

North of England Refugee Service

Equal Opportunities Policy

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1. General Policy Statement

The North of England Refugee Service is committed to an equal opportunities policy that under-pins all NERS policies and procedures, both as an employer and as a provider of services.

1.1 No employee, potential employee, volunteer or client will be treated less favourably than another on the following grounds: race, ethnic origin, religion, nationality, political opinion, age, health, disability, gender, sexuality or membership of a social group. NERS services will be delivered in an environment free from discrimination, harassment and victimisation, and each client will be treated with respect and dignity.

1.2 Confidentiality shall be ensured in all aspects of the implementation of this policy. The Recruitment and Selection policy and handbook, the Volunteering and Disciplinary and Grievance Procedures will be used to facilitate the implementation of this Policy.

1.3 All complaints of about discrimination or harassment in the workplace or in the provision of services by NERS will be taken seriously and in line with the complaints procedure.

2. Discrimination, Harassment and Victimisation

2.1 Each of NERS policies has a process for dealing with complaints of discrimination, harassment and victimisation

2.2 Any complaint made by an employee or a volunteer will not affect that person's career or prospects within NERS, nor will any complaint made by a client affect that person's right to full service provision.

2.3 NERS recognises the need for support for victims of discrimination and will offer information on appropriate advice groups.

3. Service Provision

Equality of Opportunity in the provision of services will be carried out as outlined in the General Policy Statement.

4. Recruitment and Selection

NERS is committed to equality of opportunities for potential employees and volunteers irrespective of factors mentioned in section 1.

4.1 In advertisements, application forms and other recruitment literature, NERS shall incorporate its equal opportunity commitment. All advertisements will bear the following text: "NERS strives to be an Equal Opportunities employer and welcomes applications from all sectors of society." We shall further ensure that no language contained in advertisements discourages those sectors of society mentioned in section 1 from applying.

4.2 In order to ensure that decisions on employment, promotion and volunteering are confined to the ability of applicants to do the job:

- (i) The skills, knowledge and experience required for each job will be identified in the job description and person specification.
- (ii) Advertisements shall discourage the sending of CVs and shall invite applicants to send for a standardised application form. Application forms shall only request information, which will relate to the candidate's ability to do the job in question, and no question should be asked which would unfairly disadvantage a particular sector of society (i.e. age, sex, ethnicity etc.). However, in recognition of the importance of monitoring our equal opportunities policy we shall include a monitoring form with applications for employment, which shall remain separate from the application form.
- (iii) At interview, questions must be objective and consistent to all interviewees, and kept in relation to the job alone, in isolation of other factors.

4.3 NERS will ensure that all potential employees will be treated equally when asked for evidence of work permission under Section 8 of the Immigration and Asylum Act 1996.

5. Positive Action

5.1 NERS will not positively discriminate in favour of any social group outlined in section 1 above, but does recognise the need to implement positive action to ensure that the workforce, at all levels of NERS structure, is a true reflection of the general population, and will endeavour to target underrepresented groups by the following:

- (i) Advertise vacancies in the minority press, community centres and through support groups as well as in the traditional media.

- (ii) Utilise appropriate equal opportunities training programmes, which may be provided in the region for members of the board and all employees of NERS
- (iii) Make and maintain contact with the Equal Opportunities Commission and the Commission for Racial Equality, and other appropriate bodies, taking advice where necessary.

6. Specific areas of Equal Opportunities

6.1 Gender, Marital Status and Family Commitment

NERS totally condemns sexual harassment namely, behaviour of a sexual or sexist nature which is likely to give offence. It therefore includes suggestions, remarks, gestures or actions associated with a person's sex which causes humiliation, offence or distress. Any incident which may occur will be dealt with by disciplinary and grievance procedures. We recognise that under the Sex Discrimination Act 1975 and 1986, it is unlawful to discriminate against men and women on the grounds of either sex or marital status. We extend this to include family commitment. We endeavour to:

- (i) Not take family commitment into account unless an applicant, volunteer or employee wishes us to do so. In which case, section 6 (ii) shall apply.
- (ii) Provide flexible working so a man or a woman may combine work with family commitment. This may take the form of a job share, flexible hours of work and the provision of information about childcare, all of which will be equally available to men and women.
- (iii) Take responsibility for providing legal information and advice about maternity and paternity pay and leave, and on the return of employees from leave, comply with section 6.1 (ii).

6.2 Race, Colour, Nationality and Religious Belief

NERS recognise that black, minority ethnic people and people seeking asylum, experience discrimination on the grounds of ethnicity, colour, nationality and religion. NERS totally condemns racial discrimination and harassment, whether direct or indirect. This may be defined in a number of ways. However, the essential features are that it involves behaviour of a racial or racist nature which is calculated, or reasonably likely to give offence, or is directed at a person because of that person's race, colour, religious, national or ethnic origin. It therefore includes physical or verbal actions plus more subtle ways of creating humiliation, offence or distress. Any incident which may occur will be dealt with by disciplinary and grievance procedures. In recognition of the Race Relations Act 1976 we endeavour to:

- (i) Consider ethnicity, colour, nationality and religion to be irrelevant in a person's application, employment, volunteering or access to services.
- (ii) Cater for the specific needs of an individual's religion, nationality and culture.

- (iii) Recognise that perfect English is not always necessary for many jobs at NERS, so English as a second language will not be a barrier to employment.

