

Equality, Diversity and Inclusion Policy

1. Introduction

This policy aims to outline SPLASH's commitment to ensuring equality of opportunity and equal treatment for staff, workers, contractors, partners, directors, volunteers, members and service users in terms of employment and access to services; and to provide guidance on anti-discriminatory practice.

2. General Statement of Intent

SPLASH is committed in its pursuit of excellence in service; to equality of opportunity and to a pro-active and inclusive approach to equality, which supports and encourages all under-represented groups, promotes an inclusive culture; celebrates and values diversity and eliminates unlawful direct and indirect discrimination

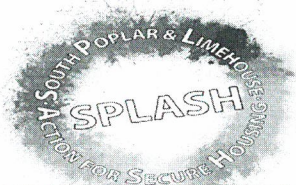
SPLASH will provide equality of opportunity and equal treatment as an integral part of good practice. The organisation is committed to a working environment in which the contribution and needs of everyone are fully valued and recognised. We will support our staff, workers, directors, volunteers and contractors in not tolerating any inappropriate, violent or abusive behaviour from colleagues, other organisations or service users.

SPLASH aims to encourage, value and manage diversity and we recognise that talent and potential are distributed across the population. Not only are there moral and social reasons for promoting equality of opportunity, it is in the best interest of this organisation to recruit and develop the best people for our jobs from as wide and diverse a pool of talent as possible.

SPLASH recognises that people with different backgrounds, skills, attitudes and experiences bring fresh ideas and perceptions. This policy seeks to value and harness these differences and to make our services relevant and approachable for everyone. We aim to draw upon the widest possible range of views and experiences in order to meet the changing needs of our users, staff, volunteers, partners and supporters.

SPLASH believes in equality of opportunity and values all individuals regardless of any collective identity. However, we recognise that individual and institutional discriminatory practise has meant that some groups have not had equal access to services and fair employment practices, nor to opportunities in volunteering. We aim to remove any barriers, bias or discrimination that prevents individuals or groups from realising their potential and contributing fully to our organisation's performance and to develop an organisational culture that positively values diversity.

SPLASH is committed to providing an environment free of stereotyped and oppressive beliefs, attitudes and practices. We seek to promote diversity and to respond to the needs of all individuals in a fair and equitable manner. We work to reduce unfair discrimination in society and seek to eliminate such practices within the organisation.



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Discrimination can be direct, associative, perceptive, indirect, harassment (including by 3rd parties) or victimisation. (See glossary at end for definitions). All forms of discrimination are unacceptable, regardless of whether there was any intention to discriminate or not. Employees have a duty to co-operate with SPLASH to ensure that this policy is effective in ensuring equal opportunities and in preventing discrimination. Employees should draw the attention of their line manager to suspected discriminatory acts or practices or cases of bullying or harassment.

SPLASH recognises that the promotion of equal opportunities requires more than passive opposition to discrimination; we are therefore committed to taking positive action towards equality of opportunity. We further recognise that the limited resources and the operational needs of the Centre may impose justifiable restrictions upon our ability to take such action. However, we will undertake regular monitoring and review the effectiveness of this policy.

A copy of this statement will be issued to each member of The SPLASH team and available to others on SPLASH's website.

3. **Scope**

The policy applies specifically to discrimination and equality of opportunity in respect of 'protected characteristics' as defined in the **Equalities Act 2010**:

- Age
- Disability
- Race
- Sex
- Religion or cultural beliefs
- Gender reassignment
- Marital status and civil partnership
- Sexual orientation
- Pregnancy and maternity

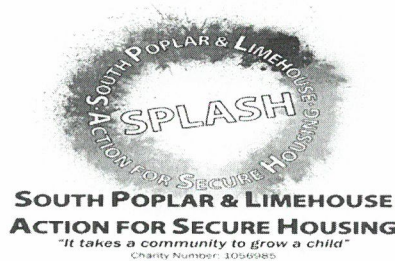
The policy applies across the range of employment policies and practice, including those relating to Anti Bullying, Disciplinary, Complaints and the Code of Conduct.

4. **Responsibilities**

SPLASH values its staff, contractors, workers, directors, volunteers, members and service users, and expects them to be treated in a respectful manner. Accordingly, all have a responsibility to treat others with dignity and respect.

Sr. Christine Frost has overall responsibility for ensuring that this policy is put into practice. In particular Sr. Christine Frost will ensure that:

- There is effective monitoring of SPLASH Equal Opportunities and Diversity Policy in relation to existing staff and volunteers and the recruitment of new staff and volunteers.
- The objectives of this policy are reflected at all levels through the organisation.



