

Equal opportunities and dignity at work policy

Our Commitment

AACC, its staff, committee and volunteers, are committed to providing equal opportunities in employment and to avoiding unlawful discrimination in employment and against customers.

This policy sets out how we will eliminate discrimination, advance equality of opportunity and foster good relations between all equality 'protected groups', in accordance with equality legislation under the [Equality Act 2010](#) and best practice to promote an inclusive workplace.

- The policy gives the definitions of the types of discrimination that employees, job applicants and ex-employees are protected against.
- It also outlines the responsibilities of the trustees, line managers and employees for equality and diversity and the arrangements for monitoring equal opportunities.

AACC recognises that staff perform best at work when they can be themselves; the setting will work to ensure that the workplace is inclusive and representative of the community it serves at all levels of the organisation.

AACC understands that a diverse and inclusive workforce representative of the local population will also have a greater understanding of the diverse needs of children, families and the public to give a personal, fair and diverse service where everyone counts.

The law

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".

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 generally unlawful to discriminate directly or indirectly, harass or victimise a member of the public based on any of the protected characteristics in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. 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.

Scope

This policy applies to all employees, volunteers, job applicants and ex-employees of AACC.

Purpose

To eliminate discrimination, advance equality of opportunity and to foster good relations between different groups.

To ensure that no individual receives less favourable treatment because of their protected characteristic/s.

Protected characteristics are as follows:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion and belief
- sex
- sexual orientation

AACC also protects individuals from being discriminated against because of current or previous trade union membership and political affiliation or social economic status. Rejection for employment is also unlawful if it is on the grounds of an applicant's past or current trade union membership.

Those with a protected characteristic are protected against the following types of discrimination:

- direct discrimination
- associative discrimination
- discrimination by perception
- discrimination arising from a disability
- indirect discrimination
- harassment
- harassment by a third party

Definitions

Equality

We are all individuals and all equal. Everyone has the right to be treated equally and fairly and in turn treat others in the same way.

Diversity

Diversity embraces and values our differences as people and includes these in our working culture.

Direct discrimination

Direct discrimination can occur when someone is treated less favourably because of a protected characteristic.

Associative discrimination

Associative discrimination is direct discrimination against someone because they associate with another person who possesses a protected characteristic. The Trust intends this policy to provide greater protection to those with caring responsibilities.

Discrimination by perception

Discrimination by perception can occur when there is direct discrimination against someone because others consider they possess a particular protected characteristic.

Indirect discrimination

Indirect discrimination can occur when there is a rule, policy or practice that applies to everyone but disadvantages someone with a particular protected characteristic.

Harassment

Harassment is conduct by a group, or an individual, which has the purpose of violating an individual's dignity or creating an alarming, threatening, distressing, offensive or humiliating environment for another person and which is unwelcome, unreciprocated or unwanted.

Bullying is any attack on an individual's dignity causing distress, undermining that person or motivated by personal gain.

Employees may complain of behaviour they find offensive, even if it is not directed at them, ie associative harassment.

Harassment by a third party

The Trust is potentially liable for harassment of their employees by people they don't employ.

Victimisation

Victimisation can occur when someone is treated badly because they have made or supported a complaint or grievance under this policy.

Legislation

The [Equality Act 2010](#) has harmonised, and in some areas strengthened, the previous equality legislation. The Act also includes provision for individuals to bring claims of direct discrimination on the grounds of a combination of two protected characteristics (for example race and sex) sometimes referred to as dual discrimination.

Dignity at work

AACC is committed to creating a work environment free of harassment and bullying, where everyone is treated with dignity and respect.

Some harassment is unlawful discrimination and serious harassment may be a criminal offence.

Bullying is offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power that is meant to undermine, humiliate or injure the person on the receiving end. Examples of bullying would include picking on someone or setting him/her up to fail or making threats or comments about someone's job security without good reason.

Harassment is unwanted conduct related to relevant protected characteristics, which are sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age, that:

- has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or
- is reasonably considered by that person to have the effect of violating his/her dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for him/her, even if this effect was not intended by the person responsible for the conduct.

Examples of harassment would include: physical conduct ranging from unwelcome touching to serious assault; unwelcome sexual advances; demeaning comments about a person's appearance; unwelcome jokes or comments of a sexual or racial nature or about an individual's age; excluding an individual because he/she is associated or connected with someone with a protected characteristic, eg his/her child is gay, spouse is black or parent is disabled; repeated name calling related to an individual's religion or belief, ignoring an individual because he/she is perceived to have a protected characteristic (whether or not he/she does, in fact, have that protected characteristic), eg an employee is thought to be Jewish, or is perceived to be a transsexual; the use of obscene gestures; and the open display of pictures or objects with

sexual or racial overtones, even if not directed at any particular person, eg magazines, calendars or pin-ups.