6.3 Disability

NERS recognise that disability takes many forms. Thus our Policy on Equal Opportunities should not and could not be limited to a response to the needs of people who use wheelchairs, but will include people with physical and sensory disabilities, learning difficulties and mental health. We endeavour to:

- (i) Work to enable disabled people to participate and contribute in NERS.
- (ii) Assess the suitability of disabled applicants solely on their merits, relevant experience and ability, if necessary with some aids, without pre-judgement.
- (iii) Create and adapt an environment, which is accessible and comfortable, and where possible make special arrangements for disabled employees, applicants, volunteers or clients.

6.4 Disablement during employment

In the event of disablement during employment, we will endeavour to help the person concerned to keep their job, and in particular to:

- (i) Make all necessary and reasonable changes possible to the workplace so their return to the workplace is made easier.
- (ii) Attempt to find alternatives and change aspects of the job when it is impossible for an employee to resume a previous job. Such alternatives may include job-share and part-time work.

6.5 Sexuality

NERS totally condemns any harassment, abuse, intimidation or discrimination whether direct or indirect, physical or verbal on the grounds of a person's sexuality. We consider an individual's sexuality a personal definition and irrelevant in decisions determining suitability for recruitment, selection, promotion, training or access to services. Our commitments referred to in section 6.1 shall be extended to same-sex partners. To ensure we meet these requirements we endeavour to:

- (i) Interpret section 6.1 such that in every respect same-sex partners are considered in the same way as heterosexual partners.
- (ii) Provide the same provisions of "special leave" given to employees for marital partners to same-sex partners.

6.6 Age

NERS will ensure that there are no age barriers to employment or volunteering, as long as the objective criteria are fulfilled.

6.7 HIV, AIDS and Other Medical Conditions

NERS will not discriminate against people who are HIV or have AIDS. NERS will ensure that the only criteria in deciding a person's suitability for employment or volunteering are their ability to fulfil the objective criteria.

6.8 Political Affiliation

Political Affiliation is considered to be confidential and will not affect the assessments of an individual's suitability for employment, their treatment in the workplace or access to NERS services. An exception to this is if their beliefs cause a direct breach to our Equal Opportunities practice either at interview stage, if detected, or once employment has commenced.

6.9 Past Offences

NERS acknowledges that we can play a valuable role in the re-settlement of offenders back into the community. However, given the sensitive nature of our work, often involving children and families, we recognise the need for police checks. When this is the case we shall use the following points in line with Home Office guidelines when considering the relevance of convictions:

- (i) What is the nature of the conviction?
In general, convictions for sexual, violent offences will be strong contradictions for work with vulnerable people.
- (ii) What is the nature of the appointment?
- (iii) When did the offence occur?
Offences, which took place many years in the past, may often have less relevance than recent offences.
- (iv) Frequency of offence.
A pattern of unrelated or similar offences over a period of time is more likely to give cause for concern than an isolated conviction.
NERS recognises that current legislation is unequal in its treatment of certain sectors of society (see section 1). In viewing past offences NERS will not include those which are a result of legislation which would only, or primarily, apply to gay men, lesbian women and bisexuals e.g. cottaging.

7. Responsibility and Implementation

7.1 It shall be the responsibility of clients, volunteers, employees and the Board of Directors to comply with and support the Equal Opportunities Policy.

7.2 As well as their responsibilities as employees, managers have certain additional responsibilities, namely to:

- (i) Ensure all staff are fully briefed on the Equal Opportunities Policy
- (ii) Deal with grievances speedily and fairly.
- (iii) Identify and remove practices that may lead to discrimination, and to take immediate action to stop it.
- (iv) Give support to the person discriminated against and deal appropriately with the person responsible.

- (v) Establish an Equal Opportunities Task Group to implement the policy, and develop an Annual Action Plan to identify key action points and to report to the staff and the board twice per year.

7.3 All volunteers and employees of NERS, and the Board of Directors shall be given a copy of this document and a copy of the general policy statement shall be displayed at all times for the benefit of service users.

8. Monitoring

8.1 In recognition of the importance of monitoring our Equal Opportunity Policy, NERS will do the following:

- (i) The Operations Manager will be responsible for ensuring that records of recruitment, training and promotion decisions are kept, analysed and reported to the Board.
- (ii) The Statistics Officer will be responsible for ensuring that records of clients using NERS services are kept, analysed and reported to the One Stop Service Manager who will report to the Board on a monthly basis.
- (iii) The Operations Manager will be responsible for ensuring that records are kept of complaints and their outcomes.
- (iv) Seek feedback from staff, volunteers and clients in order to identify needs and problems.

Approved by the Board of Directors:

Signature:

Position:

Date:

North of England Refugee Service

Policy statement on the recruitment of ex – offenders

- As an organisation using the Criminal Records Bureau (CRB) Disclosure service to assess applicants' suitability for positions of trust NERS 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 conviction or other information revealed.
- NERS is committed to the fair treatment of its 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.
- We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.
- A Disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a Disclosure is required, all application forms, job adverts and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.
- Where a Disclosure is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to a designated person within NERS and we guarantee that this information is only to be seen by those who need to see it as part of the recruitment process.
- Unless the nature of the position allows NERS to ask questions about your entire criminal record we only ask about “unspent” convictions as defined in the Rehabilitation of Offenders act 1974.
- We ensure that all those in NERS who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.
- At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is

directly relevant to the position sought could lead to withdrawal of an offer of employment.

- We make every subject of a CRB Disclosure aware of the existence of the CRB Code of Practice and make a copy available on request.
- We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.
- Disclosure information will be stored securely, so that only the CEO and a designated senior manager have access to it. It will be destroyed after six months except in very exceptional circumstances where longer retention can be justified.

Having a criminal record will not necessarily bar you from working with us.

This will depend on the nature of the position and the circumstances and background of your offences.