



## Equal Opportunities Policy

<b>Review Date</b>	August 2020
<b>Next Review Date</b>	December 2020
<b>Reviewed By:</b>	Head of Programmes
<b>Approved By:</b>	CEO

### Why we have this policy

FoodCycle is committed to ensuring that, as far as is practicable, all employees, casual workers, volunteers, job applicants, guests, prospective Trustees and Trustees and other people we work with are treated with respect and dignity, and are not subjected to unfair or unlawful discrimination.

A key objective of our Equality and Diversity Policy is that we provide a working environment in which current and potential employees feel comfortable and confident that they will be treated fairly and equally, irrespective of age, disability, gender reassignment, pregnancy and maternity, marriage or civil partnership, race, religion or belief, sex or sexual orientation (“protected characteristics” as per the Equality Act 2010) or indeed any other characteristic unrelated to the performance of the job.

The principles of non-discrimination and equality of opportunity also apply to the way in which we treat our guests, visitors, suppliers, partners, stakeholders and former colleagues.

The success of our organisation depends on the people we work with. We recognise that an effective Equality and Diversity Policy will help everyone to develop to their full potential, which is clearly in the best interests of individuals and FoodCycle.

We further recognise the benefits of recruiting volunteers and 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.

This policy covers all aspects of volunteering including advertisements, recruitment and selection, induction, training and development, change management and grievance and disciplinary procedures.

This policy is not contractual but sets out the way in which FoodCycle aims to manage equality and address diversity in the workplace. We reserve the right to vary, replace or terminate it at any time.

### Scope

This policy applies to all employees as well as casual workers, self-employed contractors and volunteers (referred to collectively as “workers” for the purposes of this policy, where relevant).

### 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
- the Enterprise and Regulatory Reform Act 2013
- any Codes of Practice issued by the Equality and Human Rights Commission

plus, any amendments to the above legislation.

## Definitions

Discrimination by or against a worker is generally prohibited unless there is a specific legal exception. Discrimination may occur intentionally or unintentionally, and can take different forms, for example:

- **direct discrimination:** treating an individual with one or more of the protected characteristics less favourably than others
- **indirect discrimination:** unjustified provisions, criterion or practice e.g. our policies, procedures or practices, which are applied to everyone, or groups of people, but have, or will have, the effect of putting those who share a protected characteristic at a particular disadvantage when compared to others
- **harassment:** unwanted conduct linked to a protected characteristic which violates an individual's dignity, or creates an intimidating, hostile, degrading, humiliating or offensive environment for them
- **victimisation:** treating a person less favourably because they have committed a "protected act". "Protected acts" include making or supporting an allegation of discrimination, or giving evidence relating to an allegation of discrimination, or raising a grievance about equality or discrimination.
- **discrimination by association:** an individual is discriminated against because they associate with someone, e.g. a family member, who possesses a protected characteristic
- **discrimination by perception:** an individual is perceived as having a protected characteristic, irrespective of whether or not this perception is correct

On all occasions where those with managerial responsibility for workers are required to make decisions between them, for example disciplinary matters, selection for training, promotion, pay increases, redundancy etc it is essential that merit, experience, skills and temperament are considered as objectively as possible.

## Responsibilities

The Board of Trustees are ultimately responsible for providing leadership and promoting equality of opportunity within the organisation as a whole.

The Chief Executive has delegated responsibility for implementing, monitoring and reviewing this policy.

Managers have a crucial role to play in promoting equality of opportunity in their own areas of responsibility. As employers we are liable for the actions of our workers, and



therefore our managers are responsible for this policy's successful implementation and should take steps to ensure their team understand and follow this policy.

All workers, irrespective of their job or seniority, should familiarise themselves with this policy and be aware of their own responsibility and role in promoting equality of opportunity and not discriminating unfairly or harassing colleagues, job applicants or ex-workers, nor encouraging others to do so or tolerating such behaviour. Any worker who witnesses behaviour or decisions that seem contrary to this policy, or experience it directly, are encouraged to challenge these or raise the issues with their manager.

Workers should be aware that not only is the employer liable for any cases of discrimination or harassment that occur, but individuals also may be held personally liable for their own acts and behaviour.

## **Aims of this policy**

Our aim is to provide a working environment free from harassment, intimidation or discrimination in any form that may affect the dignity of an individual.

Whilst we fully accept all of our responsibilities under the current legislation outlined above, we also aim to go beyond the confines of the law to provide equality of opportunity for all. We aim to:

- recognise that everyone has a right to their distinctive and diverse identities
- ensure that all workers and potential workers are treated fairly and with respect at all stages of their employment
- understand how diversity can improve our ability to provide better services, and therefore have a workforce which generally reflects the guests we serve
- provide services which are responsive to the needs of our guests
- provide all workers with the necessary support, training and development they need to contribute to the organisation's objectives and goals
- provide a supportive, open environment where all workers may use their talents fully, and where our workers and guests are treated fairly and with dignity and respect, in an environment free from harassment and bullying of any description, or any other form of unwanted behaviour.

