



## **POLICY: EQUAL OPPORTUNITIES**

YANA strives for high standards both as an employer and as a provider of services. In so doing, we wholeheartedly support a policy of equal opportunities in all areas of our work and responsibilities.

YANA is an equal opportunities employer and promotes equality of opportunity through all of its activities. It aims to ensure that no job applicant, employee, volunteer, trustee, member or service user receives less favourable treatment on the grounds of race, gender, marital and civil partnership status, sexual orientation, religion or belief, age, physical, sensory or learning disability, gender reassignment, pregnancy and maternity, nor is disadvantaged by conditions or requirements which cannot be shown to be justifiable.

The principle of Equal Opportunities will apply to recruitment, promotion, transfer, training, benefits, facilities, procedures and all terms and conditions of employment and service delivery.

YANA is committed to reviewing this policy on an annual basis and will ensure that its personnel are regularly reminded of these statements of policy.

### **1. Purpose**

This policy has been produced to provide guidance, which will enable the Trustees, Committees, staff, volunteers, members and service users of YANA to comply with anti-discrimination legislation. The policy will also address anti-discrimination issues involving any other people who currently fall outside any legislation. Failure to follow the procedures in the policy may lead to disciplinary or other appropriate action.

### **2. Definitions**

The Equality Act (2010) describes nine "protected characteristics".

**Discrimination** - a situation where a person is treated less favourably on the grounds of:

- race, colour, nationality, ethnic or national origin
- gender
- marital and civil partnership status
- sexual orientation
- age
- physical, sensory or learning disability
- gender reassignment
- religion and belief (including lack of belief)
- pregnancy and maternity.

In addition to the nine "protected characteristics", YANA would not discriminate against people, because of:

- mental health
- HIV status
- unrelated criminal convictions
- caring responsibilities
- employment status
- union activities
- class

**Associated Discrimination** is direct discrimination against a person because they associate with another person who possesses a protected characteristic.

**Discrimination by Perception** is direct discrimination against a person because it is perceived that they possess a particular protected characteristic.

**Indirect Discrimination** is the imposition of a requirement or condition, which has disproportionate and / or adverse effect e.g. only recruiting people with English qualifications.

**Victimisation** means subjecting a person to detrimental treatment because they are or are believed to be bringing proceedings under the Equality Act; giving evidence or information in connection with proceedings under the Equality Act; doing any other thing for the purposes or in connection with the Equality Act or making an allegation that a person has contravened the Equality Act.

A person must be able to act against unlawful discrimination without fear of reprisals or being subjected to a detrimental effect.

**Harassment** means unwanted behaviour that has the purpose or effect of violating a person's dignity or creates a degrading, humiliating, hostile, intimidating or offensive environment.

**Harassment by a third party** means unwanted, repeated conduct by a third party based on a protected characteristic, which has the purpose or effect of violating the dignity of a person or creating an intimidating, hostile, degrading, humiliating or offensive environment for a person and where the employer does nothing to prevent it from reoccurring. A third party is defined in law as not being the employer or employees of the employer, but people such as customers or clients.

### **3. Aims**

- To ensure equal access to jobs, volunteering and services
- To ensure compliance with legislation on discrimination and equality (including the Equality 2010 Act and any other legislation which becomes law)
- To create environments free from harassment and discrimination
- To maximise the use of resources in the best interests of staff, volunteers and service users.

### **4. Objectives**

- Trustees, staff, volunteers, members and service users will be encouraged, by example and guidance, to challenge discrimination where and whenever it arises, whether it be between colleagues, or in any other area relating to YANA's work.
- Trustees, committees, staff and volunteers of YANA will be made aware of this policy. A necessary qualification for any position in YANA will be a willingness to accept and implement this policy.
- Positive action will be taken to ensure so far as is reasonably practicable that all YANA's premises and services are accessible to all people.
- The Trustees will monitor and review annually equality of opportunity relating to YANA's services.
- Recruitment and selection procedures will be monitored and reviewed annually by the Trustee Board.

- In order to address discrimination and disadvantage within the workplace, YANA will ensure that employment and advancement within YANA is determined by objective criteria and personal merit. Recruitment and employment practices will reflect a commitment to Equal Opportunities.

