



Boro Angels

Equal Opportunities Policy

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SUMMARY

1. This policy sets out how the Boro Angels will ensure volunteers, employees and job applicants are treated fairly and in line with legislation that sets out protections for the following characteristics and provision for the use of positive action in specific circumstances:
 - age
 - disability
 - gender reassignment
 - marriage or civil partnership status
 - pregnancy or maternity
 - race
 - religion or belief
 - sex
 - sexual orientation
 - caring responsibilities.
2. Boro Angels are opposed to all forms of prejudice, discrimination, harassment and bullying in the workplace and is committed to ensuring a policy of equal opportunity is applied within its operating processes.
3. Legislation sets out various duties, responsibilities and obligations placed on organisations and their volunteers/employees.
4. Included within the legislation is the expectation that Boro Angel's practices ensure fair and equal access to employment, promotion and training opportunities. This policy sets out how Boro Angels will ensure this occurs.
5. This policy applies to all Boro Angel Trustees, volunteers/employees.

AIMS

6. This policy ensures that:
 - people are treated with dignity and respect in the workplace
 - discrimination (whether it be direct, indirect, associative or perceptive), harassment, third party harassment or victimisation is prevented or is dealt with effectively if it does occur
 - no volunteer/employee is placed at a disadvantage because of unnecessary requirements or conditions which may have an adverse effect on them because they have a protected characteristic
 - policies and procedures are in place to ensure fair access to employment, promotion, recruitment, selection and training opportunities

REASONABLE ADJUSTMENTS

7. Boro Angels are committed to the principle of reasonable adjustments to requirements, where possible, for people with a disability. Individual experiences of disability can be very different and it is crucial not to make generalisations or assumptions about someone's needs.

ACCESS TO TRAINING

8. Access to training should be fair and equitable. Boro Angels will not discriminate in its allocation of training opportunities. Boro Angels will actively encourage and support our volunteers/employees to gain skills and qualifications that will support their future employability and meet the needs of our organisation.

TYPES OF DISCRIMINATION

9. Within Equalities legislation there are quite specific definitions, setting out the types of discrimination, harassment or victimisation that someone might be subject to because they have a protected characteristic. These definitions, which are taken from the Equality Act wording, and the characteristics they cover are set out below:

Discrimination

10. The principles of discrimination apply to the race, religion or belief, sexual orientation, age, disability, gender reassignment and sex strands. The principle of indirect discrimination also applies to the marriage and civil partnership diversity characteristics.
- Direct - occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perceptive discrimination below), or because they associate with someone who has a protected characteristic (see associative discrimination below).
 - Associative - direct discrimination against someone because they associate with another person who possesses or is perceived to possess a protected characteristic.
 - Perceptive - direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.
 - Indirect - can occur when an organisation has a condition, rule, policy or even a practice that applies to everyone but which particularly disadvantages people who share a protected characteristic.
11. Indirect discrimination can be justified if it can be shown that an organisation has acted reasonably in managing its business, i.e. that it is “a proportionate means of achieving a legitimate aim” (Equality Act 2010). Being proportionate means being fair and reasonable, including showing that the potential for ‘less discriminatory’ alternatives were considered as part of any decision-making process.

Harassment

12. Harassment is unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. Employees can complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic.

Third party harassment

13. Third party harassment is harassment of staff by people not employed by the Boro Angels. Boro Angels has a duty to protect staff from harassment and take all reasonable steps to prevent it.

Victimisation

14. Victimisation (for the purposes of this policy) occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act 2010; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint, and this issue is being addressed by the Boro Angel’s disciplinary Procedures.

