

# POLICY AND PROCEDURE



SoLO  
Life  
Opportunities

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## Equal Opportunities

### INTRODUCTION

SoLO Life Opportunities (SoLO) is committed to **supporting, developing and promoting diversity and equality in its policies, practices and activities**. SoLO aims to establish an inclusive culture free from discrimination based on fairness, dignity & respect. Discrimination and /or harassment because of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation will not be permitted (this list is not exhaustive). This includes, but is not restricted to, recruitment, training, conditions of service and pay.

SoLO aims to ensure that its services are accessible to all learning disabled people within Solihull, and that everyone can play an active role in the organisation's future direction, management structure and policies.

All employees and volunteers are expected to support and work within SoLO's Equal Opportunities, Anti-Bullying (Dignity at Work) and Standards of behaviour policies

### Legislative Framework

This policy builds on the foundations of the Equal Opportunities Act 2010, and follows the ACAS Equality and Discrimination guidelines.

#### Definitions:

*Equal Opportunities:* A principle that emphasises that opportunities in employment, training, and other areas should be available to all.

*Diversity:* A concept that recognises our individual differences. These can relate to race, ethnicity, gender, sexual orientation, socio-economic status, age, physical abilities, religious beliefs, political beliefs, and more.

*Reasonable adjustments:* Work place initiatives, activities, or equipment that ensure employees or potential employees with a disability are not disadvantaged.

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*Discrimination:* The unjust or prejudicial treatment of different categories of people, especially on the grounds such as race, age, or sex (this list is not exhaustive).

*Direct discrimination:* occurs where someone is treated less favourably because of one or more of the protected characteristics set out above. For example, rejecting an applicant on the grounds of their race because they would not "fit in" would be direct discrimination.

*Indirect discrimination:* occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage. For example, a requirement to work full time puts women at a particular disadvantage because they generally have greater childcare commitments than men. Such a requirement will need to be objectively justified.

*Harassment:* Unwanted conduct that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading or offensive environment.

*Victimisation:* Less favourable treatment of an individual in response to that person raising or supporting an allegation or complaint.

## **1. POLICY STATEMENT**

- 1.1 SoLO is committed to promoting equality of opportunity for all staff and job applicants. We aim to create a working environment in which all individuals are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit.
- 1.2 SoLO is working to ensure that all people will have equal access to SoLO services regardless of disability, social status, economic disadvantage or culture, to enable them to become volunteers, employees or members and have an active role in the organisation's future direction, management structure and policies. Where appropriate, SoLO Life Opportunities will work with local community groups and funders in developing services based on local need, and recognises the particular importance of addressing the language and communication needs of people with special needs and those from a different cultural background and various methods will be deployed to ensure accessibility.
- 1.3 We do not discriminate against staff on the basis of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or

national origin, religion or belief, sex or sexual orientation (“**protected characteristics**”).

- 1.4 The principles of non-discrimination and equality of opportunity also apply to the way in which staff treat visitors, clients, customers, suppliers and former staff members.
- 1.5 All staff have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not to discriminate against or harass other members of staff, regardless of their status. Refer also to SoLO’s Anti-bullying (Dignity at Work) policy.
- 1.6 This policy does not form part of any employee's contract of employment and may be amended at any time.

## **2. WHO IS COVERED BY THE POLICY?**

This policy covers all individuals working at all levels and grades, including senior managers, officers, directors, employees, consultants, contractors, trainees, homeworkers, part-time and fixed-term employees, volunteers, casual workers and agency staff (collectively referred to as **staff** in this policy).

## **3. WHO IS RESPONSIBLE FOR THIS POLICY?**

**3.1** The SoLO Trustee Board has overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law. **It will review the information that SoLO gathers on the profile of staff in order to ensure recruitment and working practices do not discriminate against any sector of the community.**

**3.2** All managers must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities. Managers will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice.

**3.3** **It is essential that all staff and volunteers behave with dignity, and respect and act in a non-discriminatory way at all times.**

## **4 SCOPE AND PURPOSE OF THE POLICY**

**4.1** This policy applies to all aspects of our relationship with staff and to relations between staff members at all levels. This includes job advertisements, recruitment and selection, training and development,

opportunities for promotion, conditions of service, pay and benefits, conduct at work, disciplinary and grievance procedures, and termination of employment.

4.2 We will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities. Please refer to policies on Flexible Working and Standards of Behaviour for specific information on our approach to these issues.

## 5 RECRUITMENT AND SELECTION

5.1 **The recruitment and selection process is critical in Equal Opportunities protocol.** We aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics above. Our recruitment procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities. Job selection criteria are regularly reviewed to ensure that they are relevant to the job and are not disproportionate.

5.2 **Shortlisting and interviewing** of applicants should be done by more than one person wherever possible. **The same core questions should be used throughout a recruitment exercise to ensure fairness. Decisions such as appointment and rejection of candidates should be transparent, justifiable, and supported by evidence.**

5.3 Job advertisements should avoid stereotyping or using wording that may discourage groups with a particular protected characteristic from applying. They should include an appropriate short policy statement on equal opportunities and a copy of this policy shall be sent on request to those who enquire about vacancies.

