

Teesdale Community Resources

Equality and Diversity Policy

1. Introduction

1.1 Teesdale Community Resources is committed to providing a supportive and inclusive culture for:

- all those who need our services
- our staff and volunteers
- our staff and
- other stakeholders.

We recognise the positive value of diversity, promoting equality and fairness, and challenging discrimination.

We welcome our legal duties not to discriminate as a service provider and an employer. We aim to go beyond the narrow scope of legislative compliance and follow best practice, making equality, fairness and diversity a fundamental part of all our activities.

We recognise people with different backgrounds, skills, attitudes and experiences bring fresh ideas and perceptions, and we wish to encourage and harness these differences to make our services more relevant and approachable.

1.2 Teesdale Community Resources will not discriminate or tolerate discriminatory behaviour on the grounds of race, colour, sex, gender identity (transgender), disability, nationality, national or ethnic origin, religion or belief, marital / partnership or family status, caring responsibilities, sexual orientation, age, social class, educational background, employment status, working pattern, trade union membership or any other irrelevant factor.

2. Scope

2.1 This policy relates to the work undertaken by Teesdale Community Resources involving staff and volunteers, including: meeting clients' needs, service delivery, dealing with other staff and volunteers and staff, suppliers, supporters and other associated third parties.

3. Legal obligations

3.1 Staff and volunteers do not fall within the scope of the legislation listed below. However, this list serves to illustrate to staff and volunteers the framework

within which the organisation operates and that we are committed to providing our services in way which is non-discriminatory and which values diversity.

3.2 The Equality Act 2010 harmonises and strengthens and replaces most previous equality legislation. The following legislation is still relevant:

- The Human Rights Act 1998.
- The Work and Families Act 2006.
- Employment Equal Treatment Framework Directive 2000 (as amended).

4. Meeting clients' needs

4.1 We are committed to treating all clients equally and fairly and to not discriminating unlawfully against them. We will also, wherever possible, take steps to promote equal opportunity. We will ensure that clients:

- are able to access the service in ways that suit them
- are given help that is relevant to their problem and situation
- are treated fairly, with dignity and respect, and without discrimination
- have their needs listened to, and met whenever possible.

4.2 Teesdale Community Resources is committed to meeting the diverse needs of clients. We will take steps to identify the needs of clients in our community and develop policies and procedures accordingly. We aim to ensure that the services we provide are accessible to all. We will take account, in particular, the needs of clients with a disability and clients who are unable to communicate effectively in English. We will consider whether particular groups are predominant within our client base and devise appropriate policies / procedures to meet their needs. Such groups include: men and women; carers; older people; members of religious groups; ethnic groups or nationalities and lesbian, gay or transgender people.

5. Staff and volunteers

5.1 General statement

Staff and volunteers contribute significantly to the diversity of the organisation. They can expect to be treated fairly, with dignity and respect, and without discrimination. They are likewise expected to treat others fairly, with dignity and respect, and without discrimination. Due to the restrictions imposed by

employment law, staff and volunteers are not entitled to the same rights and protections as employees.

6. Implementing the policy

6.1 Responsibilities

6.1.1 All managers/Trustees

Managers/Trustees are responsible for promoting this policy and ensuring it is understood and complied with by all staff and volunteers, dealing with breaches and complaints (whether reported or not) seriously, speedily, sensitively and confidentially and contributing ideas for the advancement of diversity principles within the organisation. Managers are expected to be proactive in identifying circumstances in which elements of the policy can benefit individual staff and volunteers, and encourage and support staff and volunteers in making use of such benefits.

6.1.2 All staff and volunteers

At all levels of the organisation, including trustees, staff and volunteers are expected to have read and understood this policy, to ensure that they behave in accordance with its principles and requirements.

6.2 Conduct and general standards of behaviour

All staff and volunteers are expected to conduct themselves in a professional and considerate manner at all times. Teesdale Community Resources will not tolerate behaviour such as:

- making threats
- physical violence
- shouting
- swearing at others
- 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 and victimisation.

