



Diversity and Inclusion Policy

Last Reviewed: Jo Lake, October 2020

Next review due: October 2022

Vi: Review Oct 2020: Change of name of policy from Equality and Diversity Policy to “Diversity and Inclusion Policy”. Change of structure to policy headings.

1. Overview

Application of this policy will be on the basis of equal opportunities regardless of race, colour, nationality, or ethnic origins, age, marital status, gender, sexual orientation, disability, religion or other personal circumstances or disadvantages.

The purpose of this policy is to set out Oasis’ approach to equality and diversity. Oasis is committed to promoting equality and diversity and promoting a culture that actively values difference and recognises that people from different backgrounds and experiences can bring valuable insights to the workplace and enhance the way we work. Oasis aims to be an inclusive organisation, committed to providing equal opportunities throughout employment including in the recruitment, training and development of employees, and to pro-actively tackling and eliminating discrimination.

At Oasis we consider that equality means breaking down barriers, eliminating discrimination and ensuring equal opportunities and access for all groups both in employment, and to goods and services. We consider diversity to mean celebrating difference and valuing everyone. Each person is an individual with visible and non-visible differences and by respecting this everyone can feel valued for their contributions which is beneficial not only for the individual but for Oasis too. We acknowledge that equality and diversity are not inter-changeable but

inter-dependent. There can be no equality of opportunity if difference is not valued and harnessed.

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2. Legislative Framework

Acts of Parliament

The Equality Act 2010:

This Act legally protects people from discrimination in the workplace and in wider society. It replaced previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening protection in some situations.

Other Relevant Oasis Policies/ Procedures/ Guidelines:

Recruitment policy for employees

Code of Conduct

Staff Welfare Policy

Disciplinary Policy

Bullying and Harassment Policy

3. Scope of Policy

The rights and obligations set out in this policy apply equally to all employees, whether part time or full time on a substantive or fixed-term contract, and also to associated persons such as contractors and others employed under a contract of service. You have personal responsibility for the application of this policy.

As part of your employee induction, you are expected to read and familiarise yourself with this policy, ensure that this policy is properly observed and fully complied with and to complete the declaration below (see end of document).

This policy is also of particular relevance to those in Senior Management positions, line managers and other employees concerned with recruitment, training and promotion procedures and employment decisions which affect others.

4. Diversity and Inclusion Policy Statement

Oasis is an equal opportunity employer.

Individuals with different perspectives and experiences are at the heart of the way Oasis works. We want to recruit, develop and retain the most talented people, regardless of their background and make best use of their talents.

At Oasis we want to be guided by our values in everything we do and recognise that being a diverse and inclusive employer helps us fulfil our responsibility to make a difference for our clients and service users.

We seek to develop a work environment where we treat all employees as individuals, fairly and in a consistent way. We work within the spirit and the practice of the Equality Act 2010 by promoting a culture of respect and dignity and actively challenging discrimination, should it ever arise. We will remove unnecessary barriers for our employees seeking opportunities through training and development, promotion and career planning. We will continue to support our leaders, managers and employees to demonstrate the principles of diversity and inclusion in their everyday activities, roles and functions.

5. Definition of terms

Discrimination can be either direct or indirect discrimination. Some of the above are protected characteristics under the Equality Act 2010 and discrimination is prohibited, unless there is a legal exception under the Equality Act.

Direct Discrimination. This is where someone is treated less favourably due to one (or more) protected characteristics. It can be intentional or unintentional discrimination. Occasionally the discrimination may occur due to a protected characteristic of another person, so the discrimination may be because of association. An example is an advert for a job that requires 'men only' or 'under 30s only'.

Indirect Discrimination. This is where someone is disadvantaged by an apparently neutral provision, criterion or practice (PCP) that is applied 'across the board' or 'equally across a particular group'. The PCP may have the consequence (usually unintended) of causing a disadvantage, which then actually affects somebody. For example, a PCP relating to clothing or headwear could be applied 'equally' but may cause someone with a protected characteristic to be disadvantaged. The PCP could be justified if it is a proportionate means of achieving a legitimate aim.

Victimisation. This is not the same as the common meaning of victimisation but is specifically regarding treating someone less favourably because they have complained about or given information about discrimination or harassment, either regarding themselves or someone else.

Harassment. This is part of the Equality Act but is covered in more detail in the Bullying and Harassment policy.

6. Oasis' commitment

Every employee is entitled to a working environment that promotes dignity, equality and respect for all. Oasis will not tolerate any acts of unlawful or unfair discrimination (including harassment) committed against an employee, contractor, job applicant or visitor because of a protected characteristic:

- sex;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race (including ethnic origin, colour, nationality and national origin);
- disability;
- sexual orientation;
- religion and or belief;
- age.

Discrimination on the basis of work pattern (part-time working, fixed term contract, flexible working) which is unjustifiable will also not be tolerated.

All employees will be encouraged to develop their skills and fulfil their potential and to take advantage of training, development and progression opportunities in Oasis.

Selection for employment, promotion, training, or any other benefit will be on the basis of aptitude and ability.

No form of intimidation, bullying or harassment will be tolerated.

In summary, what does equality of opportunity and inclusion look like at Oasis?

- Fairness and equality
- Common procedures across Oasis
- Actions taken which can be measured and justified and are recorded
- Recruiting the best personnel for the job
- Better retention of staff and volunteers
- A stronger chance of competing for staff and volunteers
- A reputation as a good employer
- Breaking down barriers and working practices
- Flexibility in employment e.g. job-share arrangements
- Good management practice
- Training programmes and opportunities
- Motivating staff and volunteers
- Team building
- Establishing support systems
- Improved career development
- Looking at potential within and outside the organisation

If you believe that you may have suffered discrimination because of any of the above protected characteristics, you should consider the appropriateness and feasibility of attempted informal resolution by discussion in the first instance with your line manager or another colleague in a relevant position of seniority. You may decide in the alternative to raise the matter through Oasis' Anti-harassment and bullying policy or Grievance Policy.

Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the appropriate procedure. Oasis will ensure that individuals who make such allegations in good faith will not be victimised or treated less favourably by Oasis as a result. However, false allegations of a breach of this policy which are found to have been made in bad faith will be dealt with under Oasis' Discipline Policy. A person found to have breached this policy may be subject to disciplinary action under Oasis' Discipline Policy. Employees may also be personally liable for any acts of discrimination prohibited by this policy that they commit, meaning that they can be sued by the victim.

There will be monitoring and reviews of the effectiveness of the equal opportunities policy, including a review of job applicants and the benefits/career progression of existing employees. Comments and suggestions on the policy can be directed to HR.

As an organisation we recognise that drug and alcohol misuse affects diverse individuals and families and that all people misusing substances may require specific support and services. Part of our services are specifically aimed at women only. This is to consciously address women's lack of access and representation within the drug treatment system. This approach is entirely in keeping with the Gender Equality Duty (2007). Our services for children and young people are non gender specific and will be monitored to ensure equality of provision.

In terms of the services we provide to our service users we aim to ensure that all services are equally accessible to the diverse range of women, children and young people in our community. This involves reviewing and managing the following:

- Physical needs – ensuring that premises/facilities are easily accessible and that adaptations are made, wherever reasonably practical, to ensure access for people with disabilities.
- Information needs – ensuring that all potential users have access to appropriate and plain English information about the services we offer.
- Communication/language needs – ensuring that interpreters or translation services are arranged for non English-speaking clients.
- Staff Practice – ensuring that staff and volunteers work in a non-discriminatory way, so that current and potential service users feel at ease and have the confidence to utilise the service. All staff should receive training in equal opportunities and diversity.

- Content – any services and interventions based on Eurocentric or heterocentric models may also need to be adapted to integrate and reflect the diversity of cultural and societal norms of the individuals accessing those services. Oasis is committed to reviewing and challenging the content and methods of interventions wherever this becomes apparent.

7. When does this policy apply?

This policy applies to all conduct in the workplace and also to conduct outside of the workplace that is related to your work (e.g. at meetings, social events and social interactions with colleagues) or which may impact on Oasis' reputation (e.g. the expression of views on social media, contrary to the commitments expressed in this policy, that could be linked to Oasis).

There are also some specific areas where this policy is of high importance:

- **Recruitment**
Selection for employment at Oasis will be on the basis of aptitude and ability. Further detail is set out in Oasis' Recruitment Policy. Where possible, Oasis will capture applicants' diversity demographics as part of its recruitment processes to promote the elimination of unlawful discrimination.

All gender-specific services are governed by the need for gender-sensitive employees and volunteers and are covered by the Sex Discrimination Act 1975 and are further supported by the Gender Equality Duty 2007.

- **Training**
You may also be required to participate in training and development activities from time to time, to encourage the promotion of the principles of this policy.
- **Promotion**
All promotion decisions will be made on the basis of merit and will not be influenced by any of the protected characteristics listed above. Promotion opportunities will be monitored to ensure equality of opportunity at all levels. Where appropriate, steps will be taken to identify and remove unnecessary or unjustifiable barriers to promotion.
- **During employment**
The benefits, terms and conditions of employment and facilities available to Oasis employees will be reviewed on a regular basis to ensure that access is not restricted by unlawful means and to provide appropriate conditions to meet the special needs of disadvantaged or under-represented groups.

