

## **EQUAL OPPORTUNITIES POLICY**

### **1. Policy**

- 1.1 It is the Law Centre's policy not to discriminate against its workers on the basis of their gender, sexual orientation, marital status, any gender reassignment, race, religion or belief, colour, nationality, ethnic or national origin, disability or age, pregnancy or trade union membership, or the fact that they are a part-time worker or a fixed-term employee.
- 1.2 Our workers and applicants for employment shall not be disadvantaged by any policies or conditions of service which cannot be justified as necessary for operational purposes
- 1.3 The long-term aim of the Board of Trustees is that the composition of our workforce should reflect that of the community and that all workers should be offered equal opportunities to achieve their full potential.
- 1.4 This policy, and the measures we take to implement it, has been devised on the basis of advice from the relevant government and professional bodies as well as in consultation with appropriate union and/or employee representatives.
- 1.5 We are committed to a programme of action to make this policy effective and to bring it to the attention of all workers. The principle of non-discrimination and equality of opportunity applies equally to the treatment of visitors, clients, customers and suppliers by members of our workforce and also, in some circumstances, ex-employees.
- 1.6 The following paragraphs deal with the specific categories of workers and areas of work which we have identified as potentially giving rise to equal opportunities issues and provides more specific guidance on the parameters of our policy and approach to equal opportunities.
- 1.7 This policy is for guidance only and shall be provided to all workers, but does not form part of your contract of employment.

### **2. To whom does the policy apply?**

- 2.1 This policy applies to the Law Centre's employees, whether permanent, temporary casual, part-time or on fixed-term contracts, to ex-employees, to job applicants and to individuals such as agency staff and consultants who are not employees, but who work at the Gloucester Law Centre, and to volunteers and Trustees (collectively "**workers**").
- 2.2 All workers, volunteers and Trustees have a duty to act in accordance with this policy, and therefore to treat colleagues with dignity at all times, and not to discriminate against or

harass other members of staff, whether junior or senior to them. In some situations the Law Centre may be at risk of being held responsible for acts of individual members of staff and therefore shall not tolerate any discriminatory practices or behaviour.

- 2.3 The policy statement in paragraph 1.2 applies equally to the treatment of our clients and suppliers by our workers.

### **3. Personnel responsibility for implementation of policy**

- 3.1 The Board has overall responsibility for the effective operation of the Law Centre's equal opportunities policy and for ensuring compliance with the relevant statutory framework prohibiting discrimination. The Board has delegated day to day responsibility for operating the policy and ensuring its maintenance and review to the Co-director.
- 3.2 Those working at a management level have a specific responsibility to set an appropriate standard of behaviour, to lead by example and to ensure that those they manage adhere to the policy and promote the aims and objectives of the Law Centre with regard to equal opportunities. To facilitate this process, managers shall be given training on equal opportunities awareness and equal opportunities recruitment and selection best practice
- 3.3 All members of staff are responsible for the success of this policy and must ensure that they familiarise themselves with the policy and act in accordance with its aims and objectives. If you are involved in management or recruitment, or if you have any questions about the content or application of this policy, you should contact the Office Manager, Senior Solicitor or Co-director.

### **4. Scope and purpose of policy**

- 4.1 The Law Centre will not unlawfully discriminate on grounds of gender, sexual orientation, marital status, gender reassignment, race religion or belief, colour, nationality, ethnic or national origin, disability, age, pregnancy, trade union membership, or part-time or fixed-term status.
- 4.2 This policy applies to the advertising of jobs and recruitment and selection, to training and development, opportunities for promotion, to conditions of service, benefits and facilities and pay; to health and safety and to conduct at work, to grievance and disciplinary procedures and to termination of employment, including redundancy.
- 4.3 The Law Centre will take steps to accommodate the requirement of the workers' religions, cultures and domestic responsibilities. (Our maternity and adoption policies should be consulted for specific guidance on our approach to these issues and entitlements.

### **5. Forms of discrimination**

Discrimination may be direct or indirect and it may occur intentionally or unintentionally. Direct discrimination occurs when someone is put at a disadvantage for a reason related to one or more of the grounds set out in paragraph 4.1. For example, rejecting an applicant of one race because it is considered they would not "fit in" on the grounds of their race could be direct discrimination. Indirect discrimination occurs where an individual is subject to an unjustified provision, criteria or practice which puts them at a particular disadvantage because of, for example, their sex or race. For example, a height requirement would be likely to eliminate proportionally more women than men. If these criteria cannot be objectively

justified for a reason unconnected with sex, it would be indirectly discriminatory on the grounds of sex. Discrimination also includes victimisation (less favourable treatment because of action taken to assert legal rights against discrimination or to assist a colleague in that regard); harassment (see the Law Centre's anti-harassment policy) and, in the case of disabled employees a failure to make reasonable adjustments.

