

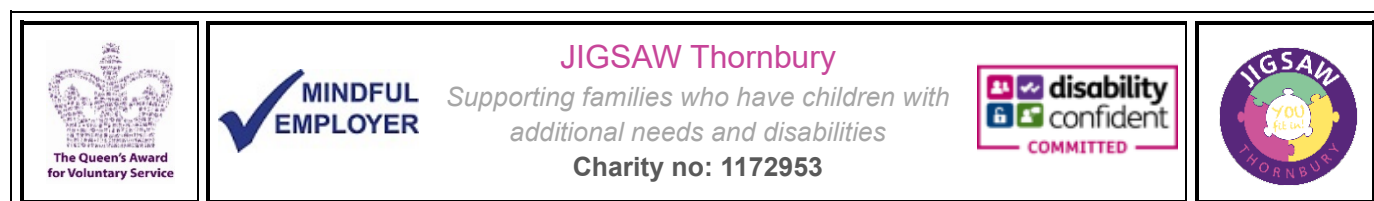
# Equality, Diversity and Inclusion Policy

Change Control register:

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*Tor Goodman, Chief Executive Officer*

*Hattie Clayton, Chair of Trustees*



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## 1. Scope of Policy

This policy applies to all staff, volunteers, trustees, subcontractors, other stakeholders and our service users.

## 2. Policy Statement

<b>Related documents:</b>	Procedure(s):	Forms(s): F421, F422
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- 2.1 JIGSAW Thornbury is committed to not just promoting but celebrating equality, diversity and inclusion among our community, and eliminating unlawful discrimination through our organisational values and vision to connect, fit in and thrive as themselves.
- 2.2 JIGSAW Thornbury is committed to achieving an environment which provides equality of opportunity and freedom from unlawful discrimination on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation. This Policy aims to remove unfair and discriminatory practices within the Charity and to encourage full contribution from its diverse community. The Charity is committed to actively opposing all forms of discrimination.
- 2.3 We welcome service users in line with our charitable purpose for the benefit of all children and young people with additional needs or disabilities, aged 0-25 years, and their families, and do not discriminate against new members based on protected characteristics outside of this.
- 2.4 The Charity also aims to provide a service that does not discriminate against its service users including our children, young people and customers in the means by which they can access the services and goods supplied by the Charity. We will treat all staff, service users, and other stakeholders with dignity, fairness and respect.
- 2.5 Any and all personal data used in connection with this Policy shall be collected, held, and processed in accordance with the Charity's Data Protection Policy.

## 3. Definition of terms

- 3.1 Staff refers to all those working for JIGSAW Thornbury, be they paid (full-time, part-time), sessional, volunteers, trustees, students or subcontractors working for the organisation.
- 3.2 Service users refers to those who use our services. This in the main will be our members which includes parents/carers, grandparents, children and young people.

## 4. Objectives of this Policy

- 4.1 To prevent, reduce and stop all forms of unlawful discrimination in line with the Equality Act 2010.

- 4.2 To ensure that recruitment, promotion, volunteering, training, development, assessment, benefits, pay, terms and conditions of employment, redundancy and dismissals are determined on the basis of capability, qualifications, experience, skills and productivity.
- 4.3 We will not discriminate unlawfully against service users using or seeking to use the services we provide.

## **5. Designated Officer**

Name: Catherine Miles  
Position: Operations Manager  
Telephone No: 01454 567508

## **6. Definition of Discrimination**

- 6.1 Discrimination is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation. Discrimination may be direct or indirect, and includes discrimination by perception and association.

## **7. Types of Discrimination**

### **7.1 Direct Discrimination**

This occurs when a person or a policy intentionally treats a person less favourably than another on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

### **7.2 Indirect Discrimination**

This is the application of a policy, criterion or practice which the employer applies to all staff but which is such that:

- It is detrimental to a considerably larger proportion of people from the group that the person the employer is applying it to represents;
- The employer cannot justify the need for the application of the policy on a neutral basis; and
- The person to whom the employer is applying it suffers detriment from the application of the policy.

Example: A requirement that all staff must be 6ft tall if that requirement is not justified by the position would indirectly discriminate against employees with an oriental ethnic origin, as they are less likely to be able to fulfil this requirement.

**7.3 Harassment**

This 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.

**7.4 Victimisation**

This occurs when a person is treated less favourably because they have brought or intend to bring proceedings or they have given or intend to give evidence.

**8. Unlawful Reasons for Discrimination****8.1 Sex**

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. This applies to men, women and those undergoing or intending to undergo gender reassignment. Sexual harassment of men and women can be found to constitute sex discrimination.

Example: Asking a woman during an interview if she is planning to have any (more) children constitutes discrimination on the ground of gender.

**8.2 Age**

It is not permissible to treat a person less favourably because of their age. This applies to people of all ages. This does not currently apply to the calculation of redundancy payments.

**8.3 Disability**

It is not permissible to treat a disabled person less favourably than a non-disabled person. Reasonable adjustments must be made to give the disabled person as much access to any services and ability to be employed, trained, or promoted as a non-disabled person.

**8.4 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.

**8.5 Sexual Orientation**

It is not permissible to treat a person less favourably because of their sexual orientation. For example, an employer cannot refuse to employ a person because s/he is homosexual, heterosexual or bisexual.