- Advice and guidance on equality and diversity issues is provided
- The Policy document is kept up to date.
- Team leaders amongst the staff at SPLASH complete appropriate diversity and equalities training

All directors, paid staff and volunteers will be expected to make this policy work and contribute to its on-going development.

4. General purpose

SPLASH's practices will ensure that staff, workers, directors, volunteers, members and service users will not be discriminated against on any grounds including age, disability, race, sex, religion or cultural beliefs, gender reassignment, marital status and civil partnership, sexual orientation, pregnancy and maternity.

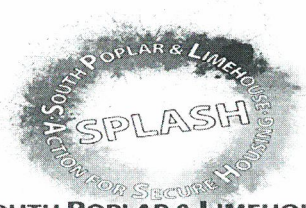
SPLASH's commitment to anti-discriminatory practice relates to all kinds of discrimination, as set out below:

- Direct discrimination – where someone is treated less favourably than another because they have a protected characteristic
- Indirect discrimination – when a requirement or a condition is applied which has a detrimental effect on a particular group or individual. This applies even if there was not a deliberate intention to discriminate.
- Associative discrimination – direct discrimination against someone because they associate with another person who has a protected characteristic.
- Perceptive discrimination – direct discrimination against someone because others think they have a protected characteristic even if they do not possess that characteristic.
- Harassment – unwanted conduct related to a protected characteristic which violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them. This applies even if the conduct is not directed at the individual or if they do not have the protected characteristic.
- Third party harassment – potential liability for the harassment of staff by others such as clients or customers.
- Victimisation – when someone is treated badly because they have made or supported a complaint under the Equalities Act, or it is thought that they have done so.

5. Employment – Recruitment and Selection

5.1 Reviewing Vacancies

As vacancies to paid posts and voluntary roles arise, all appointing officers must review the Job Description and Person Specification to ensure that it meets the requirements of this Policy.



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No arbitrary restrictions will be placed on vacancies. Where restrictions are applied, they must be reasonably justifiable. All applicants should be made aware that general life experience and voluntary as well as paid work are valued.

All paid posts will be advertised externally. An application process and timetable will be determined, and applicants will be measured against the skills criteria on the person specification.

'Acting Up' – on occasion vacant posts may be filled temporarily using 'acting up' arrangements, the process will be open to all qualifying existing personnel and the terms and conditions for which will be set down in writing to the successful candidate.

5.2 Advertising

Advertisements for job vacancies should be widely accessible and distributed through appropriate external media.

Specific advertisements should ensure:

- that there are no requirements or criteria which are unnecessary to the post and which might exclude applicants from any section of the community.
- that emphasis is placed on the availability of flexible working arrangements and/or job share opportunities where appropriate.
- no artificial age barriers are introduced.
- all advertisements state that SPLASH is working towards equal opportunities and values diversity.
- all advertisements state accessibility in relation to working environments.

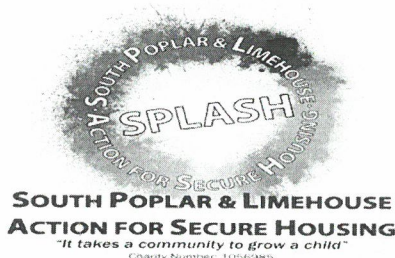
5.3 Short-listing and Interviewing

All applicants will be given equal consideration for appointments. Criteria for short listing must be clearly established by the preparation of Person Specifications and equally applied to all candidates. An appropriate job application form should be used, and SPLASH can accept personal CVs. The personal details section of the application form shall not be viewed by shortlisting panel until the process has been completed. Everyone should be assessed according to his/her personal capability to carry out a given job. General assumptions must not be made about individual applicants.

Overseas qualifications, degrees and diplomas, which are comparable with UK qualifications, will be accepted as equivalents.

When a job involves irregular or unsocial hours or travel, the full facts should be referred to in the Job Description or other recruitment literature.

More than one person will carry out short listing and interviewing. Interview questions must not be of a discriminatory nature.



Selection decisions must not be influenced by factors such as the traditional profile of the current post holder, unless for genuine occupational qualification reasons.

The selection must not be influenced by the perceived prejudices of other staff.

At both the short listing and appointment stage, brief notes shall be made on each application indicating clearly why the applicant has not been short listed or appointed. A form will be drafted for this purpose.

Any recruitment records, which monitor the appropriate information to enable equal opportunity analysis must be kept for 12 months.

The Panel

The panel will consist of 2-5 people depending upon the seniority of the position. This will include the line manager, Senior Manager and others with relevant knowledge or interest. For senior positions at least one trustee will sit on the panel.

