

GWLAD DP Equal Opportunities Policy

THIS POLICY IS ALSO AVAILABLE IN WELSH. IT IS ALSO AVAILABLE IN OTHER COMMUNITY LANGUAGES; LARGE PRINT; CASSETTE TAPE; CD ROM AND OTHER FORMATS ON REQUEST. TO OBTAIN COPIES PLEASE CONTACT: The GWLAD project co-ordinator

Part A - Equal Opportunities Policy

Introduction

The GWLAD Development Partnership (DP) is committed to preventing discrimination and valuing diversity by acknowledging the complex needs and rights of all sections of communities and recognising multiple discrimination and disadvantage. The GWLAD DP will not discriminate on the grounds of age, colour, disability, ethnic origin, gender, marital status, membership or non-membership of a trade union, nationality, or against part-time workers, pregnancy or childbirth, race, religion and/or beliefs, sexual orientation.

It is our intention that this statement will address all areas of discrimination and the GWLAD DP will abide by statute. The GWLAD DP Equal Opportunities Policy will give full consideration to the requirements of the following related legislation:

The Equal Pay Act 1970

The Sex Discrimination Act 1975 & 1986

The Sex Discrimination Act (Gender Reassignment Regulations) 1999

The Race Relations Act 1976

The Employment Rights Act 1996

The Employment Act 2000

The Race Relations (Amendment) Act 2000

The Disability Discrimination Act 1995 (and 2004)

The Welsh Language Act 1993

The European Directive on Age discrimination (2006)

The Employment Equality (Sexual Orientation) Regulations and Employment (2003)

October 2006

Equality (Religion and Belief) Regulations December 2003

The Employment Equality (Age) Regulations 2006.

The GWLAD Equal Opportunities policy will apply to staff, beneficiaries and volunteers.

Statement of Intent

The GWLAD DP will replicate the intentions of the Government of Wales Act (1998) s120 which goes beyond the statutory requirements placed upon other UK legislatures and will proactively “make appropriate arrangements with a view to securing that its functions are exercised with due regard to the principle that there should be equality of opportunity for all people”.

The GWLAD DP in its work will seek to ensure and actively promote equality of opportunity and treatment for all persons beyond the narrow anti-discrimination remit by utilising a mixture of equality training, participatory approaches and mainstreaming equality approaches to delivering equality.

The implementation of the EO policy of the GWLAD DP means that no person or group seeking jobs, volunteering or working collaboratively will be treated less favourably because of their age, colour, disability, ethnic origin, gender, marital status, membership or non-membership of a trade union, nationality, part-time workers, pregnancy or childbirth, race, religion and/or beliefs, sexual orientation.

Definitions

To aid overall understanding the following are broad definitions of discriminations:

Direct Discrimination occurs when someone is treated less favourably than others (or would be) in a comparable situation, on the grounds of age, colour, disability, ethnic origin, gender, marital status, nationality, race, religion or belief, sexual orientation. Direct discrimination also covers discrimination on the grounds of perceived sexual orientation whether the perception is correct or not. In this case, applicants will not need to establish that they are gay to bring a complaint. If someone has assumed them to be gay and discriminated against them as a consequence, that will suffice. The wording also covers discrimination by association.

Indirect Discrimination occurs when a requirement or condition is applied to all but which significantly disadvantages people on the grounds of age, colour, disability, ethnic origin, gender, marital status, nationality, race, religion or belief, sexual orientation unless the practice can be objectively justified by a legitimate aim.

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Harassment can be defined as unwanted conduct which violates the dignity of a person on grounds of age, colour, disability, ethnic origin, gender, marital status, nationality, race, religion or belief, sexual orientation. Creating an intimidating, hostile, degrading, humiliating and offensive environment is prohibited by the new rules. The employer is liable if the hostile environment persists

Victimisation occurs when actions are taken (which amount to discrimination) against a person who assert their rights under the Equal Pay Act, the Sex Discrimination Act, the Race Relations Act or the Disability Discrimination Act, the Employment Equality (Sexual Orientation) Regulations or the Employment Equality (Religion and Belief) Regulations or Codes of Practice, or because the person has taken action in support of the rights of people in the groups specified in the Codes of Practice or legislation.

GWLAD DP Equal Opportunities

Part B – Strategy and Implementation

The activities related to this DP will take place within 2 main kinds of scenarios:

- working with individual members of the population
- running events/training/courses/ workshops/focus groups etc

1. Strategy and implementation in relation to working with individual members of the population

The GWLAD DP has much expertise in relation to areas of discrimination among the members of the DP. We will put into place a programme of mutual training to enable us to have the necessary awareness and understanding to work without discrimination with members of the population.

In areas where the DP does not have expertise, we will access external trainers.

2. Strategy and implementation in relation to running events

We will follow the best practice manual “Simply the Best! Best Practice Conference and Event Guide”, developed by Sustainable Wales. This document sets out procedures, with working checklists, for ensuring that the running of events address issues of sustainability and equal opportunities.

3. Running of the DP

Because of the expertise regarding equal opportunities already held within our DP, we are able to share aspects of implementation relating to specific areas of equal opportunities as follows:

Age discrimination

The GWLAD DP will not discriminate on the basis of age.

