



NoOffence!

Equal Opportunities Policy

1. Our Values

1.1. Equality and Diversity is at the heart of what we do and as a community interest company we are committed to encourage, promote and facilitate the collaboration of organisations from the voluntary, public and private sectors to address the issue of reducing reoffending. We promote social inclusion, equality of opportunity and diversity and actively seek to give users the freedom to speak in a safe secure environment, without fear of retribution.

2. Policy Statement

2.1. NoOffence! CIC is committed to achieving equal opportunities in employment and the services it provides. No user of NoOffence! CIC, employee, volunteer or job applicant should receive less favourable treatment because of the nine protected characteristics:

- 2.1.1. Age
- 2.1.2. Sex
- 2.1.3. Race
- 2.1.4. Disability
- 2.1.5. Gender Reassignment
- 2.1.6. Marriage and Civil Partnership
- 2.1.7. Pregnancy and Maternity
- 2.1.8. Religion or Belief
- 2.1.9. Sexual Orientation

2.2. As an employer and provider of a service to the community, NoOffence! CIC accepts the responsibility to promote equal opportunities and challenge discrimination wherever it occurs. This document sets out the main consequences of this commitment and the action to be taken in order to achieve equal opportunities.

2.3. It is the responsibility of all staff, volunteers and service users to ensure that no other service user, volunteer or employee receives less favourable treatment than any other on the grounds stated in paragraph 2.1 of this policy.



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2.4. NoOffence! CIC recognises that some users of the website may, because of their past or present experiences, say or do things that would otherwise be unacceptable and incompatible with NoOffence! CIC's Equal Opportunities Policy. NoOffence! CIC will do all it can to challenge such behaviour. In cases where intervention is possible a gentle approach will be adopted which aims to alter attitudes and behaviour while maintaining support for the user involved.

3. How we will deliver our policy

- 3.1. The purpose of this policy is to provide equality and fairness for all in employment and service delivery and not to discriminate on any grounds including gender, transgender, pregnancy, marital status, race, ethnic origin, colour, nationality, disability, sexual orientation, religion, or age.
- 3.2. We will implement our commitments in this Equality and Diversity Policy in conjunction with our Business Plan.
- 3.3. We will value and celebrate the diversity that exists amongst our workforce and are committed to creating a working environment in which everyone can take full part.
- 3.4. We will identify and address the barriers that our users experience due to prejudice, discrimination, economic or social exclusion.
- 3.5. We will listen and respond to the views of our users through real conversation in which everyone has the opportunity to take part.
- 3.6. We will treat all employees whether volunteers, temporary or part-time, contractors, partners, users and visitors with dignity and respect.
- 3.7. We will ensure the communications we produce positively reflect and promote the diversity of our employees and users. We will ensure our communications are accessible and available in different languages/ formats where a need has been identified.
- 3.8. We will ensure the website is accessible for everyone, including those that suffer from colour blindness. Simple procedures are in place to change the colours to suit individual need.



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4. Legal Obligations

- 4.1. NoOffence! CIC will meet all statutory obligations under relevant legislation. The new Equality Act will come into force on 1 October 2010 bringing together over 116 separate pieces of legislation into one single Act. Combined, they make up a new Act that will provide a legal framework to protect the rights of individuals and advance equality of opportunity for all. An important part of the Act is the Equality Duty, which has a key role in ensuring that fairness is at the heart of public bodies' work and that public services meet the needs of different groups. The Act applies to all organisations that provide a service to the public or a section of the public. It also applies to anyone who sells goods or provides facilities. It applies to all services, whether or not a charge is made for them. The Act will simplify, strengthen and harmonise the current legislation to provide Britain with a new discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.
- 4.2. The nine main pieces of legislation that have merged are:
 - 4.2.1. the Equal Pay Act 1970
 - 4.2.2. the Sex Discrimination Act 1975
 - 4.2.3. the Race Relations Act 1976
 - 4.2.4. the Disability Discrimination Act 1995
 - 4.2.5. the Employment Equality (Religion or Belief) Regulations 2003
 - 4.2.6. the Employment Equality (Sexual Orientation) Regulations 2003
 - 4.2.7. the Employment Equality (Age) Regulations 2006
 - 4.2.8. the Equality Act 2006, Part 2
 - 4.2.9. the Equality Act (Sexual Orientation) Regulations 2007
- 4.3. The above changes have also strengthened disabled people's protection from discrimination and provide for protecting people from dual discrimination, discrimination by association and perception. The Equality Act covers the same groups that were protected by existing equality legislation but these are now called 'protected characteristics'.
- 4.4. NoOffence! CIC believes that all forms of discrimination and oppression are unacceptable.



