EQUAL OPPORTUNITIES POLICY

[Document subtitle]

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OBESITY UK

EQUAL OPPORTUNITIES

Our commitment

We are committed to providing equal opportunities in employment and to avoiding unlawful discrimination. This policy is intended to assist putting this commitment into practice.

We are also committed to ensuring that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect. We have a separate anti-harassment and bullying policy, which deals with these issues.

The law

It is unlawful to discriminate directly or indirectly in recruitment or employment because of a 'protected characteristic'. The Equality Act defines the protected characteristics as being age, disability, sex, gender reassignment, marriage and civil partnership pregnancy, maternity, race (which includes colour, nationality, and ethnic or national origins), sexual orientation, religion or belief.

Discrimination after employment may also be unlawful. For example, refusing to give a reference for a reason related to one of the protected characteristics.

It is also unlawful to discriminate against or harass a member of the public or service user in the provision of services or goods or to fail to make reasonable adjustments.

Types of unlawful discrimination

- **Direct discrimination** is where a person is treated less favourably than another because of a protected characteristic. However, discrimination may be lawful if there is an occupational requirement which is core to a job role and a proportionate means of achieving a legitimate aim.
- **Indirect discrimination** means putting in place, a rule or policy or way of doing things that has a worse impact on someone with a protected characteristic than someone without one, when this cannot be objectively justified.
- **Harassment** is where there is unwanted behaviour related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity) which has the purpose or effect of violating someone's dignity or which creates a hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

- **Associative discrimination** is where the individual treated less favourably does not have a protected characteristic but is discriminated against because of their association with someone who does (for example the parent of a disabled child).

- **Perceptive discrimination** is where the individual discriminated against or harassed does not have a protected characteristic, but they are perceived to have a protected characteristic.

- **Third-party harassment** occurs where an employee is harassed by third parties such as service users, due to a protected characteristic.

- **Victimisation** is treating someone unfavourably because they have taken some form of action relating to the Equality Act. For example, because they have supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint.

- **Failure to make reasonable adjustments** is where a rule or policy or way of doing things has a worse impact on someone with a protected characteristic compared with someone who does not have that protected characteristic and the employer has failed to make a reasonable adjustment. Whilst the Equality Act refers to reasonable adjustments with regards to disability, it may also be discriminatory to ignore making reasonable adjustments for people with other protected characteristics (for example, to enable someone to respect a religious belief, providing gender neutral toilets, making adjustments for a woman experiencing severe menopausal symptoms etc).

Reasonable adjustments

A 'reasonable adjustment' is a change to remove or reduce the effect of:

- an employee's disability so they can do their job
- a job applicant's disability when applying for a job
- What is reasonable will depend on the circumstances of each case, but adjustments could be to: the workplace (making changes to overcome barriers created by the physical workplace)
- the ways things are done (where the disabled job worker is put at a substantial disadvantage by a provision, criterion or practice).

- Providing extra equipment or getting someone to assist the employee or job applicant

When deciding whether an adjustment is reasonable we will consider:

- how effective the change will be in avoiding the disadvantage the employee would otherwise experience
- its practicality
- the cost
- our resources and size
- the availability of financial support.

The overall aim will be, as far as possible, to remove or reduce any substantial disadvantage faced by a staff member or job applicant which would not be faced by a non-disabled person.

Recruitment

Our recruitment practices aim to attract applicants with the knowledge, skills and experience required for the job role, irrespective of an applicant's background. A diverse staff team supports us to better understand the needs of a diverse range of stakeholders.

We may therefore take positive action to improve our diversity amongst our volunteers or staff. We will also take steps to anonymise applications before shortlisting and we will ask interviewees whether any adjustments are needed to participate in the selection process. These are examples of how we aim for equality within recruitment.

Equal opportunities in employment

We will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy. Person specifications will avoid any unnecessary requirements (those unrelated to effective performance) that may otherwise have deterred applicants.

We will base decisions on objective criteria. We will make reasonable adjustments in recruitment as well as in day-to-day employment.

Service users, suppliers and others

We will not discriminate unlawfully against service users using or seeking to use the services we provide.

If you are bullied or harassed by a service user, suppliers, contractor, visitor or others, or if you witness someone else being bullied of harassed, you are asked to report this to your manager who will take appropriate action.

Training

We will provide information and guidance to those involved in recruitment or other decision making where equal opportunities issues are likely to arise to help them understand their responsibilities and to avoid the risk of discrimination.

Your responsibilities

All staff are responsible for supporting the organisation in meeting its commitment and avoiding unlawful discrimination. If you experience a level or discomfort or disagreement with something that happens when you are at work, you are encouraged to bring it to the attention of a manager or someone in authority.

It is possible that others are not aware or have not considered the impact of their actions, have not understood our policy, or possibly our practices need to be updated.

If you believe that you have been discriminated against you should report this to your line manager or the chief executive under the grievance procedure. If your complaint involves bullying or harassment, the grievance procedure is modified as set out in the dignity at work policy.

We take any complaint seriously and you will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

If you witness what you believe to be discrimination you should report this to your line manager or the chief executive as soon as possible.

Employees can be held personally liable as well as, or instead of, the organisation for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under our disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

Monitoring and review

This policy will be monitored periodically to judge its effectiveness and will be updated in accordance with changes in the law. We will report to the board of trustees on any actions or activities undertaken to improve equality of opportunity.

Any information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the data protection legislation.