

## Equality & Diversity Policy

This policy applies to everyone within BSARCS, paid or unpaid, whether they are employees, self-employed, contractors, service users, job applicants or members of the Trustee Board.

### Introduction

BSARCS is a feminist organisation and the nature of our work requires that we have a largely female workforce (as allowed for in the Equality Act 2010). It is also important that our organisation remains women-led to ensure that the needs of our primary client group are considered in the design and delivery of our services. We will ensure that no less than 75% of the Board of Trustees are women and that senior management roles will all be held by women.

BSARCS is committed to creating an environment which provides equality of opportunity and freedom from unlawful discrimination because of age, gender (including gender reassignment) sexual orientation, being married or in a civil partnership, being pregnant or on maternity leave, disability, race (including colour, nationality, ethnic or national origin), religion or belief.

BSARCS believes that all employees and clients are entitled to be treated with respect and dignity.

BSARCS is committed to actively opposing all forms of discrimination. This opposition will be delivered by training, monitoring, support and open challenge of inappropriate behaviours.

BSARCS will apply this Policy in the recruitment, selection, training, appraisal, development and promotion of all employees and volunteers. Furthermore, BSARCS offers services that comply with the spirit of this Policy.

### Objectives of this Policy

- To prevent all forms of unlawful discrimination in line with the Equality Act 2010.
- To fulfil BSARCS' social responsibility towards employees, volunteers and the communities in which it operates.
- To aim to give all employees and volunteers equality of opportunity and encouragement.
- To ensure equality of access to our services for clients.

All members of BSARCS are required to be familiar with this policy and are expected to abide by it. Any breach of this policy is a serious offence and could result in disciplinary action and/or summary dismissal.

### Discrimination

Discrimination is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, in the same or similar circumstances on the grounds of race, gender, pregnancy and maternity, marital or civil partnership status, disability, religion or beliefs, age or sexual orientation.

Discrimination may be direct or indirect, and includes discrimination by perception and association.

### Types of Discrimination

**Direct Discrimination** occurs when a person or a policy intentionally treats a person less favourably than another in the same or similar circumstances solely because they, for example, have a disability or have children. Refusing to employ someone who has the required skills because they are deaf or because they are pregnant would constitute such discrimination.

**Indirect Discrimination** occurs where there is a requirement or condition which applies equally to everyone but which, in practice, has an adverse impact on a particular group and cannot be justified.

**Abuse and/ or Harassment** occurs when a person is subjected to unwanted conduct that has the purpose or effect of violating their dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

**Victimisation** occurs when a person is treated less favourably or is discriminated against because they have pursued or intend to pursue their rights in respect of alleged discrimination.

**Institutional Racism** is the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen in the processes or attitudes and behaviour, which amount to discrimination, to unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantages minority ethnic people.

## Unlawful Reasons for Discrimination

### Gender

It is not permissible to treat a person less favourably on the grounds of sex, marital status, civil partnership, pregnancy or maternity, gender reassignment or transgender status, including those who define as non-binary and gender fluid. This includes those undergoing or intending to undergo gender reassignment.

### Age

It is not permissible to treat a person less favourably because of their age. This does not currently apply to the calculation of redundancy payments where entitlement is lawfully based on an individual's age.

### Disability

It is not permissible to treat a disabled person less favourably than a non-disabled person. The Equality Act defines a disabled person as someone who has *"a physical or mental impairment and the impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities"*

### Race

It is not permissible to treat a person less favourably because of their race, the colour of their skin, their nationality or their ethnic origin.

### Sexual Orientation

It is not permissible to treat a person less favourably because of their sexual orientation.

### Religion or Belief

It is not permissible to treat a person less favourably because of their religious beliefs or their religion or their lack of any religion or belief.

## Equality & Diversity in Employment

BSARCS will ensure that the recruitment, training and development opportunities and terms of conditions of employment are determined on the basis of capability, qualifications, experience, skills and productivity.

## Recruitment

BSARCS is committed to on-going equality and non-discrimination for all and will ensure that all persons are selected, promoted and treated equally on the basis of their relevant aptitudes, skills and abilities with no regard to any of the characteristics listed above.

## Positive Action in Recruitment

Under the Equality Act 2010, it is possible to adopt positive action in recruitment and promotion. 'Positive action' means the steps that BSARCS can take to encourage people from groups with different needs or with a past record of disadvantage or low participation, to apply for positions within BSARCS.

