



Tees Valley  
*Rural Community*  
Council

## Equal Opportunities Policy

### 1. Equal Opportunity Statement

Tees Valley Rural Community Council recognises that everyone has a contribution to make to our society and a right to equal treatment. Equal Opportunities is taken very seriously throughout the organisation, this policy has been written taking into account The Equality Act (*current 2010*) and will be continually monitored/ reviewed or revised in accordance to any alterations made to current legislation.

Tees Valley Rural Community Council is committed to eliminating discrimination and encouraging diversity amongst our workforce. Our aim is that our workforce will be truly representative of all sections of society and each employee feels respected and able to give their best. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation.

Tees Valley Rural Community Council aims to ensure that no job applicant, staff member, Trustee, volunteer, organisation or individual to whom we provide services will be disrespectfully treated or discriminated against either directly, by association, perceived, indirectly, victimised, or harassed on the grounds of the following which are called "Protected Characteristics":

Age	Disability
Gender Reassignment	Marriage and Civil Partnership
Pregnancy and Maternity	Race
Religion or Belief	Sex
Sexual Orientation	

Tees Valley Rural Community Council aims to ensure that the organisations with which it works are aware of its' Equal Opportunity Policy and will aim to encourage them to adopt similar policies.

### 2. Tees Valley Rural Community Council and Equal Opportunity

As an organisation we believe that everyone is entitled to be treated with respect.

We recognised that everyone has a contribution to make to our society and a right to equal treatment.

We do not tolerate jokes, insults or bad remarks about people regarding the personal background or social circumstances.

If you feel you have been offended, harassed or upset by the behaviour of others in this organisation then ask to speak, or write to the Chief Officer or Chairperson.

Harassment, ridicule and discrimination will be dealt with immediately.

### **3. Principles**

The Trustees recognise that certain individuals and groups of people are subject to discrimination, unfair and unequal treatment on grounds of their personal and social characteristics (see Section 1 above).

The Trustees regard discrimination on any of these grounds as unacceptable and regard the promotion of equal opportunities as an essential objective for management, staff and volunteers.

The Trustees recognise the importance of staff and volunteer involvement in implementing the Equal Opportunities Policy. They will ensure that staff and volunteers are consulted over equal opportunities matters.

### **4. Aims**

This Policy aims to:

- Ensure that all personnel are aware of their responsibility to comply with relevant equal opportunities and anti-discriminatory legislation and the spirit of the Human Rights Act.
- Introduce policies, measures and procedures to prevent unlawful discrimination, prevent harassment and promote equal opportunities in the organisation.
- Promote equal opportunities in the delivery of services and operate within a framework of anti-discriminatory practice.

Tees Valley Rural Community Council is committed to ensuring all staff, Trustees and volunteers are aware of their responsibilities under the law and this Policy.

This is achieved by:

- Incorporating a framework of anti-discriminatory practice to all areas of the organisation's work. This will include job descriptions, the *Staff and Board Induction Packs*, and all Tees Valley Rural Community Councils policies.

- Introducing the Policy at the induction of all new employees, volunteers and Trustees, a copy of which will be issued at their induction session (see Induction Checklist).
- A requirement that all staff, volunteers and Trustees attend equal opportunities training which is rooted in anti-discriminatory and rights-based best practice.

## **5. Recruitment and Selection**

In order to ensure that direct or indirect discrimination does not occur in its recruitment and selection processes, Tees Valley Rural Community Council has implemented a Recruitment and Selection Policy. The policy outlines the procedures already in operation and commits Tees Valley Rural Community Council to further action which is consistent with the desire to ensure equal opportunities is a reality within the organisation.

The Recruitment and Selection Policy aims to ensure:

- That no job applicant/application for promoted posts is discriminated against either intentionally or unintentionally, or receives less favourable treatment on the grounds of personal or social characteristic (see Section 1 above).
- That no job applicant is placed at a disadvantage by requirements or conditions which have a disproportionately adverse effect on their racial group or gender, or on people with disabilities and which cannot be shown to be justifiable on other grounds (see Section 1 above).

All Trustees and employees with responsibility for recruitment and selection are required to operate within the Recruitment and Selection Policy and Procedures.

Further, it is the policy of Tees Valley Rural Community Council to provide equal opportunities training specifically to ensure that all staff and Trustees responsible for recruitment and selection and/or supervision and management of staff are aware of equal opportunities issues and carry out their responsibilities according to the adopted procedures.

## **6. Training and Development**

Tees Valley Rural Community Council has adopted a Training and Development Policy under which procedures will ensure promotion of equal access to opportunities available to Trustees, volunteers and staff to develop skills relevant to their jobs.

## **7. Harassment**

All forms of harassment and victimisation are totally unacceptable to Tees Valley Rural Community Council in its role as an employer and service provider. The organisation is committed to ensuring that no individual suffers harassment when

using our services without appropriate action/disciplinary action being taken to prevent recurrence. The organisation is committed to ensuring that no trustee, volunteer, staff member or service user is victimised because they have complained about discrimination, whether or not the discrimination has been proven.

## **8. Disciplinary and Grievance Procedures**

It is the policy of Tees Valley Community Council to ensure that the Disciplinary and Grievance Procedures of the organisation support anti-discrimination and the promotion of equal opportunities.

The Grievance Procedures of the organisation and the statement Tees Valley Community Council and Equal Opportunity in Section 2 make it clear that complaints regarding racial or sexual discrimination, victimisation or harassment from any employee, trustee or volunteer will be taken seriously (see Section 1 above).

The Disciplinary Procedures of the organisation make it clear that all incidents involving discrimination, victimisation or harassment are disciplinary offences.

