

# EQUAL OPPORTUNITIES POLICY

All Saints' Hockerill

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## **1. Principals**

The Parochial Church Council (PCC) of All Saints' Hockerill is committed to the principle of equal opportunities for all.

This is based on the Christian understanding that all human beings are created in the image of God and that all are valued equally in God's love. We believe that God as our creator (Genesis 1.27) not only gave us life, but gave each person gifts to be used and developed. We believe that God longs for our well-being and fulfilment, and that we are all responsible to God for the way we treat each other. Unlawful and unfair discrimination between people is therefore contrary to God's purpose. In the light of this Christian affirmation, and in recognition of our Lord's commandment that we should love our neighbours as ourselves, the PCC declares its conviction that it is a Gospel imperative to realise the potential of all human gifts, and that failure to do so is an affront to the will of God.

Therefore all forms of discrimination are unacceptable, regardless of whether there was any intention to discriminate or not.

Employees (if any), volunteers and church members have a duty to cooperate with the PCC to ensure that this policy is effective in ensuring equal opportunities and in preventing discrimination.

The PCC understands that the following legislation applies:

- Disabled Persons (Employment) Acts 1944 and 1958
- Equal Pay Act 1970
- Rehabilitation of Offenders Act 1974
- Sex Discrimination Act 1975

- Race Relations Act 1976
- Children Act 1989
- Employment Act 1989
- The Disability Discrimination Act 1995
- Employment Rights Act 1996
- Employment Relations Act 1999
- Human Rights Act 1998
- National Minimum Wage Act 1998
- National Minimum Wage Regulations 1999
- Working Time Regulations 1998
- Employment Act 2002
- Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- Employment Equality (Religion or Belief) Regulations 2003
- The Equality Act 2010

## 2. Definitions

- Direct discrimination. This occurs when someone is treated less favourably because of a protected characteristic which they have i.e. for a reason unconnected with their ability in relation to either a job they are employed in, or that they have volunteered to do, or the job for which they have applied. Direct discrimination includes:
  - a) associative discrimination: direct discrimination against someone because they associate with another person who possesses a protected characteristic – for example, a person is not appointed to an office because she has a disabled child. Associative discrimination applies to all the protected characteristics except marriage/civil partnership and pregnancy/maternity.
  - b) perceptive discrimination: direct discrimination against an individual because others think he or she possesses a particular protected characteristic (even if that is not in fact the case) – for example, a person is not appointed to an office because those making the appointment assume that he or she is much younger than he or she really is. Perceptive discrimination applies to all the protected characteristics except marriage/civil partnership and pregnancy/ maternity.
- Indirect discrimination. This occurs when a condition, rule, policy or practice is applied across the board but particularly disadvantages people who share a protected characteristic – for example, an office is advertised on the basis that it is only open to those with a driving licence, which places disabled people at a particular disadvantage. Indirect discrimination can be justified if it can be shown that is a proportionate means of achieving a legitimate aim. This means that the employer must act reasonably and should be able to show that he or she has considered less discriminatory alternatives.
- Harassment. Harassment is unwanted conduct, related to a protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. It applies to all protected characteristics except marriage/civil partnership and pregnancy/maternity.

- Victimisation. This occurs when a person is treated unfairly because he or she has made or supported a complaint or raised a grievance.

### **3. Implementation**

The PCC is committed to an equal opportunities environment in which discrimination, harassment, victimisation or bullying is not tolerated.

Each employee and volunteer is responsible for their own compliance with this policy. Where necessary appropriate training and guidance will be facilitated to support compliance.

The PCC will ensure that:

- All people are treated with dignity and respect and will not have their status undermined.
- No person receives less favourable treatment on the grounds of race, colour, nationality, class, religion, ethnic or national origin, gender, marital status, age, child or domestic care arrangements, sexual orientation or disability, or is disadvantaged by conditions or requirements which cannot be shown to be justified.
- Every effort will be made for reasonable adjustments so that services, events and activities are accessible and provided fairly to all people who seek to participate, and are in accordance with Church of England guidelines. In doing so, the PCC will fully consider reasonable adjustments to working practices, equipment and premises to ensure that a person with a disability is not put at a substantial disadvantage due to their disability.
- Any degrading behaviour, bullying or harassment is challenged and treated seriously. Any discrimination or harassment proven to have taken place will be regarded as misconduct. If a matter cannot be resolved informally, the PCC will operate a Complaints Procedure to deal with the matter.
- Any person may use the Complaints Procedure to complain about discriminatory conduct. No individual will be penalised for raising such a grievance unless it is proved to be untrue and made in bad faith. Any complaints will be fully investigated.
- The Complaints Procedure is easy to use and that the PCC respond to complaints efficiently and promptly.
- There is an annual review of the policy, and the Churchwardens and PCC together will monitor the working of the policy. The PCC will publish this policy on its web site and in its buildings.

### **4. Recruitment**

The PCC recognises that equal rights apply to the appointment and activity of volunteers as well as employees. For all appointments, the priority will be to find the best person suited to the role. This does not conflict with how for some roles there will be a genuine occupational requirement for the person to be a practising Christian,

or to share the PCC's approach and ethos, in accord with the Employment Equality (Religion or Belief) Regulations 2003 and the Equality Act 2010.

The PCC will ensure that role descriptions, person specifications and application forms reflect the requirements for the role and make clear if there is a genuine occupational requirement for the employee to be a Christian.

As an organization using the DBS to assess applicants' suitability for positions of trust, the PCC undertakes to comply fully with the DBS Code of Practice and to treat all applicants for positions fairly. We undertake to discuss any matter revealed in a disclosure with the person seeking a position before withdrawing a conditional offer. Having a criminal record will not necessarily bar an applicant from being successful; this will depend on the nature of the position and the circumstances and background of the offences.

See Section 2 of the PCC's Safeguarding Policy on Safer Recruitment.

In the situation that the PCC is an employer it will work to be an equal opportunities employer. In doing so, it will fully consider reasonable adjustments to working practices, equipment and premises to ensure that a person with a disability is not put at a substantial disadvantage due to their disability. In addition, if staff members were to acquire a disability in the course of their employment, every effort will be made through reasonable adjustment, retraining or redeployment to enable them to remain in the employment of the PCC.