Conduct may be harassment whether or not the person behaving in that way intends to offend. Something intended as a "joke" may offend another person. Everyone has the right to decide what behaviour is acceptable to him/her and to have his/her feelings respected by others. Behaviour that any reasonable person would realise would be likely to offend will be harassment without the recipient having to make it clear in advance that behaviour of that type is not acceptable to him/her, e.g. sexual touching. It may not be so clear in advance that some other forms of behaviour would be unwelcome to, or could offend, a particular person, e.g. certain "banter", flirting or asking someone for a private drink after work. In these cases, first-time conduct that unintentionally causes offence will not be harassment but it will become harassment if the conduct continues after the recipient has made it clear, by words or conduct, that such behaviour is unacceptable to him/her.

A single incident can be harassment if it is sufficiently serious.

If you think you are being bullied or harassed, you may be able to sort out matters informally. The person may not know that his or her behaviour is unwelcome or upsetting. You may feel able to approach the person yourself, or with the help of someone else at AACC. You should tell the person what behaviour you find offensive and unwelcome, and say that you would like it to stop immediately.

If an informal approach does not resolve matters, or you think the situation is too serious to be dealt with informally, you can make a formal complaint by using AACC grievance procedure. In the case of grievances about bullying or harassment, the normal grievance procedure is modified so that you can choose whether to raise your grievance with your manager or with another manager.

All complaints will be investigated promptly and, if appropriate, disciplinary proceedings will be brought against the alleged harasser. You will have the right to be accompanied by a work colleague or trade union representative of your choice at any meeting dealing with your grievance. You will be kept informed of the general progress of the process of investigation and the outcome of any disciplinary proceedings.

AACC will treat complaints of bullying and harassment sensitively and maintain confidentiality to the maximum extent possible.

You have a right not to be victimised for making a complaint in good faith, even if the complaint is not upheld. However, making a complaint that you know to be untrue may lead to disciplinary action being taken against you.

With regard to dealing with discrimination and harassment of employees by families that use our setting or other members of the public, please refer to AACC **Appropriate Behaviour of Volunteers, Parents, Guardians and Visitors Policy**.

AACC recognises that a personal fair and diverse inclusive workforce is one where:

- everyone counts
- fairness is built in – so that everyone has equal opportunities and treatment
- the skills and experiences of employees from all backgrounds are used and valued
- everyone is treated with dignity and respect, and when they complain we listen and put things right
- talent flourishes and nothing stops people going as far as they want

Responsibilities:

Trustees:

AACC committee is responsible for protecting employees from discrimination, bullying, harassment or victimisation at work, for promoting equality of opportunity in employment. The trustees of the committee have responsibility for ensuring that AACC is compliant with equality and human rights legislation.

If the committee appoints an equality, diversity and dignity Trustee, they are lead for equality and diversity for employment within AACC.

The Equalities Trustee should hold relevant training in Equalities and Diversity or the committee should ensure that adequate training is provided.

Employees:

Every employee is required to assist AACC to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination.

All employees must abide by equal opportunities and dignity at work policy (this policy) and not discriminate against colleagues, volunteers, children, parents, guardians or members of the public.

All employees must treat everyone with respect as an individual and support the principles of equality, diversity and dignity throughout their work. Any breach of this policy may lead to disciplinary action under the AACC disciplinary procedure. Conduct of this type will often be gross misconduct which can lead to dismissal without notice.

Employees can be held personally liable as well as, or instead of, AACC, for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Monitoring compliance with and the effectiveness of the policy

The trustees of the committee and manager of the setting will monitor the effectiveness of this policy in conjunction with the equality and diversity staff member and the equality, diversity and dignity trustee.

People with disabilities

Protection for people with disabilities is strengthened by the 2010 Equality Act.

AACC protects employees with a disability against discrimination. The definition of disability for this protected characteristic applies to employees who have, or have had, a physical or mental impairment causing a substantial and long term adverse effect on their ability to carry out normal day to day activities.

Day to day activities are normal activities carried out by most people on a regular basis and must involve one of the following broad categories:

- manual dexterity
- physical co-ordination
- continence
- ability to lift, carry or move ordinary objects
- speech, hearing or eyesight
- memory or ability to concentrate, learn or understand
- being able to recognise physical danger

The Act also treats severe disfigurement as a disability. Conditions covered under the definition include:

- HIV infection
- cancer
- diabetes
- the learning difficulties dyslexia and dyscalculia

Impairment must be substantial and have a long term effect; this means it has lasted or is likely to last 12 months or likely to last for the rest of the life of the person affected.

AACC has a legal duty to make reasonable adjustments in the workplace for employees who have a disability and at interviews for job applicants who declare a disability.

Mental Health

AACC management and committee take consideration of and are positive about mental health.

Monitoring and Review:

This policy will be monitored by the administrator and the manager of AACC and will be reviewed at least annually.

ADOPTION AND ANNUAL REVIEW OF THE POLICY

This policy was adopted at a meeting of: **Abington Community Out Of School Club (GAPS).**

Print Name: RUTH BEACH

Date: 11/12/2018

Role: ADMINISTRATOR

This policy was reviewed on:	Signature and name:	This policy was amended on:	Signature and name:
		16/01/2018	R Beach
26/11/2018	R Beach	26/11/2018	R Beach
20/08/2021	R Beach	20/08/2021	R Beach
17/11/2022	E Turner	17/11/2022	E Turner
11/12/2023	E Roper		