

## Equal Opportunity Policy

### Introduction

1. Healthwatch Oxfordshire (HWO) is committed to promoting equality of opportunity in employment, volunteering and the services it provides. We do not discriminate against users of our services, staff and volunteers (existing or potential) on the basis of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation (**protected characteristics**).
2. As an employer and provider of a service to the community, HWO accepts the responsibility to promote equal opportunities and challenge discrimination wherever it occurs. This policy sets out the main consequences of this commitment and the action to be taken in order to achieve equal opportunities.
3. All Board members, staff and volunteers have a duty to act in accordance with this policy and to ensure that no other Board members, staff, volunteers or service users receives less favourable treatment than any other on the grounds of a protected characteristic.

### Responsibility

4. The Healthwatch Oxfordshire Board has overall responsibility for the effective operation of this policy. However, all employees, volunteers and service users have a duty as part of their involvement with HWO to do everything they can to ensure that the policy works in practice.
5. HWO will bring to the attention of all employees, job applicants, volunteers, volunteer applicants and service users the existence of this policy.

### Positive Action

6. Healthwatch believes that passive support for equal opportunities is not enough and that positive steps shall be taken. Healthwatch is committed to:
  - recognising and developing potential which has not been used before because of past discrimination and disadvantage
  - encouraging access and applications for staff and volunteer positions from under-represented groups.
  - providing training and support for disadvantaged groups and individuals to fully participate in its work

7. All activities and decisions made by the HWO Board and staff team will be assessed in terms of their impact on those with protected characteristics through an equality impact assessment, the aim being to ensure that decisions impact in a fair way. Where there is evidence that particular groups will be negatively affected by a decision, action will be taken to address this.

### **Forms of Discrimination**

8. Discrimination by or against an employee or volunteer is generally prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and it may occur intentionally or unintentionally and may be in favour of or against an individual.

9. **Direct discrimination** occurs where someone is treated less favourably because of one or more of the protected characteristics set out above.

10. **Indirect discrimination** occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage. For example, a requirement to work full time puts women at a particular disadvantage because they generally have greater childcare commitments than men. Such a requirement will need to be objectively justified.

11. **Harassment** related to any of the protected characteristics is prohibited.

Harassment is unwanted conduct that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

12. **Victimisation** is also prohibited. This is less favourable treatment of someone who has complained or given information about discrimination or harassment, or supported someone else's complaint.

### **Use of Language**

13. Staff, volunteers and service users will avoid and challenge the use of language which, in any way, belittles anyone with a protected characteristic. Where the language used has a personal impact on others, and it has been made clear to the person concerned that their use of such language is unwelcome and/or offensive, disciplinary action may be taken if they persist with it.

### **Communications**

14. All HWO communications material will be made available on request in alternative formats (e.g. other languages, Braille, easy-read versions and other formats).

15. Healthwatch staff and volunteers should not produce or distribute material to promote views which are offensive to people with a protected characteristic.

### **Disability and Access to Premises**

16. If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.

17. If you experience difficulties at work or as a volunteer because of your disability, you may wish to contact the HWO Chief Executive to discuss any reasonable adjustments that would help overcome or minimise the difficulty. The Chief Executive may wish to consult with you and your medical adviser(s) about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable we will explain our reasons and try to find an alternative solution where possible.

18. We will monitor the physical features of our premises and premises we used for Healthwatch events /meetings to consider whether they place disabled staff, volunteers or service users at a substantial disadvantage compared to other staff, volunteers and service users. Where reasonable, we will take steps to improve access for disabled staff, volunteers and service users.

### **Recruitment and Selection**

19. We aim to ensure that no job applicant or person applying for a volunteer role suffers discrimination because of any of the protected characteristics above. Our recruitment procedures will be reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities. Job and volunteer selection criteria are regularly reviewed to ensure that they are relevant to the job / volunteer opportunity and are not disproportionate.

20. Job or volunteer role advertisements should avoid stereotyping or using wording that may discourage particular groups from applying. They should include an appropriate short policy statement on equal opportunities and a copy of this policy shall be sent on request to those who enquire about vacancies. Advertisements and application forms will make it clear that life experience as well as formal qualifications and work experience are equally as valid.

21. Where appropriate, use may be made of lawful exemptions which should be set out in the advertisement.

22. Applicants should not be asked about health or disability before a job offer or volunteer role offer is made. There are limited exceptions for example:

- Questions necessary to establish if an applicant can perform an intrinsic part of the job or volunteer role (subject to any reasonable adjustments).
- Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.
- Equal opportunities monitoring (which will be treated as confidential and will be clearly separated from all processes concerned with the decision-making process).

23. Applicants should not be asked about matters concerning age, race, religion or belief, sexual orientation, or gender reassignment.

24. We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective staff, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the UK Border Agency.

25. To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in HWO, we monitor applicants' protected characteristics as part of the recruitment procedure.

Provision of this information is voluntary and it will not adversely affect an individual's chances of recruitment as a staff member or volunteer. The information is removed from applications before shortlisting, and kept in an anonymous format solely for the purposes stated in this policy. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity.

### **Training**

26. Staff and volunteer training needs will be identified through regular supervision sessions. All staff and volunteers will be given appropriate access to training subject to available resources, to enable them to progress and develop within HWO and all promotion decisions will be made on the basis of merit.

### **Conditions of Service (staff only)**

27. Our conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all staff that should have access to them and that there are no unlawful obstacles to accessing them.

28. Working hours and arrangements will, whenever possible, be flexible for both full and part-time employees with no qualifying length of service, to facilitate the caring for children and other dependants. Any requests for job sharing or part-time working to meet employees' needs for shorter hours will be sympathetically considered, subject to operational requirements.

29. We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

30. We will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

### **Dealing with Complaints**

31. If any service user, volunteer or employee feels that they have, or are been discriminated against, they are encouraged to raise the matter through either the Complaints Policy or the Disciplinary Policy

32. Allegations regarding potential breaches of this policy will be taken seriously, treated in confidence and investigated in accordance with the relevant procedure. Staff and volunteers who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations which are found to have been of an unfounded nature or made maliciously will however, be dealt with under the disciplinary policy

33. Any member of staff or volunteer who is found to have committed an act of discrimination or harassment will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. We take a strict approach to serious breaches of this policy.

#### **Monitoring of Policy**

34. The HWO Chief Executive will advise, inform and consult with staff, volunteers and service users in order to progress and improve equal opportunities within HWO. The Chief Executive will:

- Monitor and report to the HWO Board on equal opportunities progress, development and practice,
- Ensure staff, service users' and volunteers' awareness and understanding of equal opportunities issues and practice via training and development.

Date policy approved by HWO Board	6 <sup>th</sup> May 2014
Responsible Officer	Business Manager
Review interval	Annual
Last review date	