Teesdale Community Resources encourages staff and volunteers to resolve misunderstandings and problems informally wherever possible, depending on the circumstances. However, whether dealt with informally or formally, it is important for a volunteer who may have caused offence to understand that it is no defence

to say that they did not intend to do so, or to blame individuals for being over sensitive. It is the impact of the behaviour, rather than the intent, that counts, and that should shape the solution found both to the immediate problem and to preventing further similar problems in the future.

6.3 Complaints of discrimination

Teesdale Community Resources will treat seriously all complaints of unlawful discrimination on any forbidden grounds made by employees, staff and volunteers, clients or other third parties and will take action where appropriate.

All complaints by staff and volunteers will be investigated in accordance with the organisation's volunteer complaints procedure and the complainant will be informed of the outcome in line with these procedures.

We will also monitor the number and outcomes of complaints of discrimination made by staff, staff and volunteers, clients and other third parties.

7. Monitoring

7.1. Teesdale Community Resources will monitor and record diversity information about staff and staff and volunteers, including trustees, on the basis of age, gender, ethnicity and disability.

7.2 Where it is possible to do so, and where doing so will not cause offence or discomfort to those whom it is intended to protect, we will monitor the sexual orientation and religion or belief of staff and staff and volunteers so to ensure that they are not being discriminated against in terms of the opportunities or benefits available to them.

We will store diversity monitoring data as confidential personal data and restrict access to this information. Diversity monitoring information will be used exclusively for the purposes of diversity monitoring and will have no bearing on opportunities or benefits.

We will monitor all elements relevant to staff and volunteers of the following:

- recruitment and selection processes
- training
- complaints and performance management procedures.

8. Review

8.1 This policy will be reviewed not less than once a year or more regularly if we identify any non-compliance or problem or in the light of emerging legislation or best practice that could impact on this policy.

An overview of equality and diversity legislation

Equality and diversity legislation exists for each of the equality strands of race, gender, disability, sexual orientation, religion/belief and age. An overview of some of

the key legislation, for each equality strain, is detailed here. You can click on the link to access the legislation listed.

Race

Race Relations Act (1976) & Race Relations (Amendment) Act (2000)

This Act and its Amendment makes discrimination on the grounds of race, colour, nationality (including citizenship), ethnic or national origin unlawful. It covers people from all racial groups, including white people.

Following the Amendment (2000), it includes more public authority functions and places a general duty on public authorities to promote race equality.

Race Relations Act (1976) (Amendment) Regulations (2003)

This Amendment further enhanced the legislation, updating the definition of indirect discrimination.

Racial and Religious Hatred Bill (2005)

This Bill was introduced to make it illegal to threaten people because of their religion, or to stir up hatred against a person because of their faith. It is designed to fill gaps in the current laws, which already protect people from threats based on their race or ethnic background.

The Bill passed successfully through the House of Commons and the House of Lords on 31 January 2005 and should become law soon. The final Bill was altered by the Lords in two key ways:

Only threatening words or behaviour will be classified as criminal. Generally abusive or insulting words about religion that are not actually threatening will not be illegal; and

The burden will be on the prosecution to prove the speakers intended to stir up racial hatred – the bill has strong safeguards for free expression.

Any prosecutions under the Bill will also have to be approved by the Attorney General.

Gender

Sex Discrimination Act (1975)

This Act applies to women and men of any age, including children, and makes discrimination on the grounds of sex or marriage unlawful. However, it is not unlawful to discriminate against someone because they are not married.

Victimisation, because someone has tried to exercise his or her rights under this Act, is also unlawful.

The Sex Discrimination Act (1975) (Amendment) Regulations (2003)

This Act makes it unlawful to discriminate against someone after a formal relationship with an employer has ended - if the discrimination arises out of, and is closely connected to, that relationship.

