

EQUAL OPPORTUNITIES AND DIGNITY AT WORK POLICY

Policy Statement

Social Enterprise Kent CIC (“the company”) is an equal opportunity employer and is fully committed to a policy of treating all of its employees, volunteers and job applicants equally. Social Enterprise Kent CIC will avoid unlawful discrimination in all aspects of employment including recruitment and selection, promotion, transfer, opportunities for training, pay and benefits, other terms of employment, discipline, selection for redundancy and dismissal.

Social Enterprise Kent CIC will take all reasonable steps to employ, train and promote employees on the basis of their experience, abilities and qualifications without regard to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality and ethnic or national origins), religion or belief, sex or sexual orientation. In this policy, these are known as the “protected characteristics”.

Social Enterprise Kent CIC will also take all reasonable steps to provide a work environment in which all employees and volunteers are treated with respect and dignity and that is free from harassment and bullying based upon age, disability, gender reassignment, race (including colour, nationality and ethnic or national origins), religion or belief, sex or sexual orientation. In this policy, these are known as the “anti-harassment protected characteristics”. All employees and volunteers are responsible for conducting themselves in accordance with this policy. Social Enterprise Kent CIC will not condone or tolerate any form of harassment, whether engaged in by employees, volunteers or by outside third parties who do business with Social Enterprise Kent CIC, such as clients, customers, contractors and suppliers.

This policy should be read in conjunction with the Company policy on Harassment & Bullying.

GUIDANCE

Definition

Discrimination is unequal treatment of an individual because of their membership of a particular class or group, such as sex or race.

Discrimination may be subtle and unconscious. It may not be easy to identify. For example, discrimination sometimes results from general assumptions about the capabilities, characteristics and interests of particular groups or individuals, which are allowed to influence the treatment of staff or job applicants.

Responsibilities of all Employees and Volunteers

Employees and volunteers have a duty to co-operate with Social Enterprise Kent CIC to make sure that this policy is effective in ensuring equal opportunities and in preventing discrimination. Action will be taken under Social Enterprise Kent CIC’s disciplinary procedure against any employee who is found to have committed an act of improper or unlawful discrimination. Serious breaches of this equal opportunities and dignity at work statement will be treated as potential gross misconduct and could render the employee liable to summary dismissal. Employees and volunteers should also bear in mind that they can be held personally liable for any act of unlawful discrimination. Employees who commit serious acts of discrimination may also be guilty of a criminal offence.

You should draw the attention of your line manager to suspected discriminatory acts or practices. You must not victimise or retaliate against an employee or third party who has made allegations or complaints of discrimination or who has provided information about such discrimination. Such behaviour will be treated as potential gross misconduct in accordance with Social Enterprise Kent CIC's disciplinary procedure. You should support colleagues who suffer such treatment and are making a complaint.

Social Enterprise Kent CIC will also take appropriate action against any third parties who are found to have committed an act of improper or unlawful discrimination against its employees.

Recruitment, Advertising and Selection

The recruitment process will be conducted in such a way as to result in the selection of the most suitable person for the job in terms of relevant experience, abilities and qualifications. Social Enterprise Kent CIC is committed to applying its equal opportunities policy statement at all stages of recruitment and selection.

Advertisements will aim to positively encourage applications from all suitably qualified and experienced people. When advertising job vacancies, in order to attract applications from all sections of the community, Social Enterprise Kent CIC will, as far as reasonably practicable:

1. Ensure advertisements are not confined to those areas or publications which would exclude or disproportionately reduce the numbers of applicants with a particular protected characteristic.
2. Avoid setting any unnecessary provisions or criteria which would exclude a higher proportion of applicants with a particular protected characteristic.
3. Where vacancies may be filled by promotion or transfer, they will be published to all eligible employees in such a way that they do not restrict applications from employees with a particular protected characteristic.

However, where, having regard to the nature and context of the work, having a particular protected characteristic is an occupational requirement and that occupational requirement is a proportionate means of achieving a legitimate aim, Social Enterprise Kent CIC will apply that requirement to the job role and this may therefore be specified in the advertisement.

The selection process will be carried out consistently for all jobs at all levels. All applications will be processed in the same way. The staff responsible for short-listing, interviewing and selecting candidates will be clearly informed of the selection criteria and of the need for their consistent application. Person specifications and job descriptions will be limited to those requirements that are necessary for the effective performance of the job. Wherever possible, all applicants will be interviewed by at least two interviewers and all questions asked of the applicants will relate to the requirements of the job. The selection of new staff will be based on the job requirements and the individual's suitability and ability to do, or to train for, the job in question.

With disabled job applicants, Social Enterprise Kent CIC will have regard to its duty to make reasonable adjustments to work provisions, criteria and practices or to physical features of work premises or to provide auxiliary aids or services in order to ensure that the disabled person is not placed at a substantial disadvantage in comparison with persons who are not disabled.

If it is necessary to assess whether personal circumstances will affect the performance of the job (for example, if the job involves unsociable hours or extensive travel), this will be discussed objectively, without detailed questions based on assumptions about any of the protected characteristics.

Training and Promotion

Social Enterprise Kent CIC will train all line managers on this policy on equal opportunities and in helping them identify and deal effectively with discriminatory acts or practices. Line managers will be responsible for ensuring they actively promote equal opportunity within the departments for which they are responsible.

