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**“Working to Empower the Community”  
in Lancashire and Cumbria**

**Pamela Beswick - Chief Executive Officer**

Community  
Legal Service



Help Point

## **EQUAL OPPORTUNITIES POLICY**

### **BACKGROUND**

This Equal Opportunities Policy is based on the Equal Opportunities Statement and NACVS Statement of Values formally adopted by the Executive Committee of Lancaster District Council for Voluntary Service 12 July 1995 with alterations dated 11 February 1997. At this meeting, it was also agreed that the content of the "Declaration of Intent on Racism" (February 1988) be incorporated in the Equal Opportunities Policy.

### **EQUAL OPPORTUNITIES STATEMENT**

#### **Preamble**

- 1) **Signposts** believes that all individuals should be able:
  - To have the opportunity to participate in the life of their community as fully as they wish, and to their full potential;
  - To access the services they need in order to be able to do this.
- 2) However, it recognises that this is far from being the case and that, for a great variety of reasons, an individual's opportunities to participate in their community may be restricted.
- 3) These restrictions may come about because of social attitudes; poverty; where someone lives or is educated; the ways in which services and organisations are planned; specific legislation, etc.
- 4) The following headings give some indication of the variety of people who experience restricted opportunities:
  - People who have a physical or learning disability;
  - People who have a sensory impairment;
  - People who have a physical or mental health problem;
  - People who are young, including children;
  - People who are old;
  - Women;
  - People who are gay and bisexual and transexual,
  - People who are unemployed;
  - People who hold particular religious beliefs;
  - People from black and other minority ethnic communities;
  - People who live in particularly isolated communities...

This is not an exhaustive list

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- 5) Signposts is committed to ensuring, as much as it can, that it does not limit people's opportunities by how it is structured as an organisation or by how it carries out its work.
- 6) Signposts is committed to choosing to do work which opens up opportunities for those with the greatest restrictions placed upon them.
- 7) It is also committed to using its influence with other organisations in order both to increase the opportunities of individuals and to challenge anything which would limit opportunity.

## **NACVS STATEMENT OF VALUES**

- 1) Signposts recognises that the United Kingdom is a society diverse in race, culture and beliefs. Signposts believes that no person should suffer oppression or lack of opportunity based on race, gender, believe, sexuality, disability, age, class, or geographical location.
- 2) Signposts believes that priority should be given to working with people whose full participation in society is limited by economic, political and social disadvantage.
- 3) Signposts further believes:
  - a) That the role of Signposts is to affirm and enable all people to collectively play an active part in their community.
  - b) That all people have equal rights to work towards social justice and to participate in decision-making processes and local action.
  - c) In working towards a just and participatory society.
- 4) Signposts is committed to challenging oppression and inequality.

Signposts will positively promote its core values in all areas of its work and structure.

## **SECTION 2**

Section 2 is intended to provide guidelines for all those involved in Signposts – members, Board of Directors, staff and volunteers; and for all those who use its services. We intend our Equal Opportunities Policy to be of benefit to individuals, Signposts, other organisations and the wider community.

In drafting it, we have drawn upon examples of good practice from other organisations.

We intend this document to:

- be a useful working reference manual;
- be specific enough to be useful without being impossibly detailed;
- allow space for further developments of the policy in the future;
- be written in a way that makes the policy itself accessible.

## **Contents**

1. Members
2. Board of Directors
3. Providing services
4. Access
5. Publicity
6. Recruiting and employing staff
7. Volunteers
8. Implementing and monitoring

### **1. Members**

*We will..*

- 1.1) annually monitor the composition of the membership and encourage under-represented groups to become members

- 1.2) ensure that a copy of the Signposts Equal Opportunities Statement is widely available.

## **2. Board of Directors**

*We will..*

- 2.1) annually monitor the composition of the Board (we will do this in advance of the annual process of nominations to the Board) and if necessary encourage under-represented groups to make nominations to the committee;
- 2.2) where necessary co-opt individuals from under-represented groups on to the Board;
- 2.3) consider providing support from an experienced committee member to help any new Board who is unfamiliar with committees or Signposts to settle in;
- 2.4) ensure that all Board know that expenses are available and ensure that they are paid promptly;
- 2.5) consider issues of access relevant to the Board (see Access).

## **3. Providing Services**

*Signposts aims to provide services to all sections of the community. We are working towards creating a welcoming and inclusive atmosphere. We will positively encourage and assist disadvantaged and under-represented groups to use our services.*

*We will, where appropriate:*

- 3.1) consult with special interest groups to find out needs,
- 3.2) provide special sessions to encourage involvement by those people who do not normally use our services;
- 3.3) develop ways to encourage under-represented users to contribute to our policy-making and provide feedback on how our practice is working;
- 3.4) ensure when planning a new piece of work that it considers the needs of under-represented groups;
- 3.5) monitor our work regularly in relation to equal opportunities.

## **4. Access**

*We aim to make our service provision as accessible as possible. On our own premises, or where we are holding meetings or other events, we will aim to ensure that we:*

- 4.1) consider how our environment affects people physically and emotionally;
- 4.2) create a friendly and welcoming atmosphere for all disadvantaged groups;
- 4.3) take into account people's:
  - dependent and childcare responsibilities;
  - different religious and cultural needs;
  - different sexual orientations;
- 4.4) take into account issues of safety, timings of meetings, and single sex provision,
- 4.5) take into account dates of major religious festivals;
- 4.6) have disabled access and toilets;
- 4.7) are as convenient as possible for public transport.
- 4.8) if necessary make available volunteer drivers to bring people to meetings.
- 4.9) are working towards having our equipment usable by people with disabilities,
- 4.10) provide seating at different levels;
- 4.11) where appropriate provide crèche or childcare facilities;
- 4.12) cater for special diets;
- 4.13) provide information where necessary on tape/in Braille/in large print/in translation;
- 4.14) make available signers, induction loop systems or translators if required;
- 4.15) provide materials in appropriate forms for people with learning difficulties;
- 4.16) use colour contrast on literature and signs for people with visual impairments.

## **5. Publicity**

*We will check that in our publicity we:*

- 5.1) use positive images and pictures of a wide range of groups;
- 5.2) avoid jargon and use clear, direct language,
- 5.3) are careful to avoid creating false expectations;
- 5.4) where appropriate distribute publicity on tape/in Braille/in large print/in translation;
- 5.5) aim to reach all sections of the community by advertising in a wide range of appropriate publications and locations;
- 5.6) target particular groups where appropriate;
- 5.7) where necessary visit under-represented groups to tell them about our work.

## **6. Recruiting and employing staff**

*Signposts recruits on the basis of best candidate for the job, irrespective of race, gender, religion, sexuality, disability, age, class or geographical location. Signposts will follow all legal requirements when recruiting and employing staff and also undertakes to follow current good practice.*

*We will.-*

- 6.1) ensure that all those involved in the recruitment and selection of staff are aware of the Equal Opportunities Policy and have received training in how to implement it;
- 6.2) ensure that the interview panel is involved at all stage of the recruitment process;
- 6.3) consider putting adverts in a wide range of publications and locations, especially those where minority interest groups are likely to see them;
- 6.4) signal that Signposts is aiming to become an equal opportunities employer;
- 6.5) consider all jobs for their suitability for job share/flexi-time/part-time term-time working and indicate this in adverts;
- 6.6) consider ways and means of employing disabled people;
- 6.7) use clear language and avoid jargon in all adverts, application forms, job descriptions and person specifications;
- 6.8) use standard application forms and ask only for information relevant to the post to be filled;
- 6.9) write and review job descriptions and person specifications to ensure that they are accurate and fair;
- 6.10) send to all applicants for the post: a job description; a person specification; details of the main conditions of service; a standard application form and monitoring form; the Equal Opportunities Statement (also stating that the full policy is available on request);
- 6.11) base our short listing solely on the job description and person specification and use an agreed scoring system;
- 6.12) ensure the interview panel agrees a structure and common set of questions for the interview;
- 6.13) ensure that questions asked are fair and non-discriminatory with reference to current guidelines on good practice;
- 6.14) make a selection based solely on the candidates performance in relation to the job description and person specification;
- 6.15) consider the needs of any candidate with a disability and if necessary seek advice (eg Disablement Advisory Service);
- 6.16) provide unsuccessful candidates with feedback on why they were not selected;
- 6.17) provide all staff with a copy of their contract and conditions of employment;
- 6.18) consider sympathetically the needs of staff who have childcare or other caring responsibilities, who are pregnant or about to become parents, or who have medical needs,
- 6.19) take disciplinary action against staff (or volunteers) who use discriminatory behaviour;