In addition, it makes Chief Officers of police liable for unlawful acts of sex discrimination, committed by police constables against other police constables, in the course of their duties.

The Sex Discrimination (Gender Reassignment) Regulations (1999)

These regulations are a measure to prevent discrimination against transsexual people, on the grounds of sex, in pay and treatment in employment and vocational training.

They extend the Sex Discrimination Act (1975), for the purposes of employment and vocational training, by making discrimination on the grounds of gender reassignment, equivalent to discrimination on the grounds of sex.

The Gender Recognition Act (2004)

This Act provides transsexual people with all of the rights and responsibilities appropriate to their acquired gender. For example, the right to marry in their acquired gender, birth certificates that recognise their acquired gender, and benefits and state pension of their acquired gender.

The Equal Pay Act (1970)

This Act gives an individual a right to the same contractual pay and benefits as a person of the opposite sex in the same employment, where the man and the woman are doing like work, work rated as equivalent under an analytical job evaluation study or, work that is proved to be of equal value.

However, the employer will not be required to provide the same pay and benefits if they can prove that the difference in pay or benefits is genuinely due to a reason other than one related to sex.

The Equal Pay Act (1970) (Amendment) Regulations (2003)

This Amendment introduced two changes to the 1970 Act: it allows the six month time limit for bringing equal pay claims to be extended, in cases of concealment or disability and, allows for the two-year limit on back pay to be extended up to six years, in cases of concealment and disability.

Disability

The Disability Discrimination Act (1995)

This Act deals with discrimination against disabled people and applies to all those who provide goods, facilities and services to the public.

The Disability Discrimination Act (2005)

This Act amends/extends the provisions of the 1995 Act, including:

- making it unlawful for operators of transport vehicles to discriminate against disabled people;
- ensuring that discrimination law covers all the activities of the public sector; and
- a duty for public bodies to promote equality of opportunity for disabled people.

Some of the new laws will not be enforced until December 2006 (such as the duty to promote equality of opportunity for disabled people).

Sexual Orientation

Employment Equality (Sexual Orientation) Regulations (2003)

These regulations outlaw discrimination (direct or indirect discrimination, harassment and victimisation) in employment, and vocational training, on the grounds of sexual orientation. It covers people who are gay, lesbian, bisexual and heterosexual.

The Civil Partnerships Act (2004)

This Act permits a legal relationship to be formed by two people of the same sex, which is distinct from marriage. It gives same sex couples the ability to obtain legal recognition of their relationship.

Religion or Belief

Employment Equality (Religion or Belief) Regulations (2003)

These Regulations outlaw discrimination (direct or indirect discrimination, harassment and victimisation) in employment and vocational training on the grounds of religious belief or similar philosophical belief. Non-belief is also covered by the regulations.

Age

Age Discrimination Act

Age discrimination in employment and training became unlawful from 1st October 2006. The Age Discrimination Act came into force in December 2006. The legislation will cover all forms of age discrimination including discrimination of both younger and older individuals.

For organisations, the key issue in the discrimination field is developing workable age legislation. This could impact on a wide range of employment practices including; graduate recruitment programmes, redundancy practices and, crucially, whether firms will be prohibited from setting retirement ages. Several discussions have focused on the impact the legislation is likely to have on mandatory retirement age.

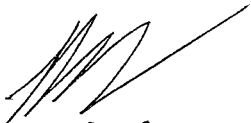
Other Legislation

The Human Rights Act (1998)

This Act incorporates rights under the European Convention of Human Rights into domestic law. Individuals can bring claims under this Act against public authorities for breaches of Convention Rights (Convention Rights include, a right not to be discriminated against on non-exhaustive grounds where another Convention right is engaged).

UK courts and tribunals are required to interpret domestic law, as far as possible, in accordance with Convention Rights. Previous case law may be overturned if there is a breach of Convention Rights and the relevant law can be re-interpreted in a way, which is compatible with Convention Rights.

Signed:



Date:

24/4/2021

Date of Review: