

Shropshire Peer Counselling & Advocacy Service (PCAS)

Policy: Equality & Diversity

1. Policy Statement

PCAS is committed to achieving a working environment for clients and employees/volunteers which provides equality of opportunity and freedom from unlawful discrimination on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation. This Policy aims to remove unfair and discriminatory practices within PCAS and to encourage full contribution from its diverse community. PCAS is committed to actively opposing all forms of discrimination.

PCAS also aims to provide a service that does not discriminate against its clients and customers in the means by which they can access the services and goods supplied. PCAS believes that all clients and workers are entitled to be treated with respect and dignity.

2. Objectives of this Policy

- 2.1 To prevent, reduce and stop all forms of unlawful discrimination in line with the Equality Act 2010.
- 2.2 To ensure that all working practices including our work with clients through helping them with their issues, working with them, listening to them, building their self-esteem and confidence, finding ways of working with them in a fully accessible way including using interpreters when needed, meeting with them where they want to meet.
- 2.3 For our staff we will use the same principles as above in: Recruitment, promotion, training, development, assessment, benefits, pay, terms and conditions of employment, redundancy and dismissals are determined on the basis of capability, qualifications, experience, skills and productivity.

3. Designated Officer

Name: Simon Arthur
Position: PCAS Manager
Telephone Number 07877-516243

4. Definition of Discrimination

Discrimination is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation. Discrimination may be direct or indirect, and includes discrimination by perception and association.

5. Types of Discrimination

5.1 Direct Discrimination

This occurs when a person or a policy intentionally treats a person less favourably than another on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

5.2 Indirect Discrimination

This is the application of a policy, criterion or practice which PCAS applies to all clients and workers but which is such that:

- It is detrimental to a considerably larger proportion of people from the group that the person PCAS is applying it to represents;
- PCAS cannot justify the need for the application of the policy on a neutral basis; and
- The person to whom PCAS is applying it suffers detriment from the application of the policy.

Example: A requirement that all workers must be 6ft tall if that requirement is not justified by the position would indirectly discriminate against workers with an oriental ethnic origin, as they are less likely to be able to fulfil this requirement.

5.3 Harassment

This occurs when a person is subjected to unwanted conduct that has the purpose or effect of violating their dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. PCAS will not tolerate harassment in any form for towards its clients or workers, any harassment reported will be dealt with through the complaints procedure or harassment and bullying policy.

5.4 Victimisation

This occurs when a person is treated less favourably because they have brought or intend to bring proceedings or they have given or intend to give evidence.

6. Unlawful Reasons for Discrimination

6.1 Sex

It is not permissible to treat a person less favourably on the grounds of sex, marital status, civil partnership, pregnancy or maternity, gender reassignment or transgender status. This applies to men, women and those undergoing or intending to undergo gender reassignment. Sexual harassment of men and women can be found to constitute sex discrimination.

Example: Asking a woman during an interview if she is planning to have any (more) children constitutes discrimination on the ground of gender.

6.2 Age

It is not permissible to treat a person less favourably because of their age. This applies to people of all ages. This does not currently apply to the calculation of redundancy payments.

6.3 Disability

It is not permissible to treat a disabled person less favourably than a non-disabled person. Reasonable adjustments must be made to give the disabled person as much access to any services and ability to be employed, trained, or promoted as a non-disabled person.

6.4 Race

It is not permissible to treat a person less favourably because of their race, the colour of their skin, their nationality or their ethnic origin.

6.5 Sexual Orientation

It is not permissible to treat a person less favourably because of their sexual orientation. For example, an employer cannot refuse to employ a person because s/he is homosexual, heterosexual or bisexual.

6.6 Religion or Belief

It is not permissible to treat a person less favourably because of their religious beliefs or their religion or their lack of any religion or belief.

7. Positive Action in Recruitment

Under the Equality Act 2010, positive action in recruitment and promotion applies as of 6 April 2011. 'Positive action' means the steps that PCAS can take to encourage people from groups with different needs or with a past record of disadvantage or low participation, to apply for positions within the Charity.

