk; in such an eventuality the officer responsible for responding to the complaint should ensure that the complainants are fully informed as to the reasons for the delay and ensure that any concerns arising from this are addressed.

Support and Confidentiality

N.8 Because of the sensitive nature of harassment complaints, care must be taken to ensure that the conduct of the investigation does not cause unnecessary stress to all involved i.e. complainant, the alleged harasser, witnesses etc. and strict confidentiality must be maintained.

N.9 For the duration of the complaint and any subsequent disciplinary action it is important that an appropriate line manager ensures that the complainant and, if necessary, the alleged harasser, are kept informed about the progress of the complaint. Victims of harassment and the alleged harasser as well as witnesses, work colleagues etc., may experience feelings of stress and alienation and it is important that they have access to counselling and support as necessary. These functions could be met on a range of sources depending on the preference of the individuals, circumstances of the complainant etc., but could include, Staff Welfare Officer, Senior Line Manager, Personnel Officer, Equal Opportunities Officer and should be in addition to any given by the Trade Union.

N.10 It is emphasised that both the complainant and the alleged harasser have a right to representation at any stage as set out in the Paragraph 5 of the Procedure.

Consultation

N.11 The consultation at this stage is to ensure that all points raised by the complainant have been addressed, that any legal or policy implications arising from the complaint have been considered and a general discussion about the conclusions of the investigation and its implications can take place.

The Report

N.12 The investigation report should set out a response to the complaint and should also summarise the investigating team's view as to whether the allegations are substantiated or not, in a sufficiently clear form for the Chief Officer to decide whether to initiate disciplinary action.

N.13 Officers who conduct the investigations should not recommend or take further responsibility for subsequent disciplinary action. Any further action on their part should be confined to giving evidence based on their report.

The Decision

N.14 In considering the views of the Investigating Team the Chief Officer should bear in mind the principle established at Industrial Tribunal (e.g. Bracebridge Engineering Limited v Derby) that a conclusion should be reached on the balance of probability as to whether harassment took place. This is a lesser standard of proof than is required in other situations where corroborative evidence is required.

N.15 The purpose of the meeting will be for explanation, clarification and/or conciliation.

N.16 If the complainant is not satisfied a letter detailing points of disagreement/concerns should be sent to the Chief/Executives/Clerk and/or Chief officer within 15 working days. Where such a reply is not received and subject to consideration of any further explanation as to the delay being made, it will normally be assumed that the complainant is satisfied.

General

N.17 The procedure may, by agreement of the parties concerned, be used where more than one individual has the same complaint for settling a common complaint.

N.18 The Chief Executive/Clerk reserves the right to refuse to register a formal complaint, e.g. circumstances where details of the case are submitted more than three months after the time where the complainant might reasonably come to suspect that he/she has been unfairly treated.

N.19 A non-employee making a complaint will not normally have the assistance of a trade union officer or other person with knowledge of County Council procedures. It is, therefore, the duty of the officer dealing with the complaint, whether orally or in writing, to ensure that he/she is aware of the existence of a set procedure and the options for taking the matter further if not satisfied.

N.20 The County Council reserve the right to modify, alter or amend the procedure after consultations with the appropriate recognised Trade Union(s).

N.21 These arrangements will not detract from a complainant's right to take action under the: -

Race Relations Act – 1976
Sex Discriminations Act – 1975 and 1986

Or to seek advice from: -

Equal Opportunities Commission
Commission for Racial Equality
Disablement Advisory/Service

Or to seek advice on possible criminal proceedings.

It should be noted that referral to an Industrial Tribunal carried with it, agreement of the parties involved, the possibility of conciliation via the Advisory Conciliation and Arbitration Services (ACAS).

1st April 2005