

EQUALITY AND DIVERSITY POLICY

Policy statement

Energize is committed to becoming an equal opportunity employer and to ensuring that all employees, volunteers (referred to collectively as “workers”), job applicants and prospective Trustees, Trustees, service users and other people with whom we deal are treated fairly and are not subjected to unfair or unlawful discrimination.

Energize values the diversity of our workers, Trustees and service users. We aim to make our services as accessible and responsive as possible to all existing and potential service users, and to provide a service to them which recognises and respects their differences. We recognise that our ability to meet their needs is improved by having a diverse workforce and a Board of Trustees which generally reflects our service users. We also wish to provide the best opportunities to all of our workers, based on their abilities and potential.

This policy covers all aspects of employment including advertisements, recruitment and selection, induction, pay, conditions of service, change management, promotions, grievance and disciplinary procedures, training and development and performance assessment. It applies also to relationships with suppliers and contractors as well as to potential workers.

Our policy is designed to ensure that current and potential workers are offered the same opportunities regardless of sex, race, disability, sexual orientation, religion or belief, age, marital status or civil partnership, pregnancy/maternity, gender reassignment (together the “Protected Characteristics”) or any other characteristic unrelated to the performance of the job. We seek to ensure that no one suffers, either directly or indirectly, as a result of unlawful discrimination. This extends beyond the individual's own characteristics, to cover discrimination by association and by perception.

We recognise that an effective Equality and Diversity Policy will help all workers to develop to their full potential, which is clearly in the best interests of both workers and our

organisation. We aim to ensure that we not only observe the relevant legislation but also do whatever is necessary to provide genuine equality of opportunity.

We further recognise the benefits of recruiting Trustees and workers from a range of backgrounds, as this creates a Board and 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 Board and workforce that reflects this.

We expect everyone who works for us to be treated and to treat others with respect. Our aim is to provide a working environment free from harassment, intimidation, or discrimination in any form that may affect the dignity of the individual.

This policy is not contractual, but aims to set out the way in which Energize aims to manage equal opportunity and address diversity in the workplace.

This policy applies to all workers and Trustees, who are required to understand and follow this policy.

Legal considerations

Energize is required by law not to unlawfully discriminate against its Stakeholders and recognises its legal obligations under, and will abide by the requirements of, the Equality Act 2010 and any equivalent legislation (as amended) in any jurisdiction, Jersey, Guernsey or the Isle of Man and any later amendments to such legislation or subsequent equality related legislation that may be relevant to Energize. Energize will seek advice each time this Policy is reviewed to ensure it continues to reflect the current legal framework and good practice.

Energize recognises the following as being unacceptable:

Unlawful discrimination may be direct or indirect, and can take different forms, for example:

- treating any individual less favourably than others on grounds of a protected characteristic (sex, race, disability, sexual orientation, religion or belief, age, marital status or civil partnership, pregnancy/maternity or gender reassignment)

- expecting a person, solely on the grounds stated above, to comply with requirements that are different to the requirements for others, for any reason whatsoever
- imposing on an individual requirements that are in effect more onerous than they are on others. This would include applying a condition (which is not warranted by the requirements of the position) which makes it more difficult for members of a particular group to comply than others not of that group
- harassment i.e. unwanted conduct which has "the purpose, intentionally or unintentionally, of violating dignity, or which creates an intimidating, hostile, degrading, humiliating or offensive environment" for the individual
- victimisation – i.e. treating a person less favourably because he or she has committed a "protected act". "Protected acts" include previous legal proceedings brought against the employer or the perpetrator, or the giving of evidence at a disciplinary or grievance hearing or at tribunal, or making complaints about the perpetrator or the employer or their alleged discriminatory practices
- discrimination by association, i.e someone is discriminated against because he/she associates with someone who possesses a protected characteristic
- discrimination by perception, i.e discrimination on the grounds that the person is perceived as belonging to a particular group, e.g sexual orientation, religion or belief, irrespective of whether or not this is correct
- any other act or omission of an act, which has the effect of disadvantaging one person against another, purely on the above grounds.

On all occasions where those in control of employees are required to make judgements between them, for example disciplinary matters, selection for training, promotion, pay increases, awards etc it is essential that merit, experience, skills and temperament are considered as objectively as possible.

Aims of this Policy

Whilst we fully accept all of our responsibilities under the current legislation outlined above, we also aim to go beyond the strict 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
- have a workforce and Board which generally reflects the customers we support
- understand how diversity can improve our ability to provide better services
- provide services which are responsive to our customers' needs
- provide all workers and trustees with the necessary training and development they need to contribute to our organisation's goals
- provide a supportive, open environment where all workers may use their talents fully, and where workers, Trustees and customers are treated fairly and with dignity and respect, in an environment free from abuse or offensive behaviour, bullying or harassment, intimidation or prejudice regardless of their race, sex, disability, sexual orientation, religion or belief, age, marital status or civil partnership,

pregnancy/maternity, gender reassignment, impairment, responsibility for dependants, social background or any other individual characteristic which may unfairly affect their opportunities in life.