If PCAS chooses to utilise positive action in recruitment, this will not be used to treat people with a protected characteristic more favourably, it will be used only in tie-break situations, when there are two candidates of equal merit applying for the same position.

8. Reasonable Adjustments

PCAS has a duty to make reasonable adjustments to facilitate the employment of a disabled person. These may include:

8.1 Making adjustments to premises;

8.2 Re-allocating some or all of a disabled employee's duties;

- 8.3 Transferring a disabled employee to a role better suited to their disability;
- 8.4 Relocating a disabled employee to a more suitable office;
- 8.5 Giving a disabled employee time off work for medical treatment or rehabilitation;
- 8.6 Providing training or mentoring for a disabled employee;
- 8.7 Supplying or modifying equipment, instruction and training manuals for disabled workers; or
- 8.8 Any other adjustments that PCAS considers reasonable and necessary provided such adjustments are within the financial means of the PCAS.

If an employee has a disability and feels that any such adjustments could be made by PCAS, they should contact the Designated Officer.

9. Accessibility

PCAS provides advocacy services to all disabled individuals, in some instances PCAS may identify barriers that prevent certain groups or individuals from accessing the available advocacy services, such as but not limited to language and communication barriers. In this instance PCAS will do everything reasonably practicable to ensure that the client can receive the help they need. The use of alternative written formats and language/sign language interpreters is encouraged to ensure that no individual or group is discriminated against.

10. Responsibility for the Implementation of this Policy

All clients, workers, subcontractors and agents of PCAS are required to act in a way that does not subject any other clients or employees to direct or indirect discrimination, harassment or victimisation on the grounds of their race, sex, pregnancy or maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation

The co-operation of all clients and workers is essential for the success of this Policy. Senior workers are expected to follow this Policy and to try to ensure that all clients and workers, subcontractors and agents do the same.

Workers may be held independently and individually liable for their discriminatory acts by the Charity and in some circumstances an Employment Tribunal may order them to pay compensation to the person who has suffered as a result of discriminatory acts.

PCAS takes responsibility for achieving the objectives of this Policy, and endeavours to ensure compliance with relevant Legislation and Codes of Practice.

11. Acting on Discriminatory Behaviour

In the event that a worker is the subject or perpetrator of, or witness to, discriminatory behaviour, please refer to the Policy on Disciplinary and Grievance.

12. Advice and Support on Discrimination

Workers may contact their employer or trade union representative if access to such an individual is possible.

Other contacts include:

Equality and Human Rights Commission

Arndale House
The Arndale Centre
Manchester
M4 3AQ
0161 829 8100

Fleetbank House
2-6 Salisbury Square

London
EC4Y 8JX
020 7832 7800

Block 1, Spur D
Government Buildings
St Agnes Rd
Gabalfa
Cardiff
CF14 4YJ
02920 447 710

151 West George Street
Glasgow
G2 2JJ
0141 228 5910

Website: www.equalityhumanrights.com

Citizens Advice Bureau

3rd Floor North
200 Aldersgate Street
London
EC1A 4HD
0344 411 1444

Website: www.citizensadvice.org.uk

Community Legal Services Direct

Telephone: 0845 345 4 345
Website: www.clsdirect.org.uk

13. The Extent of the Policy

- 13.1** PCAS seeks to apply this Policy to all clients, in the recruitment, selection, training, appraisal, development and promotion of all workers. PCAS offers goods and services in a fashion that complies with the spirit of this Policy.
- 13.2** This Policy does not form a part of any employment contract with any worker and its contents are not to be regarded by any person as implied, collateral or express terms to any contract made with PCAS.
- 13.3** PCAS reserves the right to amend and update this Policy at any time.

Date this policy came into effect	Date approved by Board of Trustees
04/03/2020	04/03/2020
Next Review Date	04/03/2022
Name or position of person responsible for this policy	Steve Wilcox