

## Charles Burrell Centre Limited- Equality and Diversity Policy

Revised by Charles Burrell Centre Limited: June 2021  
Revision due: June 2022

### Introduction

Charles Burrell Centre Limited 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 Charles Burrell Centre Limited comply with anti-discrimination 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.

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

Charles Burrell Centre Limited 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. Charles Burrell Centre Limited urges staff and members 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.

### Definitions

**Equal Opportunities** ensure that policies, procedures and practice within Charles Burrell Centre Limited do not discriminate against its employees, volunteers and stakeholders. It is about treating people fairly and equally regardless of whom 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 Charles Burrell Centre Limited 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**, as defined in law, occurs when an individual is dealt with less favourably than other people on the grounds of race, ethnic or national origin, disability, sex, actual or perceived religion or belief or sexual orientation. However in terms of this policy the definition is taken to be wider and includes, for example, colour, nationality, marital status or caring responsibility, age, mental health, political, class, HIV status, employment status, unrelated criminal convictions, union activities.

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**Indirect Discrimination** occurs when a provision, criterion or practice puts people of a particular group at a disadvantage and is not justified in relation to the job, for example a rule about clothing that disproportionately disadvantages a racial group cannot be justified.

**Victimisation** means that if a person has made or is making an accusation of discrimination in good faith, it is unlawful to discriminate against them for having done so, or because they intend to do so or it is suspected that they intend to do so. People must be able to act against unlawful discrimination without fear of reprisals.

**Harassment** means unwanted conduct based on race, sex or age etc. which has the purpose or effect of violating the dignity of a person or creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. Harassment can be sexual, racial, directed against people with disabilities or indeed related to any characteristic exhibited by the individual.

**Positive Action** refers to measures taken to assist employees, or learners who have been under-represented in specific areas, to reach a level of workplace knowledge and competencies that are comparable with 'representative' employees. These measures could take the form of additional training or providing the job application form in other languages to encourage applicants from these communities. 'Positive discrimination' at the point of selection for work is not permissible.

## Policy Statements

### Diversity

Charles Burrell Centre Limited will actively encourage diversity to maximise achievement, creativity and good practice and to bring benefit to individuals and communities. Charles Burrell Centre Limited 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, train and learn within Charles Burrell Centre Limited reflects both the Mission and Objectives of Charles Burrell Centre Limited and the spirit and intentions of legislation that outlaws discrimination and promotes equality and diversity. Charles Burrell Centre Limited will make reasonable adjustments to working practices, equipment and premises and offer, where appropriate, additional support to members, staff and volunteers to ensure they are able to take a full and active part in the Council's work. Charles Burrell Centre Limited 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

Charles Burrell Centre Limited is an equal opportunities employer and provider of services. No job applicant, employee, volunteer, member or service user should receive less favourable treatment on the grounds of race, colour, nationality, ethnic or national origin;





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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. Nor will such person's sex, disability, race, marital or civil partnership status, sexual orientation, religion, colour, nationality or ethnic or national origin, age, trade union membership or non-membership, be disadvantaged by conditions or requirements which cannot be shown to be justifiable. This principle applies to all aspects of Charles Burrell Centre Limited activities as an employer and provider of services, including recruitment, promotion, 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 including Equal Pay Act 1970, Employment Rights Act 1996, Employment Act 2002, and Equality Act 2010.
- To promote equal opportunities in other areas not currently covered by legislation.
- 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 is between colleagues, or in any other area relating to Charles Burrell Centre Limited's work.
- To make a willingness to accept and implement this policy to be a necessary qualification for any position in Charles Burrell Centre Limited.
- To ensure, through positive action and so far as is practicable, that all Charles Burrell Centre Limited premises and services are accessible to all people.
- To ensure that employment and advancement within Charles Burrell Centre Limited is determined by objective criteria and personal merit.

### **Policy Implementation: Expectations**

Charles Burrell Centre Limited recognises that passive policies do not provide equality and encourage diversity in employment/training/services. Charles Burrell Centre Limited will seek to promote equality and diversity within the following framework of responsibilities. Responsibility for implementing and developing the policy rests with the Members. The overall co-ordinating responsibility for equal opportunities and management of diversity is delegated to the Chief Operations Officer. However, Charles Burrell Centre Limited 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 Charles Burrell Centre Limited requires individuals:

- To implement measures introduced by Charles Burrell Centre Limited 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 or caring responsibility; sexual orientation; age; physical, sensory or learning



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disability; mental health; political or religious beliefs; class; HIV status; employment status; unrelated criminal convictions; union activities.

- To inform management if they suspect discrimination is taking place.

