



Reviewed September 2017, next review September 2018

Equality and Diversity Policy

Policy Scope

This policy applies to all members of Yada staff, volunteers, committee members and any person seeking to work for Yada in either a paid or voluntary capacity. The policy also seeks to act as a point of reference and openness for any third party concerned with the equal opportunities of Yada. Yada is an organisation committed to social justice and resolutely opposed to discrimination in society. We are committed to providing services on a fair and equitable basis, regardless of race, ethnicity, religion, life-style, sex, sexuality, physical/mental disability, offending history or any other factor. No person requiring services from Yada will be treated less favourably than any other person on any grounds.

Statement

Yada is a charitable organisation that has submitted to become a Charitable Incorporated Organisation (July 2017). We have a Christian faith ethos and are committed to eradicating sexual exploitation and enriching the lives of those at risk.

It is our objective to provide equal employment opportunities and employment conditions throughout Yada and it is our policy that there will be no unlawful discrimination on grounds of gender, gender reassignment, sexual orientation, marital status, race, colour, nationality, ethnic origin, religion or belief, age or disability both in the employment field and in all our contact with the community. Yada accepts the spirit and intention of discrimination legislation, the Codes of Practice and guidance to the legislation. Yada recognises the need for and wholeheartedly supports the policy of equal opportunity in all areas of its work and responsibilities to people. Yada aims to ensure that people with disabilities are given equal opportunity to enter employment. In so doing it will make all reasonable adjustments, as much as possible, to working practices, equipment and premises to ensure that a disabled person is not put at a substantial disadvantage due to their disability.

The above mentioned Codes of Practice for the elimination of discrimination and for the promotion of equality of opportunity in employment have been developed to give practical

V.1 September 2015

V.2 August 2017



guidance to enable employers to understand the provision of discrimination legislation, to implement policies to eliminate such discrimination, and to enhance equality of opportunity. The objectives within these Codes will be applied to Yada's recruitment, training, promotion, dismissal, transfer and all other benefits and terms and conditions of employment. Such objectives will also be expected to apply to all dealings by the employees of Yada with members of the public and people applying for and receiving support services.

Contents

1. Yada Ethos and Values Statement
 2. Posts Having a Genuine Occupational Requirement (GOR) Regarding Religious Belief
 3. The Value of Equality of Opportunity
 4. Individual Responsibility
 5. Recruitment
 6. Further Guidance
 7. Implementation and Monitoring
- b) EQUAL OPPORTUNITIES LEGISLATION AND CODES OF PRACTICE
1. Principle
 2. Forms of Discrimination
 3. Legal Obligations
 - 3.1.1. Direct Discrimination
 - 3.1.2. Indirect Discrimination

V.1 September 2015

V.2 August 2017



3.1.3. Genuine Occupational Requirements (GOR)

3.1.4. Equal Pay

3.1.5. Victimisation

3.1.6. Harassment

3.1.7. Disability

4. Employment of Ex Offenders

4.1. Jobs covered by the Rehabilitation of Offenders Act 1974

4.2. Jobs that are exempt from the Rehabilitation of Offenders Act 1974

5. The Codes and Practice Recommendations for Fair and Equal Treatment

6. Complaints

7. Legislation

V.1 September 2015

V.2 August 2017



1. Yada Ethos and Values Statement

Yada promotes social interaction and inclusion and actively encourages community by providing a context where issues affecting all staff and residents can be shared and discussed openly and everyone's opinion is valued and respected. Yada is motivated by a desire to see people empowered and equipped to achieve sustained independence.

Taken from Beyonds the Streets, whom we are affiliated to-

As an organisation with a Christian ethos, we believe that all people are created equal, with value and purpose, and we look to work in partnership with those who want to see women free from abuse and exploitation.

2. GOR (Genuine Occupational Requirement)

The Staff team support service users of any faith or no faith, in ways that empower. There is no requirement for any service user to engage in religious observance of any kind. Yada will be clear from the beginning and throughout the recruitment process that Yada operates within an ethos based on Christian values. Individuals from any or no belief can apply to advertised opportunities.

Yada will review this Policy periodically, and in line with developments, a GOR may be implemented, for example, where certain posts would require a female to carry out the female only service. The Christian values of our work will also be considered, and if necessary, a GOR could be implemented into a managerial position. All GORs would only be implemented where absolutely necessary, in line with the law and having been through all people and organisations we are accountable to.

3. The Value of Equality and Opportunity

Valuing equality of opportunity, leads to:

- Making the best possible use of our existing and potential workforce;
- Avoidance of unlawful discrimination;

V.1 September 2015

V.2 August 2017



- Improved employment practices.

4. Individual Responsibility

Whilst the purpose of this Policy is to provide equal opportunity throughout Yada, individual employees are also responsible for their own behaviour. All employees are expected to behave in accordance with the Policy and any supplementary guidelines and to refrain from any acts of discrimination, harassment or victimisation. Any breach of the Policy will be treated very seriously under Yada disciplinary procedure. Furthermore, all employees are under a duty to ensure others comply with the Policy and to report to their manager/supervisor any failures to do so. All employees are encouraged to use Yada's internal grievance procedures to raise any concerns about their employment and/or treatment.

5. Recruitment

The aims, purpose and undergirding principles of Yada (as referred to hereafter) will be sustained by a recruitment competency framework and tailored for each area of the organisation by the selection of competencies expressed in suitable terms for each post.

6. Further Guidance

The general requirements of the Legislation and the Codes of Practice are outlined in Section 2 of this policy. Whilst current legislation only protects individuals against certain types of discrimination, it should be noted that Yada's Equal Opportunities Policy on the protection of individuals against discriminatory practices offers wider protection than the law. The main guidelines on how to operate both within the law and within the Policy can be found in Yada's Recruitment Policy.

Overall responsibility for monitoring the implementation of the aims and objectives of this Policy will lie with the Project Co-ordinators who will ensure that there is compliance with its provisions. Regular reports will be made to the Officers of the Committee, who will become our trustees after we obtain charity status.

V.1 September 2015

V.2 August 2017



7. Implementation and Monitoring

All staff and volunteers must have appropriate training in this area. This is provided at staff / volunteer induction, and any further staff training required, including any changes to this policy, will be given as appropriate.

Yada will monitor the Equal Opportunities Policy and progress in achieving its objectives. Where barriers to equal opportunities are identified, any necessary changes will be made to this policy.

V.1 September 2015

V.2 August 2017



EQUAL OPPORTUNITIES LEGISLATION AND CODES OF PRACTICE

1. Principle

The law concerned with equal opportunities aims to help an employer make full use of its entire workforce, to treat all employees and potential employees fairly and as a result help to improve the working abilities of this country. It also aims to eliminate discrimination in access to goods, facilities and services.

2. Forms of Discrimination

The following are summary descriptions of different forms of discrimination not intended to be legally exhaustive. With the introduction of the new equality and diversity legislation, religious discrimination, whilst unlawful for most employers, is lawful for religious employers though only where they can justify the genuine requirement for it. Discrimination on racial grounds is legally defined by reference to race, colour, and nationality including citizenship, ethnic or national origins. Discrimination on grounds of sex relates to males, females, marital status and sexual orientation.

Discrimination on grounds of disability is defined by reference to whether or not someone suffers from a physical or mental impairment which has a substantial and adverse effect on their ability to perform normal day-to-day activities. Discrimination against part time workers occurs when a part time worker is treated less favourably than a comparable full time worker unless this is justified.

Yada fully embraces legislation preventing age discrimination, and the guidance and Codes of Practice attached to it. It is Yada's Policy to comply with the good practice set out in This Code.

3. Legal Obligations

V.1 September 2015

V.2 August 2017



The law relating to equal opportunities applies to all employees. It is unlawful to discriminate against a person, directly or indirectly, in the field of employment. It is also unlawful to discriminate against someone seeking goods, facilities or services, which will include support services offered by Yada.

The main areas of unlawful discrimination are as follows:

3.1 Direct Discrimination

This consists of treating a person on grounds of race, sex, age, religion, marital status or disability less favourably than others are or would be treated in the same or similar circumstances.

Examples are:

- Failing to shortlist, recruit or promote someone because of his or her race or sex.
- Failing to provide the same training, support, etc. to a married person that would be provided to an unmarried person.

3.2 Indirect Discrimination

This consists of applying a requirement or condition which, although applied equally to all people, is such that a considerably smaller proportion of one sex or one racial group or other minority group can comply with it and it cannot be shown to be justifiable for the safe and effective performance of the job.

Examples are:

- An employer who requires higher language standards than are needed for safe and effective performance of the job.
- A mobility clause entitling Yada to require an employee to relocate as women tend to be more likely to have primary child care responsibilities.

V.1 September 2015

V.2 August 2017



- A requirement that a role must be done by a full-time employee, as this is often easier for men to comply with.

Where Yada has decided that a particular condition or requirement is appropriate (in respect of recruitment, promotion etc.) but which may indirectly discriminate against a particular group, it will be for Yada to justify the need for the condition or requirement.

3.3 Genuine Occupational Requirements (GOR)

Direct discrimination may be lawful when a person's sex is a genuine occupational qualification. There are limited circumstances in which an employer can claim a GOR as the reason for, say, recruiting only females or individuals of a particular race. With regard to sex discrimination it may be possible to recruit females for the purposes of maintaining privacy or decency.

