

# Equal Opportunities Policy



*“Where people and communities count .....  
where alcohol and drugs matter.”*

## Introduction

DASL believes that those involved with services - both employees and service users - have a right to expect to be treated fairly and considerately. These rights impose duties and responsibilities upon others at all levels in the organisation. Individuals have the right to expect that they will be provided with a service for their benefit, to be consulted and involved in all matters concerning them, to be treated with dignity and with a right to confidentiality and privacy.

## Statement of Policy

DASL as an employer aims to be an equal opportunity employer and has a recruitment policy for this purpose. This policy covers all aspects of employment from vacancy advertising, selection, recruitment and training to conditions of service and reasons for termination of employment.

To ensure that this policy is operating effectively, DASL maintains records of employees' and applicants' racial origins, gender and disability.

Regular analysis and monitoring of these records provides the basis for appropriate action to eliminate unlawful direct and indirect discrimination and promote equality of opportunity.

DASL's long-term aim is that the composition of the workforce should reflect that of the communities that it serves. Where necessary special steps, as permitted by the relevant Acts of Parliament, will be taken to help disadvantaged and underrepresented groups to compete for jobs and access services.

As a service provider, DASL ensures that its policy on equality is available to all service users and aims to ensure that no client is treated differently because of their gender, race, disability, sexual orientation, religion or belief, offending history or age.

DASL regularly updates its procedures in line with legislation, best practice guidelines and feedback from staff and service users. DASL will adhere to all relevant legislation in force at the time.

## The Principal Objectives of the Policy

1. DASL at all levels will regularly and continually monitor and evaluate its practices and policies to ensure that services are delivered in accordance with the philosophy of equal opportunities.
2. That the same high standard of practice, exercise of skills, and application of resources, will characterise work with all clients and professionals.
3. That the management of service delivery actively seeks to ensure a fair provision of resources across the project, so that people who experience disadvantage and discrimination are not further disadvantaged.
4. The policy is a declaration of the fundamental rights of all people to equality of service. Such a service includes a right to complain and to have their views taken into account in the planning and reviewing of services.

## Race Equality Scheme/Race Relations Act

The Race Relations Act (1976) makes it unlawful for a person to discriminate on racial grounds against another and defines racial grounds as including race, colour, nationality or ethnic or national origins.

Whilst the Race Relations (Amendment) Act 2000 helps to ensure that public authorities become more accountable to the people they serve; DASL aims to follow the guidelines of this relevant legislation and translate this aim into its service delivery, eliminate unlawful racial discrimination and give everyone the opportunity to express their views about the services that affect them and further equality of opportunity and better race relations.

## Race Discrimination covers:-

1. direct discrimination - treating someone less favourably on racial grounds
2. indirect discrimination - applying practices that might favour one racial group over another
3. harassment - unwanted conduct that violates a person's dignity and creates a hostile or degrading environment
4. victimisation - unfair treatment of an employee who has made a complaint about racial discrimination.

## Sex Discrimination and Equal Pay Act

Under the Sex Discrimination Act 1975 (as amended), DASL does not discriminate on grounds of sex, marriage or because someone intends to undergo, is undergoing or has undergone gender reassignment.

### Sex Discrimination covers:-

Sex discrimination covers all aspects of employment - from recruitment to pay, and training to the termination of a contract. It also includes applying requirements or conditions which, though applied equally to all, have a disproportionately detrimental effect on one sex or on married people and which cannot be shown to be justifiable or job-related.

DASL provides the same pay and conditions for men and women doing work that:

- is the same or broadly similar;
- has been rated as equivalent under a job evaluation scheme; or
- is of equal value in terms of the effort, skills, knowledge and responsibility required.

Employees are given clear details of how their pay is made up.

## Disability Discrimination

The Disability Discrimination Act 2005 provides disabled people with protection from discrimination in a range of areas, including employment and occupation. This means that DASL:

- does not directly discriminate against a disabled person;
- does not treat a disabled person less favourably for a reason related to his or her disability, unless that treatment can be justified;
- will make reasonable adjustments in the recruitment and employment of disabled people. This can include, for example, adjustments to recruitment and selection procedures, to terms and conditions of employment, to working arrangements and physical changes to the premises or equipment.

## Sexual Orientation

The Employment Equality (Sexual Orientation) Regulations 2003 give protection from discrimination on grounds connected with sexual orientation. This includes 'orientation towards someone of the same sex (lesbian or gay men), opposite sex (heterosexual) or both sexes (bisexual)'.

The law means that an organisation's recruitment and selection procedures, as well as employment practices - such as dress codes and disciplinary procedures - must treat everyone fairly regardless of their sexual orientation. DASL offers specific services for LGBT clients staffed by LGBT staff and monitors for sexuality to ensure a representative workforce.

## Age Discrimination

From 1 October 2006 the Employment Equality (Age) Regulations (2006) make it unlawful to discriminate against employees, potential employees and trainees because of their age. The protection covers direct and indirect discrimination, harassment and victimisation.

DASL will:

- remove upper age limits on unfair dismissal and redundancy;
- give all employees the right to request to work beyond 65.