It is the policy of Tees Valley Rural Community Council to ensure that the Grievance and Disciplinary, procedures of the organisation, including dismissal, are applied consistently and fairly and to provide adequate training and guidance for staff and trustees responsible for implementing these procedures.

## **9. Monitoring and Evaluation**

The Trustees recognise the importance of monitoring to ensure the effectiveness of the Equal Opportunities Policy.

It is the Policy and Practice of Tees Valley Rural Community Council to monitor the race, disability, caring responsibilities and sex of applicants to posts and to report on the results to the Trustees. If the monitoring shows the under-representation of one group the Trustees will require action to be taken by the Chief Officer to check that the recruitment and selection procedures of the organisation are in force.

Tees Valley Rural Community Council will also monitor the racial background and sex of volunteers and report on results and take any necessary action as above.

Tees Valley Rural Community Council will monitor complaints of harassment and the way they have been resolved. The information will be used to help judge how effective the policy is and to help identify where and in what circumstances harassment occurs so that steps can be taken to avoid recurrence. The Trustees recognise the value of advice and support from individuals and groups who have specialist knowledge and experience or who represent minority groups and will request such advice and support where necessary.

The Trustees recognise the importance of maintaining a constant and continuing interest in matters relating to discrimination, unfair and unequal practices applicable to Tees Valley Rural Community Council's activities and will review the policy, its implementation and effectiveness on an annual basis. This will form part of the organisation's Annual Review of policy but in no way precludes the Trustees from carrying out reviews at other times.

If, following a review, it is clear that action is needed to improve equal opportunities in Tees Valley Rural Community Council an action plan will be produced, staff, Trustees and volunteers will be consulted and any appropriate targets will be agreed. Positive action, as allowed in law, will be considered.

## **10. Our Commitment**

- To create an environment in which individual difference and the contributions of all our staff/Trustees and volunteers are recognised and valued.
- Every employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated
- Training, development and progression opportunities are available to all staff.
- Equality in the workplace is good management practice and makes sound business sense.
- We will review all our employment practices and procedures to ensure fairness.
- Breaches of our Equality policy will be regarded as misconduct and could lead to disciplinary proceedings.
- This policy is supported by senior management and will be monitored and reviewed annually.

**LAST REVIEWED: Dec 2012**

**LAST AMENDED: Dec 2012**

### **Equality ACT 2010 Protected Characteristic Definitions**

#### **Age**

The Act protects people of all ages. However, different treatment because of age is not unlawful direct or indirect discrimination if you can justify it ie if you can demonstrate that it is a proportionate means of meeting a legitimate aim. Age is the only protected characteristic that allows employers to justify direct discrimination.

#### **Disability**

Under the Act, a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day to day activities, which would include things like using the telephone, reading a book or using public transport.

The Act puts a duty on an employer to make reasonable adjustments for staff to help them overcome disadvantage resulting from an impairment (eg by providing assistive technologies to help visually impaired staff use computers effectively).

The Act also states that it is discrimination to treat a disabled person unfavourably because of something connected with their disability (eg a tendency to make spelling mistakes arising from dyslexia). This type of discrimination is unlawful where the employer or other person acting for the employer knows, or could reasonably be expected to know, that the person has a disability. This type of discrimination is only justifiable if an employer can show that it is a proportionate means of achieving a legitimate aim.

#### **Gender reassignment**

The Act provides protection for transsexual people. A Transsexual person is someone who proposes to, start or has completed a process to change his or her gender. The Act no longer requires a person to be under medical supervision to be protected.

#### **Marriage and civil partnership**

The Act protects employees who are unmarried or in a civil partnership against discrimination.

#### **Pregnancy and maternity**

A women is protected against discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and nay statutory maternity leave to which she is entitled. During this period, pregnancy and maternity discrimination cannot be treated as sex discrimination.

## **Race**

For the purpose of the ACT “race” included colour, nationality and ethnic or national origins.

## **Religion or belief**

In the Act, religion includes any religion. It also includes a lack of religion, in other words employees or jobseekers are protected if they do not follow a certain religion or have a religion at all. Additionally, a religion must have a clear structure or belief system. Belief means any religious or philosophical belief or a lack of such belief. To be protected a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour. Denominations or sects within a religion can be considered a protected religion or religious belief.

## **Sex**

In the Act this means Men and women.

## **Sexual orientation**

The Act protects bisexual, gay, heterosexual and lesbian people.

### Equality ACT 2010 Types of Discrimination

#### Direct Discrimination

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have, or because they associate with someone who has a protected characteristic.

#### Discrimination by Association

Applies to race, religion or belief, sexual orientation, age, disability, gender reassignment and sex. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

#### Perception discrimination

Covers age, race, religion or belief, sexual orientation, disability, gender reassignment and sex. This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

#### In direct discrimination

Applies to age, race, religion or belief, sexual orientation, marriage and civil partnership, disability and gender reassignment. Indirect discrimination can occur when you have a condition, rule, policy or even a practice in your organisation that applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if you can show that you acted reasonably in managing your business, ie that it is 'a proportionate means of achieving a legitimate aim'.

#### Harassment

Harassment is "unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual".

Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership. Employees will now be able to complain of behaviours that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristics themselves. Employees are also protected from harassment because of perception and association.



### **Third Party harassment**

Applies to sex, disability, gender reassignment, race, religion or belief and sexual orientation. The Equality Act makes you potentially liable for harassment of your employees by people (third parties) who are not employees of your company, such as customers or clients. You will be liable when harassment has occurred on at least **two previous occasions**, you are aware that it has taken place, and have not taken reasonable steps to prevent it from happening again.

### **Victimisation**

Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

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