PROCEDURE FOR ADDRESSING DISCRIMINATION, HARASSMENT OR VICTIMISATION

15. Complaints of discrimination, harassment or victimisation will be treated seriously and sympathetically, and confidentiality will be respected.
16. One incident may be sufficiently serious to meet the definition of discrimination, harassment or victimisation as set out above. It is not necessary for there to have been a series of incidents.
17. A complaint can be made by contacting one of the trustees
18. It is important that whatever mechanism is used to make the Boro Angels aware of the concerns that the following is established by the investigating officer and that the allegations are properly scrutinised:
 - details of the complaint
 - what the complainant wants to happen to resolve the situation
 - options available to the complainant
 - the next steps that will be taken by the investigating officer.
19. The situation may be resolved informally by an approach to the alleged harasser by either the complainant or the investigating officer, with their consent, either verbally or in writing to stop the unwanted behaviour.
20. Whether or not informal steps have been taken, the employee retains the right to make a formal complaint using Boro Angel's grievance policy. They also have the right to be accompanied throughout by a colleague or a friend.
21. Any complaint will be investigated thoroughly and in a timely manner. It may be possible to resolve a complaint through conciliation. Those found to be responsible for discrimination, harassment or victimisation will have their behaviour addressed using Boro Angel's disciplinary procedures when necessary. Boro Angels have a grievance policy and supporting guidance in place to support volunteers/employees wishing to make either a formal or informal complaint. The guidance sets out in detail how complaints should be managed.

CONFIDENTIALITY

22. Boro Angels are committed to respecting privacy. For example, some employees may choose to be open about their sexual orientation or disability and inform their manager or colleagues. It is important not to assume that because an employee has informed one person that they have informed others or that they wish the information to be disclosed to others. The individual employee should have control over who is aware and who is not. Where equality monitoring is undertaken, all reasonable steps will be taken to ensure that information provided will be held securely.

REHABILITATION OF OFFENDERS ACT

23. Boro Angels are committed to ensuring that offenders are not unjustifiably discriminated against on the basis of their criminal record, have equal access to work and are treated fairly in the workplace. The Rehabilitation of Offenders Act 1974 enables certain criminal convictions to become 'spent' or 'ignored' after a period of time has lapsed from the date of the conviction. After that time an ex-offender is not normally obliged to mention the conviction when applying for a job. There are a number of posts, which are exempt from the Act including those involving work with vulnerable adults or that entail having access to children under the age of 18. Rehabilitation periods are as follows:

Sentence	Rehabilitation period
Imprisonment, corrective training or sentence of detention in a young offenders' institution for more than six months but not more than 30 months	Ten years*
Imprisonment or sentence of detention in a young offenders' institution for a term not exceeding six months	Seven years*
A fine or other sentence not expressly covered by the Act	Five years*
Order for detention in detention centre	Three years
Absolute discharge	Six months
Conditional discharge	One year
Probation	Five years*

*The rehabilitation period may be reduced for a person under 18 at the time the sentence was passed.

Job applicants

24. When a Disclosure-Barring Service (DBS) check produces a history, that history is considered in order to decide whether the volunteering/employment may proceed. This consideration takes into account number, type, frequency and age of any convictions or warnings and the relevance to the job for which the applicant has applied.

Existing employees/volunteers

25. DBS Certificate, where available, checks are repeated every five years. When a DBS check produces a history then that history needs to be considered in order to decide whether the volunteering/employment may continue. This consideration will take into account the factors outlined above. The management committee will seek advice, will consider the history to decide on whether employment can continue. The decision made must be recorded.
26. Requests for DBS Certificate copies will be made from those who qualify through work, however, as we are no longer eligible as an organisation to request certificates from the Disbarring Service we must ensure All references are taken up, preferably in writing.

ROLES, RESPONSIBILITIES AND ACCOUNTABILITY

27. Boro Angels are responsible for ensuring that its processes, policies, strategies and decisions comply with equalities legislation. To ensure this occurs Boro Angels have put in place policies and training to ensure all volunteers/employees understand their duties under equalities legislation.
28. The Trustee Committee are responsible for ensuring they comply with this policy and that volunteers/employees are aware of its content. All volunteers/employees are responsible for ensuring they conduct themselves professionally and treat colleagues, members and customers in a fair and equitable manner at all times. The Trustees are responsible for the enforcement of this policy.

MONITORING AND REVIEW (3 Years)

29. The policy will be reviewed every three years unless there is case law or new legislation in the interim, which means the guidance is no longer fit for purpose. To ensure that the policy remains fit for purpose, the following monitoring arrangements are in place:
- collection of departing volunteers/employees views via a leavers' questionnaire
 - complaints monitoring
 - hate crime incident monitoring.

DATA QUALITY STATEMENT

30. Boro Angels are committed to high standards of data quality. Every care has been taken in the development of this policy to ensure that the data and information used is accurate, valid, reliable, timely, relevant and complete.