

Draft SESAM Equality and Diversity in employment Policy

Our Quaker beliefs

As Quakers, we believe that everyone is equal, regardless of wealth, status or power. We value the diversity of all people and we work towards being inclusive in our language and actions.

This policy

This policy explains how we will work towards equality in practice.

All employees, trustees, volunteers and other workers such as self-employed contractors, consultants and agency/ casual workers, as well as those who manage and supervise them, are covered by this policy.

The policy commits our Area Meeting to being an equal opportunities employer. It does not form part of the contract you have with us but applies regardless of how long you have been with us.

You should read this policy in conjunction with our policy on harassment and bullying.

We reserve the right to amend this policy at any time.

What the policy covers

All aspects of working with us are covered by this policy. These include, but are not restricted to, the following:

- pay and conditions of employment
- training and development
- recruitment processes
- procedures for annual reviews
- procedures for addressing grievances and disciplinary matters
- ending the employment contract
- providing outgoing employees with references
- how we expect those covered by this policy to behave.

Everyone has a responsibility to adhere to and promote our Equality and Diversity Policy.

Our equal opportunities commitment and aims

We will not tolerate discrimination or harassment and are fully committed to promoting equal opportunities within our employment practices in the Area Meeting.

We will never victimise anyone who makes a legitimate complaint if they, or somebody else, is being harassed or discriminated against.

Protected characteristics

There are a number of 'protected characteristics' under the Equality Act 2010.

Employers must not discriminate against others on the grounds of their protected characteristics. The protected characteristics are:

- age
- race (which includes colour and ethnic/ national origin)
- disability
- religion or belief

- gender reassignment
- pregnancy or maternity
- sex
- sexual orientation
- marital or civil partner status.

Although not covered by the law, we will also not discriminate unfairly in respect of other characteristics ~~such as wealth, status or power where these are~~ that are irrelevant to the job, ~~such as wealth, status or power.~~

How we define discrimination

The following list is a general description of the types of acts that may both breach this policy and may also be unlawful. Sometimes actions can be intentional, and sometimes unintentional and we include examples of both types in this list:

- when somebody is treated less favourably because of a protected characteristic than somebody else has been — or would have been — in identical circumstances, then this is direct discrimination. Rejecting a job applicant because of their race or ~~gender~~ reassignment would, for example, amount to direct discrimination.
- when a group of people with one of the protected characteristics is put at a disadvantage by a provision, practice or criteria applied to all staff, this is indirect discrimination (unless it is objectively justified in the circumstances).
- when a hostile, humiliating, degrading or similarly offensive environment is created in relation to a protected characteristic, this is harassment. We deal in detail with harassment under our separate policy on harassment and bullying.
- when a worker has complained about harassment or discrimination, or supported a colleague in their complaint, it is victimisation if they are then treated less favourably.

Other aspects of equality legislation

There are other actions which are illegal under the equal opportunities legislation, and these are collectively labelled 'other acts'. Examples include:

- instructing another person — or applying pressure on them — to discriminate
- knowingly assisting somebody else when they carry out a discriminatory act
- discriminating against somebody believed to have a protected characteristic, whether or not they actually do, or because they associate with a third party who does.

There are some practices which, although they may appear to breach the aims of this policy, are in fact justifiable on objective and operational grounds. These are called lawful practices. If you are not sure whether some aspect of workplace behaviour you have experienced or witnessed is discriminatory or a lawful practice, please ask your manager for clarification.

Recruiting a Quaker

It is unlawful to discriminate against any job applicant on the grounds of their religion or belief. We welcome job applications from all sections of society, regardless of their

Commented [MW1]: Not quite sure what this means but we may engage contractors for their status (chartered accountant) or power (to erect scaffolding) etc. Reworded slightly to allow for this more clearly.

Commented [MW2]: I don't want to get too far into this debate, but suspect that following the Supreme Court ruling, it is 'sex', 'gender reassignment' and 'sexual orientation' rather than 'gender' which are the protected characteristics under the Equalities Act. Since this is only an example could we use 'gender reassignment' instead of 'gender'?

religious belief or no belief. We welcome applicants who, regardless of their backgrounds, are willing to work within our Quaker values and testimonies. The law allows, in limited circumstances, for a paid post to be restricted to Quaker applicants. This is where being a Quaker is reasonably considered to be an 'occupational requirement' for the post. The BYM Recording Clerk is one such post. We do not anticipate making use of the 'occupational requirement' provision at our Area Meeting.

