

# **SOUTH ZEAL VICTORY HALL**

## **EQUALITY, DIVERSITY AND INCLUSION POLICY**

### **STATEMENT OF POLICY AND PURPOSE**

1. South Zeal Victory Hall management committee will actively promote opportunities for all members of the community to apply for roles as Management Committee members, volunteers or job opportunities that may arise.
2. The South Zeal Victory Hall management committee expects the agencies with which it works in partnership, to have Equality and Diversity Policies.
3. The South Zeal Victory Hall management committee does not discriminate on the basis of race, colour or nationality, ethnic or national origins, sex, gender identity, sexual orientation, marital or civil partner status, pregnancy or maternity, disability, religion or belief, age or any other ground on which it is or becomes unlawful to discriminate under the laws of England and Wales (referred to as Protected Characteristics).
4. The South Zeal Victory Hall believes in selecting applicants for positions as Trustees, Management Committee Members and for staff and volunteer positions based on merit and the legitimate business needs of the charity.
5. The Victory Hall aims to provide and deliver services which are relevant, appropriate and accessible to all sections of the local community. The Victory Hall management committee is committed to achieving a level of diversity and awareness in its members that enables, as far as possible, the different social, economic and educational backgrounds present in the local community to be represented in decisions regarding services and policies.
6. The Victory Hall Charity intends to enable all our Trustees, Management Committee Members, staff and volunteers to work in an environment which allows them to fulfil their potential without fear of discrimination, harassment or victimisation. Our commitment to equal opportunities extends to all aspects of the working and volunteering relationship including:
  - Recruitment and selection procedures;
  - Terms of employment, including pay, conditions and benefits. Part time and fixed-term staff and volunteers will be treated the same as full-time or permanent staff and volunteers of the same position and enjoy no less favourable terms and conditions (pro-rata, where appropriate), unless different treatment is objectively justifiable;
  - The making of reasonable adjustments to accommodate those with disabilities;
  - Training, appraisals, career development and promotion;
  - Work practices, conduct issues, allocation of tasks, discipline and grievances;
  - Work-related social events; and
  - Termination of employment and matters after termination, including references.
7. This policy and the rules contained in it therefore apply to all staff and volunteers irrespective of seniority, tenure and working hours, including all employees, Trustees Management Committee Members, consultants and contractors, casual or agency staff, trainees, homeworkers and fixed-term staff and any volunteers or interns (referred to as Staff).
8. The principles of non-discrimination and equal opportunities also apply to the way in which Staff treat other Staff, residents, members of the local community, service providers and suppliers, and visitors.
9. This policy is intended to help the Victory Hall achieve its diversity and antidiscrimination aims by clarifying the responsibilities and duties of all Staff in respect of equal opportunities and discrimination.
10. This is a statement of policy only and does not form part of any employee's contract of employment. This policy may be amended at any time by the Trustees, in its absolute discretion.
11. Processes for Implementation of this Policy

- The Trustees and Management Committee have overall responsibility for this policy and for equal opportunities and discrimination law compliance in the workplace. The Chair has been appointed as the person with day-to-day operational responsibility for these matters.
12. Diversity of the Trustees and the Management Committee will be reviewed on a yearly basis, It is also important to ensure that language used in advertising appeals to traditionally unrepresented groups.
13. Types of Discrimination.

Discrimination occurs in different ways, some more obvious than others. Discrimination on the grounds of any of the Protected Characteristics is prohibited by law, even if unintentional, unless a particular exception applies.

- Direct discrimination is less favourable treatment because of one of the Protected Characteristics. Examples would include refusing a woman a job or a volunteer role that involves driving because you believe that women are not good drivers, or restricting recruitment to persons under 40 because you want to have a young and dynamic workforce. Selecting candidates with different attributes to increase diversity is not Direct Discrimination against those candidates who are rejected because they have the same attributes as successful candidates.

Direct discrimination can arise in some cases even though the person complaining does not actually possess the Protected Characteristic but is perceived to have it or associates with other people who do. For example, when a person is less favourably treated because they are believed to be a member of the LGBTQ+ community or because they have a spouse who is Muslim.

- Indirect discrimination arises when an employer applies an apparently neutral provision, criterion or practice which in fact puts individuals with a particular Protected Characteristic at a disadvantage, and this is unjustified. To show indirect discrimination the individual complaining also has to be personally disadvantaged. An example would be a requirement for job candidates to have ten years' experience in a particular role, since this will be harder for young people to satisfy. This kind of discrimination is unlawful unless it is a proportionate means of achieving a legitimate aim; in this example it could be that ten years' experience is required because the person filling the role will take on a high level of responsibility or will be relied upon as an expert.
- Disability discrimination could be direct or indirect discrimination, and is any unjustified less favourable treatment because of the effects of a disability, including a failure to make reasonable adjustments to alleviate disadvantages caused by a disability.
- Victimisation and Harassment.
  - Victimisation means treating a person less favourably because they have made a complaint of discrimination or have provided information in connection with a complaint or because they might do one of these things.
  - Harassment is:
    - Unwanted conduct which is related to a Protected Characteristic and which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them: or
    - Unwanted conduct which is of a sexual nature and which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them (Sexual Harassment); or
    - Less favourable treatment because of a rejection of or a submission to Sexual Harassment. Harassment can arise in some cases even though the person complaining does not actually possess a Protected Characteristic but is perceived to have it (for example, when a person is harassed because they are believed to be a member of the LGBTQ+ community) or associates with other people who possess a Protected Characteristic (for example, because they have a spouse who is Muslim).