8. Equality Impact Assessments (EIAs)

As part of our commitment to good practice and compliance with The Equality Act 2010 Oasis aims to carry out an EIA on all new services, policies and strategies. This will encourage good decision making in the development and delivery of services. It

will enable Oasis to understand how different groups will be affected by our activities and to identify and address inequalities in service delivery and design.

Our EIAs recognise the three aims contained in The Equality Act 2010 giving 'due regard' to all those with protected characteristics under The Act. This means that consideration of equality issues within our EIA will in so far as is possible;

- Eliminate unlawful discrimination, harassment, victimization and any other conduct prohibited by The Act,
- Advance equality of opportunity between people who share a protected characteristic and those who don't,
- Foster good relations between people who share a protected characteristic and those who don't.

EIA reports will be presented to the Board of Trustees and where necessary an action plan developed which will be monitored via the Q&A subgroup twice yearly.

9. Responsibilities

The Board / Management Committee

- Has overall responsibility for policies and procedures at Oasis so far as is reasonably practical.

The CEO

- To oversee the review and renewal of policies and procedures aimed towards the equality of opportunities, outcomes and diversity.
- To ensure that adequate resources are made available to enable this policy and relevant procedures to be implemented.
- To ensure that all relevant equal opportunities statistics are collated, analysed and reported to the board of trustees and that regular reviews are undertaken by staff to monitor performance against targets and the effectiveness of procedures.

Line Managers

- To ensure staff and volunteers know what equal opportunities and diversity mean.
- To understand and reflect the needs of different members of our community and our different staff.
- To keep up to date with and operate within legislation and policy.

- To measure outcomes of services delivered as well as opportunity to access these.
- To develop and implement equality and diversity initiatives within the organisation.
- To create opportunities for discussion and open communication between staff, volunteers and service users.
- To challenge staff, volunteers and others who discriminate either directly or indirectly.

Staff Members

- To ensure they do not discriminate against any staff member, volunteer, or service user, board member, contractor or other persons involved with the work of the organisation, or collude with discrimination against others.
- To be considerate, caring and thoughtful to everyone and take feelings of different individuals into consideration.
- To foster racial and cultural awareness for themselves, other staff, and service users.
- To operate within current legislation and policy

10. Equality and Diversity Declaration

I have read and understood Oasis’ Diversity and Inclusion Policy and agree to work to the expected standards. Regardless of my own or others background and circumstances I agree to treat all colleagues and visitors with respect and dignity while carrying out the duties and responsibilities of my role at Oasis.

Signature.....

Date.....

Print name.....

A copy of this declaration will be held on your BreatheHR profile.

11. References

Improvement and Development Agency summary of Equal Opportunities Legislation - <http://www.idea.gov.uk/idk/core/page.do?pageld=5145524>

Equality and Human Rights Commission -
<http://www.equalityhumanrights.com/our-job/>

Gender Equality Duty – Code of Practice
http://www.equalityhumanrights.com/uploaded_files/gender_equality_duty_code_of_practice_england_and_wales.pdf

Race Equality Duty – Code of Practice
http://www.equalityhumanrights.com/uploaded_files/PSD/cop_red_eng_and_wales.doc

Disability Equality Duty - Code of Practice
http://www.equalityhumanrights.com/uploaded_files/PSD/ded_code_englandwales.doc

ACAS guide to Equality - <http://www.acas.org.uk/index.aspx?articleid=1363>

A Fairer Future: The Equality Bill 2009 -
http://www.equalities.gov.uk/PDF/GEO_A%20Fairer%20Future-%20The%20Equality%20Bill%20and%20other%20action%20to%20make%20equality%20a%20reality.pdf

12. Appendix A – Equality & Diversity Legislation

This page provides a round-up of all the equality and diversity legislation that public bodies must be aware of, plus external links to the full legal texts.

Equality Act 2010

The Act brings together and strengthens earlier legislation. The Act provides a modern, single legal framework with clear, streamlined law to more effectively tackle disadvantage and discrimination. It requires public bodies to ensure that the needs of all individuals are considered when new services or changes are planned or carried out.

Earlier legislation includes:

Civil Partnerships Act 2004:

Provides legal recognition and parity of treatment for same-sex couples and married couples, including employment benefits and pension rights.