## **5. Implementation**

- Responsibility for implementing and developing the policy rests with the Trustees. On a day-to-day basis this responsibility is delegated to YANA's Charity Manager.
- Any staff member or volunteer who feels they have been unfairly treated in a way contrary to the intention of this policy should raise the issue through YANA's established Complaints Procedure as set out in each employee's Contract of Employment or volunteer's agreement.
- Any service user who feels they have been unfairly treated in a way contrary to the intention of this policy should make a complaint through YANA's Charity Manager, who must report any such complaint to the Trustee Board.
- Any member of staff found to be in breach of this policy will be subject to disciplinary action in line with the Standard Terms of Employment.
- Any volunteer found to be in breach of this policy will be counselled on their actions and may, where necessary, be removed from the register of accredited volunteers.
- Any member of the Trustee Board, any committee or working party of YANA found to be in breach of this policy will be counselled and may, where necessary, be asked to leave YANA.
- Any service user found in breach of this policy will be counselled on their actions and may, where necessary, be referred back to their organisation.
- Any job applicant who believes that they have been treated unfairly and contrary to the intention of this policy should raise the issue with the Charity Manager or Chair of the Trustee Board.

## **Recruitment and Promotion**

YANA will strive to ensure that trustees, staff and volunteers reflect the wider communities.

Clear and accurate information regarding vacant posts should be available through advertisement, job or role descriptions, person profiles and the interview. Vacancies should be advertised sufficiently widely in order to reach, within reason, the widest possible range of candidates, either internal and/or external.

Unless a genuine occupational qualification exists, which limits a post to a particular group, advertisements and recruitment literature should not imply any preferred group.

Applicants will be informed, through advertisements, job or role descriptions and application forms, of YANA's commitment to equal opportunities and the existence of an Equal Opportunities Policy.

Person specifications should only include requirements, which are necessary and justifiable. Requirements, which are convenient rather than necessary, may be discriminatory.

## **Interviewing and Short listing**

An interview panel will be selected for each vacant post as and when necessary. The size and composition of this panel may vary according to the vacant post. Care should be taken to reflect the gender, disability and ethnic make up of YANA when selecting the panel.

The short-listing panel will not select candidates on the basis of the gender, name, possible disability or age of the candidate. They should record reasons for rejecting any candidate at the shortlisting stage.

Interviews must be undertaken on an objective and equitable basis. Common core questions should be asked of each candidate and suitable evaluation criteria should be used. The interview must only deal with the applicants' suitability and ability to do the job applied for.

The interview panel must take extreme care not to ask discriminatory questions unrelated to the requirements of the job, e.g. Personal circumstances, gender, race, disablement, sexual orientation, politics, religion, care responsibilities etc.

### **Training**

In line with the intentions of this policy, YANA will not discriminate in the provision of training courses / opportunities wherever possible.

Briefing on this policy will form part of the Induction Procedure for Trustees, staff, volunteers and committee members.

YANA will strive to ensure that all training will be accessible to all people.

### **6. Monitoring and Review**

The Equal Opportunities Policy will be monitored and reviewed as follows:

- Any complaints or issues will be raised at board meetings and minuted.
- A review of the policy will be undertaken annually and will consider minutes from above. The Charity Manager and Trustee Board will undertake the review.
- The review recommendations will be presented to the next Trustees meeting for their comments and ratification.

All aspects of personnel policies and procedures shall be kept under review to ensure that they do not operate against the Equal Opportunities Policy.

If it is found that the policy is excluding or discouraging Trustees, staff, volunteers' development or restricting service users, the Trustee Board, through the Charity Manager, should take positive action to re-adjust the policy.

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#### **Related Documents:**

- Bullying and Harassment Policy
- Disciplinary Policy
- Code of Conduct
- Complaints Policy
- Whistleblowing Policy

#### **Revision history**

This policy and related guidance will be monitored by the Chair of Trustees/Chief Executive on a regular basis for compliance and will be reviewed at least annually.

<b>Date policy approved or amended</b>	<b>Amendments</b>	<b>Signed</b>
03/11/2020	Approved as V1	

Dec 2021	Updated section 6 of the policy	E Haley

Henry Kilvert

**CHAIR OF TRUSTEES**

YANA

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