# **EQUAL OPPORTUNITIES POLICY**

## **INTRODUCTION**

Kingston Centre for Independent Living (KCIL) recognises the need to work towards eliminating discrimination and promoting good relations and equality of opportunity. KCIL also welcomes the statutory requirements laid down in the Equality Act 2010 and the age section of which was further updated in 2011, which aims to protect groups or individuals from discrimination. This means that discrimination or unfair treatment on the basis of certain personal characteristics, such as age, is against the law in almost all cases.

## **THE EQUALITY ACT**

The Equality Act applies to discrimination based on the following protected characteristics:

* Age
* Disability
* Race
* Sex
* Gender reassignment
* Religion or belief
* Sexual orientation
* Marriage or civil partnership
* Pregnancy and maternity

KCIL recognises that it has moral and social responsibilities that go beyond the provisions of the act and therefore, through all its work and practices, seeks to support and contribute to the wider process of change.

## **TYPES OF DISCRIMINATION**

Under the Equality Act, there are four main types of discrimination:

* Direct discrimination.
* Indirect discrimination.
* Harassment.
* Victimisation.

KCIL will ensure that any discrimination will be acted upon.

### **DIRECT DISCRIMINATION**

Direct discrimination occurs where someone is treated less favourably than others because of:

* A protected characteristic they possess is ordinary direct discrimination.
* A protected characteristic of someone they are associated with, such as a friend, family member or colleague is direct discrimination by association.
* A protected characteristic they are thought to have, regardless of whether this perception by others is actually correct or not is direct discrimination by perception.

Direct discrimination in all its three forms could involve a decision not to employ someone, to dismiss them, withhold promotion or training, offer poorer terms and conditions or deny contractual benefits because of a protected characteristic.

### **INDIRECT DISCRIMINATION**

This type of discrimination is most likely to occur in policies, procedures, requirements, rules and arrangements, even if informal, and whether written down or not. Examples might include recruitment selection criteria, contractual benefits, a redundancy scoring matrix or any other work practice.

### **HARASSMENT**

Harassment is defined as ‘unwanted conduct’ and must be related to a relevant protected characteristic or be ‘of a sexual nature‘. It must also have the purpose or effect of violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

KCIL will not tolerate behaviour such as:

* Making threats.
* Physical violence.
* Shouting.
* Swearing at others.
* Persistent rudeness.
* Isolating, ignoring or refusing to work with certain people.
* Telling offensive jokes or name calling.
* Displaying offensive material such as pornography or sexist / racist cartoons, or the distribution of such material via email / text message or any other format.
* Any other forms of harassment or victimisation.

Employees and managers should be careful not to let their own views influence a situation or dismiss a concern because they do not deem the behaviour offensive themselves.

It is important to remember that if an employee feels strongly enough to raise a concern or make a complaint, the employee or manager should take it seriously, and deal with it correctly.

While the Equality Act protects against harassment related to most protected characteristics, other legislation such as the Protection from Harassment Act 1997 may also apply. This legislation is not limited to circumstances where harassment relates to a protected characteristic.

### **VICTIMISATION**

Victimisation is when an employee suffers what the law terms a ‘detriment’ - something that causes disadvantage, damage, harm or loss because of:

* Making an allegation of discrimination.
* Supporting a complaint of discrimination.
* Giving evidence relating to a complaint about discrimination.
* Raising a grievance concerning equality or discrimination.
* Doing anything else for the purposes of (or in connection with) the Equality Act 2010, such as bringing an employment tribunal claim of discrimination.

Victimisation may also occur because an employee is suspected of doing one or more of these things or because it is believed they may do so. A ‘detriment’, for example, might include the employee being labelled a ‘troublemaker’, being left out and ignored, being denied training or promotion, or being made redundant because they supported a discrimination claim.

An employee is protected under the Equality Act from victimisation if they make, or support, or are suspected of supporting, an allegation of discrimination in good faith even if the information or evidence they give proves to be inaccurate. However, an employee is not protected if they give, or support, information or evidence maliciously.

## **ANTI DISCRIMINATION POLICY**

KCIL commits itself to ensuring that all staff are aware of and understand this Equal Opportunities policy and are committed to the elimination of harassment, discrimination and prejudice experienced by individuals and groups on the basis of age, disability, race, sex, gender reassignment, religion or belief, sexual orientation, marriage or civil partnership or pregnancy and maternity.

