



EQUAL OPPORTUNITIES POLICY



Jamnel

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Equal Opportunities Policy

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JAMNELL CARE ORGANIZATION

1 Purpose and Context

JCO is committed to a policy of equal opportunities and diversity and the avoidance of discrimination at work. JCO believes equal opportunities are intrinsic to our operations and mission.

Discrimination is any action taken against an individual which affects their political, social and economic rights due to the individual's age, disability, gender, gender reassignment, pregnancy and maternity, race (which includes colour, nationality and ethnic or national origin), sexual orientation, religion or belief, marital status or civil partnership.

Discrimination may be direct or indirect and occurs intentionally or unintentionally. A list of definitions which explain the different types of discrimination can be found in **Appendix I**.

JCO has adopted the principles and practice of equal opportunities for the organisation as a whole, for its beneficiaries and all aspects of employment including recruitment & selection, pay and conditions, training & development, appraisals, promotion, conduct at work, disciplinary and grievance procedures, and termination of employment. The aim of this policy is to set out JCO's commitment to fairness, to assist the organisation to put this commitment into practice and to ensure that Staff Members do not discriminate unlawfully.

The organisation is committed to ensure that the work environment is free of harassment and bullying in line with the organisation's [Dignity at Work Policy](#). Staff Members must also not discriminate against or harass a member of the public in the provision of services or goods.

This policy does not form part of the contract of employment and JCO may amend it at any time.

2 Scope

This policy applies to all employees, interns, volunteers and trustees at JCO which will be referred to as "Staff Members" in this document. In addition, this policy applies to individuals that the organisation contracts to do work on its behalf, including partners, consultants, vendors and contractors.

3 Principles

3.1 General

JCO is an equal opportunities employer. We are committed to actions that make this policy effective and will bring this policy to the attention of all staff. All Staff Members have a duty to act in accordance with this policy and to treat colleagues, partners, stakeholders and service providers with dignity and respect at all times.

Employment decisions will be made based on factors such as competency, experience, qualifications, abilities and performance, regardless of protected characteristics.

At all times JCO, will:

- select, recruit, develop and promote the very best people, basing its judgement on the suitability of each candidate for a role;
- ensure that nepotism is not used as a basis to select candidates or external providers;
- ensure all applicants and Staff Members receive fair and equal treatment;
- maintain a working environment free from harassment and intimidation;
- ensure that existing and new legislation based on a stated right to equal treatment are strictly adhered to; and
- deal speedily and effectively with any complaints of alleged discrimination, harassment and/or bullying, ensuring all such complaints are fully investigated and that remedial action is taken where necessary.

3.2 Disabilities

If an employee is disabled or becomes disabled, they are encouraged to tell the organisation about their condition so that reasonable adjustments or what support may be appropriate can be considered.

3.3 Part-time and Fixed-time Work

Part-time and fixed-time employees should be treated the same as comparable full-time or permanent employees and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified.

4 Implementation

4.1 Responsibilities

JCO will take all reasonable steps to eliminate discrimination, harassment and/or bullying in every area of its work, strategic and operational.

The Board of Trustees has overall responsibility for the effective operation of this policy and for ensuring compliance with anti-discrimination law. Day-to-day operational responsibility for this policy, including its regular review, has been delegated to the Chief Executive, who will ensure that it achieves its objectives and is updated in accordance with any changes in law.

JCO managers must set an appropriate standard of behaviour, lead by example and ensure that those they manage operate according to the policy and promote the aims and objectives of JCO with regard to equal opportunities. Managers are also responsible for

supporting and implementing this policy by ensuring it is understood and adhered to by partners, consultants, vendors and contractors.

Staff Members are expected to fully comply with the policy. If employees are found to be in breach of this policy it will lead to disciplinary proceedings and potentially dismissal. Deliberate acts of discrimination or harassment/bullying will be considered as gross misconduct.

The organisation will provide training in equal opportunities to managers and others likely to be involved in recruitment or other decision-making where equal opportunities issues are likely to arise. The organisation will induct new staff and others engaged to work with the organisation to clarify rights and responsibilities under this policy as well as the [Dignity at Work Policy](#) and relevant actions that must be undertaken to create a working environment free of bullying and harassment.

4.2 Grievances/Complaints

Employees wishing to make a complaint regarding equal opportunities should do so via the organisation's [Grievance Policy](#). Grievances may be dealt with informally or formally, although employees must appreciate that the organisation may only be able to take formal action if a formal complaint is made. Allegations of discrimination or harassment/bullying will be dealt with quickly and taken seriously. A staff member should not fear victimisation for making or being involved in a complaint.

Complaints from a non-employee will be handled through the [Whistleblowing Policy](#).

4.3 Monitoring

This policy will be monitored by the Human Resources Director and reviewed every three years by the Board. The Human Resources Director will continue to review the effectiveness of this policy to ensure it achieves its objectives and the policy will be updated in accordance with any changes in the law.

JCO will comply with the requirements under the Gender Pay Gap Information Regulations 2017.

Appendix I

Types of unlawful discrimination

This is not an exhaustive list but a guidance to bring awareness of different types of discrimination:

Direct discrimination occurs where any individual or group of individuals is treated less favourably because of one or more of the protected characteristics (see above). As an example, rejecting an applicant because of their sexual orientation because a manager thinks they would not "fit in" or refusing to employ a woman because she is pregnant, is direct discrimination; or rejecting an applicant because they do not belong to the same social group or tribe. In limited circumstances, employers can discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim. A decision not to hire an individual due to a protected characteristic must be discussed with the Human Resources Director for approval, before a candidate is rejected.

Indirect discrimination occurs when an organisation's practices, policies or procedures have the effect of disadvantaging an individual or group of individuals who share certain protected characteristics, and which cannot be objectively justified.

Associative discrimination is discrimination under the Equality Act 2010, against a person because of his or her association with another person who has a protected characteristic. Protection against associative discrimination covers age, disability, gender reassignment, race, religion or belief, sex and sexual orientation

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not, have that protected characteristic (excluding marriage, civil partnership, pregnancy and maternity status).

Bullying is offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power that is meant to undermine, humiliate or injure the person on the receiving end.

Harassment is unwanted conduct related to relevant protected characteristics, which are sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age, that has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

Sexual harassment is unwelcome sexual advances, requests for sexual favours, and other verbal or physical harassment of a sexual nature, which makes an individual feel distressed, intimidated and is considered offensive. Non-exhaustive examples illustrate conduct which may be regarded as sexual harassment: unwanted physical conduct, or conduct which is intimidating, physically or verbally abusive; suggestions that sexual favours may further an employee's career, or that refusal may hinder it; sexual advances, propositions, suggestions or pressure for sexual activity at or outside work, where it has been made clear that this is not welcome; and derogatory or demeaning remarks based on

gender or the display of sexually explicit material in the workplace.

Victimisation is the less favourable treatment of or retaliation against an individual who has complained or given information about discrimination or harassment or supported someone else's complaint.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

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