



## St Albans Diocesan Board of Finance

### Equal Opportunities policy

#### STATEMENT OF POLICY

##### Introduction

The Board aims to be an equal opportunities employer and undertakes to apply objective criteria to assess merit. It aims to ensure that no job applicant, employee or worker receives less favourable treatment on the grounds of race, colour, national or ethnic origins, sex, sexual orientation or perceived sexuality, marital status, disability, membership or non-membership of trade union, “spent convictions” of ex-offenders, class, age, politics, religion or belief.

Selection criteria and procedure will be reviewed to ensure that individuals are selected, promoted and treated on the basis of their relevant merits and abilities.

All employees will be given equal opportunity and, where appropriate and possible, special training to enable them to progress within the Board. The Board is committed to a programme of action to make this policy effective in order to minimise the possibility of discrimination, and find means of combating it whenever it arises.

##### Definitions

**Direct Discrimination** occurs when a person is treated less favourably than others in similar circumstances on the grounds of race, colour, national or ethnic origins, sex, sexual orientation or perceived sexuality, marital status, disability, membership or non-membership of trade union, “spent convictions” of ex-offenders, class, age, politics, religion or belief.

**Indirect Discrimination** occurs when a condition or requirement is imposed which adversely affects one particular group considerably more than another and cannot be strictly justified in terms of requirements for performing the job.

**Harassment** is defined as unwanted, unreciprocated and/or uninvited comments, looks, actions, suggestions or physical contact that is found objectionable and offensive and that might threaten an employee’s job security, or create an intimidating working environment. Harassment is particularly liable to occur as part of sexual or racial discrimination.

**Victimisation** is defined as singling out of an individual for harsh treatment, or unfair action/sanction.

##### The Board’s Responsibility as an Employer

In order for the Equal Opportunities Policy to be fully effective, the responsibility for ensuring that its terms are adhered to will lie with the Secretary. It is, however, the responsibility of each senior officer and all other supervisory staff to actively promote equality of opportunity within their own

programmes and spheres of responsibility. It should not be overlooked that harassment can take many forms, e.g. age, religion, belief, skin colour, sexual orientation or perception of, disability – even dialect or accent – can all form the basis of unwanted aggression and attention. Victimisation in the widest sense of the word is also a form of harassment and those exposed to or subject to such action need protection.

The Board will inform its employees of their responsibilities and opportunities under the Equal Rights Legislation; will make sure that the Board's Equal Opportunities Policy is known to all staff and applicants.

The Board will take disciplinary action against employees who are found to infringe its Equal Opportunities Policy.

#### What the Board expects from its Employees

While the main responsibility for providing equal opportunities lies with the Board, individual employees at all levels have responsibilities too. Eradicating discrimination depends on everyone's collaboration.

Employees should not harass, abuse or intimidate other employees on any grounds.

Employees should co-operate with measures introduced by the Board to make sure there is equal opportunity and non-discrimination. Employees must not victimise individuals on the grounds that they have made complaints or provided information about discrimination or harassment.

#### Harassment

The Board declares itself opposed to harassment in any form. The experience of harassment is acknowledged as a valid ground for a person making complaints under the Grievance Procedure.

The Board will not condone harassment of any employee within the Board whether these acts are committed by members of the public or by colleagues. Nor will the Board condone any acts of harassment by employees against members of the public. Individuals suspected of harassment will be liable to disciplinary action which may lead to dismissal.

#### **Equal Opportunities Grievance Procedure**

The Board's principal reason for developing a policy and procedure on equal opportunities and harassment is to establish a separate procedure for handling complaints, including nominating specific senior officers or other employees to offer confidential advice and support.

Where the grievance is considered to be of a serious personal nature or against an individual who is part of the grievance procedure, the individual instigating the complaint, who has the right to be accompanied by a colleague or Trade Union Representative, should raise the matter with the Secretary. If this is not possible the matter should be raised formally, in writing, within one week of the alleged offence occurring with the Chairman of the Board.

The employee must be able to demonstrate that they have reasonable grounds for wishing to bypass stages of the procedure in this way.

Each stage of the procedure will be implemented as promptly as is reasonably practicable and shall not be subject to undue or wilful delay.

At each stage of the procedure the outcome will be confirmed in writing.

## Anti-Harassment Policy

The Board requires all employees to respect each other and to understand that behaviour that they may find acceptable may not be regarded as such by others.

Harassment (i.e. foisting one's unwelcome attentions on another employee (usually) with sexual intent, victimisation for whatever reason – including a person's age, colour, religion or belief, sexual orientation or perception of, accent or dialect, disability etc) is entirely unacceptable in terms of the above and will be regarded as gross misconduct. Harassment can take place via words as well as actions, via the telephone and e-mail as well as face to face.

Senior officers are required to act and react to all employees (and any other persons with whom they may be in contact) with respect and dignity.

Senior officers are also required to ensure those under their control act in a similar way in their relationships with each other. They should immediately correct and take appropriate action, when faced or notified of any unacceptable behaviour.

Senior officers are expected to familiarise themselves with and apply the Board's policy to ensure the Board's procedure is known to all, in the event of an employee wishing to raise a complaint. Such complaints must be dealt with immediately, objectively and fairly.

Senior officers should:

- Encourage genuine concerns to be raised rather than be hidden.
- Endeavour to eradicate victimisation and/or retaliation.
- Make employees aware that under the Criminal Justice Act 1994, harassment was made a criminal offence punishable by a substantial fine and/or a prison sentence of up to six months and under the Protection from Harassment Act 1997 to unlimited fines and imprisonment of up to five years.

## Procedure

If an incident is reported the following procedure should be followed:

- Make a note of the time, date, place and any other relevant data.
- Make a note of any witnesses, or persons in the immediate neighbourhood who may not have witnessed the event but may at least be able to corroborate that the persons involved were at the location at the time stated.

If the person generating the alleged harassment is:

- An employee of the same or junior status: the matter should be reported to the superior of the employee suffering the harassment, with an indication of the required action.
- Senior to, but not the immediate superior of the employee suffering the harassment: the matter should be reported to that immediate superior; with an indication of the required action.

- The immediate superior of the employee suffering the harassment: the matter should be reported to the Secretary with an indication of the required action.

Whenever possible, the anonymity of the employee complaining of harassment should be maintained.

The person to whom the complaint is made should record in writing as many details as possible regarding the complaint, including details of any witnesses etc.

Within no later than five working days and sooner if possible, the person receiving the complaint must report back to the complainant with details of action taken and any resolution achieved. A resume of the action taken and any resolution must be given to the complainant in writing and a copy held with the notes regarding the complaint. If the solution is satisfactory to the complainant, the matter should be concluded. Any notes relating to the case will be held under confidential control.

If the solution is not satisfactory to the complainant, the matter should be discussed further and an alternative solution attempted to be agreed. This may require the person receiving the complaint to make further investigations and to take the matter to a higher authority.

If the matter is referred to a higher authority (i.e. someone not involved in any way with the matter previously), then the investigation by that person and subsequent decision will be made known to the complainant within five working days. This decision will be binding and conclude the enquiry internally.

If in the course of the investigations at whatever level, it is proved, or it is admitted that harassment did take place, the matter must be referred to the superior of the person responsible for the harassment. Since harassment is regarded as gross misconduct, it is mandatory that the person responsible is given a formal warning; depending upon the seriousness of the act this may also be a final written warning that is that should it be repeated dismissal could follow. In extreme cases dismissal may be the only solution.

If victim and harasser normally work in close proximity, consideration should be given to relocating one or the other.

Approved by Diocesan Synod on 10 June 2010