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5. New Legal Definitions

- 5.1. **Direct discrimination** occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perception discrimination below), or because they associate with someone who has a protected characteristic (see discrimination by association below). Harassment is also defined as direct discrimination (see harassment below).
- 5.2. **Discrimination** by association applies to race, religion or belief and 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.
- 5.3. **Perception discrimination** applies to age, race, religion or belief and 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.
- 5.4. **Indirect discrimination** already applies to age, race, religion or belief, sex, sexual orientation and marriage and civil partnership. Now it extends to cover disability and gender reassignment. Indirect discrimination can occur when you have a condition, rule, policy or even a practice 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 the business, i.e. that it is 'a proportionate means of achieving a legitimate aim'. A legitimate aim might be any lawful decision you make in running our business or organisation, but if there is a discriminatory effect, it may still be unlawful. Being proportionate really means being fair and reasonable, including showing that you've looked at 'less discriminatory' alternatives to any decision you make.
- 5.5. **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.



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Individuals will now be able to complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves.

- 5.6. Employees are also protected from harassment because of perception and association.
- 5.7. **Third party harassment** already applies to sex and is now extended to cover age, 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 only 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.

- 5.8. **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. There is no longer a need to compare treatment of a complainant with that of a person who has not made or supported a complaint under the act.
- 5.9. Further details of these individual pieces of legislation and relevant guidance can be found at the Equality and Human Rights Commission website.

6. Responsibilities

- 6.1. The Advisory Board of NoOffence! CIC has overall responsibility for the effective operation of this policy. However, all employees, volunteers and service users have a duty as part of their involvement with NoOffence! CIC to do everything they can to ensure that the policy works in practice.



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- 6.2. NoOffence! CIC will bring to the attention of all employees, job applicants, volunteers and service users the existence of this policy, and will provide such training as is necessary to ensure that the policy is effective and that everyone is aware of it. Reference to the policy should be included in contract documents with outside agencies.
- 6.3. Those responsible for recruiting volunteers to work in NoOffence! CIC projects are responsible for ensuring that they are aware of NoOffence! CIC's Equal Opportunities Policy and adhere to it while working as NoOffence! CIC volunteers.

7. Recruitment

- 7.1. We recognise that by applying a systematic and fair set of selection criteria without any pre-existing judgements and /or bias when filling vacancies, we maximise our ability to select the best candidate(s) for the job role(s).
- 7.2. All job vacancies will initially be advertised on the jobs board to encourage users and volunteers to apply.
- 7.3. NoOffence! CIC will ensure that job descriptions, person specifications and application forms reflect only the requirements of the job and do not imply sex or other stereotyping.
- 7.4. All advertisements will state that NoOffence! CIC is seeking to be an effective equal opportunities employer. A copy of NoOffence! CIC's Equal Opportunities Statement will form part of all application packs.
- 7.5. NoOffence! CIC will take positive steps to redress imbalances in its work force, where appropriate.
- 7.6. Application forms will make it clear that life experience as well as formal qualifications and work experience is valid.
- 7.7. In the interests of operating an effective Equal Opportunities Policy, NoOffence! CIC will monitor certain information about job applicants. All such information will be treated as confidential and will be clearly separated from all processes concerned with the selection of staff.



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8. Training

- 8.1. Subject to the requirements of doing their job, employees will be encouraged to go on courses relevant to their present job or personal development.
- 8.2. Training courses will be non-residential and in working hours whenever possible.
- 8.3. It is the responsibility of every individual member of staff to participate in equal opportunities training that is provided.

9. Working Conditions

- 9.1. Pregnancy- NoOffence! CIC recognises that pregnant women may need changes to their work conditions and will consider sympathetically any requests for such changes.
- 9.2. Antenatal Care -Time off with pay will be given to both full and part-time pregnant employees to attend antenatal classes, including medical checks and relaxation/ childbirth classes. Similar provision will be made for partners sharing responsibility for childcare to attend antenatal classes where necessary.
- 9.3. Flexible Hours and Job Sharing - Working hours and arrangements will, whenever possible, be flexible for both full and part-time employees with no qualifying length of service, to facilitate the caring for children and other dependants. Requests for job sharing or part-time working to meet employees' needs for shorter hours will be sympathetically considered, subject to operational requirements.
- 9.4. Disabled Access – NoOffence! CIC will endeavour to ensure, as far as is practicable, that all its premises have disabled access. When considering new premises, every effort will be made to ensure such premises are fully accessible.



