

EQUAL OPPORTUNITIES POLICY

Reference RFSK P21

Version 4

Dated: 01.05.2020

This policy originally took effect on 1st August 2014. The Operations Director has overall responsibility for implementing this policy, which will be reviewed and may be changed on a regular basis e.g. on a change in legislation or regulatory guidance. This policy will be approved by the Court of Trustees.

Any data collected to support this policy must remain confidential and be managed in compliance with the Data Protection Act 2018 and RFSK Policy 014 Data Protection and Cyber Security.

Read only copies of this policy can be found at: <https://sites.google.com/a/rfsk.org.uk/intranet/>

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UPDATED BY	Donna Cullen, Finance Director	21.09.2017
UPDATED BY	Mark Aitken, Master	11.07.2019
APPROVED BY COURT	F&P 194 July 2019	17.07.2019
UPDATED BY	Jonathan Byrne, Operations Director	01.05.2020
APPROVED BY COURT	F&P 202 May 2020	13.05.2020



Policy statement

The Royal Foundation of St Katharine is an equal opportunity employer and ensures that all employees, job applicants, customers/clients and other people with whom we deal are treated fairly and are not subjected to unfair or unlawful discrimination. As a religious charity a very small number of jobs may be reserved to those who hold and practice the Christian faith, that will be decided according to the relevant legislation. This policy aims to set out the way in which to manage equal opportunity. This policy applies to all employees and workers.

Our policy is designed to ensure that current and potential workers are offered the same opportunities regardless of race, age, religion or belief, gender, sexual orientation, marital status/civil partnership, disability, pregnancy/maternity, gender reassignment, or any other characteristic unrelated to the performance of the job. We seek to ensure that no one suffers, either directly or indirectly, as a result of unlawful discrimination. This extends beyond the individual's own characteristics, to cover discrimination by association and by perception.

We recognise that an effective equal opportunity policy will help all staff to develop to their full potential, which is clearly in the best interests of both our staff and all we do.. We aim to ensure that we not only observe the relevant legislation but also do whatever is necessary to provide genuine equality of opportunity.

We expect everyone who works for us to be treated and to treat others with respect. Our aim is to provide a working environment free from harassment, intimidation, or discrimination in any form that may affect the dignity of the individual.

We further recognise the benefits of employing individuals from a range of backgrounds, as this creates a workforce where creativity and valuing difference in others thrives. We value the wealth of experience within the community in which we operate and aspire to have a workforce that reflects this.

Legal considerations

The main legislation that covers equal opportunities and discrimination is the Equality Act 2010. In addition, the following should be taken into consideration:

- the Rehabilitation of Offenders Act 1974
- the Protection from Harassment Act 1997
- the Human Rights Act 1998
- the Sex Discrimination (Gender Reassignment) Regulations 1999
- the Racial and Religious Hatred Act 2006
- any Codes of Practice issued by the Equality and Human Rights Commission
- plus any amendments to the above legislation.

Discrimination may be direct or indirect, and can take different forms, for example:

- treating any individual less favourably than others on grounds of a protected characteristic (gender, race, marital status/civil partnership, religion or belief, sexual orientation, disability, age, pregnancy/maternity, or gender reassignment)



- expecting a person, solely on the grounds stated above, to comply with requirements that are different to the requirements for others, for any reason whatsoever
- imposing on an individual requirements that are in effect more onerous than they are on others. This would include applying a condition (which is not warranted by the requirements of the position) which makes it more difficult for members of a particular group to comply than others not of that group
- Harassment - i.e. unwanted conduct which has "the purpose, intentionally or unintentionally, of violating dignity, or which creates an intimidating, hostile, degrading, humiliating or offensive environment" for the individual
- victimisation - i.e. treating a person less favourably because he or she has committed a "protected act". "Protected acts" include previous legal proceedings brought against the employer or the perpetrator, or the giving of evidence at a disciplinary or grievance hearing or at tribunal, or making complaints about the perpetrator or the employer or their alleged discriminatory practices.
- discrimination by association, i.e. someone is discriminated against because he/she is sufficiently connected with someone who possesses a protected characteristic
- discrimination by perception - i.e. discrimination on the grounds that the person is perceived as belonging to a particular group, e.g. sexual orientation, religion or belief, irrespective of whether or not this is correct
- any other act or omission of an act, which has the effect of disadvantaging one person against another, purely on the above grounds.