We intend to implement this policy by:

* Publishing the policy widely
* Ensuring that all staff, volunteers and Board of Directors are willing to implement this policy
* Monitoring our programmes, events, publicity and services to ensure that they lead to the elimination of discrimination within KCIL.

### **DIGNITY AT WORK POLICY STATEMENT**

Every employee is required to treat all those people with whom they come into contact at work with fairness, respect and courtesy.

Every employee has the right to be so treated by others and to complain if subjected to any form of harassment at work.

KCIL will treat all complaints about harassment at work seriously, promptly and in confidence. Managers have a duty to ensure that the work environment is free from harassment and to resolve any problems promptly. Acts of harassment at work may render an employee liable to disciplinary action, up to and including dismissal. Some forms of harassment may also be unlawful.

### **STATEMENT OF INTENT ON RACISM**

KCIL recognises that Britain is a multi-racial society and believes that cultural diversity positively enriches our society.

KCIL believes that no person or group should suffer disadvantage by reason of race or colour and we declare our intention to work with others for the eliminations of racial injustice.

In pursuit of its aims, KCIL resolves to undertake a continuing review of all its policy and practice and will, in particular:

* Become more aware of racism and the problems it causes, how it affects us and the implications for our work.
* Work to ensure the services KCIL provides are relevant and accessible to black and other ethnic minority groups.
* Notices should be in plain English with no jargon used.
* Work to ensure that KCIL staffing reflects the multi-racial composition of our society.
* Work to increase the number of black and other ethnic minority members of KCIL.

## **EQUAL OPPORTUNITIES FOR DISABLED PEOPLE**

KCIL is organised by and on behalf of disabled people who are its priority in all respects.

Within the term ‘disabled people’ we include all those who, as a result of their impairments, are treated less favourably than non-disabled people. This can be both in terms of negative attitudes and by being excluded from aspects of everyday life, which non-disabled people take for granted. Therefore, disabled people may have sensory impairment, learning difficulty, mental health difficulties or mobility difficulties. They may have an intermittent health problem, or their impairment may not be evident to the observer. We also include people who have acquired their impairment as part of the ageing process within our definition of disabled people.

Our terms of reference are the empowerment of disabled people to control their own lives and to have equal access to the mainstream economic and social life of society, without prejudice and as a human and civil right.

Our goal is ‘Independent Living’, which is not the name of a particular service or provision but should be the objective of services and provision of the furtherance of disabled people’s human rights, to include:

* Personal assistance.
* Information.
* Benefits.
* Housing.
* Equipment and adaptations.
* Access to the environment.
* Transport.
* Education.
* Leisure.
* Training and employment.

Independent Living is a concept that is relevant to all disabled people, whatever their impairment.

### **THE SOCIAL MODEL PHILOSOPHY**

KCIL strives to work in accordance with the ‘Social Model of Disability’. This model emphasises the disenabling factors in society which have prevented and still prevent, disabled people from taking part in mainstream life. Our commitment to the Social Model is in contrast to our opposition to the Medical Model, which defines us only in terms of our impairment. Our central intent, therefore, is to work for equality of treatment for disabled people, especially by the provision of services that will further the rights to Independent Living.

### **SERVICES TO DISABLED PEOPLE**

KCIL recognises that many disabled people are affected by additional forms of prejudice, marginalisation and discrimination, leading to exclusion from the mainstream. These forms of discrimination include those on the grounds of:

* Race.
* Ethnic and cultural factors.
* Age.
* Whether young or old.
* Class
* Sexuality, particularly those who are lesbian, gay or bisexual.
* Gender and gender identity

KCIL also recognises that some disabled people are discriminated against on the following grounds:

* Religious beliefs.
* Political beliefs (including asylum seekers, torture survivors and other refugees).
* Human Immunodeficiency Virus (HIV) status.
* Health or drug/medication related issues.
* Marital status.
* Criminal records.
* Other ways.

It is therefore the policy of KCIL that no disabled person seeking information or support from our organisation will receive less favourable treatment on the grounds of race, gender, sexuality, gender identity, age, class, nationality, ethnic origin, marital status, criminal record (where irrelevant or spent), or any other grounds.

KCIL offers its services to all disabled people and will not discriminate against any disabled person in terms of impairment. In addition, KCIL sees impairment in terms of self-definition and will respond accordingly to requests for its services.

