



## Equal Opportunities Policy: Different but Equal

### 1. Aims:

*Why me?* aims to embed equality in everything that we do. We strive to be a diverse organisation in which everyone is valued for their individuality

*Why me?* recognises that power is not held equally in our society and that groups and individuals have been and continue to be discriminated against on many grounds.

The aim of this policy is to ensure that *Why me?* complies with relevant legislation, does not perpetuate discrimination, actively challenges it and provides an inclusive environment for all who work for or with us. The policy has been written in consultation with *Why me?* staff, trustees and volunteers.

### 2. Principles

#### Different but equal:

- Equality is not treating everyone the same. We are different so have different needs.
- We recognise that different people have different needs, and that a “one size fits all” approach does not work.
- We will ensure equality of opportunity under the law
- We will be responsive to individual needs and make necessary adjustments.
- We all have different perspectives, skills, knowledge and come from different backgrounds

#### Forever learning:

- Equality is what we have to deliver. Diversity is what we aspire to achieve and is an ongoing process.
- We will set up regular cycles of reflection and review and action about the levels of diversity within the organisation.
- We will embrace learning and growth and continuously try to improve our understanding of Equality and Diversity
- We will continuously challenge the stereotypes that we hold

#### Embedded approach

- Equality is a golden thread that runs throughout the organisation.
- We believe that leadership is key to achieving an inclusive culture

#### Representation:

- It is important that our organisation is representative of the diversity in our society in its people and its presentation through delivery of its services
- It is important that we do not ‘tokenise’ people to speak on behalf of one identity group in which there will be much diversity

### Everyone having a voice:

- We commit to fostering a safe and open environment in which each person feels that they have a voice
- We will maintain and continue to establish clear routes for raising concerns and communicate them to everyone in the organisation
- We will be transparent, while maintaining confidentiality

### Equal access:

- We will make our service, our employment and our volunteering opportunities as widely accessible as possible
- We will look out for and monitor patterns that demonstrate unconscious bias or institutional discrimination

In order to achieve this, we will:

3. promote the development of a workplace environment for all staff and volunteers to develop their full potential,
4. ensure that all staff, volunteers, contractors and visitors to Why me? are treated fairly, without discrimination, harassment or victimisation, and
5. monitor our practices and arrangements in order to ensure our commitment is fulfilled.

## **6. Definitions**

**3.1 Equality** is about ensuring that every individual has an equal opportunity to make the most of their lives and talents, and believing that no one should have poorer life chances because of who they are or where they were born, what they believe, or whether they have a disability. Equality recognises that historically, certain groups of people with particular characteristics e.g. race, disability, sex and sexuality, have experienced discrimination.<sup>1</sup>

**3.2 Diversity** is any dimension that can be used to differentiate groups and people from one another. It is about empowering people by respecting and appreciating what makes them different. Diversity allows for the exploration of these differences in a safe, positive, and nurturing environment. It means understanding one another by surpassing simple tolerance to ensure people truly value their differences.<sup>2</sup>

**3.3. Direct Discrimination** Discrimination can be direct or indirect. Direct discrimination occurs if a person is treated less favourably than someone else because of a protected characteristic. This definition is broad enough to cover actions where the less favourable treatment is because of the person's association with someone who has that characteristic (for example, they have a disabled son), or because the victim is wrongly thought (or perceived) to have it (for example, an Asian man is assumed to be a Muslim). If the reason

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<sup>1</sup> Equality and Human Rights Commission, <https://www.equalityhumanrights.com/en/secondary-education-resources/useful-information/understanding-equality>

<sup>2</sup> Global Diversity Practice, <http://www.globaldiversitypractice.co.uk/what-is-diversity-inclusion/>

for the treatment is marriage or civil partnership it must be the person, rather than anybody else, who is married or a civil partner.

Direct discrimination cannot be justified except on grounds of age.

### **3.4 Indirect Discrimination**

Indirect discrimination occurs where an organisation imposes an apparently neutral provision, criterion or practice on a group of people, which has the effect of putting persons with a protected characteristic at a particular disadvantage when compared to others who do not share it. Unless the organisation is able to justify the provision, criterion or practice as being a proportionate means of achieving a legitimate aim, it will be unlawful.

Indirect discrimination does not apply to cases concerning pregnancy and maternity.

### **3.5 Harassment**

Harassment is unwanted conduct related to one of the protected characteristics, which has the purpose or effect of violating a person's dignity or creating an offensive, degrading, humiliating, intimidating or hostile environment for him/her.

Harassment can be unlawful if it is carried out in the workplace or at a work related event by work colleagues or by third parties, such as customers or clients.

### **3.6 Victimisation**

Victimisation happens when someone treats another person less favourably because that person has made or threatened to make an allegation of discrimination or harassment or done anything in connection with the Equality Act; (unless the allegation was false or done in bad faith).

### **3.7 Disability**

A disabled person is defined as someone with a mental or physical impairment which has a substantial and long term adverse impact on their ability to carry out normal day to day activities.

Why me? has a duty to make reasonable adjustments where working arrangements or physical features place a disabled employee, job applicant or service users at a substantial disadvantage to persons who are not disabled.

A disabled employee may seek the help of Access to Work (part of Jobcentre Plus) to identify a suitable adjustment.

## **7. Policy Statement**

It is unlawful under the Equality Act 2010 to discriminate against people with the following characteristics in employment or the delivery of services:

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Age  
Disability

Gender reassignment  
Marriage and civil partnership  
Pregnancy and maternity  
Race - including ethnic origin, national origin, nationality and colour  
Religion or belief, including non-belief and philosophical beliefs  
Sex  
Sexual orientation

We will strive to challenge discrimination in all of its forms, such as part time workers, contract workers, Welsh speakers and trade union involvement.

We will also take the following legislation into account:

Employment Rights Act 1996  
Part-time working regulations 2000  
Rehabilitation of Offenders Act  
Equal Pay Act 1970  
Employment Equal Treatment Framework Directive 2000  
Welsh Language Act 1993

We will also take related organisational policies into account:

Employee Handbook  
Restorative Justice Service Handbook  
Whistleblowing Policy  
Serious Incident Policy  
Safeguarding Policy

Why me? is committed to the elimination of discrimination, harassment and victimisation because of a person's age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, ethnic or national origin, nationality or colour, religion or belief, sex or sexual orientation; (these are known as the "protected characteristics"). Why me? is also committed to the promotion of equality for persons with any of the protected characteristics in our practices and arrangements and through the work of Board, staff and volunteers in England and Wales.

In addition, employees who work part-time, on fixed term contracts, or who make a protected disclosure will not be treated less favourably or victimised because they do or have done so.

Furthermore, *Why me?* acknowledges that these characteristics are not mutually exclusive and that some people face multiple disadvantages due to belonging to multiple disadvantaged groups. This could create particular forms of discrimination which may require particular forms of support. We also acknowledge the importance of diversity of thought, as well as diversity of characteristics.

All staff and members are responsible for implementing our equality and diversity policy and the equality and diversity plan.