



Equality and Diversity Policy

Last Review Date	January 2024
Next Review Date	January 2025
Reviewed by	CEO
Approved by	Trustees

Policy statement

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 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.

This policy covers all aspects of employment including advertisements, recruitment and selection, induction, pay, conditions of service, 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, job applicants, Trustees, prospective trustees, guests 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).

Terms and conditions of employment

Our employment policies and procedures will be reviewed regularly to improve, amend or adapt current practices to promote equality of opportunity within FoodCycle, and to remove barriers experienced by members of disadvantaged social groups in seeking employment with us, and working and progressing with us.

We will ensure that all of our employment policies including compensation, benefits and any other relevant issues associated with terms and conditions of employment, are formulated and applied without regard to age, disability, gender reassignment, pregnancy and maternity, marriage or civil partnership, race, religion or belief, sex or sexual orientation.

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.

Employees will not be subjected to any detriment if they wish to join our pension scheme, nor will they be offered any inducement not to do so.

Recruitment and selection

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

We aim to ensure that our recruitment practices are free from unlawful discrimination. We will make reasonable adjustments to our recruitment and selection processes to ensure applicants with disabilities are not disadvantaged

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

Job 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. Shortlisting and interviewing will be carried out by more than one person, to minimise the risk of conscious or unconscious bias.

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

'Information from candidates' social media profiles will not be used to make decisions on whether to interview or hire them, as using this information might lead to a presumption that an applicant's protected characteristics, such as religious beliefs or sexual orientation, played a part in a recruitment decision.

Questions asked of candidates will relate to information that will help assess their ability to do the job. Questions about marriage plans, family intentions, religious or political beliefs, caring responsibilities, intention to join our pension scheme or to opt out, or about 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, measuring an individual's actual, or inherent, ability to do or train for the job.

Training and development

We recognise that our ability to meet the diverse needs of our guests is improved by having a workforce which has the skills and understanding to achieve our objectives. All workers will be encouraged to discuss their career prospects and training needs with their manager. We are committed to ensuring that, wherever possible, all workers receive the widest possible range of development opportunities for advancement in line with the needs of FoodCycle.

Ongoing training and development opportunities will be provided to raise awareness and understanding of equality and diversity issues, and how these impact on FoodCycle and individuals.

The provision of training will be reviewed to ensure that provisions are made where necessary to enable part-time workers, or those returning to work following a break to benefit from training.

Flexibility

We recognise the benefits of enabling our workers to balance their work and private life. We will consider any requests for flexible working in a way which aims to balance the needs of the individual whilst maintaining a high quality service to our guests and the communities of which we are a part.

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, an employee with disabilities is unable to carry out their existing duties, every effort will be made to find suitable alternative employment within the organisation, and retraining will be provided as necessary.

Where an employee without disabilities becomes disabled during their employment, we will make every effort to facilitate continued employment in their existing job. Where this is not possible, suitable alternative employment will be considered, and we may provide training and support as required.

Whilst we will make every effort to retain employees in these circumstances, we cannot make any guarantees about continued employment.

Grievances, disputes and disciplinary procedure

Employees who believe they have been discriminated against should bring this to our attention as soon as possible. In the first instance, employees 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 employee 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 will not discriminate against individuals who have left FoodCycle by providing references that are based on factual information only.

Retirement

We have no fixed retirement age and employees who wish to work beyond State Pension Age may choose to do so.

Involvement

We will take appropriate steps to encourage the participation of all workers to ensure that, wherever possible, our employment practices recognise and meet their needs. We will involve our workers in determining what can be done to make sure they develop and use their abilities at work.

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.

Data protection

FoodCycle processes personal data collected during informal discussions as well as the formal bullying and harassment procedure in accordance with our Data Protection Policy. Data collected as part of informal discussions and/or the formal procedure is held securely and accessed by, and disclosed to, individuals only for the purposes of responding to the complaints or conducting the bullying and harassment procedure.

Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with our Data Protection Policy immediately. It may also constitute a disciplinary offence, which will be dealt with under our Disciplinary and Capability Procedure.

Communication of this policy

All workers will be made aware of this policy on joining us.

In addition, workers will be reminded of the policy through such means as advertisements, job descriptions, application forms, posters, training courses and memos.

Implementation, monitoring and review of this policy

It will be reviewed on a regular basis annually following its implementation and may be changed from time to time.

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

- monitoring the ethnic, gender, age and disability profile of our employees 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 employee opinions and comments through feedback via the performance review system

- 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 line manager.