



EQUAL OPPORTUNITIES POLICY

The Duke of Edinburgh's Award

**POLICY & PROCEDURES
DOCUMENT**

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This document is of a policy nature only and does not form part of contractual terms of employment.

1. THE POLICY STATEMENT

The Duke of Edinburgh's Award (the DofE) is committed to providing equal opportunities in employment and to avoiding unlawful discrimination in employment.

Equal opportunity is about good employment practices and efficient use of our most valuable asset, our employees.

The DofE is committed to encouraging diversity amongst its workforce and will maintain its philosophy of not tolerating discrimination, intimidation, bullying, harassment or victimisation.

The DofE's aim is that its workforce will be truly representative of all sections of society and that each employee will feel respected and able to give of their best.

To that end, the purpose of this Policy is to provide equality and fairness for all in the DofE's employment and not to discriminate on the grounds of sex, marital status, civil partnership status, race, ethnic or national origins, colour, nationality, disability, sexual orientation, gender reassignment, pregnancy, religion, belief or age.

This Policy, which is fully supported by the DofE Senior Management team, sets out the standards of conduct to which the DofE and staff must adhere and identifies the implications of this not happening.

This Policy document should be read in conjunction with other relevant Policy documents, including Bullying and Harassment.

Although this Policy applies to DofE staff, we would expect fair and equal treatment to be applied to all involved with the DofE in the spirit of this document.

2. APPLICATION OF THE POLICY

In order to ensure this Policy is interpreted fully, it will apply to all aspects of employment including recruitment and selection (both internal and external candidates); learning and development; progression opportunities; conditions of service; pay and benefits; discipline; reasons for termination of employment and treatment after an employee has left the organisation.

When establishing criteria for recruitment and promotion into vacant posts, the DofE will consider carefully whether any minimum or maximum number of years of relevant experience is necessary for effective performance of the job. Such restrictions will not be imposed unless there is a proper job-based reason why they are necessary.

Candidates for employment or promotion will be objectively assessed against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability, and selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability.

Employees who are disabled or become disabled in the course of their employment should inform the organisation about their disability. The Line Manager and/or HR Manager will then arrange to discuss with the employee what "reasonable adjustments" to his or her job or working conditions or environment might assist him or her in the performance of his or her duties. The employee will also be encouraged to suggest any adjustments that he or she believes would be helpful. Careful consideration will be given to any proposals and, where reasonable and reasonably practicable such adjustments will be made. There may, however, be circumstances where it will not be reasonable or reasonably practicable for the organisation to accommodate proposals put forward by the employee.

All employees and job applicants will be asked to complete a form denoting their gender, race, ethnic origin, age and any disabilities that they have. The DofE guarantees that the information provided on this form will be used solely for the purpose of monitoring the effectiveness of its equal opportunities policy and responding positively to employee's individual needs.

Information provided by employees or job applicants for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the Data Protection Act 1998.

The DofE opposes all forms of unlawful and unfair discrimination and all employees, whether part time, full time or temporary, will be treated fairly and with respect.

All employees will also 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.

Any instances of discrimination, intimidation, bullying, harassment or victimisation will be fully investigated and disciplinary action will be taken where necessary. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

Any member of staff may use the grievance procedure to complain about discriminatory conduct. If the matter relates to sexual or racial harassment or harassment on the basis of disability, sexual orientation, religion or belief or age which are all covered by specific Employment Law, then the complaint may be raised directly with the HR Manager. The DofE wishes to ensure that all staff feel comfortable about raising such complaints. No individual will be penalised for raising such a complaint unless the substance of the complaint is untrue or the complaint is made in bad faith, for example out of malice.

Where an employee is falsely accused of discriminatory conduct, then he or she may also implement the organisation's grievance procedure. In this instance, the person who made the false accusation will be subjected to disciplinary action. In serious cases, such behaviour may be deemed to constitute gross misconduct and may result in summary dismissal in the absence of mitigating circumstances.

Use of the DofE's grievance procedure does not affect your right to make a complaint to an employment tribunal. Complaints to an employment tribunal must normally be made within three months beginning with the act of discrimination complained of.

3. RESPONSIBILITY

The Human Resources Manager is responsible for:

- Drafting the Equal Opportunities Policy and keeping it up to date.
- Ensuring that all HR Policies and Procedures are kept under review to ensure they do not operate against the principles of this Equal Opportunities Policy document.
- Ensuring that all staff are aware that this Policy exists and their responsibilities therein and that they have the opportunity to ask questions in order to gain a full understanding of what is expected should this be needed.
- Ensuring that all staff involved in recruitment and selection receive appropriate and on-going training and advice.
- Ensuring that all job adverts are available to the widest possible sections of the community.
- Collecting data for monitoring purposes, keeping this confidential and anonymous and producing statistical records only.
- Ensuring that breaches of the Policy are dealt with swiftly, appropriately and on a consistent basis.

Recruiting Managers are responsible for:

- Liaising with the HR Department during any recruitment campaigns to ensure that a fair and consistent process is followed that is in line with this Equal Opportunities and other relevant HR Policy documents.

All staff are responsible for:

- Adhering to the content of this Policy document and thereby assisting the DofE to meet its commitment to providing equal opportunities in employment and avoiding unlawful discrimination. Employees can be held personally liable as well as, or instead of, the DofE for any act of unlawful discrimination.
- Encouraging other work colleagues to adhere to this Policy.
- Reporting any incidents that occur as a result of this not being the case to their Line Manager and/or HR Manager so that an investigation can take place.
- Reporting any bullying or harassment by customers, suppliers, visitors or others to their Line Manager and/or HR Manager who will take appropriate action.

4. MONITORING AND REPORTING

- The HR Manager will maintain a record of any reported incidents or breaches of Policy within the DofE and the action undertaken to address them.
- All breaches of DofE Policy, and actions taken to address these, will be reported to the Chief Executive.
- This Policy document will be reviewed periodically to ensure its continued relevance and fairness and to update it in accordance with any changes in the law.

APPENDIX ONE

DEFINITIONS OF UNLAWFUL DISCRIMINATION

i. Direct Discrimination

is where a person is treated less favourably than another in comparable circumstances on a prohibited ground (for example, sex, race). An example of direct sex discrimination would be refusing to employ a woman because she was pregnant. Unlike the other forms of discrimination, direct discrimination on the grounds of age can be justified.

ii. Indirect Discrimination

is where a provision, criterion or practice is applied which is such that it would be to the detriment of a considerably larger proportion of the relevant group to which the individual belongs than to others, which is not objectively justifiable and which is to the individual's detriment. An example of indirect sex discrimination could be requiring everyone to work full time unless there is a good reason, unrelated to sex, as to why the particular job has to be done on a full-time basis, since requiring everyone to work full time will normally adversely affect a higher proportion of women than men.

iii. Harassment

is where there is unwanted conduct related to one of the prohibited grounds (for example sex, race) which 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 or her dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for him or her, even if this effect was not intended by the person responsible for the conduct.

iv. Failure to make reasonable adjustments

is where arrangements disadvantage an individual because of a disability and reasonable adjustments were not made to overcome the disadvantage.

v. Victimisation

is where someone is treated less favourable than others because he or she has alleged unlawful discrimination or supported someone to make a complaint or given evidence in relation to a complaint.