The panel will select a Chair who will be responsible for the conduct of the interview and ensuring all documentation is in order. The Chair must understand equal opportunities interviewing practice and ensure that all the other panel members do so. Training will be provided where necessary.

Short listing

The panel will jointly shortlist applications using a mutually agreed scoring system against each criteria on the person specification and keeping tabulated records.

Reasons for not short-listing candidates should be briefly recorded in case of query.

Short listing should first remove all applicants who do not illustrate how they meet the essential criteria. If this still leaves too many for interview the desirable criteria should be used.

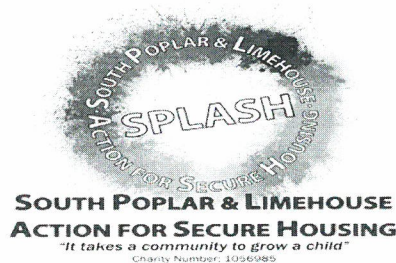
The Commission for Racial Equality or the Department of Education and Employment can advise on the comparability of overseas or unfamiliar qualifications.

All panel members must be aware of any personal bias and guard against making assumptions. Where candidates have volunteered information not requested, such as marital status, this should be ignored.

Interviewing

The panel will agree the format beforehand. The Chair must explain this to all applicants. Questions will be agreed in advance and all applicants will be asked the same set of questions in order to give each an equal opportunity to demonstrate their suitability for the job. Additional questions in order to clarify details on the application form are admissible. All applicants will be given an opportunity to ask questions or make further comments if they think they have not been able to fairly represent themselves in answering the panel.

The Chair of the Panel is responsible for ensuring that no questions asked relate to marital status, partners, domestic set-up, children, politics, religion or union activities.



The use of acronyms should be avoided, e.g., LBTH for London Borough of Tower Hamlets.

Panel members will complete their own assessment form for each candidate. These will be collated when all applicants have been seen and the results discussed. The Chair will be responsible for taking the final decision based upon the panel's assessments against the criteria in the person specification. A first and second choice should be identified if possible.

The Senior Manager will retain all documentation for 6 months, in case of appeals or queries, after which it will be discarded.

Appointments

The successful candidate will be informed first. (If they do not accept an offer can be made to the second choice.) Once acceptance has been agreed, the unsuccessful candidates should be informed as soon as possible and feedback on their interview made available on request.

The Senior Manager is responsible for writing a letter of appointment, subject to receipt of references satisfactory to SPLASH, detailing terms of acceptance, start date and salary and enclosing any police or health check requirements for completion and return.

The Senior Manager will apply to the referees for written references and prepare a contract of employment in preparation for the first day.

Contracts of employment must be finalised within one month of starting and all posts will be subject to a 3-month probationary period.

5.4 Age Restrictions

In all recruitment and employment matters, age limits must not be applied in a way that is artificial or arbitrary. Age restrictions in employment at SPLASH are only applied where reasonably justified. Nothing in this policy can over-ride any statutory provisions (e.g. on minimum ages in employment matters). Where age restrictions are proposed, managers must be able to show reasonable justification for imposing such a limit.

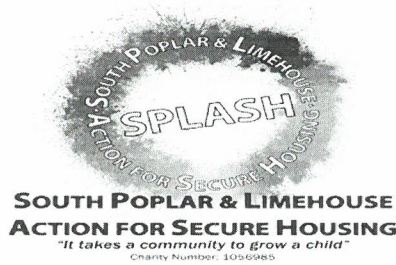
6. CAREER DEVELOPMENT AND THE PROVISION OF TRAINING

6.1 Training Opportunities

Relevant training opportunities will be published widely to all employees. Training will be available to directors, paid staff and volunteers without discrimination and with regards to individual circumstances.

6.2 Career Breaks

Consistent with the needs of the organisation, SPLASH will encourage initiatives designed to help staff and/or volunteers who wish to return to work after a career break, or who wish to combine their pursuit of a career with raising a family.



6.3 Cultural and Religious Needs

Where employees and/or volunteers have particular religious or cultural needs which may conflict with work requirements, managers will consider whether it is reasonably practicable to vary or adapt these requirements to enable such needs to be met (e.g. where annual leave is sought on a religious festival it should not be unreasonably withheld).

In dealing with such matter's managers must seek to balance the operational needs of their department with the cultural and religious needs of employees.

6.4 Disabled Employees

The organisation will support employees who are disabled or become disabled to work within the organisation and wherever possible will assist with their rehabilitation and retraining. The aim is to maintain disabled staff in employment wherever practicable. Reasonable steps to achieve this may involve adjusting working conditions and practices as well as redeployment to alternative work.

