



# Stantonbury Ecumenical Partnership Equal Opportunities Policy

## Scope

This policy covers any and all aspects of SEP operations, how we treat those who work for and with us and how we recruit or engage others to join. It should be read in conjunction with the Complaints Policy, the Grievance Policy and the Harassment and Bullying Policy. This policy was adopted from Churches Together in Milton Keynes.

## Who it applies to

All Partnership employees, officers, contractors, volunteers, job applicants, agency and casual workers.

## Date of approval

By SEPC

Date \_\_October 2023\_\_

By Trustees

Date \_\_March 2024\_\_

Review date    \_October 2026\_\_\_\_\_

# **Stantonbury Ecumenical Partnership (SEP) - Equal Opportunities Policy Part I: Policy Details**

## **1. What does this policy cover?**

SEP does not tolerate discrimination or harassment. We are fully committed to promoting equal opportunities.

This policy covers any and all aspects of SEP operations, how we treat those who work for and with us and how we recruit or engage others to join.

This policy covers, but is not limited to, the following:

- a. Pay and employment conditions
- b. Recruitment processes
- c. Appraising, rewarding, incentivising, promoting, training, and commitment to continuing professional development
- d. Addressing grievances and disciplinary matters
- e. Ending employment contracts and exit employees, including related matters, such as references
- f. Treatment of visitors, clients and suppliers and other key contacts and stakeholders

SEP will ensure, as far as possible:

- a. Inclusive/equal opportunities to all applying for job vacancies and job opportunities with SEP, and
- b. that all relevant decisions are made on the basis of objective criteria.

Employees and volunteers should be familiar with this policy and all SEP's other policies, including, in particular our Grievance Policy and our Harassment and Bullying Policy.

## **2. Who does it apply to?**

All employees, officers, contractors, volunteers, job applicants, agency and casual workers.

## **3. It is not part of the employment contract**

This policy is not part of the employment contract. We, the SEP, may amend this policy at any time.

## **4. What is discrimination?**

Under UK employment law, there are a number of characteristics relevant to an individual who is covered by the policy that must not unfairly be considered (if accounted for at all) in decisions relating to any aspect of their working life. These characteristics are called 'protected characteristics' and they are listed immediately below:

- a. Age

- b. Disability
- c. Gender reassignment
- d. Marital or civil partnership status
- e. Pregnancy or maternity
- f. Race (which includes colour and ethnic/national origin)
- g. Religion or belief
- h. Sex
- i. Sexual orientation

If employment-related decisions are made about an individual on the basis (whether wholly or partially), of any of these protected characteristics, it is almost inevitable that unlawful discrimination will have taken place.

The sorts of actions that would fall into this category of unlawful and prohibited initiatives, include (but aren't limited to) those set out below. These actions need not be intended or directly committed by someone (indirect responsibility may be sufficient for someone to have unlawfully discriminated) and an omission or failure to do something may be just as culpable as a positive action.

We will not tolerate this practice:

**a. Direct discrimination...**

When someone with a protected characteristic is treated less favourably than somebody else has or would have been in identical circumstances. An example of this would be where an applicant for a job is rejected on grounds of their racial background. Further examples would be where a pregnant employee, or one with young children, is not promoted

**b. Indirect discrimination...**

When a group of people with one of the protected characteristics is disadvantaged by a provision, criterion or practice that is applied to all, (unless the treatment may be justified for a good organisation reason). Examples of this would be:

- a. Insisting, without good reason, that all staff must work full time, (which indirectly discriminates anyone with child-care responsibilities, women in particular)
- b. Requiring all staff to work onsite and refusing to consider a request to work remotely or under alternative conditions, like flexible hours to avoid commute times, which could disadvantage someone with a disability or a phobia (e.g., someone who suffers claustrophobia or panic attacks on commuting routes)
- c. Dismissing or not employing a woman because she is pregnant or of child-bearing age

**c. Harassment...**

within this policy, covers hostile, humiliating, degrading, intimidating or similarly offensive treatment or conditions to which an individual with one or more protected characteristics is subjected. Any such actions deprive an individual of their dignity and violate them. We draw no distinction between actions that may be labelled as 'joking' and not intended to cause offence, and those that may have been more direct and premeditated in their delivery. So, for example, in line with legal

definitions, reflecting general standards of decency, we will regard any of the following as falling within the definition of harassment:

- a. making lewd comments and/or displaying pornographic material
- b. calling someone unkind, derogatory or otherwise unwelcome names or nicknames
- c. making insensitive jokes, whether about someone directly, or the content of which would be evidently offensive to anyone with a protected characteristic
- d. excluding colleagues and/or making them feel that they have no option but to exclude themselves

Refer to our Harassment and Bullying Policy.

**d. Victimisation...**

This has a particular meaning under UK employment law and it is narrower than an ordinary dictionary definition, covering the situation only where:

- a. a worker<sup>1</sup> has complained of discrimination (or harassment), or
- b. has supported a fellow worker in making a complaint about these concerns.  
AND
- c. has then suffered reprisals from others, including those responsible for that worker's employment prospects and working conditions.

**e. Other discriminatory actions that are also prohibited...**

The UK's employment law also identifies other actions that can be unlawful under the equal opportunity's legislation. Examples of these include:

- a. Failing to make reasonable adjustments to minimise certain disadvantages suffered by a disabled employee (or job applicant)
- b. Instructing another person (or applying pressure on them) to discriminate
- c. Knowingly assisting somebody else when they carry out a discriminatory act
- d. Discriminating against somebody believed to have a protected characteristic, whether or not they actually do, or because they associate with a third party who does.