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10. Sexual Harassment

10.1. No member of staff, volunteer or service user should be subject to sexual harassment. This is interpreted as unwanted behaviour of a sexual nature including:

10.1.1. Verbal sexual abuse

10.1.2. Physical contact

10.1.3. Repeated remarks which an individual finds offensive.

10.1.4. If it has been made clear to the person concerned that their behaviour is unwelcome and they persist with it, then the service user, volunteer or employee who is the recipient of the behaviour will be entitled to make a formal complaint.

10.1.5. Dealing with Complaints

10.2. Diversity and Equality of Opportunity is taken very seriously by NoOffence! CIC and wilful failure to apply this policy or evidence of discrimination, harassment, bullying or victimisation will result in disciplinary action that may include dismissal.

10.3. NoOffence! CIC expects all its employees, clients, placement providers and other stakeholders to observe the requirements of this Policy and managers will ensure their continued compliance. All allegations of discrimination, harassment, bullying or victimisation are taken seriously and will be dealt with quickly and sensitively. We recognise that:

10.3.1. Often the person subjected to such treatment may be reluctant to complain. They may be too embarrassed or unsure how to make a complaint, or are worried that others may think it trivial. They may not want attention focused on the situation, so they suffer in silence.

10.3.2. Sometimes people are not aware that their behaviour is unwelcome and an informal discussion can lead to greater understanding and an agreement that the behaviour will cease.

10.3.3. In some cases it may not be possible to rectify matters informally and with a serious breach of the policy disciplinary action may be required.

10.3.4. Discrimination, harassment, victimisation or bullying at any work-related social or training and development event is no more acceptable than it is during the course of normal work activity.



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- 10.4. If any service user, volunteer or employee feels that they have been, or are being discriminated against, in any way, they are entitled to pursue the matter with either:
 - 10.4.1. Their line manager in the case of staff.
 - 10.4.2. The equal opportunities officer
 - 10.4.3. The manager/ key worker of the project where the alleged discrimination occurred.
- 10.5. All instances or complaints of discriminatory behaviour will be treated seriously.
- 10.6. Complaints or allegations of an unfounded or malicious nature will also be treated as serious and may involve using the disciplinary procedure.

11. Equal Opportunities Officer/Monitoring of Policy

- 11.1. The reason for having an Equal Opportunities Officer is to advise, inform and consult with management, staff and service users in order to progress and improve equal opportunities within NoOffence! CIC.
- 11.2. The person appointed to this role should be committed to progressing equal opportunities within NoOffence! CIC in a positive manner.
- 11.3. The Equal Opportunities Officer will:
 - 11.3.1. Monitor and report on NoOffence! CIC's equal opportunities progress, development and practice and make an annual report to the Advisory Board.
 - 11.3.2. Ensure staff, service users' and volunteers' awareness and understanding of equal opportunities issues and practice within NoOffence! CIC via training and development.
 - 11.3.3. Advise and consult with the NoOffence! CIC Advisory Board on equal opportunities to recommend and discuss courses of action.
 - 11.3.4. Know or have access to appropriate information, legislation, policy, etc. for the purposes of carrying out their role.



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- 11.3.5. Identify and advise on any NoOffence! CIC equal opportunities training needs and provision.
- 11.4. If the Equal Opportunities officer is a member of staff NoOffence! CIC will allow adequate time off from his/her normal contracted duties to attend meetings and training events and perform this specific role. This time off will be negotiated with the Equal Opportunities Officer's line manager.
- 11.5. If the Equal Opportunities Officer is a trustee NoOffence! CIC will encourage and pay the necessary expenses for him/her to attend meetings and training courses relevant to the role.
- 11.6. It is not intended that the Equal Opportunities Officer should represent particular views, opinions or interests of individuals or groups, nor have the authority within this role to discipline either staff or service users, or raise a grievance on behalf of a particular individual or group.
- 11.7. The Equal Opportunities Officer will be available in an advisory capacity in the case of a grievance involving equal opportunities issues.
- 11.8. The current Equal Opportunities Officer is:

Richard Rowley who is contactable at:
Email: richard.rowley@no-offence.co.uk
Tel: 07841-677683

Approved by: Chief Executive, 5th January 2015

Review date: January 2016