If BSARCS chooses to utilise positive action in recruitment, this will not be used to treat people with a protected characteristic more favourably, it will be used only in tie-break situations, when there are two candidates of equal merit applying for the same position.

## Genuine Occupational Requirements

There are certain lawful defined exceptions in the Equality Act 2010, known as occupational requirements. These, broadly, apply when a job can only be performed effectively by someone with a particular protected characteristic, e.g. either a man or a woman, a person of a specific racial or religious group, a person of a particular sexual orientation, a disabled person or a person of a particular age group.

To rely on this exception, an employer must show that, having regard to the nature or context of the work, having the particular protected characteristic is a genuine occupational requirement and that the application of the requirement is a proportionate means of achieving a legitimate aim.

Because of the nature of our work and our primary client group, the majority of BSARCS' positions will be filled by women. However, we will consider all roles separately and review the need for a GOR each time a position becomes vacant, as circumstances may change.

## Reasonable Adjustments

BSARCS has a duty to consider reasonable adjustments to facilitate the employment of a disabled person. These may include, but is not limited to:

- Making adjustments to premises
- Re-allocating some or all of a disabled employee's duties
- Transferring a disabled employee to a role better suited to their disability
- Relocating a disabled employee to a more suitable office
- Giving a disabled employee time off work for medical treatment or rehabilitation
- Providing training or mentoring for a disabled employee
- Supplying or modifying equipment, instruction and training manuals for disabled employees
- Any other adjustments that BSARCS considers reasonable and necessary provided such adjustments are within the financial means of BSARCS.

If an employee has a disability and feels that any such adjustments could be made by BSARCS, they should speak with their line manager.

## Equality & Diversity in Service Provision

BSARCS is committed to ensuring that our service users have equal opportunity to access and benefit from our services. In order to adequately meet the needs of our client we will:

- treat all of our service users with dignity and respect, within a culture of belief
- ensure that all of our staff and volunteers are adequately skilled, trained and experienced to meet the diverse needs of our service users
- seek to continuously develop our knowledge and understanding of the diverse needs of the community in which we work through formal training and listening to the needs of our clients
- we will continue to deliver a range of services offering advice, support and advocacy to increase our responsiveness and delivery to a broad range of clients
- we will assess the diverse needs of our service users when making plans and developing services
- we will ensure that safe, gender-specific spaces are available
- we will work to empower our clients, encourage their independence and enable them to make choices about the support they receive and the manner in which they receive it
- we will carry out comprehensive needs assessments with all of our clients to ensure that their individual needs are considered and met where possible, including the need for interpretation and translation services and adapted service delivery (i.e. communication methods)
- we will encourage our service users and key partners to give feedback about the accessibility of our services and commit to learning from this feedback
- we will work closely with external partner agencies to ensure that our service users receive the most appropriate intervention and support
- we will advocate for our clients where they are experiencing difficulties in accessing appropriate external services and support
- we will continue to raise awareness and challenge misconceptions about sexual violence, victims and its impact

## Responsibility for the Implementation of this Policy

All employees and volunteers have an equal responsibility in the practical application of this policy and in their day-to-day interactions with colleagues, clients, visitors and members of the public. However, specific responsibility falls upon managers and others involved in recruitment, employee administration and training.

Initial responsibility on a day-to-day basis for the observance of this policy lays with line managers, final responsibility lies with the Trustees, or such delegated members as outlined in other relevant BSARCS policies.

Employees and volunteers may be held independently and individually liable for their discriminatory acts by BSARCS and in some circumstances an Employment Tribunal may order them to pay compensation to the person who has suffered as a result of discriminatory acts.

### Acting on Discriminatory Behaviour

In the event that an employee is the subject or perpetrator of, or witness to, discriminatory behaviour, please refer to the Discipline and Grievance Policies.

Where an employee considers that they are suffering from unequal treatment on any of the above grounds, the complaint should be dealt with under BSARCS' Grievance Procedure unless it is a matter of harassment in which case it will be dealt with in line with the Bullying and Harassment Policy.

Should disciplinary action be appropriate, then BSARCS' Disciplinary Policy will be instigated.

If any service user considers they have suffered unequal treatment, they may use the BSARCS' Complaints Procedure. Any such complaint will be dealt with in accordance with that procedure.

### Advice and Support on Discrimination

Employees and volunteers may obtain advice and support through their regular one-to-one discussions with their line manager. If their concern relates to their line manager then they may approach any other line manager or Trustee for advice and support.