Harassment may include:

- Use of insults or slurs based on a Protected Characteristic or of a sexual nature or other verbal abuse or derogatory, offensive or stereotyping jokes or remarks;

- Physical or verbal abuse, threatening or intimidating behaviour because of a Protected Characteristic or behaviour of a sexual nature;
- Unwelcome physical contact including touching, hugging, kissing, pinching or patting, brushing past, invading personal space, pushing grabbing or other assaults;
- Mocking, mimicking or belittling a person's disability, appearance, accent or other personal characteristics;
- Unwelcome requests for sexual acts or favours; verbal sexual advances, vulgar, sexual, suggestive or explicit comments or behaviour and intrusive staring;
- Repeated requests, either explicitly or implicitly, for dates or other social contact or after it has been made clear that requests are unwelcome;
- Comments about body parts or sexual preference;
- Displaying or distributing offensive or explicit pictures, items or materials relating to a Protected Characteristic or of a sexual nature;
- Shunning or ostracising someone, for example, by deliberately excluding them from conversations or activities;
- 'Outing' or threatening to 'out' someone's sexual orientation or gender identity (i.e. to make it known publicly when it has not already been made public);
- Explicit or implicit suggestions that employment status or progression is related to toleration of, or acquiescence to sexual advances, or other behaviour amounting to harassment.

14. Other important points to note about harassment:

- A single incident can amount to harassment;
- Behaviour that has continued for a long period without any complaint being made in return can amount to harassment;
- It is not necessary for an individual to intend to harass someone for their behaviour to amount to harassment;
- It is not necessary for someone on the receiving end of a certain behaviour to communicate that the behaviour is unwelcome before it amounts to harassment; and
- The onus is on each individual to be certain that their behaviour and conduct is appropriate and is not unwanted and in the case of doubt, they must refrain from such conduct.

15. Adjustments to meet the needs of those with Disabilities

Any employee, committee member or volunteer who considers that they may have a disability is strongly encouraged to speak with the Chair about what reasonable adjustments can be made to help overcome or minimise difficulties in carrying out their role.

For these purposes, disability includes any physical or mental impairment which substantially affects someone's ability to perform day to day activities involved in their role and which has lasted (or is likely to last) more than 12 months.

Disclosure of this information will be treated in confidence so far as is reasonably practicable, and we will do our best to handle matters sensitively and to ensure that you are treated with dignity and with respect for your privacy.

We may ask you to see a doctor or other health professional, or to arrange for a letter from your GP, to give us advice on what adjustments might be appropriate or required. We will seek to accommodate your needs within reason. If we consider a particular adjustment unreasonable, we will explain why and try to find an alternative solution.

Managers with responsibility for managing a member of staff or a volunteer who they know or think to be disabled should speak to the Chair to ensure that all legal obligations to make adjustments are complied with and a record of the adjustments made is kept.

16. Right to Work

The Victory Hall is legally required to verify that all paid staff have the right to work in the UK. Prior to starting employment, all employees must produce original documents to the Victory Hall's satisfaction, irrespective of nationality.

A requirement to produce such documentation and a refusal of paid employment to someone who does not have the right to work in the UK is not discrimination.

17. Monitoring of Diversity.

The Victory Hall management committee may ask applicants for jobs, or volunteer roles to disclose their sex, sexual orientation, gender identity, ethnic group, disability or religion in order to help assess the practical implementation of this Policy and to help identify and take appropriate steps to avoid discrimination, under-representation and potential disadvantage and improve diversity. Provision of this information is voluntary and the information is kept in an anonymised format solely for the purposes stated here. The information will not be used as part of any decision-making process relating to the recruitment or employment of the person providing the information.

18. Reporting and Enforcement

Should any staff member, committee member or volunteer believe that they have been discriminated against or harassed by any other staff member, committee member or volunteer and there is at the time no applicable policy for reporting such matters, they should contact their line manager or the Chair or the Secretary.

Any complaint by an unsuccessful job applicant or a resident or member of the community relating to discrimination can be made to the Chair.

Concerns about any failure by the Trustees or Management Committee to ensure sufficient diversity within the Victory Hall's Staff or any failure of any the Victory Hall to ensure full accessibility or an appropriately diverse response, or otherwise to enforce this Policy, may be raised in writing to the Chair or at the AGM

19. Any grievance or report raised about discrimination or harassment will be reported to the Chair, who will investigate the facts and assess the seriousness of the misconduct or breach of this Policy, taking professional advice as required, and decide on appropriate disciplinary action.

The Chair will keep the details of the grievance or report confidential so far as this is practicable, but may seek approval of a certain level of disclosure to allow the alleged perpetrator a chance to respond and to facilitate any disciplinary action. It sometimes may be necessary to disclose the complaint or take action even if this is not in line with the complainant's wishes.

Any member of staff or volunteer who attempts acts of retaliation or victimisation will be subject to disciplinary action

20. Any complaint about discrimination or harassment made against the Chair shall be considered by the rest of the committee members.

21. In addition to disciplinary action taken by the Victory Hall management committee, any person who discriminates against or harasses another may be personally liable for their actions and legal proceedings may be taken against them directly by the victim. It may be a criminal offence intentionally to harass another employee.