Furthermore, we recognise the benefits of helping our workers to balance the responsibilities of their work and private life.

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 customers; recruit, retain and develop the best people; act responsibly in the communities of which we are a part; and also fulfil our legal commitments.

Responsibility for this Policy

The overall responsibility for implementing and monitoring the effectiveness of this policy rests jointly with the Chief Executive and Board of Trustees. However, there is shared accountability and responsibility across all members of the Trustees and Core team.

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

All workers and Trustees, irrespective of their role or seniority, will be given guidance and instruction, through our induction and other training, as to their responsibility and role in promoting equality of opportunity and not discriminating unfairly or harassing colleagues or applicants, nor encouraging others to do so or tolerating such behaviour.

Disciplinary action in line with our Disciplinary Procedure, including dismissal from Employment, termination of a volunteering agreement or removal from the board of trustees, may be taken against any worker or trustee found guilty of unfair discrimination or harassment.

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 reasonable, appropriate and practical).

Employment and Volunteer Policies

We will ensure that all of our policies and procedures will be reviewed regularly to improve, amend or adapt current practices to promote equality of opportunity within the organisation and to remove barriers experienced by members of disadvantaged social groups in seeking employment with us, and working with us.

Recruitment and Selection

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

Job adverts will encourage applications from all types of candidates, of all backgrounds and should not be stereotyped. Reference to this policy will be made on job descriptions and person specifications. When advertising a position which has traditionally been done by one sex, adverts should specify they are open to both sexes.

Recruitment information will be made available in large print, tape or other formats if requested.

All applications will be handled in confidence and circulated only to those involved in the recruitment process. Equal Opportunities monitoring information and personal details will be removed from application forms prior to distributing for shortlisting and the details will be logged on a secure database for monitoring purposes. Any special requirements or adjustments required by candidates with disabilities will be recorded and reasonable adjustments will be made as necessary if the candidate is shortlisted for interview.

We will provide full and fair consideration for all job and volunteering applicants, based on merit and ability. We will review and develop our recruitment procedures to encourage applications from, and the engagement of, people from a range of backgrounds to reflect our customer base. Care will be taken to use selection methods and techniques which are relevant to the job or volunteering position. These will be reviewed regularly to ensure their fairness and consistency of application.

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

Selection, including any tests which may be used, will be conducted on an objective basis and will focus on the applicants' suitability for the job or volunteering position and their ability to fulfil the job or volunteering position requirements. Our interest is in the skills, abilities, qualifications, aptitude and the potential of individuals to do their jobs.

Questions asked of candidates will relate to information that will help assess their ability to do the job. Questions about marriage plans or family intentions or any other issues which may give rise to suspicions of unlawful discrimination will not be asked.

Under the Data Protection Act 1998, unsuccessful candidates can request copies of any notes held on them that are stored in a structured way. Therefore it is essential to record selection decisions in an objective and non-discriminatory way. Notes of all interviews should be made using our standard documentation and will be kept on file for six months after the selection decision is made.

Energize is committed to ensuring that the Board is reflective of the community in which we serve, and therefore the above principles will be applied as appropriate when recruiting and selecting Trustees.

Training and Development

Energize recognises that equal opportunity responsibilities do not end at selection; we are committed to ensuring that wherever possible all workers receive the widest possible range of development opportunities for advancement, and all Trustees receive the necessary development opportunities required to fulfil the obligations of their roles.

We recognise that our ability to meet our customers' diverse needs is improved by having a diverse workforce and Board which has the skills and understanding to achieve our service objectives. We will take all appropriate steps to ensure that all employees receive fair consideration of their training and development needs. All workers will be encouraged to discuss their career prospects and training needs with their manager. Opportunities for promotion and training will be communicated and made available to everyone on a fair and equal basis.

The provision of training will be reviewed to ensure that provisions are made where necessary to enable part-time workers, shift or remote workers or those returning to work following a break to benefit from training. No age limits apply for entry to training or development schemes which are open to all employees.

Terms and Conditions of Employment

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

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.

Retirement

We have no fixed retirement age and anyone who wishes to work beyond state pension age

may choose to do so.

Bullying and harassment

Bullying and harassment, i.e. conduct that violates a person's dignity, or behaviour against an individual that is intimidating, degrading, offensive, humiliating or malicious will not be tolerated. It may be related to any protected characteristic of the individual (whether perceived or real), or by association (i.e. related to the individual's relationship or dealings with others who have that protected characteristic). It may be persistent, or an isolated incident and can take many forms, from relatively mild banter to actual physical violence. It includes not only situations occurring whilst at work, but also at any time on our premises, or externally whilst attending social functions or training courses etc in the course of our employment. It also includes emails, phonecalls and texts made outside of work using either our or the worker's own equipment, as well as via social networking sites.