3.4 Equal Pay

The Equal Pay Act provides that individuals should not be treated less favourably than a person of the opposite sex in the same employment as regards pay and other terms of the contract of employment where they are employed on like work (i.e. the same work or on work which is broadly similar or of equal value).

3.5 Victimisation

Discrimination by victimisation is also unlawful under the Acts. For example, a person is victimised if he or she is afforded less favourable treatment than others in the same circumstances because it is suspected or known that he or she has brought proceedings under one or more of the Acts, or given evidence or information relating to such proceedings, or alleged that discrimination has occurred.



3.6 Harassment

Harassment is defined as “unwanted conduct that violates a person’s dignity or creates an intimidating, hostile, degrading humiliating or offensive environment having regard to all the circumstances and the perception of the victim”.

3.7 Disability

The Disability Discrimination Act 1995 contains provisions which make discriminatory treatment of disabled people unlawful. The provisions cover employment, access to goods, facilities and services and premises. Other provisions relate to education and public transport. An employer is required to make reasonable adjustments if their employment arrangements or premises place disabled people at a substantial disadvantage compared with non-disabled persons. Physical features cover the business premises, including fixtures and fittings, furniture and stairways. Arrangements include recruitment procedures, working terms and conditions and how contractual arrangements, transfers, training and other benefits are provided. The Act gives a number of examples of “steps” which employers may have to take to make a reasonable adjustment, if it is reasonable for them to do so: - make adjustments to the premises, allocate some of a disabled person’s duties to another person, transfer the person to fill an existing vacancy, alter the person’s working hours, transfer the person to a different place of work, allow the person to be absent during working hours for rehabilitation, assessment or treatment, provide additional training, acquire or modify equipment, modify instructions or reference manuals, modify procedures for testing or assessment, provide a reader or interpreter, provide supervision. It may be necessary to make one or several of these adjustments. A number of factors influence if it is reasonable for an employer to make any changes:-

- how much an alteration will improve the situation for the disabled employee or applicant
- how easy it is to make the change
- the cost of the measure, both financially and in terms of the disruption it will cause

V.1 September 2015

V.2 August 2017



- the employer's resources
- financial help, or other help, that may be available

The Disability Discrimination Act 2005 allows for positive action to enhance the opportunities for disabled people to access services and employment. This service is committed to this as part of its ethos.

4. Employment of Ex-Offenders

We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience. We will therefore consider ex-offenders for employment on their individual merits.

The amount of information we will request concerning previous criminal convictions both spent and unspent will depend on the job and whether or not it is exempt from the provisions of the Rehabilitation of Offenders Act 1974. Jobs that are exempt include those where the employee will be working with vulnerable adults or with those under the age of 18.

4.1 Jobs covered by the Rehabilitation of Offenders Act 1974

We will not automatically refuse to employ a particular individual just because he/she has a previous criminal conviction. During job interviews, we will ask job applicants to disclose any unspent convictions, but will not ask job applicants questions about spent convictions, nor expect them to disclose any spent convictions.

If an applicant has a conviction that is not spent and if the nature of the offence is relevant to the job for which he/she has applied, we will review the individual circumstances of the case and may, at our discretion, decline to select the individual for employment.

4.2 Jobs that are exempt from the Rehabilitation of Offenders Act 1974

If the job is one of the excluded jobs listed in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, we will require the applicant to disclose all convictions, whether spent or unspent. Even in these circumstances, however, we will not refuse to employ a particular individual unless the nature of the conviction has some relevance to the job for which the individual has applied.

V.1 September 2015

V.2 August 2017



Please see Recruitment of Ex-Offenders Policy for further details.

5. The Codes of Practice and Recommendations for Fair and Equal Treatment

The Codes of Practice for the elimination of discrimination and the promotion of equality of opportunity in employment do not impose any legal obligations themselves. However, if their recommendations are not observed this may result in breaches of the law where the act or omission falls within any of the specific prohibitions of the Legislation.

6. Complaints

Yada encourages all employees in the first instance to use the relevant internal procedures to resolve any problems.

7. Legislation

The following Equal Opportunities Legislation was considered in preparation of this policy:

- Equal Pay Act 1970 (as amended 1983)
- Sex Discrimination Act 1975 and 1986 (as amended by the Employment Acts 1989 and 1990)
- Race Relations Act 1976 (as amended by the Employment Acts 1989 and 1990)
- Disability Discrimination Act 1996
- Rehabilitation of Offenders Act 1974
- Part Time Worker (Prevention of Less Favourable Treatment) Regulations 2000
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003

V.1 September 2015

V.2 August 2017



- Sexuality Act 2006
- Age Discrimination Act, Nov 2006
- Merged to: Equality Act 2010