

## EQUALITY AND DIVERSITY POLICY

### Statement of policy

The US Charitable Trust recognises that we live in a society where discrimination still operates to the disadvantage of many groups in society.

The US Charitable Trust believes that all persons should have equal rights to recognition of their human dignity, and to have equal opportunities to be educated, to work, receive services and to participate in society.

The US Charitable Trust is committed to the promotion of equal opportunities within our organisation, and affiliated organisations, through the way we manage the organisation and provide services to the community. In order to express this commitment, we develop, promote and maintain policies that will be conducive to the principles of fairness and equality in the workplace.

The objective of this policy is that no person should suffer or experience less favourable treatment, following from the 9 protected characteristics, discrimination or lack of opportunities on the grounds of gender, race, colour, nationality, ethnic origin, religious or philosophical beliefs, health status, HIV status, age, marital status, parental status, sexual orientation, political beliefs or trade union membership, class, responsibility for dependents, physical attributes, ex-offender status as defined by the Rehabilitation of Offenders Act 1974, lack of formal qualifications where such qualifications are not formally required, or any other grounds which cannot be shown to be justifiable within the context of this policy.

This policy will influence and affect every aspect of activities carried out at The US Charitable Trust i.e. promotional work, educational services and other functions linked to the organisation, as determined by the management committee.

In the provision of services and the employment of staff, The US Charitable Trust is committed to promoting equal opportunities for everyone. Throughout its activities, The US Charitable Trust will treat all people equally whether they are:

- Seeking or using our services.
- Applying for a job or already employed by us.
- Trainee workers and students on work experience or placements.
- Volunteer workers.

## How the policy will be implemented and who is responsible?

The Chairman, Mrs. Serena Balfour, has specific responsibility for the effective implementation of this policy. The COO, Tiffany Li, also has responsibilities and we expect all our employees and volunteers to abide by the policy and help create the equality environment which is its objective.

In order to implement this policy, we shall:

- Communicate the policy to employees, job applicants, volunteers and relevant others.
- Incorporate specific and appropriate duties in respect of implementing the equal opportunities policy into job descriptions and work objectives of all staff.
- Ensure that those who are involved in assessing candidates for recruitment or promotion will be trained in nondiscriminatory selection techniques.
- Incorporate equal opportunity notices into general communications practices.
- Ensure that adequate resources are made available to fulfill the objectives of the policy.

## Types of discrimination and harassment

- Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex sexual orientation).
- Discrimination by association is direct discrimination against someone because they associate with another person who possesses a protected characteristic.
- Perception discrimination is 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 Discrimination occurs when a condition, provision, policy or practice applies to everyone but particularly disadvantages people who share a protected characteristic and it cannot be shown to be a proportionate means of achieving a legitimate aim.
- Discrimination arising from disability occurs when you treat a disabled person unfavourably because of something connected with their disability and cannot justify such treatment.
- Discrimination arising from disability is different from direct and indirect discrimination.
- Harassment occurs when a person is subject to “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”.

- Third-party harassment occurs where, during the course of their duties, an employee is harassed by an individual or individuals who are not under the direct control of Arc School and the harassment relates to a protected characteristic.
- Victimisation occurs when an individual is subject to a detriment because they have made an allegation of, or given evidence about, the treatment of any individual (including themselves) who has been subject to any of the above.

Any individual making allegations of a false, malicious or vexatious nature would not be protected against victimisation and will be subject to disciplinary action.

### **Conduct and general standards of behaviour**

All staff and volunteers are expected to conduct themselves in a professional and considerate manner at all times. The US Charitable Trust will not tolerate behaviour such as:

- making threats
- physical violence
- shouting
- swearing at others
- persistent rudeness
- isolating, ignoring or refusing to work with certain people
- telling offensive jokes or name calling
- displaying offensive material such as pornography or sexist / racist cartoons, or the distribution of such material via email / text message or any other format.
- any other forms of harassment or victimisation.

The items on the above list of unacceptable behaviours are considered to be disciplinary offences within The US Charitable Trust and can lead to disciplinary action being taken. The US Charitable Trust does, however, encourage staff to resolve misunderstandings and problems informally wherever possible, depending on the circumstances. However, whether dealt with informally or formally, it is important for staff who may have caused offence to understand that it is no defence to say that they did not intend to do so, or to blame individuals for being over sensitive. It is the impact of the behaviour, rather than the intent, that counts, and that should shape the solution found both to the immediate problem and to preventing further similar problems in the future.

Training will commence after induction regarding equality and diversity within the workplace and when working with young people.

### **Complaints of discrimination**

The US Charitable Trust will treat seriously all complaints of unlawful discrimination on any forbidden grounds made by employees, volunteers, trustees, clients or other third parties and will take action where appropriate.

All complaints will be investigated in accordance with the organisation's grievance, complaints or disciplinary procedure, as appropriate and the complainant will be informed of the outcome in line with these procedures.

We will also monitor the number and outcomes of complaints of discrimination made by staff, volunteers, clients and other third parties.

Please refer to the US Charitable Trust Grievance policy.

## Legal Obligations

### Equal Opportunities and Discrimination (Equality Act 2010)

The new Equality Act came into force in October 2010 and replaces all previous equality legislation in England, Scotland and Wales – namely the Race Relations Act 1976, the Disability Discrimination Act 1995, the Sex Discrimination Act, the Equal Pay Act, the Employment Equality (Age) Regulations 2006, The Civil Partnership Act 2004, the Employment Equality Regulations 2003 (religions and belief and sexual orientation).

The **Equality Act 2010** protected characteristics are:

Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief sex and sexual orientation. In valuing diversity, The US Charitable Trust is committed to go beyond the legal minimum regarding equality.

The **Equality Act 2010** harmonises and strengthens and replaces most previous equality legislation. The following legislation is still relevant:

- The Human Rights Act 1998.
- The Work and Families Act 2006.
- Employment Equal Treatment Framework Directive 2000 (as amended).

### Recruitment and Selection

The recruitment and selection process is crucially important to any equal opportunities policy. The US Charitable will endeavor through appropriate training to ensure that employees making selection and recruitment decisions will not discriminate, whether consciously or unconsciously, in making these decisions.

Promotion and advancement will be made on merit and all decisions relating to this will be made within the overall framework and principles of this policy.

Job descriptions, where used, will be revised to ensure that they are in line with our equal opportunities policy. Job requirements will be reflected accurately in any personnel specifications. We will adopt a consistent, non-discriminatory approach to the advertising of vacancies.

All applicants who apply for jobs with us will receive fair treatment and will be considered solely on their ability to do their job.

Short-listing and interviewing will be carried out by more than one person where possible.

Interview questions will be related to the requirements of the job and will not be of a discriminatory nature. Selection decisions will not be influenced by any perceived prejudices of other staff.

## **Monitoring**

We will maintain and review the employment records of all employees in order to monitor the progress of this policy.

Monitoring may involve:

- The collection and classification of information regarding the race in terms of ethnic/national origin and sex of all applications and current employees;
- The examination by ethnic/national origin and sex of the distribution of employees and the success rate of the applicants; and
- Recording recruitment, training and promotional records of all employees, the decisions reached and the reason for those decisions.

The results of any monitoring procedure will be reviewed at regular intervals to assess the effectiveness of the implementation of this policy. Consideration will be given, if necessary, to adjusting this policy to afford greater equality of opportunities to all applicants and staff.

**The US Charitable Trust will revise and review this policy regularly.**

Approved at Management Committee meeting on 20<sup>th</sup> January 2022.

Review date: January 2023

Signature:



Date: 20<sup>th</sup> January 2022