

EQUAL OPPORTUNITIES POLICY

This policy sets out Southampton City Mission's (SCM) approach to promoting Equality of Opportunity with the primary aim of providing equality for all and preventing any form of discrimination.

Policy Statement

SCM is committed to social justice and to eliminating discrimination in society.

SCM is committed to creating an inclusive working environment to maximise the potential of all staff, providing equal opportunities in all aspects of employment and avoiding unlawful discrimination at work. SCM will not tolerate discrimination, harassment, bullying or victimisation of employees or third parties who do work on SCM's behalf. We have a separate anti-harassment and bullying policy, which deals with these issues.

The policy applies to all SCM staff; volunteers; contractors; consultants and any other third parties who carry out work on SCM's behalf.

Principles

The key principles of this equal opportunities policy are to:

- provide equality for all
- promote an inclusive culture
- respect and value differences of everyone
- prevent discrimination, harassment and victimisation
- promote and foster good relations across the workforce and with partners.

This means being aware of the impact of our behaviour and thinking about the impact of employment policies and our programmes on people from the protected groups listed below.

The Law

Our policy is governed by the Equality Act 2010, which makes it unlawful to discriminate directly or indirectly, in recruitment or employment because of a protected characteristic. The protected characteristics are:

- age
- disability
- gender (or sex)
- gender reassignment
- race (which includes colour, nationality, caste & ethnic or national origins)
- religion or belief
- sexual orientation
- pregnancy and maternity
- marriage and civil partnership

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

It is also unlawful to discriminate against or harass a member of the public or service user in the provision of services or goods or to fail to make reasonable adjustments.

The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

The Equality Act 2010 places SCM under a statutory Equality Duty to eliminate discrimination, harassment and victimisation, advance equality of opportunity between people from different groups and foster good relations between people of different groups.

Types of unlawful discrimination

- **Direct discrimination** is where a person is treated less favourably than another because of a protected characteristic. However, discrimination may be lawful if there is an occupational requirement which is core to a job role and a proportionate means of achieving a legitimate aim.
- **Indirect discrimination** means putting in place, a rule or policy or way of doing things that has a worse impact on someone with a protected characteristic than someone without one, when this cannot be objectively justified.
- **Harassment** is where there is unwanted behaviour related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity) which has the purpose or effect of violating someone's dignity or which creates a hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.
- **Associative discrimination** is where the individual treated less favourably does not have a protected characteristic but is discriminated against because of their association with someone who does e.g. the parent of a disabled child.
- **Perceptive discrimination** is where the individual discriminated against or harassed does not have a protected characteristic but they are perceived to have a protected characteristic.
- **Third-party harassment** occurs where an employee is harassed by third parties such as service users, due to a protected characteristic.
- **Victimisation** is treating someone unfavourably because they have taken some form of action relating to the Equality Act. For example because they have supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint.
- **Failure to make reasonable adjustments** is where a rule or policy or way of doing things has a worse impact on someone with a protected characteristic compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

Reasonable adjustments

A 'reasonable adjustment' is a change to remove or reduce the effect of:

- an employee's disability so they can do their job
- a job applicant's disability when applying for a job

What is reasonable will depend on the circumstances of each case, but adjustments could be to:

- the workplace (making changes to overcome barriers created by the physical workplace)
- the ways things are done (where the disabled job worker is put at a substantial disadvantage by a provision, criterion or practice)
- Providing extra equipment or getting someone to assist the employee or job applicant.

When deciding whether an adjustment is reasonable we will consider:

- how effective the change will be in avoiding the disadvantage the employee would otherwise experience
- its practicality
- the cost
- our resources and size
- the availability of financial support.

The overall aim will be, as far as possible, to remove or reduce any substantial disadvantage faced by a staff member or job applicant which would not be faced by a non-disabled person.

We oppose all forms of unlawful and unfair discrimination.

Equal opportunities in employment

All people who are sympathetic to the ethos (as described in the formally adopted Ethos Statement) that Southampton City Mission operates under, are equally eligible for employment (except those posts specified by the Trustees in the SCM Recruitment Policy, where there is a genuine occupational requirement for the post holder to be a Christian in order to fully carry out the duties of the post), without discrimination on the grounds listed above. We wish to create an environment in which individual differences and the contributions of all our staff and volunteers are recognised and valued.

We will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy. Person specifications will avoid any unnecessary requirements (those unrelated to effective performance) that may otherwise have deterred applicants.

We will base decisions on objective criteria. We will make reasonable adjustments in recruitment as well as in day-to-day employment.

Service users, suppliers and others

Southampton City Mission seeks to provide services on a fair and equitable basis, taking into account only the needs of service users. Access to benefits, facilities and services provided are available to all service users without discrimination to ensure that no one is treated less favourably than any other person on any grounds. If you are bullied or harassed by a service user, supplier, contractor, visitor or others, or if you witness someone else being bullied or harassed, you are asked to report this to your manager/supervisor who will take appropriate action.

Training

We will provide information and guidance to those involved in recruitment or other decision making where equal opportunities issues are likely to arise to help them understand their responsibilities and to avoid the risk of discrimination.

Responsibilities

All staff are responsible for supporting SCM to meet its commitment and avoid unlawful discrimination. If you experience a level of discomfort or disagreement with something that happens when you are at work, you are encouraged to bring it to the attention of a manager or someone in authority. It is possible that others are not aware or have not considered the impact of their actions, have not understood our policy, or possibly our practices need to be updated.

If you believe that you have been discriminated against you should report this to your line manager or the Chairman of Trustees under the grievance procedure. If your complaint involves bullying or harassment, the grievance procedure is modified as set out in the Anti-harassment & Bullying Policy. We take any complaint seriously and you will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

If you witness what you believe to be discrimination you should report this to your line manager or the Chairman of Trustees as soon as possible.

Employees can be held personally liable as well as, or instead of, the organisation for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence. Acts of discrimination, harassment, bullying or victimisation against employees or service users are disciplinary offences and will be dealt with under our disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

Monitoring and review

This policy will be monitored periodically to judge its effectiveness and will be updated in accordance with changes in the law. Staff should report to Trustees on any actions or activities undertaken to improve equality of opportunity. Any information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with data protection legislation.

This policy is fully supported by the Trustees and senior management. It is the intention of Southampton City Mission that no individual or organisation connected with its activities shall hinder the positive implementation of this policy.

Legislation: Equality Act 2010

Ratified by the trustees at a meeting on 18th September 2023

Signed (Chairman/Secretary).....

Review due September 2026