Social Enterprise Kent CIC will also provide training to all employees to help them understand their rights and responsibilities in relation to equal opportunities and dignity at work and what they can do to create a work environment that is free from discrimination.

Where a promotional system is in operation, it will not be discriminatory and it will be checked from time to time to assess how it is working in practice. When a group of workers who predominantly have a particular protected characteristic appear to be excluded from access to promotion, transfer and training and to other benefits, the promotional system will be reviewed to ensure there is no unlawful discrimination.

Terms of Employment, Benefits, Facilities and Services

All terms of employment, benefits, facilities and service will be reviewed from time to time, in order to ensure that there is no unlawful direct or indirect discrimination because of one or more of the protected characteristics.

Equal Pay

Social Enterprise Kent CIC is committed to equal pay in employment. It believes its male and female employees should receive equal pay for like work, work rated as equivalent or work of equal value. In order to achieve this, Social Enterprise Kent CIC will endeavour to maintain a pay system that is transparent, free from bias and based on objective criteria.

Monitoring Equal Opportunity and Dignity at Work

Social Enterprise Kent CIC will regularly monitor the effects of selection decisions and personnel and pay practices and procedures in order to assess whether equal opportunity and dignity at work are being achieved. This will also involve considering any possible indirectly discriminatory effects of its working practices. If changes are required, Social Enterprise Kent CIC will implement them. Social Enterprise Kent CIC will also make reasonable adjustments to its standard working practices to overcome substantial disadvantages caused by disability.

PROCEDURE

Complaints Procedure

All allegations of discrimination will be dealt with seriously, confidentially and speedily. Social Enterprise Kent CIC will not ignore or treat lightly grievances or complaints of discrimination from employees, volunteers or members of the public.

Social Enterprise Kent CIC encourages employees and volunteers who believe they are being discriminated against to notify the offender, for example by explaining to their colleagues if their conduct or comments are offensive to them. Social Enterprise Kent CIC also recognises that actual or perceived power and status disparities may make such notification impractical. In the event that such informal direct communication is either

ineffective or impractical, or the situation is too serious to be dealt with informally, you should follow the procedure set out below.

If you wish to make a complaint about discrimination, whether against a fellow employee or a third party, such as a client, customer, contractor or supplier, you should follow the following steps:

1. First of all, report the incident to your line manager. If you do not wish to speak to your line manager, you can instead speak to an alternative manager or a director.
2. Such reports should be made promptly so that investigation may proceed and any action taken expeditiously.
3. All allegations of discrimination will be taken seriously. The allegation will be promptly investigated and, as part of the investigatory process, you will be interviewed and asked to provide a written witness statement setting out the details of your complaint. Confidentiality will be maintained during the investigatory process to the extent that this is practical and appropriate in the circumstances. However, in order to effectively investigate an allegation, Social Enterprise Kent CIC must be able to determine the scope of the investigation and the individuals who should be informed of or interviewed about the allegation. For example, the identity of the complainant and the nature of the allegations must be revealed to the alleged individual so that he or she is able to fairly respond to the allegations. Social Enterprise Kent CIC reserves the right to arrange for another manager to conduct the investigation other than the manager with whom you raised the matter.
4. Once the investigation has been completed, you will be informed in writing of the outcome and Social Enterprise Kent CIC's conclusions and decision as soon as possible. The Company is committed to taking appropriate action with respect to all complaints of discrimination which are upheld. If appropriate, disciplinary proceedings will be brought against the alleged individual.
5. You will not be penalised for raising a complaint, even if it is not upheld, unless your complaint was both untrue and made in bad faith.
6. If your complaint is upheld and the individual accused of discrimination remains in Social Enterprise Kent CIC's employment, Social Enterprise Kent CIC will take all reasonable steps to ensure that you do not have to continue working alongside him or her if you do not wish to do so. Social Enterprise Kent CIC will discuss the options with you.
7. If your complaint is not upheld, arrangements will be made for you and the alleged individual to continue or resume working and to repair working relationships.
8. Alternatively, you may, if you wish, use the Company's grievance procedure to make a complaint of discrimination.

Any employee who is found to have discriminated against another employee, supplier, customer or others in violation of this policy will be subject to disciplinary action under the Company's disciplinary procedure. Such behaviour may be treated as gross misconduct and could render the employee liable to summary dismissal. In addition, line managers who had knowledge that such discrimination had occurred in their departments but who had taken no action to eliminate it may also be subject to disciplinary action under Social Enterprise Kent CIC's disciplinary procedure.

Equality Data Collection and Monitoring

Although there is no legal duty to collect monitoring information against individual protected characteristics, in order to demonstrate due regard to the aims of the general equality duty held by public bodies, Social Enterprise Kent may collect equality data upon which to measure its equality and diversity profile.

Equality monitoring relates to one or more of the nine protected characteristics established by the 2010 Equality Act: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation and if monitored properly, particularly in relation to recruitment, can help the organisation to better balance its workforce and develop fair opportunities for all. Equality monitoring for staff will also assist Social Enterprise Kent to identify and address any inequalities in the application of employment practices.

Social Enterprise Kent will keep all collected equality data pertaining to individuals confidential and securely stored whilst awaiting periodic analysis in line with the above aims, after which it will be destroyed.

Last reviewed: May 2018
Next review date: May 2019

Signed:

A handwritten signature in blue ink, appearing to read 'Claudia Sykes', is written over a light blue horizontal line.

Claudia Sykes (Chief Executive Officer)