

# Equality and Diversity Policy and Procedures

## **Introduction**

Dyslexia Cornwall strives for high standards both as an employer and as a provider of services. In so doing, we recognise the need for encouraging diversity and wholeheartedly support a policy of equal opportunities in all areas of our work and responsibilities.

This policy provides guidance to enable all who work with or for Dyslexia Cornwall to comply with antidiscrimination legislation. The policy will also address antidiscrimination issues involving areas that currently fall outside any legislation.

Failure to follow the procedures in the policy may lead to disciplinary or other appropriate action.

Dyslexia Cornwall's aims and objectives will be achieved through action planning, effective monitoring and a willingness to tackle problems where they arise. Dyslexia Cornwall is committed to reviewing this policy on an annual basis. Through our training, publications, interaction with members and other activities, Dyslexia Cornwall ensure those we work with know our statements of policy.

Dyslexia Cornwall will regularly review the implementation of its Equality and Diversity Policy and strategy. Where evidence is found of ineffectiveness, immediate remedial action will be taken to ensure implementation.

## **Definitions**

Equal Opportunities ensure that policies, procedures and practice within Dyslexia Cornwall do not discriminate against the people within it. It is about treating people fairly and equally regardless of who they are, their background or their lifestyle.

Diversity ensures that all people are valued as individuals and are able to maximise their potential and contribution to Dyslexia Cornwall and to the community. It recognises that people from different backgrounds can bring fresh ideas and a different approach, which can make the way we work and learn more fun, more creative, more efficient and more innovative.

Direct Discrimination occurs when an individual is dealt with less favourably on the grounds of race, colour, nationality, ethnic or national origin or sex. Also because of, for example, marital or civil partnership status or caring responsibility; sexual

orientation; gender reassignment; age; physical, sensory or learning disability; mental health; political or religious beliefs; class; HIV status; employment status; unrelated criminal convictions; union activities.

Indirect Discrimination occurs when a requirement or condition, which although it applies equally to persons of all groups, is such that only a considerably smaller proportion of a particular group can comply with it. Examples: a rule about clothing that disproportionately disadvantages a racial group cannot be justified; requiring applicants to have British qualifications.

Victimisation occurs when an individual is treated less favourably because that person has asserted rights under the Equalities Act 2010 (Previously Sex Discrimination Act 1975, the Race Relations Act 1976 or the Disability Discrimination Act 1995) or acted as a whistle-blower on such activity. People must be able to act against unlawful discrimination without fear of reprisals.

Harassment means repeated, unreciprocated and unwelcome comments, looks, actions, suggestions or physical contact which is found objectionable and offensive and which might threaten an employee or participant or create an intimidating or uncomfortable environment. Harassment can be sexual, racial, directed against people with disabilities or indeed related to any characteristic exhibited by the individual.

Dyslexia Cornwall urges staff and volunteers to be aware of the less obvious types of discrimination which result from general assumptions and pre-conceptions about the capabilities, interests and characteristics of individuals.

## **Policy Statements**

### **Diversity**

Dyslexia Cornwall will actively encourage diversity to maximise achievement, creativity and good practice and to bring benefit to individuals and communities.

Dyslexia Cornwall encourages all people it works with and for to contribute to an environment in which people feel comfortable expressing how they feel and what they need, knowing they will be treated with respect and that their contribution will be valued.

The way we work within Dyslexia Cornwall reflects both the Mission and Objectives of charity and the spirit and intentions of legislation that outlaws discrimination and promotes equality and diversity.

Dyslexia Cornwall will make reasonable adjustments to working practices, equipment and premises and offer, where appropriate, additional support to trustees, staff and volunteers to ensure they are able to take a full and active part in charity's work.

Dyslexia Cornwall will endeavour to deliver services in a way that genuinely recognises the importance of an inclusive society that brings opportunities and access, not barriers to individuals.

## **Equal Opportunities**

Dyslexia Cornwall is an equal opportunities employer and provider of services. No job applicant, employee, volunteer, trustee, member or service user should receive less favourable treatment on the grounds of race, colour, nationality, ethnic or national origin; sex; marital or civil partnership status; caring responsibility; Pregnancy or maternity; sexual orientation; gender reassignment; age; physical, sensory or learning disability; mental health; political beliefs; religion or belief; class; HIV status; employment status; unrelated criminal convictions; union activities. Nor will such person be disadvantaged by conditions or requirements which cannot be shown to be justifiable.

This principle applies to recruitment, promotion, transfer, training, benefits, facilities, procedures and all terms and conditions of employment.