- 6.20) make available a grievance procedure to any member of staff (or volunteer) who considers themselves to have been discriminated against.

## **7 Volunteers**

*Signposts intends to create a welcoming environment in which all members of the Community will feel encouraged to volunteer We intend to follow good practice in our policy for volunteers.*

*We will:*

- 7.1) consider what steps can be taken to attract and support volunteers from under-represented groups;
- 7.2) ensure our volunteer work descriptions are clear and avoid creating barriers for people from under-represented groups;
- 7.3) ensure our terms and conditions - insurance, expenses, complaints - are fair and are communicated to volunteers;
- 7.4) consider how far we can support people with special needs;

## **8 Implementing and monitoring**

*Signposts regards the implementation of its Equal opportunities Policy as a continuing process. The Board of Directors is responsible for implementing and monitoring the Policy, but will delegate this job to the Chief Executive.*

*We will..*

- 8.1) make sure all staff and members of the Board have a copy of the policy, which will also be made known to members, volunteers, potential job applicants and service users,
- 8.2) provide training and guidance to ensure that all staff, Board and volunteers understand their responsibilities under the policy;
- 8.3) examine all our procedures, services and work practices, identify areas where improvements can be made and draw up plans to implement them;
- 8.4) ensure that the wording of the policy is considered by the Board annually.

## **Appendix: Relevant Legislation**

The relevant anti-discrimination legislation comprises:

- Equal Pay Act (1970)
- Sex Discrimination Act (1975 & 1986)
- The Human Rights Act (1998)
- The Race Relation Amendment Act (2000)
- Religion and Belief Legislation ( workplace 2003 + goods and services 2007)
- Sexual Orientation Legislation (workplace 2003 + goods and services 2007)
- Gender Recognition Act (2004)
- Civil Partnership Act (2004)
- The Disability Discrimination Act (1995 & 2005)
- The Equality Act (2006) and Gender Equality Duty (2007)
- Age Regulations (1976 & 2006)

These state that it is illegal to discriminate against people because of their sex or (for employment purposes) their marital status, or because of their race, colour, ethnic origin, nationality (including citizenship), national origin, or disability. The Acts cover both direct discrimination - treating someone less favourably because of their race, sex, marital status or disability - and indirect discrimination - applying a condition which puts a racial group, one sex, married, or disabled people at a disadvantage.

## **Appendix: Procedure For Dealing With Complaints Of Sexual, Racial And Other Forms Of Harassment**

### **1. Purpose**

The purpose of this procedure at employee, management and committee level is to allow for complaints to be properly considered, for conclusions to be reached and, where necessary, to provide for action to be taken to remedy an unsatisfactory situation / improve future working practices. If, at any time during the process / investigation the chief officer is satisfied that harassment has taken place, action will be taken in accordance with the appropriate Disciplinary procedure. When a Disciplinary procedure is invoked, action under the Equal Opportunity Complaints Procedure will cease and appropriate action will be taken solely within the Disciplinary Procedure.

### **2. Scope of the procedure**

This procedure is complementary to the Equal Opportunities Complaints Procedure and is established in recognition of the special nature of harassment

Complaints and in particular the need for such complaints to be dealt with in as sensitive a manner as possible and in confidence. It supersedes existing Grievance Procedures in relation to complaints of sexual, racial and other forms of harassment.