On all occasions where those in control of employees are required to make judgements between them, for example disciplinary matters, selection for training, promotion, pay increases, awards etc. it is essential that merit, experience, skills and temperament are considered as objectively as possible.

Responsibility for this policy

The overall responsibility for implementing and monitoring the effectiveness of this policy rests with the senior management of The Royal Foundation of St Katharine.

Managers and supervisors have a crucial role to play in promoting equality of opportunity in their own areas of responsibility.

Disciplinary action, including dismissal, may be taken against any employee found guilty of failing to adhere to the RSFK Equal Opportunity Policy.

Recruitment and selection

We aim, through written instruction, appropriate training and supervision, to ensure that all staff who are responsible for recruitment and selection are familiar with this policy and apply it in conjunction with our recruitment policy.

Selection will be conducted on an objective basis and will focus on the applicants' suitability for the job and their ability to fulfil the job requirements. Our interest is in the skills, abilities, qualifications, aptitude and the potential of individuals to do their jobs.

Person specifications will be reviewed to ensure that criteria are not applied which are discriminatory, either directly or indirectly, and that they do not impose any condition or requirement which cannot be justified by the demands of the post. Questions asked of candidates will relate to information that will help assess their ability to do the job. Questions about marriage plans or family intentions or any other issues which may give rise to suspicions of unlawful discrimination should not be asked. Selection tests will be specifically related to the job and measure an individual's actual, or inherent, ability to do or train for the job.

Job adverts should encourage applications from all types of candidates and should not be stereotyped.

All adverts will state: "The Royal Foundation of St Katharine is an equal opportunity employer and values diversity". Reference to this policy will also be made on job and person descriptions.

When advertising a position which has traditionally been done by one sex, adverts should specify they are open to both sexes.

Training and development

The Royal Foundation of St Katharine recognises that equal opportunity responsibilities do not end at selection, and is committed to ensure that wherever possible all staff receive the widest possible range of development opportunities for advancement.

All employees will be encouraged to discuss their career prospects and training needs with their manager.

The provision of training will be reviewed to ensure that provisions are made where necessary to enable part-time workers, shift or remote workers or those returning to work following a break to benefit from training. No age limits apply for entry to training or development schemes which are open to all employees.

Terms and conditions of employment

We will ensure that all of our policies including pay, benefits and any other relevant issues associated with terms and conditions of employment, are formulated and applied without regard to race, age, religion or belief, gender, sexual orientation, marital status/civil partnership, disability, pregnancy/maternity, gender reassignment, or any other characteristic unrelated to the performance of the job.

These will be reviewed regularly to ensure there is no discrimination. Length of service as a qualifying criterion for benefits will not exceed five years unless clearly justifiable.

Grievances, disputes and disciplinary procedure

Staff who believe they have been discriminated against and have not been able to resolve this informally are advised to use our internal grievance procedure. An employee who brings a complaint of discrimination in good faith must not be treated less favourably.

Harassment or bullying will not be tolerated, and any individual employee who feels that he/she has been subjected to harassment or bullying should refer to our bullying and harassment policy. Equally, any employee who witnesses incidents of harassment or bullying should report this to his/her manager or an appropriate senior member of staff.

When dealing with general disciplinary matters, care is to be taken that employees who have, are perceived to have, or are associated with someone who has, a protected characteristic are not dismissed or disciplined for performance or behaviour which could be overlooked or condoned in other employees.

Retirement

Since October 2011, we have had no default retirement age and employees who wish to work beyond the age of 65 may choose to do so.

Positive action

We also recognise that passive policies will not reverse the discrimination experienced by many groups of people. To this end we will actively seek to encourage diversity in applications.

Any measures taken to encourage applications should not be construed as positive discrimination. The decision as to which applicant is offered a post must be based entirely on the merit of the individual.

Communication of this policy

All job applicants, employees and workers will be made aware of this policy and a copy will be included in the Employee Handbook, given to all employees on joining us. Customers/clients will also be made aware of this policy.

In addition, staff will be reminded of the policy through such means as advertisements, job descriptions (which will refer to this), application forms, posters, training courses and memos.

Human Resources policies and procedures

Our Human Resources policies and procedures will be reviewed periodically to improve, amend or adapt current practices to promote equality of opportunity within our business.

Personal details provided by employees or job applicants for the purposes of equal opportunity monitoring are confidential, will be kept apart from all other records and not used for any other purpose.

Any queries or comments about this policy should be addressed to the Operations Director.