For voluntary positions, the legal position is different. The law allows us to specify a Quaker for volunteering activities, for example as a form of Quaker service as a volunteer warden. We may specify Quaker only applications for a voluntary position where it is appropriate and proportionate to do so, in all the circumstances.

How we carry out our responsibilities and duties

Both those managing / supervising employees, volunteers and other workers, and the workers themselves, are essential for ensuring the success of this policy and each has their own duties and responsibilities. We all have a legal responsibility to comply, and any of us may be found personally liable for unlawful discrimination if we breach the terms of the policy.

Overall responsibility for the effective implementation and operation of the policy lies with the Area Meeting Trustees.

Everyone managing / supervising others is expected to act in full accordance with this policy, lead by example, and attain and maintain appropriate standards of behaviour. The ethos and standards covered by this policy can only be achieved and maintained if all staff, volunteers and other workers also co-operate fully, and it is important to understand that you also have a legal responsibility to comply. If you breach this policy, you may also make the Area Meeting legally liable for your actions. We accordingly expect you to take personal responsibility for adhering to the policy's aims and commitments and for drawing any breaches to our attention.

The behaviours we expect from everyone are:

- Celebrating and respecting individuality and difference
- Listening to the views of others
- Showing sensitivity and respect for others' feelings and cultures
- Considering issues from a range of perspectives
- Having equal respect for all.

How we recruit and make other selections

We carry out all recruitment and other types of selection procedures — such as in the case of redundancy — on the basis of merit using non-discriminatory and, as far as possible, objective criteria.

Advertisements for vacancies will not include wording that may unfairly discourage some groups of people from applying, or stereotype in any way.

Nobody applying for employment with the Area Meeting must be asked about their health or whether they have a disability before a job offer is made, except in very limited situations. It may, for example, be justifiable to ask whether the applicant needs any disability-related measures put in place for the interview, or to check that they are capable of carrying out a key part of the job. For further information see the link below.

https://www.equalityhumanrights.com/sites/default/files/pre-employment_health_questions_for_employers_0.pdf

Commented [MW3]: I think this is right, but can we think of examples where we might want to use this option?

Commented [MW4]: Personal liability sounds more like law than policy?

Commented [MW5]: Similarly this reads like a mix of policy and law, but since there is a 'may' I think it can stand.

It is acceptable to make job offers dependent on a health declaration – the declaration also enables us to make reasonable adjustments.

It is unlawful to ask job applicants anything that might suggest intent to discriminate on the grounds of a protected characteristic. Asking an applicant about their religion for a job entailing weekend working would not, for example, be permissible.

Including health or disability questions in equal opportunities monitoring exercises is acceptable, but the data gathered must not be used for selecting or other employment-related decisions.

How we enforce this policy and handle breaches

We investigate any complaint or allegation raised regarding a potential breach of this policy, and if you believe you have been harassed or discriminated against you should contact your manager as soon as possible. If you are an employee and want to take formal action, you will need to follow our grievance procedure and read our policy on harassment and bullying. If you are not an employee, we will still take your complaint seriously and investigate it. Complaints should be directed to the Area Meeting Trustees.

You will face disciplinary action (if you are an employee) if we find you have harassed or discriminated against anyone else in breach of this policy. Sometimes this type of behaviour may amount to gross misconduct, in which case you will be dismissed without notice and with no payment in lieu of notice.

If you are not an employee but are a volunteer ~~or~~ worker, your services may be terminated.

Occasionally, people make complaints knowing them not to be true. They might do this to avoid or deflect disciplinary action, for example. We view any complaint made in bad faith as an act of misconduct and this will normally lead to disciplinary action for employees. In exceptional cases, bad faith complaints can lead to summary dismissal for gross misconduct.

Related policies

You should also read our [policy on bullying and harassment](#). If you are a manager or otherwise involved in recruitment, you must read our guidance on interviewing.

Commented [MW6]: I can't see what a 'worker' would be other than an employee or a volunteer worker?

Commented [7]:
Does SEAM have this kind of policy already? MGW
Not that I'm aware of. Suggest deleting this paragraph for the moment, and considering whether we need a separate policy on bullying and guidance on interviewing.