## **Aims and Objectives**

The aims and objectives of the Equality and Diversity Policy are:

- To encourage, promote and celebrate diversity in all our activities and services
- To ensure equal access to jobs, volunteer opportunities
- To ensure compliance with legislation on discrimination and equality (Disabled Persons Employment Acts of 1944 and 1958, the Sex Discrimination Act 1975 and the Race Relations Act 1976, Disability Discrimination Act 1995, Equality Act 2010)\*
- To promote equal opportunities in other areas not currently covered by legislation. Example Age.
- To create environments free from harassment and discrimination.
- To maximise the use of resources in the best interests of staff, volunteers and service users

- To confront and challenge discrimination where and whenever it arises whether it be between colleagues, or in any other area relating to charity's work.
- To make a willingness to accept and implement this policy to be a necessary qualification for any position in Dyslexia Cornwall
- To ensure, through positive action and so far as is practicable, that all the charity's premises and services are accessible to all people
- To ensure that employment and advancement within the organisation is determined by objective criteria and personal merit.

**\*Complaints: before October 2010**

If you were subjected to unlawful treatment (eg discrimination, harassment or victimisation) before 1 October 2010, the Equality Act won't apply. Instead, you'll be covered by the legislation that was in force at the time.

**Policy Implementation: Expectations**

Dyslexia Cornwall recognises that passive policies do not provide equality and charity will seek to promote equality and diversity within the following framework of responsibilities.

Responsibility for implementing and developing the policy rests with the Management Committee. The overall co-ordinating responsibility for equal opportunities and management of diversity is delegated to the Chairperson. However, Dyslexia Cornwall believes that all who work with or for the organisation have an individual responsibility: to accept the policy and ensure a personal involvement in its application; to co-operate actively to ensure that the environment we desire is a reality. Therefore:

Dyslexia Cornwall expects individuals:

- to co-operate with measures introduced by Dyslexia Cornwall to ensure equality of opportunity, diversity and non-discrimination
- not to harass, abuse or intimidate any other employee or participant on the grounds of race, colour, nationality, ethnic or national origin; sex; marital or civil partnership status; caring responsibility; pregnancy or maternity; sexual orientation; gender reassignment; age; physical, sensory or learning disability; mental health; political beliefs; religion or belief; class; HIV status; employment status; unrelated criminal convictions
- to feel sufficiently confident to inform management if they suspect discrimination is taking place.

Dyslexia Cornwall expects trustees to:

- ensure that proper records of employment decisions are maintained and regular reviews of employment practices are carried out
- ensure that grievances are dealt with in a fair and consistent manner and in line with charity's Grievance Policy and Procedure
- ensure that individuals within their area are aware of their legal responsibilities, and the organisation's Equality and Diversity Policy
- promote actively the benefits of employee and participant diversity, in employment, services and training.

The person with responsibility for Equality and Diversity will:

- ensure that Officers are supported in their roles in regard to the Equality and Diversity Policy and Procedures.
- ensure Officers and committee members are appraised regularly on the state of equal opportunities and diversity within the charity.
- ensure that the Equality and Diversity Policy and associated documents are reviewed on an annual basis.
- review and approve policies, procedures and practices that impact on equal opportunities and diversity practice.
- co-ordinate the delivery of an equality and diversity strategy and action plan.

### **Policy Implementation: Recruitment and Promotion**

Dyslexia Cornwall strives to ensure that our trustees, staff and volunteers reflect the wider community.

Clear and accurate information on vacant posts should be available through advertisement, job descriptions, person specifications and interview. Vacancies should be advertised sufficiently widely to reach the widest possible range of candidates, either internal and/or external.

All recruitment material should not imply any preferred group, unless a genuine occupational qualification exists limiting a post to a particular group.

Applicants will be informed, through all recruitment material of The Dyslexia Cornwall's commitment to Equal Opportunities and Diversity and the existence of this policy.

Person specifications may include 'essential' and 'desirable' requirements that are necessary and justifiable. Care, and advice where necessary, is needed to ensure these are not discriminatory.

Staff and volunteers should be encouraged to discuss their development and training needs through a process of regular support and annual appraisals.

Job titles that are discriminatory should be avoided.

### **Policy Implementation: Interviews and Selection**

In line with the intentions of this policy, interviewing and selection policies and processes must take care to reflect the gender, disability and ethnic makeup of Dyslexia Cornwall when selecting the panel.

The shortlisting panel will not select candidates on the basis of the gender, name, possible disability or age of the candidate.