5.4 **Steps must be taken** to ensure that our vacancies are advertised to a diverse labour market **representative of the local area.**

5.5 Applicants should not be asked about health or disability before a job offer is made. There are limited exceptions which should only be used with approval. For example:

5.5.1 Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).

5.5.2 Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.

5.5.3 Positive action to recruit disabled persons.

5.5.4 Equal opportunities monitoring (which will not form part of the decision-making process).

5.6 Applicants should not be asked about past or current pregnancy or future intentions related to pregnancy. Applicants should not be asked about matters concerning age, race, religion or belief, sexual orientation, or gender reassignment without approval of the SoLO Management Board (who should first consider whether such matters are relevant and may lawfully be taken into account).

5.7 We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the UK Border Agency.

5.8 To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our organisation, we monitor applicants' ethnic group, gender, disability, sexual orientation, religion and age as part of the recruitment procedure. Provision of this information is voluntary and it will not adversely affect an individual's chances of recruitment or any other decision related to their employment. The information is removed from applications before shortlisting, and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity.

## **6 STAFF TRAINING, DEVELOPMENT AND PROMOTION AND CONDITIONS OF SERVICE**

6.1 All staff should have equal access to personal and career development opportunities.

6.2 Staff training needs will be identified through regular staff appraisals. All staff will be given appropriate access to training to enable them to progress within the organisation, promotion opportunities will be widely advertised to all staff, and all promotion decisions will be made on the basis of merit.

6.3 Our conditions of service, pay, benefits and facilities are reviewed regularly to ensure that they are available to all staff who should have access to them and that there are no unlawful obstacles to accessing them.

## **7 DISCIPLINE & GRIEVANCE**

7.1 Disciplinary and grievance procedures must be applied fairly, consistently, and transparently.

7.2 Allegations of discrimination, harassment, or inappropriate behaviour will be dealt with under the appropriate policy and procedures.

## **8 TERMINATION OF EMPLOYMENT**

8.2 We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

8.3 We will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

## **9 DISABILITY DISCRIMINATION**

9.2 If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you appropriately.

9.3 If you experience difficulties at work because of your disability, you may wish to contact your line manager to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your line manager may wish to consult with you and your medical adviser(s) about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable we will explain our reasons and try to find an alternative solution where possible.

9.4 We will monitor the physical features of our premises to consider whether they place disabled workers, job applicants or service users at a substantial disadvantage compared to other staff. Where reasonable, we will take steps to improve access for disabled staff and service users.

## **10 FIXED-TERM EMPLOYEES**

We monitor our use of fixed-term employees, and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. We will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

## **11 PART-TIME WORK**

We monitor the conditions of service of part-time employees and their progression to ensure that they are being offered appropriate access to benefits and training and promotion opportunities. We will ensure requests to alter working hours are dealt with appropriately through our Flexible Working Policy.

## 12 BREACHES OF THIS POLICY

12.2 If you believe that you may have been discriminated against you are encouraged to raise the matter through our Grievance Procedure. If you believe that you may have been subject to harassment you are encouraged to raise the matter through our Anti-Bullying (Dignity at Work) Policy. If you are uncertain which applies or need advice on how to proceed you should speak to your line manager.

12.3 Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Staff who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations which are found to have been made in bad faith will, however, be dealt with under our Disciplinary Procedure.

12.4 Any member of staff who is found to have committed an act of discrimination or harassment will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. We take a strict approach to serious breaches of this policy.

## 13 MONITORING

Monitoring provides data for SoLO to examine how its policies and procedures are working, and identify any areas which may impact disproportionately on any individual or group with protected characteristics.

### LINKED WITH:

- Flexible Working
- Standards of Behaviour
- Anti-Bullying (Dignity at Work)
- Challenging bad practice

## **APPENDIX ONE**

### **SoLO On Project and Project Leaders**

SoLO Project Leaders will be mindful of the needs of individual members accessing their services and this will be reflected in various ways:

- Food and drink offered will be in accordance with both dietary requirements and religious guidelines
- Activities planned will be sympathetic to specific needs of members
- Project planning will take into account significant religious festivals

All members will be dealt with in such a way that reflects the person centred approach taken by the organisation as a whole.

### **SoLO Data Collection**

SoLO will record the ethnicity of our members, parents, carers, staff and volunteers and use this intelligence to monitor uptake of our projects, and recruitment of staff and volunteers. Trends will be evaluated to ensure that the organisation is not actively discriminating against any particular group of people.

SoLO will also record information relating to the level of disability of members. This information will be used to ensure that the schemes run by SoLO are meeting the needs of those most marginalised.

### **SoLO Inclusion**

In line with the stated aims and objectives within the agreed SoLO constitution, places on projects are primarily for those children and adults who meet the criteria of 'learning disability' (a condition that is caused by damage to the brain or by genetic conditions, often from birth, which is incurable, resulting in impaired learning and intellectual capacity). We will also offer a limited number of places for children/adults with other disabilities including Emotional, Social and Behavioural.

On receiving a new referral for a service user, SoLO will complete a personal profile in order to assess which projects are appropriate, and respond to individual support needs. This will ensure an inclusive approach is adopted across SoLO services. In special cases, e.g. Integrated Schemes which encourage mainstream young people and adults to work alongside their disabled peers, admission will be extended to include those without disabilities.