**8.6 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.

**8.7 Pregnancy and Maternity**

It is not permissible to treat a person less favourably because of their pregnancy, an illness related to their pregnancy, including related time off, maternity pay or leave they take, or plan to take.

## **9. Positive Action in Recruitment and Development**

- 9.1 Under the Equality Act 2010, positive action in recruitment, development and promotion applies as of 6 April 2011. 'Positive action' means the steps that the Charity 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 the Charity.
- 9.2 All job adverts by the Charity will include the following statement;
- We welcome applications from all people regardless of race, gender, disability, religion, belief, sexual orientation or age and we are committed to providing reasonable adjustments, flexible working and help and support if needed to apply and work with us.
- 9.3 If the Charity chooses to utilise positive action in recruitment and development, 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.

## **10. Reasonable Adjustments**

- 10.1 As a Charity we are committed to making any adjustments we can to ensure all staff, service users and other stakeholders have the support needed to do their role or access our services to the best of their ability. Whilst treat each person as an individual to ensure the adjustment is appropriate to them. We will talk to the person who may need an adjustment or their parent/carers to find out specifically the problems they are experiencing and what would make the most difference as we acknowledge that they will be the best judge of their ability and some may be able to suggest an adjustment themselves.
- 10.2 The Charity has a duty to make reasonable adjustments to facilitate the employment or engaging in volunteering of a disabled person. These may include:
- Making adjustments to premises;
  - Re-allocating some or all of a disabled staff member's duties;
  - Transferring a disabled member of staff to a role better suited to their disability;
  - Relocating a disabled member of staff to a more suitable office;
  - Giving a disabled member of staff time off work for medical treatment or rehabilitation;
  - Providing training or mentoring for a disabled member of staff;
  - Supplying or modifying equipment, instruction and training manuals for disabled members of staff; or
  - Any other adjustments that the Charity considers reasonable and necessary provided such adjustments are within the financial means of the Charity.
- 10.3 We have a duty to make reasonable adjustments to enable our service users with disabilities to access our activities and support the full participation, as far as reasonably possible, to the same level as service users without disabilities. This should involve working in partnership with parents/carers and the young person, to identify needs and support strategies. It is important that all our families, children and young people are

seen as individuals and that they are regarded equally whatever their abilities or disabilities. These may include:

- Physical features (eg. the venue)
- The way things are done (eg. age range flexibility, routines)
- The support provided (eg. equipment, adapting communication, the level of support)

10.4 If a member of staff, service user, or other stakeholders has a disability and feels that any such adjustments could be made by the Charity, they should contact the Designated Officer, see section 3.

## **11. Responsibility for the Implementation of this Policy**

11.1 All staff, other stakeholders and our service users are required to act in a way that does not subject any others to direct or indirect discrimination, harassment or victimisation on the grounds of their race, sex, pregnancy or maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

11.2 The co-operation of all staff, other stakeholders and our service users is essential for the success of this Policy. The board of trustees and managers are expected to follow this policy and to try to ensure that all staff, other stakeholders and service users do the same.

11.3 Staff may be held independently and individually liable for their discriminatory acts by the Charity 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.

11.4 The Charity takes responsibility for achieving the objectives of this policy, and endeavours to ensure compliance with relevant Legislation and Codes of Practice.

## **12. Acting on Discriminatory Behaviour**

12.1 All staff will be provided with equality, diversity and inclusion training and/ or guidance at a level relevant for their role to ensure they are able to recognise and act on discriminatory behaviour accordingly.

12.2 In the event that an employee is the subject or perpetrator of, or witness to, discriminatory behaviour, please refer to policy 401 HR section 6.

## **13. Advice and Support on Discrimination**

13.1 Staff may contact their staff or trade union representative if access to such an individual is possible.

## 14. Other contacts include:

Equality and Human Rights Commission  
Manchester  
Arndale House  
The Arndale Centre  
Manchester  
M4 3AQ

London  
Fleetbank House  
2-6 Salisbury Square  
London  
EC4Y 8JX  
Cardiff

Block 1, Spur D, Government Buildings  
St Agnes Road  
Gabalfa  
Cardiff  
CF14 4YJ

Glasgow  
151 West George Street  
Glasgow  
G2 2JJ

Helpline Telephone Number:  
Phone: 0808 800 0082  
Textphone: 0808 800 0084

Website: [www.equalityhumanrights.com](http://www.equalityhumanrights.com)

Citizens Advice Bureau  
3rd Floor North  
200 Aldersgate Street  
London  
EC1A 4HD

Website: [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

Community Legal Services Direct

Telephone: 0845 345 4 345  
Website: [www.clsdirect.uk](http://www.clsdirect.uk)



## **15. The Extent of the Policy**

- 15.1 The Charity seeks to apply this policy in the recruitment, selection, training, appraisal, development and promotion of all staff. The Charity offers goods and services in a fashion that complies with the spirit of this policy.
- 15.2 This policy does not form a part of any employment contract with any employee and its contents are not to be regarded by any person as implied, collateral or express terms to any contract made with the Charity.
- 15.3 The Charity reserves the right to amend and update this Policy at any time.