### **3. What is harassment**

- 4.1 Sexual Harassment is conduct of a sexual nature or other conduct based on sex affecting the dignity of women and men. It is any unwanted sexual attention, advances, propositions, physical and verbal sexual approaches which are either deliberate, unwanted, unreasonable or offensive to the recipient.

Examples of sexual harassment may include verbal threats or abuse, sexual mockery or innuendo, lewd behaviour and conversation (not necessarily directed at the victim), unacceptable touching, sexual assault, suggestions that sexual favours are a condition of retention of jobs, promotion etc. and the display of sexually offensive material in the workplace.

- 4.2 Racial Harassment is conduct of a racial nature, which affects the dignity of individuals (as defined by their racial origins). It includes any comments, including 'jokes', of a racial nature (not necessarily directed at the victim), which are deliberate and unwelcome. Threats, abuse, mockery together with any form of assault are more serious manifestations of the same problem. The display of racially offensive material in the workplace is equally unacceptable.
- 4.3 other Harassment, which affects the dignity of individuals, can include any form of unreasonable behaviour directed towards any employee or non-employee which might relate to disability, age, sexual orientation, religion, etc.
- 4.4 All forms of harassment can lower morale, undermine job security, interfere with job performance, cause loss of work time due to sick leave and/or creates a threatening intimidatory or humiliating working environment.

Harassment can also lead to successful claims of: -

Sex Discrimination under the Sex Discrimination Act

Racial Discrimination under the Race Relations Act

Constructive/Unfair Dismissal under the Employment Protection (Consolidation) Act

And in appropriate cases can also be the subject of criminal prosecution.

## **THE PROCEDURE**

4. Throughout this procedure both the complaints and the person(s) complained against have a right to representation at any stage, either by their trade union representative or departmental representative/ counsellor or a friend.

### **Informal Action**

- 5.1 Wherever possible the employees(s) should make it clear that the behaviour is unwelcome and ask the harasser to stop.
- 5.2 If it is too difficult or embarrassing for the individual to do so, the initial approach may be made by a colleague, welfare officer, trade union representative etc.
- 5.3 The matter may also be mutually and informally resolved at local management level where this is considered to be a practical and appropriate option.

It is advised that a written record of any informal approach be kept.

If the complainant considers that an informal approach is not appropriate or that having taken it the behaviour complained of persists, formal action should be taken as follows.

### **Formal Action**

Complaints relating to the policy should be done through Signposts Complaints Procedure (full version found on the web site [www.signposts.org.uk](http://www.signposts.org.uk) ) which is:-

By written letter to the Signposts' Chief Executive (or the Signposts Chairperson if this is not appropriate) at the address above. The following procedure will then operate:

1. The complaint will be acknowledged in writing (normally within 7 days of receipt)
2. The Signposts Chief Executive or Chairperson (as appropriate) will investigate the circumstances which have led to the complaint
3. The results of this investigation will be communicated to the complainant in writing within 21 days ( a holding letter will be sent if this is not possible, giving a revised timescale).
4. If the complainant is dissatisfied with the results of the investigation, they have the right to present their complaint in person to the Executive Committee of Signposts.
5. Where appropriate, Signposts shall give a written apology (signed by the Chairperson) to the complainant

Signposts will keep a record of all verbal and written complaints and the Executive Committee of Signposts will kept informed of the number, nature and resolution of complaints on a regular basis (at least quarterly)

## **NOTES TO THE PROCEDURE**

### **Information**

- N.1 The person against whom the complaint has been made should be made aware of the nature of the complaints against him/her, by an appropriate officer of the Department.