Charles Burrell Centre Limited requires its management staff:

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

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

Charles Burrell Centre Limited strives to ensure that our Members, 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 Charles Burrell Centre Limited's commitment to Equal Opportunities and Diversity. 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 must be avoided. Policy Implementation: Interviews and Selection In line with the intentions of this policy, efforts must be made to select a recruitment panel which is inclusive in terms of gender, disability and ethnicity. The shortlisting panel will select candidates on the basis of an objective assessment of their match with the requirements as described in the job description and person specification; this will not take into account the gender, name, race, religion or belief, possible disability or age of the candidate.

The interview panel must take extreme care not to ask discriminatory questions which do not comply with the Charles Burrell Centre Limited's Equality and Diversity Policy Statements, e.g. questions relating to race, colour, nationality, ethnic or national origin; sex; marital or civil partnership 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, Charles Burrell Centre Limited will not discriminate in the provision of training courses/ opportunities wherever possible. Appropriate training will be provided to enable members, 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 members, staff, volunteers and committee members





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### **Enforcement**

Charles Burrell Centre Limited recognises the need for a continuing commitment to genuine equal opportunities and diversity within the organisation. The effectiveness of the policy's Policy – Equality and Diversity aims and objectives can only be judged by how the policy operates in practice.

### **Policy Enforcement – Grievances**

- Any staff member or volunteer who feels they have been a victim of discrimination or unfairly treated in a way contrary to the intention of this policy should raise the issue through the Charles Burrell Centre Limited's established Grievance Procedure.
- Any service user who feels he/she has been unfairly treated in a way contrary to the intention of this policy should make a complaint through Charles Burrell Centre Limited's Chief Operations Officer, who must report any such complaint to the board members.
- 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 Chairman.
- Incidents of victimisation or harassment will be dealt with in accordance with Charles Burrell Centre Limited's Bullying and Harassment Procedure. Where incidents of victimisation and harassment are proven, the issue will be dealt with under Charles Burrell Centre Limited's Disciplinary Procedure.
- Charles Burrell Centre Limited will not treat lightly or ignore grievances from members of disadvantaged groups on the assumption that they are over-sensitive about discrimination.

### **Policy Enforcement - 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.
- 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 Charles Burrell Centre Limited Bullying and Harassment Procedure. Where incidents of victimisation and harassment are proven, the issue will be dealt with under the Charles Burrell Centre Limited's Disciplinary Procedure.
- Any volunteer, including members of any committee, found to be in breach of this policy will be counselled on his/her actions and may, where necessary, be removed from Charles Burrell Centre Limited's volunteer register.
- Any member of any board or working group of Charles Burrell Centre Limited found in breach of this policy will be counselled on his/her actions and may, where necessary, be asked to leave Charles Burrell Centre Limited.
- Any service user 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 Charles Burrell Centre Limited.

### **Monitoring**

The Members will review annually equality of opportunity relating to Charles Burrell Centre Limited's services. Recruitment and selection procedures will be monitored and reviewed annually by the Chief Operations Officer who will report to the board members. All aspects of



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personnel policies and procedures shall be kept under review to ensure that they do not operate against the Equal and Diversity 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 equality and diversity will be an agenda item once a year at board meeting.
- Charles Burrell Centre Limited will undertake a biennial policy review. All relevant parties will be encouraged to submit comments for consideration.
- The review recommendations will be presented to the next board meeting for their comments and ratification. Where it appears that there may have been or there is a breach of the policy, the Chief Operations Officer 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 Members, staff or volunteers or restricting service users, the board should take positive action to re-adjust the policy.

### **Recruitment of Ex-offenders**

As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), Charles Burrell Centre Limited complies fully with the code of practice and undertakes to treat all applicants for positions fairly

- Charles Burrell Centre Limited undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed
- Charles Burrell Centre Limited can only ask an individual to provide details of convictions and cautions that Charles Burrell Centre Limited are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended)
- Charles Burrell Centre Limited can only ask an individual about convictions and cautions that are not protected
- Charles Burrell Centre Limited is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background
- Charles Burrell Centre Limited actively promotes 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.
- Charles Burrell Centre Limited select all candidates for interview based on their skills, qualifications and experience
- An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position





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- Charles Burrell Centre Limited ensures that all those in Charles Burrell Centre Limited who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences
- Charles Burrell Centre Limited also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974
- At interview, or in a separate discussion, Charles Burrell Centre Limited ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment
- Charles Burrell Centre Limited makes every subject of a criminal record check submitted to DBS aware of the existence of the code of practice and makes a copy available on request.
- Charles Burrell Centre Limited undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.