[Access the Civil Partnerships Act 2004](#) at the website of the Office of Public Sector Information

Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).

Disability Discrimination Act 1995

Outlaws the discrimination of disabled people in employment, the provision of goods, facilities and services or the administration or management of premises.

[Access the Disability Discrimination Act 1995](#) at the Office of Public Sector Information (OPSI) website

Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).

Disability Discrimination Amendment Act 2005

Introduces a positive duty on public bodies to promote equality for disabled people.

[Access the Disability Discrimination Act 2005](#) at the OPSI website

Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).

Employment Equality (Age) Regulation 2006

Protects against discrimination on grounds of age in employment and vocational training. Prohibits direct and indirect discrimination, victimisation, harassment and instructions to discriminate.

[Access the Employment \(Age\) Regulation 2006](#) at the OPSI website

Further information at the [Acas website](#) and the [Local Government Employers website](#)

Employment Equality (Religion or Belief) Regulation 2003

The directive protects against discrimination on the grounds of religion and belief in employment, vocational training, promotion and working conditions. [Access the Employment Equality \(Religion or Belief\) Regulation 2003](#) at the OPSI website

Further information at the [Acas website](#)

The Employment Equality (Sex Discrimination) Regulations 2005

Introduces new definitions of indirect discrimination and harassment, explicitly prohibits discrimination on the grounds of pregnancy or maternity leave, sets out the extent to which it is discriminatory to pay a woman less than she would otherwise have been paid due to pregnancy or maternity issues.

[Access the Employment Equality \(Sex Discrimination\) Regulations 2005](#) at the OPSI website

Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).

Employment Equality (Sexual Orientation) Regulation 2003

The directive protects against discrimination on the grounds of sexual orientation in employment, vocational training, promotion, and working conditions.

[Access the Employment Equality \(sexual orientations\) Regulation 2003](#) at the OPSI website

Further information at the [Acas website](#)

Equal Pay Act 1970 (Amended)

This gives an individual a right to the same contractual pay and benefits as a person of the opposite sex in the same employment, where the man and the woman are doing: like work; work rated as equivalent under an analytical job evaluation study; or work that is proved to be of equal value.

[Access the Equal Pay Act \(Amendment\) 1970](#) at the OPSI website

Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).

Equality Act 2006

Establishes a single Commission for Equality and Human Rights by 2007 that replaces the three existing commissions. Introduces a positive duty on public sector bodies to promote equality of opportunity between women and men and eliminate sex discrimination. Protects access discrimination on the grounds of religion or belief in terms of access to good facilities and services.

Access the Equality Act 2010 at the OPSI website

Further information at the [Women and Equality Unit website](#)

Gender Recognition Act 2004

The purpose of the Act is to provide transsexual people with legal recognition in their acquired gender. Legal recognition follows from the issue of a full gender recognition certificate by a gender recognition panel.

[Access the Gender Recognition Act 2004](#) at the OPSI website

Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).

Race Relations Act 1976

The Act prohibits discrimination on racial grounds in the areas of employment, education, and the provision of goods, facilities, services and premises. Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).

Race Relations Amendment Act 2000

Places a statutory duty on all public bodies to promote equal opportunity, eliminate racial discrimination and promote good relations between different racial groups.

[Access the Race Relations Amendment Act 2000](#) at the OPSI website Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).

Race Relations Act 1976 (Amendment) Regulation 2003

Introduced new definitions of indirect discrimination and harassment, new burden of proof requirements, continuing protection after employment ceases, new exemption for a determinate job requirement and the removal of certain other exemptions.

[Access the Race Relations Act 1976 \(Amendment\) 2003](#) at the OPSI website Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).

Racial and Religious Hatred Act 2006

The Act seeks to stop people from intentionally using threatening words or behaviour to stir up hatred against somebody because of what they believe.

[Access the Racial and Religious Hatred Act 2006](#) at the OPSI website Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).

Sex Discrimination Act 1975

The Act makes it unlawful to discriminate on the grounds of sex. Sex discrimination is unlawful in employment, education, advertising or when providing housing, goods, services or facilities. It is unlawful to discriminate because someone is married, in employment or advertisements for jobs. [Access the Sex Discrimination Act 1975](#) at the Press for Change website Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).

The Sex Discrimination (Gender Reassignment) Regulations 1999

The Act seeks to prevent sex discrimination relating to gender reassignment. It clarified the law for transsexual people in relation to equal pay and treatment in employment and training.

[Access the Sex Discrimination \(Gender Reassignment\) Regulations 1999](#) at the Press for Change website

Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).