Learning to work with people's differences, visible or not, enables us to all work together effectively and helps us to anticipate and meet the needs of all of our guests; recruit, retain and develop the best people; act responsibly in the communities of which we are a part and also fulfil our legal commitments.

## **The working environment**

We will take all reasonable steps to ensure that our working environment does not prevent people from taking up positions for which they are suitably qualified. This may include physical adaptations or more flexible ways of working (where appropriate and practical).

## **Recruitment and selection**



We aim to ensure that our recruitment practices are free from unlawful discrimination. Our normal recruitment and selection processes will be adjusted where necessary to ensure applicants with disabilities are not disadvantaged.

Job adverts will normally state: "FoodCycle is an equal opportunity employer and values diversity".

Role descriptions and person specifications will be reviewed to ensure that criteria are not applied which are either directly or indirectly discriminatory and that they do not impose any condition or requirement which cannot be justified by the demands of the post.

Questions asked of volunteers, in particular Project Leaders will relate to information that will help assess their ability to do the role.

All volunteers will be asked optional equal opportunities information, for us to assess and ensure that we offer equally opportunities to all in our volunteer slots.

### **Disability**

We aim to provide a safe working environment for workers with disabilities. We will make reasonable adjustments to the workplace and/or working arrangements for people with disabilities where they cause disadvantage to the person.

If, due to changing circumstances, a volunteer with disabilities is unable to carry out their existing duties, every effort will be made to find suitable alternative role within the organisation, and retraining will be provided as necessary.

Where a volunteer without disabilities becomes disabled during their time at FoodCycle, we will make every effort to facilitate continued your role in their existing position. Where this is not possible, suitable alternative roles will be considered, and we may provide training and support as required.

Whilst we will make every effort to retain volunteers in these circumstances, we cannot make any guarantees about continued volunteer positions.

### **Grievances, disputes and disciplinary procedure**

Volunteers who believe they have been discriminated against should bring this to our attention as soon as possible. In the first instance, volunteers are encouraged to do this informally, but where it has not been possible to resolve this informally, or where the matter is particularly serious, they are advised to use our internal Grievance Procedure. An volunteer who brings a genuine complaint of discrimination must not be victimised or less favourably treated as a result. However, allegations made for malicious reasons or in pursuit of a personal grudge will be managed under the appropriate disciplinary procedures.

Harassment (behaviour that is offensive, frightening or in any way distressing) or bullying will not be tolerated, and any individual who feels that they have been subjected to harassment or bullying should refer to our Dignity at Work Policy. Equally, anyone who witnesses incidents of harassment or bullying should report this to their 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, conduct or behaviour which could be overlooked or condoned in other employees.

### **References**

We can provide volunteers from FoodCycle with references to not discriminate against individuals our references are based on factual information, such as time volunteering with us, recorded hours impact that the volunteering activity has made on the particular Foodcycle project(s), please speak to your Regional Manager if you wish to discuss references.

### **Guest involvement**

We will endeavour to ensure that our services are sensitive and appropriate to the needs of all groups. We undertake to listen to our guests and involve them in the development of services which recognise and value their diversity.

### **Service provision**

We aim to make our services as accessible and responsive as possible to all existing and potential guests and to provide a service to them which recognises and respects their differences.

Anyone who feels they have been denied equality of opportunity whilst in receipt of our services will be encouraged to make their complaint in writing so that their concerns can be investigated and responded to. Workers are expected to make our guests aware of their rights and responsibilities with regards to equality of opportunity and guests should be referred to our Complaints Policy for further information.

We reserve the right to withdraw our services to any guest if that individual behaves in a discriminatory, disruptive or abusive manner to any worker, trustee or other person.

We are committed to meeting the requirements of the Equality Act 2010, and will make every effort to ensure that our services and communications are accessible to people with special requirements, including those with visual, audio, cognitive and/or physical impairments, and those who are unable to communicate effectively in English.

### **External agencies**

In order to ensure that we follow best practice and keep ourselves up to date, we will liaise with appropriate external organisations to help develop a policy of continuous improvement.

### **Implementation**

FoodCycle is committed to monitoring its progress towards diversity by doing the following:

- monitoring the ethnic, gender, age and disability profile of our volunteers to enable us to understand the composition of our workforce in order to identify any areas of inequality
- monitoring applicants for jobs, training and development, grievances, disciplinary hearings, dismissals and other reasons for leaving
- monitoring volunteer opinions and comments through feedback via the regional managers



- performance monitoring through guest feedback, surveys and proper investigation of any guests complaints

Relevant data will be collected to support this policy. 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 Head of Programmes.