All workers, irrespective of status, and Trustees, have the right to be treated with respect and dignity at work. Any acts of bullying and harassment committed in the course of employment or volunteering with Energize will not be tolerated, and any individual worker who feels that he/she has been subjected to harassment or bullying should, where they feel able to do so, inform the perpetrator, either verbally or in writing, that the behaviour is unacceptable to them and it must stop. Where this fails, or a serious incident of bullying or harassment occurs, the worker should refer to our Grievance Procedure.

Equally, anyone who witnesses incidents of harassment or bullying should report this to the Chief Executive or the Chair of the Board.

Serious examples of bullying and harassment may constitute gross misconduct which could lead to summary dismissal, in accordance with our Disciplinary Procedure.

Grievances, Disputes and Disciplinary Procedure

Employees who believe they have been discriminated against and have not been able to resolve this informally are advised to use our internal Grievance Procedure. An employee

who brings a complaint of discrimination must not be less favourably treated.

When dealing with general disciplinary matters, care is to be taken that employees or workers who have, are perceived to have, or are associated with someone who has, a protected characteristic are not dismissed or disciplined for performance or behaviour which could be overlooked or condoned in other employees or workers.

Service Provision

Workers are expected to make our service users aware of their rights and responsibilities with regards to equality of opportunity.

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. Service users should be referred to our Complaints Policy for further information.

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

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

Further information about equity in our service provision can be found at Appendix 1.

External Agencies and Partners

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

We will ensure that all partners with whom we work are familiar with the principles, practices and procedures with regards to this policy. We are committed to only working with partners and organisations that have effective equal opportunities policies in place, and where appropriate we will support them in developing their equal opportunities policies and procedures.

Positive Action

We may decide to provide specific training or development opportunities aimed at under-represented groups to enable them to compete equally for job opportunities, and we will do this wherever we feel it may be necessary to promote our equality and diversity policy.

Positive discrimination (selecting a candidate purely on grounds of membership of a particular minority group) is unlawful (with the exception of employees on maternity leave or at risk of redundancy, where special rules apply).

However, where two candidates are equally qualified and suitable in all other respects, we may decide to offer the post to a candidate who is from a group that is under-represented in our workforce at that particular level. This principle will also be applied to the Board of Trustees when deemed appropriate to do so.

Communication of this Policy

All applicants and workers will be made aware of this policy and a copy will be included in the Employee Handbook, given to all employees on joining us. Service users may also be made aware of this policy.

In addition, workers and Trustees will be reminded of the policy through such means as advertisements, application forms, posters, training courses, memos and any other methods which we consider appropriate.

Implementation, Monitoring and Review of this Policy

This policy will take effect from 25th January 2013. The Chief Executive has overall responsibility for implementing and monitoring this policy, which will be reviewed on a regular basis following its implementation and will be updated in accordance with changes to legislation.

Relevant data will be collected to support this policy. Personal details provided by workers, Trustees or 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 your line manager.

Appendix 1

Energize is a County Sports Partnership whose purpose is to lead a partnership of infrastructure support to providers of sport and physical activity in order to build capacity and improve opportunities for all people to be active.

Equality is about fairness in sport and physical activity, equality of access, recognising inequalities and taking steps to address inequalities that may occur.

“Sport equity is about changing the culture and structure of sport to ensure that it becomes equally accessible to all members of society, whatever their age, ability, gender, race, ethnicity, sexual orientation, gender reassignment, religious beliefs or socio-economic status or any other condition or requirement that cannot be justified.” (Sport England, 2006)

Research has shown that the following factors play a part in reducing participation in sport:

- Age
- Gender
- Ethnic origin
- Disability
- Social or economic status
- Religious belief
- Sexual orientation
- Gender reassignment

Specifically, the groups listed below have lower levels of participation in sport and physical activity either as players, coaches, officials or volunteers:

- Women and girls
- Black and Minority Ethnicities (BMEs)
- Disabled people
- People from disadvantaged social or economic areas
- Older people

Energize is committed to working to ensure access to sport and physical activity across Shropshire and Telford & Wrekin regardless of individual circumstance or background.

We aim to:

- help eliminate discrimination
- ensure that both the culture and structure of sports and physical activity are addressed and challenged to ensure accessibility, and
- encourage women and girls, people from BME communities, disabled people, older people and people from a social or economic disadvantaged area to participate fully in sport.

This links with the relevant policies of our key Partners such as local authorities and the governing bodies of sport.

Our Service Commitments:

- We aim to widen access to sport and physical activity to increase representation, involvement and participation by the above-mentioned groups, both amongst children and adults.
- We will work towards the implementation of the four levels of the Equality Standard: a Framework for Sport.
- We will challenge discrimination, either direct or indirect, where it exists in our areas of service delivery, and of those individuals and organisations who are involved in the work of the Partnership.
- We will promote positive images and text particularly of and to women and girls, black and minority ethnicities, people with a disability, older people and people from a social or economic disadvantaged area.
- We aim to meet the information needs of all communities and promote equality and diversity.
- We will regularly monitor and evaluate the policy, equality action plan and practices. The success of the policy and action plan will be judged by the increase in representation, involvement and participation of currently under-represented groups.