## **6. Recruitment and Selection**

- 6.1 The Law Centre aims to ensure that no job applicant receives less favourable treatment on any of the lawful grounds listed in paragraph 4.1. Recruitment procedures will be reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities and those sufficiently diverse sectors of the community are reached. Job selection criteria are regularly reviewed to ensure that they are justifiable on non-discriminatory grounds as being essential for the effective performance of the job.
- 6.2 The Law Centre shall take steps to ensure that knowledge of vacancies reaches a wide labour market and, where relevant, groups under represented in the Law Centre. Where appropriate, use may be made of lawful exemptions to recruit suitably qualified people to cater for the special needs of particular groups. Vacancy advertisements shall include an appropriate short statement on our equal opportunities policy and a copy of this policy shall be sent to those who are shortlisted for interview.
- 6.3 To ensure that this policy is operating effectively with respect to recruitment and selection and other areas identified in paragraph 4.1, and to identify those sections of the local community which may be under-represented in employment, the Law Centre monitors applicants' racial origins, disability, sexual orientation and religion and age as part of the recruitment procedure. We also maintain records of this data in an anonymised format solely for the purposes stated in this policy. Ongoing monitoring and regular analysis of the data provide the basis for taking appropriate positive steps to eliminate unlawful direct and indirect discrimination and implement this policy.

## **7. Staff training and promotion and conditions of service**

- 7.1 Staff training needs shall be identified through regular staff appraisals. All workers will be given an equal opportunity and access to training to enable them to progress within the organisation. All staffing decisions shall be made on the basis of merit.
- 7.2 The composition and movement of workers at different levels shall be regularly monitored to ensure equality of opportunity at all levels of the organisation. Where appropriate, steps will be taken to identify and remove unnecessary or unjustifiable barriers and to provide facilities and conditions of service to meet the special needs of disadvantaged or under-represented groups.
- 7.3 Our conditions of service, benefits and facilities will be reviewed regularly to ensure that they are available to all workers who should have access to them and that there are no unlawful obstacles to accessing them. This includes pay, bonus criteria, policies and any benefits offered.

## **8. Termination of employment**

- 8.1 We will monitor redundancy criteria and procedures to ensure that they are fair and objective and do not directly or indirectly discriminate against employees.

- 8.2 We will also ensure that disciplinary procedures are carried out fairly and uniformly for all workers, whether they result in the giving of disciplinary warnings, dismissal or other disciplinary action.

## **9. Disability discrimination**

- 9.1 If you are disabled, or become disabled in the course of your employment with us, you are encouraged to tell us about your condition. This is to enable us to support you as much as possible. You may also wish to advise your Team Leader of any reasonable adjustments to your working conditions or the duties of your job which you consider necessary, or which would assist you in the performance of your duties. Your Team Leader may wish to consult with you and with your medical adviser(s) about possible reasonable adjustments. Careful consideration will be given to any such proposals and they will be accommodated where possible and proportionate to the needs of your job. Nevertheless there may be circumstances where it will not be reasonable for us to accommodate the suggested adjustments and we will ensure that we will provide you with information as to the basis of our decision not to make any adjustments.
- 9.2 The Law Centre carried out an access audit of its premises in advance of Part 3 of the Disability Discrimination Act 1995 coming in to force in October 2004 and shall continue to monitor the physical features of its premises to consider whether they place disabled workers, job applicants or service users at a substantial disadvantage compared to other workers. Where possible and proportionate, the Law Centre will take steps to improve access for disabled workers and service users.

## **10. Fixed-term employees**

We will monitor our use of fixed-term employees and agency workers, and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. We will, where relevant, monitor their progress within the Law Centre to ensure that they are accessing permanent vacancies.

## **11. Part-time workers**

The Law Centre will monitor the conditions of service of part-time employees and their progression within the Law Centre to ensure that they are being offered appropriate access to benefits and training and promotion opportunities. We will also ensure requests to alter working hours are dealt with appropriately under our flexible working policies.

## **12. Breaches of the policy**

- 12.1 If you believe that you may have been disadvantaged on any of the unlawful grounds listed at paragraph 4.1, you are encouraged to raise the matter through the Law Centre's grievance procedure. If you believe that you may have been harassed on any of the unlawful grounds listed at paragraph 4.1, you are encouraged to raise the matter through our anti-harassment policy. Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Workers who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations of a breach in this policy which are found to have been made in bad faith will, however, be dealt with under our disciplinary procedure.

- 12.2 If, after investigation, you are proven to have harassed any other worker on the grounds of gender, sexual orientation, marital status, gender reassignment, race, religion or belief, colour, nationality, ethnic or national origin, disability, age or pregnancy or otherwise act in breach of this policy, you will be subject to disciplinary action. In serious cases, such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The Law Centre will always take a strict approach to serious breaches of this policy.
- 12.3 This policy applies equally to the Law Centre workers' relations with clients and suppliers, if, after investigation, you are proven to have discriminated against or harassed a client or supplier you will also be subject to disciplinary action.

### **13. Monitoring and revision of the policy**

- 13.1 This policy is reviewed annually by the Director. This policy was last updated on 26.6.13.
- 13.2 We will regularly monitor the effectiveness of this policy to ensure it is achieving its objectives by monitoring the composition of job applicants and the benefits and career progression of workers.
- 13.3 It is a requirement for staff, Trustees and volunteers to periodically attend appropriate training.