### **The Investigation**

- N.2 In cases of alleged sexual harassment the investigation will be carried out jointly by a female and male officer, at an appropriate level of seniority.
- N.3 In cases of alleged racial harassment, it is advisable to follow a similar principle, i.e. consideration should be given as to whether there is an appropriate officer of a suitable racial group.
- N.4 Consideration can be given as to whether the investigating team should be officers who are not associated with the line management structure of the office, establishment or section in which the complainant works. Investigators who are also the complainant's or the alleged harasser's line manager may find difficulty in continuing to provide the complaint or the alleged harasser with managerial support, whilst maintaining a detached impartiality when investigating the complaint.
- N.5 Investigating officers must be available to conduct the investigation within the timescale laid down within the procedure.
- N.6 The parties may on occasion and by mutual agreement modify the time limits referred to in the procedure. In other cases of difficulty caused by leave, sickness or other exceptional circumstances the time limits may also be extended in consultation with the Chief Executive/Clerk; in such an eventuality the officer responsible for responding to the complaint should ensure that the complainants are fully informed as to the reasons for the delay and ensure that any concerns arising from this are addressed.

### **Support and Confidentiality**

- N.7 Because of the sensitive nature of harassment complaints, care must be taken to ensure that the conduct of the investigation does not cause unnecessary stress to all involved i.e. complainant, the alleged harasser, witnesses etc. and strict confidentiality must be maintained.
- N.8 For the duration of the complaint and any subsequent disciplinary action it is important that an appropriate line manager ensures that the complainant and, if necessary, the alleged harasser, are kept informed about the progress of the complaint. Victims of harassment and the alleged harasser as well as witnesses, work colleagues etc., may experience feelings of stress and alienation and it is important that they have access to counselling and support as necessary.

N.9 It is emphasised that both the complainant and the alleged harasser have a right to representation at any stage as set out in the Paragraph 5 of the Procedure.

### **Consultation**

N.10 The consultation at this stage is to ensure that all points raised by the complainant have been addressed, that any legal or policy implications arising from the complaint have been considered and a general discussion about the conclusions of the investigation and its implications can take place.

### **The Report**

N.11 The investigation report should set out a response to the complaint and should also summarise the investigating team's view as to whether the allegations are substantiated or not, in a sufficiently clear form for the Chief Officer to decide whether to initiate disciplinary action.

N.12 Officers who conduct the investigations should not recommend or take further responsibility for subsequent disciplinary action. Any further action on their part should be confined to giving evidence based on their report.

### **The Decision**

N.13 In considering the views of the Investigating Team the Chief Officer should bear in mind the principle established at Industrial Tribunal (e.g. Bracebridge Engineering Limited v Derby) that a conclusion should be reached on the balance of probability as to whether harassment took place. This is a lesser standard of proof than is required in other situations where corroborative evidence is required.

N.14 The purpose of the meeting will be for explanation, clarification and/or conciliation.

N.15 If the complainant is not satisfied a letter detailing points of disagreement/concerns should be sent to the Chief/Executives/Clerk and/or Chief officer within 15 working days. Where such a reply is not received and subject to consideration of any further explanation as to the delay being made, it will normally be assumed that the complainant is satisfied.

### **General**

N.16 The procedure may, by agreement of the parties concerned, be used where more than one individual has the same complaint for settling a common complaint.

N.17 The Chief Executive/Clerk reserves the right to refuse to register a formal complaint, e.g. circumstances where details of the case are submitted more than three months after the time where the complainant might reasonably come to suspect that he/she has been unfairly treated.

N.18 A non-employee making a complaint will not normally have the assistance of a trade union officer or other person. It is, therefore, the duty of the officer dealing with the complaint, whether orally or in writing, to ensure that he/she is aware of the existence of a set procedure and the options for taking the matter further if not satisfied.

N.19 These arrangements will not detract from a complainant's right to take action under the relevant legislation

Or to seek advice from: -

Equal Opportunities Commission

Commission for Racial Equality

Disablement Advisory/Service

Or to seek advice on possible criminal proceedings.

It should be noted that referral to an Industrial Tribunal carried with it, agreement of the parties involved, the possibility of conciliation via the Advisory Conciliation and Arbitration Services (ACAS).

**Signposts** acknowledges the assistance of **Lancaster & District Council for Voluntary Service** in the preparation of this policy.

### **Chief Executive**

Revised August 2009 (and should be read in conjunction with the Signposts Staff Handbook and advice from Peninsula)