Everyone in the organisation, whether paid or unpaid, has a responsibility to know about, abide by and promote the equal opportunities statement of intent.

KCIL recognises the right of autonomy; some groups may wish or need to meet together to develop their own issues or agendas; for example, women/men only, young/old only, culturally specific only; disabled people only, etc.

### **EMPLOYMENT OF DISABLED STAFF**

KCIL will prioritise the employment of disabled staff on the grounds that it is an organisation of disabled people providing advice, support and services to disabled people.

Within this context, KCIL will ensure that its employment policies and practices are developed in non-discriminatory ways

KCIL recognises that staffing, whether paid or voluntary, should reflect the whole community of disabled people and is working towards a team that reflects the intersectionality of the disabled community, in race, age, gender, gender identity and sexuality.

### **MEMBERSHIP**

KCIL membership is open to all disabled people and welcomes all disabled people, including those who are also dealing with other discrimination as previously outlined.

KCIL is not totally exclusive to disabled people. It recognises values and welcomes the involvement of non-disabled people as allies in the creation and development of future services which affect disabled people. True partnerships can only be formed on the basis of developing equal and mutual respect.

Where particular groups of disabled people (as previously outlined), or particular groups of disabled people as defined by impairment groups (physical, sensory, learning, mental, non-evident and other) are under-represented in our membership, we are committed to ensuring that we do not unwittingly exclude any such impairment group from our membership.

## **EQUAL OPPORTUNITIES FOR WOMEN**

KCIL recognises that in society women are often discriminated against and are under- represented in decision-making bodies and forums. Throughout in its employment, its services, and its management, KCIL is determined to ensure equality of opportunity for women, and to seek to provide the resources to enable women to play a full part at every level of KCIL and to advance through its structure.

In the implementation of its staff recruitment policies, composition of management and advisory committees, staff development and training, job-sharing and part-time work policies and general conditions of service, KCIL will aim to ensure any particular needs and interests of women are recognised, represented and met wherever possible.

KCIL will seek to increase general awareness of the various forms of discrimination against women in society and to support attempts to combat such discrimination, including all forms of sexual harassment.

Section 1 of the Sex Discrimination Act 1975, relating to sex discrimination against women is to be read as applying equally to the treatment of men and for that purpose shall have effect with such modifications as requisite.

## **EQUAL OPPORTUNITIES FOR LGBTQ+**

In its employment policies and conditions of service, KCIL will not discriminate on the grounds of sexual orientation or gender identity or reinforce heterosexist assumptions. In pursuing its equal opportunities polices in relation to LBGTQ+ persons, KCIL recognises the right of a person not to declare her or his sexual orientation and therefore, KCIL will not develop procedures which will make such declarations a requirement.

## **EQUAL OPPORTUNITIES FOR TRAVELLERS**

KCIL seeks to ensure its facilities and services are as open as possible to all sections of the community. In doing so, KCIL recognises that difficulties arise when members of the travelling community move into an area and these difficulties can result in conflict or disagreements between individual Travellers (or their families) and the established community.

KCIL will try to ensure that:

* Its facilities and services are generally available to all sections of the community including members of the travelling community;
* Use of those facilities and services is on the basis of its equal opportunities and other policies and established and published criteria;
* The rights of Travellers to their way of life is respected and understood by the staff and Board of Directors.

## **EMPLOYMENT OF EX-OFFENDERS**

KCIL recognises that it has an obligation to operate within the terms of the Rehabilitation of Offenders Act 1974 and recognises that ex-offenders do experience discrimination in the field of employment. However, KCIL also recognises that it has a duty to its members and the wider community, to take account of offences that may have a direct bearing on a candidate’s suitability for a particular post.

KCIL welcomes applications from ex-offenders as part of its equal opportunities policy, and is keen to provide employment opportunities for ex-offenders which give them the best possible chance of resettlement, but would also want to ensure (for the benefit of the ex-offender and the organisation) that they not be placed in a vulnerable position (for example, working directly with young people or handling considerable sums of money).