## Religious or Belief Discrimination

The Employment Equality (Religion or Belief) Regulations 2003 protect people from discrimination on the grounds of all religions and beliefs.

DASL's recruitment and selection procedures, as well as employment practices - such as dress codes and disciplinary procedures - will treat everyone fairly regardless of their religion or belief.

## Applicants with an Offending History

Under the Rehabilitation of Offenders Act (1974) many ex-offenders are given certain employment rights if their convictions become 'spent'. DASL works with vulnerable adults and as such potential applicants are required to declare all offences.

As an organisation using the Criminal Records Bureau (CRB) Disclosure service to assess applicants' suitability for positions of trust, DASL complies fully with the CRB Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.

- DASL is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- We have a written policy on the recruitment of ex-offenders, which is made available to all Disclosure applicants at the outset of the recruitment process.

## Discrimination on the Grounds of Trade Union Membership

DASL will not dismiss an employee, select them for redundancy or make them suffer detriment ('detriment' can be any action short of dismissal e.g. treating someone unfairly in terms of pay or training) for being or proposing to become a union member, nor for taking part in the union's activities at an appropriate time. Employees are similarly protected if they choose not to belong to a union or refuse to join one.

DASL encourages employees to take up union representation by displaying and supplying relevant literature in communal areas. DASL wishes to have formal representation from Unison as a recognised trade union but is unable to do so until an increased percentage of staff take up membership. DASL will encourage staff members to seek representation in all consultations concerning employment and contract negotiations.

## Recruitment, Selection and Progression for Equal Opportunities

Recruitment, selection and promotion procedures are set out in detail in the Recruitment Policy. *A summary* follows:

- Advertising: DASL uses a wide range of publications and media to ensure that recruitment opportunities reach traditionally underrepresented groups.
- Recruitment: As a general principle, recruitment and selection shall be undertaken in such a way as to eliminate bias against any individual on the grounds listed in the Statement of Policy. The criteria for selection and progression are determined solely on the basis of the requirements of the job. People are selected and appointed solely on the basis of their relevant, assessable experience and abilities.
- All members of selection and interviewing panels will be expected to demonstrate an understanding of the DASL Equal Opportunities Policy. DASL's job application form will not require applicants to state ethnic group or sexuality. All applicants will, however, be invited to assist DASL in monitoring its recruitment policy by completing a separate monitoring form. This information will not be seen by the selection interviewing panel. Reasons for selecting or rejecting each candidate must be recorded.

## Training and Development for Equal Opportunities

DASL will provide the training required to implement this Equal Opportunities Policy. DASL will ensure that all employees will have equal access to training and development opportunities. All training provision, both internal and external, will be evaluated by DASL to ensure that it complies with this Equal Opportunities Policy.

Within budgetary constraints, DASL aims to provide organisational equality training for all staff on a biennial basis.

## Monitoring for Equal Opportunities

To assess whether equal opportunities are being achieved, DASL will monitor the following:

1. Where advertisements for vacancies are placed; where applicants saw advertisements; race, gender, sexuality and disabled status of candidates as well as of shortlisting and interview panel.
2. Composition of staff by grade, project, race, gender, sexuality and disabled status on an annual basis.
3. Composition of clients worked with by relationship status, ethnic group, gender, religion, accommodation, employment status, sexuality and disabled status on an annual basis.
4. Annual monitoring to be discussed, reviewed and action plan devised by senior and operational managers.

## Bullying and Harassment

Is defined as subjection to unreciprocated or unwelcome comments, looks, actions, suggestions or physical contact which is found objectionable and offensive and which might threaten an employee's job security or create an intimidating or uncomfortable working environment. It is not the intention of the perpetrator which defines whether a particular type of conduct is harassment but the effect it has on the recipient. All forms of harassment and bullying will not be condoned or permitted in the workplace and such unacceptable behaviour will be treated as a disciplinary offence.

Every staff member has the right to be treated fairly and with dignity and respect.

Conduct that could constitute harassment includes:

- Unwanted physical contact
- Display of offensive materials or offensive jokes
- Unwelcomed personal comments
- Shouting at staff
- Personal insults
- Coercion, isolation or persistent criticism

All staff have a responsibility to confront unacceptable behaviour and, whether or not a complaint is made, this should be treated seriously and dealt with quickly and effectively. Pointing out someone's behaviour and the effect it has on others can be sufficient to stop the behaviour concerned. Formal action should be necessary if informal remedies are ineffective.

The trustees and senior management team are committed to preventing unacceptable behaviour at work.

## Grievance and Equal Opportunities

DASL will treat seriously and take prompt action on any client, professional or employee grievance concerning discrimination or harassment. DASL will encourage the development of appropriate support systems and procedures for individuals who wish to pursue such grievances. For DASL employees, such actions can be acted upon within the disciplinary and grievance policies.

If employers and employees have a dispute about any of the rights listed they have the following options:

1. **Resolve the dispute.** Employees should always try to resolve a problem or dispute with their manager or employer first. This might be through the organisation's own grievance procedure. Both sides can also go to ACAS for advice, either through the helpline or a conciliator.
2. An employee can make a **complaint to an employment tribunal** if he or she believes an employment right has been denied or infringed.

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