



oxfordshire
youth

Supporting
the youth
sector across
Oxfordshire

Equal Opportunities and Diversity Policy

Approved on:

Scheduled review date: 15 October 2023

Signed by:

1. Policy Statement

Freelearners CIC is committed to equality and diversity and providing equal access to services, information and jobs in line with our aims and values and current legislation. We are committed to creating and maintaining an environment 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 any unfair and discriminatory practices and is committed to actively opposing all forms of discrimination.

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

Freelearners CIC recognises the contribution that every employee and young person makes. We value individual differences, and encourage respect and equality for all.

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 recruitment, access to opportunity, promotion, training, development, assessment, benefits, pay, terms and conditions of employment, redundancy and dismissals are determined on the basis of capability, qualifications, experience, skills, productivity, funding, conduct and gross misconduct. The above applies to both the opportunities we offer to young people as well as employment.

3. Designated Officer

Name: Kate McConaghy
Position: Director
Telephone Number: 07796 155 166

The Board of Directors and the Designated Officer are responsible for implementing this policy and ensuring all staff and volunteers uphold its principles in everything it does.

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 applies to all but which is such that:

- It is detrimental to a considerably larger proportion of people from the group
- The employer cannot justify the need for the application of the policy on a neutral basis

Example: A requirement that all employees must be 6ft tall if that requirement is not justified by the position would indirectly discriminate against female employees, 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.

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, those who identify as another gender and those undergoing or intending to undergo gender reassignment. Sexual harassment of men and women can be found to constitute sexual 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 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.

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 the organisation 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 the charity 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

Freelearners CIC has a duty to make reasonable adjustments to facilitate the employment and participation of a disabled person in the organisation's services. These may include:

8.1 Making adjustments to premises;

8.2 Providing training or mentoring for a disabled employee;

8.3 Supplying or modifying equipment, instruction and training manuals

8.4 Any other adjustments that the organisation considers reasonable and necessary provided such adjustments are within the financial means of the organisation.

9. Responsibility for the Implementation of this Policy

The Board of Directors and the Designated Officer are responsible for implementing this policy and have a duty to ensure all staff and volunteers understand and uphold its principles in everything it does. Training and support should be made available if needed.

All employees, subcontractors and agents of the organisation are required to act in a way that does not subject any other employees or clients 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. Employees may be held independently and individually liable for their discriminatory acts by the organisation.

10. Acting on Discriminatory Behaviour

In the event that an employee or client is the subject or perpetrator of, or witness to, discriminatory behaviour, the Board of Directors will be notified immediately. The Designated Equal Opportunities and Discrimination Officer will investigate the matter and collect information for the Board, who will meet as soon as is practicable to decide the best course of action. Any perpetrators, witnesses and subjects of the discriminatory behaviour will be kept informed about the investigation and the procedure and invited to give evidence to the Board.

It is important that clients/young people are made aware of this policy and a code of conduct can be drawn up with the young people if appropriate.

12. The Extent of the Policy

12.1 The organisation seeks to apply this Policy in the recruitment, selection, training, appraisal, development and promotion of all employees as well as all services it provides. The organisation offers goods and services in a fashion that complies with the spirit of this Policy.

12.2 This Policy does not form a part of any employment contract with any employee and its contents are not to be regarded by any person as implied, collateral or express terms to any contract made with the charity.

12.3 Freelearners CIC reserves the right to amend and update this Policy at any time in response to organisational or legislative change. These notwithstanding, a scheduled review will take place every three years.