The interview panel must take extreme care not to ask discriminatory questions unrelated to the requirements of the job, eg race, colour, nationality, ethnic or national origin; sex; marital status or caring responsibility; sexual orientation; age; physical, sensory or learning disability; mental health; political or religious beliefs; class; HIV status; employment status; unrelated criminal convictions; union activities.

### **Policy Implementation: Training**

In line with the intentions of this policy, Dyslexia Cornwall will not discriminate in the provision of training courses/ opportunities wherever possible.

Appropriate training will be provided to enable trustees, staff, volunteers and Committee members to perform their jobs effectively. The training offered will take into account the needs of all people.

Briefing on this policy will form part of the Induction procedure for trustees, staff, volunteers and Committee members

### **Enforcement**

Dyslexia Cornwall recognises the need for a continuing commitment to genuine equal opportunities and diversity within the organisation. The effectiveness of the policy's aims and objectives can only be judged by how the policy operates in practice.

## **Grievances**

Any staff member or volunteer who feels they have been a victim of unlawful discrimination or unfairly treated in a way contrary to the intention of this policy should raise the issue through Dyslexia Cornwall's established Grievance Procedure.

Any member who feels he/ she has been unfairly treated in a way contrary to the intention of this policy should make a complaint through Dyslexia Cornwall's Chairperson, who must report any such complaint to the Committee. If the complaint is about the Chairperson, this should be made through another officer of the committee.

Any job applicant who believes that he/ she has been treated unfairly and contrary to the intention of this policy should raise the issue with the Chairperson or another officer of the committee.

All incidents of direct discrimination are disciplinary offences and will be dealt with under the Disciplinary Procedure.

Incidents of indirect discrimination will be investigated to determine whether they should be dealt with under the Disciplinary Procedure.

Incidents of victimisation or harassment will be dealt with in accordance with Dyslexia Cornwall's procedures. Where incidents of victimisation and harassment are proven, the issue will be dealt with under Dyslexia Cornwall's Disciplinary Procedure.

Dyslexia Cornwall will not treat lightly or ignore grievances from members of disadvantaged groups on the assumption that they are over-sensitive about discrimination.

## **Disciplinary Procedure**

Any member of staff found to be in breach of this policy will be subject to disciplinary action in line with the Standard Terms of Employment.

Any volunteer/committee member found to be in breach of this policy will be counselled on his/her actions and may, where necessary, be removed from Dyslexia Cornwall's committee.

Any service user/member found in breach of this policy will, where appropriate, be counselled on his/her actions and may, where necessary, be referred back to their organisation or refused future services from Dyslexia Cornwall.

## **Monitoring**

Dyslexia Cornwall view the collection/analysis of data is vital in informing change and improving performance.

Where appropriate, statistics on Dyslexia Cornwall's services will be collected and analysed in relation to equality and diversity matters. We will review employee turnover and seek information on reasons for leaving. Local and national data or statistics will be used to benchmark our performance.

Recruitment and selection procedures will be monitored and reviewed annually by the Chairperson who will report to the Committee. All aspects of personnel policies and procedures shall be kept under review to ensure that they do not operate against the Equal Opportunities Policy.

In order to determine the impact of this policy it is important that a monitoring system be developed which will measure commitment, progress and effectiveness. The Diversity and Equality Policy will be monitored and reviewed as follows:

- The policy will be an agenda item at Dyslexia Cornwall's committee meetings.
- The Chairperson will undertake an annual policy review. All relevant parties will be encouraged to submit comments for consideration.

Where it appears that there may have been or there is a breach of the policy, the Chairperson will investigate the circumstances and action will be taken to counter any proven breach of policy.

If it is found that the policy is excluding or discouraging the development of staff or committee members or restricting service users, the Chairperson should take positive action to re-adjust the policy in consultation with the committee.

This policy takes note of the New Equality Act 2010.

**Note:** The Equality Act allows a charity to restrict its benefits to people with a shared protected characteristic (<http://www.legislation.gov.uk/ukpga/2010/15/contents>). It must be justified for either of the following reasons:

- it helps to tackle disadvantages that particularly affect someone with a protected characteristic; or
- it is for some other reason a fair, balanced and reasonable ('proportionate') way of achieving a legitimate aim.



## **Monitoring and review**

The Board of Trustees, will regularly review the operation of this policy and procedure.

**This policy and procedure has been approved and authorised by the Trustees of Dyslexia Cornwall.**

Signed:



Name: Barbara Hewett-Silk

Position: Chairperson

Date: 4<sup>th</sup> May 2018

Next review due: May 2019