## **Part II: Our procedures and approach to this policy**

### **1. Duties and responsibilities**

Overall responsibility for the effective implementation and operation of the policy lies with SEP's Chair of Trustees (Chair) and the Board of Trustees.

However, everyone who works in and with SEP is responsible for ensuring that this policy works to prevent the activities that it prohibits from taking place.

Because we are a values-led organisation, this goes beyond the legal obligations that each one of us has, (and regardless of our job titles or how long any of us has worked for or with SEP).

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<sup>1</sup> In our setting, any member of contracted staff.

However, be aware that the breach of these legal obligations alone will mean that any individual can be found personally liable for unlawful discrimination where they have breached this policy and they will face disciplinary action and potentially other legal actions. This is because a breach of this policy may make SEP liable for your actions, and both of us may have to pay compensation to anyone who successfully claims against us.

SEP expects all to take personal responsibility for adhering to this policy's aims and commitments and for promptly and appropriately drawing any breaches of them to the Trustee's attention.

SEP welcomes feedback on how best to promote and ensure equal opportunity. Please let the Chair of Trustees know if you have any ideas or would like to be involved in any of our existing initiatives.

## **2. Recruitment, promotions and identifying candidates for other opportunities**

In any selection process that we use, whether selecting interviewees for job opportunities, offering jobs, identifying individuals for promotion or considering other opportunities or necessities (like redundancy situations), we will apply a rigorous, objective selection process using non-discriminatory criteria, as far as possible. However, both direct and indirect age discrimination may be justified and lawful, if the less favourable treatment, criterion or practice amounts to a proportionate means of achieving a legitimate aim. A legitimate aim must relate to a genuine organisational need, not related to age discrimination itself. For example, a legitimate aim potentially justifying age discrimination might include:

- Economic factors such as organisational needs and efficiency;
- The health, welfare and safety of the individual concerned (including the protection of young people or older workers);
- The particular training requirements of the job.

In relation to matters of religion and belief, Stantonbury Ecumenical Partnership reserves the right to appoint staff who are loyal to the Christian ethos of the Partnership, in order to preserve its distinctiveness, in accordance with the Equality Act 2010, Part 1, Schedule 9.

All job adverts and opportunity announcements must be:

- Discussed with and signed off by the Chair of Trustees one of whose responsibilities is to ensure that any advert is compliant with this policy
- Located and/or circulated so as to reach as wide and diverse a pool of interested candidates as possible, and - Worded so as to encourage, as far as possible and reasonable, applications from individuals of all characteristics to apply – or, at the very least, so as not to discourage any individuals with protected characteristics from applying.

There may be circumstances where some indication of required skills (that do discriminate) is justified and where self- deselection is inevitable, for example, where the job vacancy is for a window cleaner who works at height, wearing abseiling harnesses. The job advert might specify that interested candidates must be willing and capable of abseiling to be considered for the job.

If you are involved in interviewing and or any other part of our recruitment process, you must never ask a job applicant about their health, attendance record, or whether they have a disability before making a job offer to them (except in very limited circumstances).

You can ask someone if they have any particular needs or requirements with which you can assist if they are coming to meet you for an interview. In certain limited cases, it may also be permitted to make a job offer conditional on a successful medical examination.

During interviews or other interactions with candidates for a role, you must not ask anything that might infer a bias against any candidate with one or more protected characteristics. So, for example, asking a candidate if they are married, intend to have children (or any more children), or whether their religion permits them to work at weekends, are strictly no-go zones.

If you are ever in doubt about what can or must not be said, you must check the position with the Chair of Trustees.

### **3. Monitoring the policy and our personnel**

During any recruitment and onboarding process, we may ask questions that include some protected characteristics to help us monitor our diversity and how we are succeeding in our commitment to promote equal opportunities. Including health or disability questions in equal opportunities monitoring exercises is acceptable, but the data gathered must not be used for any employment-related decisions, such as whether to offer a role or opportunity to a particular candidate.

SEP may also record and analyse information about equal opportunities more generally, so that this policy operates successfully. The data helps us to refine it, review the composition of our workforce, and to promote workplace equality. When you join SEP, you give us consent to gather and process this data about you.

### **4. Handling breaches and enforcement**

SEP take all allegations of breach and any breaches that we discover very seriously. All allegations and/or suspicions of breach will therefore be thoroughly investigated.

If you wish to complain or raise an allegation of breach (or potential breach) under the policy, you should contact the Chair of Trustees as soon as possible. If you want to take formal action, you will need to follow our grievance procedure and read our policy on harassment and bullying.

Anyone raising a concern about matters covered by this policy, who does so in good faith, will have our full support and cooperation in getting to the bottom of what has happened and any appropriate action that needs to follow on from that examination. This will be the case regardless of our conclusions and including where we determine that the allegation was mistakenly made. There will never be any reprisals against those who genuinely have, or consider that they have, valid grounds to bring concerns about discrimination to our attention.

However, complaints made by employees in bad faith, for whatever reason (including where this is an attempt to avoid or to deflect disciplinary action), will be treated as misconduct and may lead to a dismissal for gross misconduct.

SEP will also take prompt disciplinary action if it is discovered that an employee has harassed or discriminated against anyone else in breach of this policy. If it is concluded that the behaviour of an employee amounts to gross misconduct, SEP will be within its rights to dismiss them without notice and with no payment in lieu of that notice.