KCIL resolves that it will only require of candidates details of spent convictions that fall within the following relevant categories:

* Offences of a sexual nature,
* Offences involving minors under the age of 18,
* Drug trafficking,
* Theft, burglary, fraud or a similar offence which occurred within the last five years and where the conviction is not yet spent on the terms of the Rehabilitation of Offenders Act 1974,
* Offences which involved the use or threat of violence,

All information supplied by candidates will be treated in strictest confidence. Where a candidate has a conviction that falls within one of these categories, KCIL reserves the right to make further enquiries before reaching a decision on his/her application, in accordance with general equal opportunities policies.

Anyone appointed will be entitled to expect confidentiality for information supplied at time of application about past convictions and any unauthorised disclosure of this information, related discrimination or harassment will be regarded as serious disciplinary offences and will be dealt with in accordance with the equal opportunities disciplinary procedure.

## **MANAGEMENT AND ADVISORY COMMITTEES**

KCIL recognises that its commitment to equality of opportunity needs to be implemented throughout KCIL and therefore commits itself to take such steps as are necessary to ensure that KCIL’s equal opportunities policies find expression in the composition, format and agenda items of the Board of Directors and any other committees or working groups.

KCIL also undertakes that the terms of reference of all committees, advisory groups and policy working parties will specifically refer to both KCIL equal opportunities polices and the responsibility all committees have in ensuring that those policies are actively pursued.

## **CHILD CARE**

So often in society, people are unable to gain employment, progress in employment once a job has been obtained or make full use of services available because of their child care responsibilities. KCIL recognises that as an employer it has a responsibility to mitigate as far as possible the obstacles faced by staff members with child care responsibilities, especially single parents.

KCIL has therefore adopted policies which meet the statutory rights for maternity, paternity and adoption leave and pay.

KCIL has adopted a procedure whereby all part-time posts are considered for job sharing if and where appropriate.

KCIL will also consider flexible hours for staff that are facing particular child care difficulties, problems related to the care of other dependents, or other forms of domestic distress, within reason.

## **JOB SHARING**

KCIL believes job sharing can play an important part in the implementation of KCIL’s overall equal opportunities policy and is of particular significance in the context of KCIL’s policies on equal opportunities for women, disabled people, child care and staff development. Job sharing can also assist KCIL in recruiting staff from across a wide range of backgrounds, experience and skills.

KCIL commits itself to considering the possibility of offering every full-time job that becomes available as a job share post.

When deciding whether to advertise a post available for job share or alternatively, splitting the full-time post into two part-time jobs, the following factors need to be taken into account:

* Does the post lend itself to any form of division of responsibilities?
* Are the management and supervisory resources that are available for support of the post sufficient to ensure good communication and effective Implementation of the job share/part-time work arrangements?
* What are the implications for the workloads of other members of the team and the quality of service supplied by them?

Where the KCIL Board of Directors and staff are agreed that job sharing/job splitting will not lead to a diminution of service or create unreasonable demands on the supervisory and support structures, the post should be advertised as available for job share.

When one ‘sharer’ leaves a post, the vacant half will be advertised openly.

## **PART-TIME WORKERS**

KCIL recognises that part-time work is significant because:

* It enables disadvantaged people to organise their lives to include a paid work component.
* It enables people to make a deliberate commitment not to work full-time.

KCIL commits itself to ensuring that it will provide relevant training and staff development for part-time workers.

## **STAFF DEVELOPMENT AND TRAINING**

KCIL recognises the importance of training and staff development for all members of staff, Committee members and volunteers.

Staff development will be regularly reviewed with upgrading possibilities referred for decision to the Board of Directors.

KCIL recognises that:

* Equal opportunities policies need to be supported by a staff development training programme which includes training designed to both heighten awareness and assist the implementation of those policies.
* Each member of staff should have regular personal reviews to identify his/her own training and needs. Other reviews should also occur from time to time within the context of team forward planning.
* All grant applications to the local authority and other major funders should include adequate provision for staff training and development (which includes equal opportunities training).

When planning staff training and development, KCIL undertakes to provide training opportunities to include:

* Equal opportunities in staff recruitment and selection.
* Anti-sexist, anti-racist and other anti-discrimination training.
* Training designed to promote greater understanding of disabilities.
* Training and support tailored as far as possible to the individual needs of staff.
* Training for members of the KCIL executive and associated committees.
* Training for those staff who have a management role which encompasses implementation of equal opportunities policies or identification of staff development needs.
* Skill sharing.
* Training related to publicity techniques and approaches that might increase access to services by disadvantaged people.