6.5 Individual Support / Communities of Interest

All workers should have access to support. If for example, a group of workers sharing a collective identity wish to set up a support group then this should be encouraged. If a worker feels isolated, then provision should be made for external support.

7. GENERAL BEHAVIOUR / CODE OF CONDUCT

Each member of staff and volunteers should respect other members of staff and realise that behaviour that they may find acceptable may not be so regarded by others.

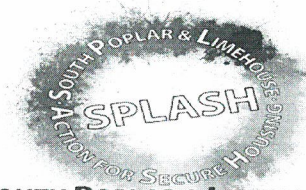
Harassment at work in any form is entirely unacceptable and each member of staff and volunteer carries responsibility for their own behaviour under the policy.

The policy aims to prevent all forms of offensive behaviour but where there is a breach of this policy the person(s) responsible will be liable for disciplinary action. Some harassing behaviour may also be unlawful.

Harassment can take many forms and may be directed against minority groups or individuals (e.g. because of a person's physical appearance or other characteristic).

It may involve action, behaviour, comment, or physical contact, which is found objectionable or which causes offence, it can result in the recipient feeling threatened, humiliated or patronised and it can create an intimidating work environment as well as interfere with the employee's job performance and undermine their job security.

Managers shall act and react with dignity and respect towards employees and volunteers and they shall ensure that all those involved work in a similar way in their relationships with each other.



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8. COMPLAINTS AND GRIEVANCE PROCEDURE

8.1 Informal Procedure

Wherever possible employees and volunteers who believe that they have been the subject of harassment, should tell the person responsible that they find their behaviour offensive and ask them to desist. If the individuals feel unable to do this themselves, they may ask another colleague or their line manager to do it for them.

If the alleged harassment continues, or the complainant feels unable to speak directly to the alleged harasser, it may be helpful to write to the person concerned clearly indicating what is considered to be unacceptable behaviour.

In the event that this fails, the individual is to be encouraged to follow the procedures set out in SPLASH's Complaints Procedure.

8.3 Victimisation

Employees will not be victimised in any way for complaining about discrimination or harassment and for giving evidence about such a complaint.

9. EQUAL OPPORTUNITIES AND DIVERSITY IN SERVICE DELIVERY

9.1 Consultation

SPLASH aims to actively encourage the views of groups, which experience discrimination in order to improve our service delivery. This should cover all aspects of our service including: management practice, recruitment, employment, volunteer involvement, training and development, publicity/publications and access to resources.

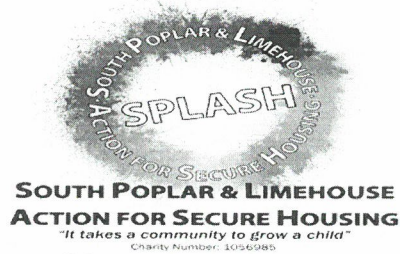
9.2 Access to Membership and Services

SPLASH will aim to ensure that its membership and services are accessible to all and reflect the needs of the various communities of people who may need them with particular reference to the needs of under-represented groups.

SPLASH will make every effort to make its buildings and meeting venues as accessible as is possible to people with disabilities (including sensory impairment and learning difficulties).

SPLASH will make every effort to take account of the needs of people and groups on low income using our services.

SPLASH aims to ensure that all people will receive a positive and sustained welcome from their first point of contact with the organisation and staff will monitor consumer feedback to develop a better service in relation to diversity.



SPLASH will ensure that an accessible complaints procedure is available to ensure against discrimination in service allocation and delivery.

9.3 Marketing, Publicity, and Public Relations

In order to promote equality of access to our service, SPLASH will ensure that the organisation's services are well publicised. Publicity will include statements about our commitment to diversity and equal opportunities.

The marketing of SPLASH will strive to provide information and resource materials which are written free from jargon, as well as from racist, ageist, disabling, homophobic, sexist images, language or attitudes and any other discriminatory practices.

9.4 Communication

SPLASH aims to create a climate of communication, which reflects the needs of different linguistic and cultural groups by providing interpreters and signers as appropriate. SPLASH will attempt where possible to provide information in a variety of formats (e.g. audio tape or large print) on request

10. Dealing with third parties

SPLASH will not unlawfully discriminate in dealings with third parties. This applies to dealing with other legal service providers and general procurement.

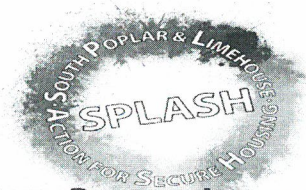
11. Data Collection

SPLASH complies with the requirement of the Data Protection Act. Any data, either qualitative and or quantitative, required in order to monitor the requirements or the impact of the Equalities Act 2010, will be collected where it is reasonable, proportionate and practical to do so. Any such requirements will be notified to SPLASH's staff, workers, directors, volunteers, members and service users and will follow a common data format.

12. Legislation

We will take all reasonable steps to ensure that we and our staff do not unlawfully discriminate under:

- the Rehabilitation of Offenders Act 1974;
- the Employment Rights Act 1996;
- the Human Rights Act 1998;
- the Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000;
- the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002;
- the Civil Partnership Act 2004



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- the Work and Families Act 2006;
- the Equality Act 2010; and
- any other relevant legislation in force from time to time relating to discrimination in employment and the provision of goods, facilities or services.

13. Induction

SPLASH will ensure that all new employees, volunteers, and directors will receive induction on the policy.

14. Complaints and Sanctions

SPLASH will treat seriously any complaints of unlawful discrimination on any of the stated grounds made by employees, volunteers, directors, members, service users or other third parties and will take action where appropriate.

All complaints made by external parties will be investigated in accordance with SPLASH's Complaints Procedure and the complainant will be informed of the outcome.

In the event of an investigation concerning a complaint against an employee, SPLASH's Grievance Policy and Procedures will be followed and any action necessary dealt with under SPLASH's Disciplinary Procedure.

Complaints will be monitored regularly, and any outcomes/action recorded.

15. Review

The effectiveness of this policy in achieving the stated aims will be monitored and evaluated. This process shall be undertaken at least annually; shall include the review of each component of the policy and shall aim to seek the views of organisations representing the interests of those groups referred to in this policy. **This will be reviewed on an annual basis.**

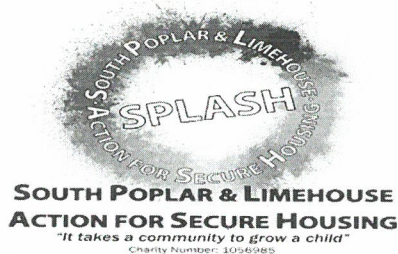
Glossary

Direct discrimination

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perceptive discrimination below), or because they associate with someone who has a protected characteristic (see associative discrimination below).

Associative discrimination

This is direct discrimination against someone because they are linked or associated with another person who possesses a protected characteristic.



Perceptive discrimination

This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Protected Characteristics

The protected characteristics as listed in the Equality Act 2010 are sex, sexual orientation, marriage or civil partnership, gender reassignment, race, religion or belief, age, disability, pregnancy and maternity.

Disability

Under the Equality Act 2010, a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

Gender reassignment

A transsexual person is someone who proposes to, starts or has completed a process to change his or her gender. The person does not have to be under medical supervision.

Race

Race includes colour, nationality and ethnic or national origins. A racial group can be made up of two or more different racial groups (e.g. Black Britons).

Religion or belief

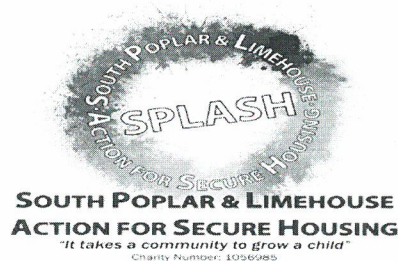
Under the Equality Act 2010, religion includes any religion. It also includes lack of religion, in other words employees or jobseekers are protected if they do not follow a certain religion or have no religion at all. Additionally, a religion must have a clear structure and belief system. Belief means any religious or philosophical belief or a lack of such belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour.

Sexual orientation

Includes bisexual, gay, heterosexual, lesbian, Queer, Intersex or Asexual people.

Indirect discrimination

Indirect discrimination can occur when you have a condition, rule, policy or even a practice in your company that applies to everyone but particularly disadvantages people who share a protected characteristic and which cannot be justified in relation to the job.



Harassment

Harassment is “unwanted conduct related to a relevant 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”.

Third party harassment

SPLASH has a duty to prevent harassment of employees by people (third parties) who are not employees of your company, such as clients. SPLASH has a duty to prevent harassment and may be liable if aware that harassment has occurred on at least two previous occasions and does not take reasonable steps to prevent it from happening again.

Victimisation

Victimisation occurs when an employee is treated badly because they have made or supported a complaint about discrimination or harassment or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

Positive action

Some people with protected characteristics are disadvantaged or under-represented in some areas of life, or have particular needs linked to their characteristic. They may need extra help or encouragement if they are to have the same chances as everyone else. The new positive action provisions held within the Equalities Act 2010 enable service providers to take proportionate steps to help people overcome their disadvantages or to meet their needs.

Manager signature: St. Christine Frost Date: 10/01/2020