As of October 2006 it will be unlawful to discriminate on the grounds of age. The United Kingdom has committed itself to legislate against age discrimination in employment for the first time, by signing up the European Commission Council Directive (The EU Council Directive 2000/78/EC), which establishes a general framework for equal treatment in employment & vocational training and guidance. It is designed to outlaw discrimination at work and training on grounds of age, sexual orientation, disability and religion or belief. It sets a framework which will ensure that there are minimum standards for combating discrimination throughout the European Union. The UK government's ‘Employability Equality

(Age) Regulations 2006' come into effect as of 1 October 2006 and will provide protection against age discrimination in employment and adult education for people of all ages.

Disabled People

Disabled people will not be discriminated against in recruitment, promotion, training or participation in the research process or the work of the project. The aim of this policy is to ensure that within the resources available disabled people will have equal access to the opportunities created by this project.

- a) The GWLAD DP will include disabled people in project activities and will meet any access and support requirements that are reasonable within the overall resources of the project.
- b) All external information provided, including publications, will be presented in minimum size 14 point, with the use of larger size font being encouraged as good practice whenever possible.
- c) Information and publications will be in accordance with guidelines of Disability Wales, Disability Rights Commission and the RNIB "Clear Print" guidelines
- d) In matters of communication the use of minicom and other electronic aids will be encouraged to maximise participation.

Language

The GWLAD DP is committed to treating the Welsh and English language on an equal basis and aims to provide individuals or groups the right to communicate orally or in writing in their preferred language, whether it be in Welsh or English.

- a) The GWLAD DP will offer the individuals or groups the right to choose which language they would prefer to use when dealing with the GWLAD project
- b) All external information provided by the GWLAD DP will be in accordance with UWB and other DP members Welsh Language Policy. Information in other community languages will be available upon request, and encouraged as good practice whenever possible.
- c) The GWLAD DP recognises that individuals and/or groups are best able to express their views and needs in their chosen language.
- d) The GWLAD DP recognises that allowing individuals and groups the right to use their chosen language is good practice
- e) The GWLAD DP recognises that refusing individuals and groups the right to use their chosen language could place them at a disadvantage
- f) The GWLAD DP will make every effort to provide information when requested, in languages other than Welsh or English
- g) Where it is not reasonably practicable to publish an entire document in community languages other than Welsh or English, an executive summary will be made available on request in the individuals' language of choice.

Multiple Disadvantages

The GWLAD DP recognises that some people experience disadvantage or discrimination on more than on one basis. For example, a disabled asylum seeker may be discriminated against on the grounds of both their disability and ethnicity. The GWLAD DP will seek to address these issues and will take account of the fact that one person may potentially be discriminated against for a multiplicity of reasons

Race Equality

- a) The GWLAD DP will not discriminate against someone, either directly or indirectly, on the grounds of, colour, nationality or ethnic origin, race religion or belief and under the Race Directive, Direct and Indirect discrimination
- b) The GWLAD DP's aim is to ensure action to eliminate racism in decisions made about employment, promotion and inclusion in the processes by which the project will be delivered.
- c) The GWLAD DP operates in diverse geographical areas and is concerned to take actions against racism and help redress the balance The GWLAD DP is therefore committed to the continued monitoring and development of its equal opportunity policy to address these concerns
- d) The GWLAD DP recognises that some people may display racist attitudes unconsciously and that this is in some part responsible for the employment difficulties experienced by ethnic minorities and inadequate support available
- e) The GWLAD DP will endeavour to ensure that no job applicant, employee, partner or stakeholder receives less favourable treatment than another on racial grounds.
- f) The GWLAD DP will endeavour to ensure that no job applicant, employee, partner or stakeholder is placed at a disadvantage by requirements or conditions which have a disproportionately adverse effect on his or her racial group.
- g) As with all forms of discrimination, the GWLAD DP will take complaints of racial abuse very seriously and implement its grievance and/or disciplinary procedures where appropriate
- h) Complaints by stakeholders/participants about discriminatory behaviour will be treated with the same respect and seriousness as complaints by members of the partnership
- i) The GWLAD DP deplores and will take action against all forms of racial harassment including verbal and physical abuse or attack against colleagues or members of the public.
- j) The GWLAD DP will adhere to the Race Relations Amendment Act (2000)

Recruitment for Paid Posts

- a. The GWLAD DP aims to ensure that no job applicant or employee receives less favourable treatment because of unfair discrimination
- b. Application forms will be available in formats suitable for the applicant
- c. The GWLAD DP aims to ensure that only qualifications and experience are considered when recruitment takes place.
- d. Each post advert to carry job description and person specification which have been written within an equal opportunity framework so that no candidates are disadvantaged.
- e. Equality of opportunity for staff development to enable staff to realise their potential and expectations and for the GWLAD DP to make full effective use of staffing resources.
- f. Steps will be taken to ensure that knowledge of vacancies reaches under-represented groups internally and externally.
- g. Appropriate training will be provided subject to availability of funding
- h. All employees and sub-contractors to adhere to the EO policy of the GWLAD DP

Religion or belief

The GWLAD DP will not discriminate on the basis of religion or belief.

The new Employment Equality (Religion or Belief) Regulations 2003 means that it is unlawful to discriminate or harass on the grounds of religion or belief. Religion or beliefs are defined by the law as meaning any religion, religious belief or similar philosophical belief. This very broad definition means that as well as including all major religions it will also cover much smaller fringe groups and beliefs such as humanism, it may also include pacifism or indeed vegetarianism.

Sex Discrimination

The GWLAD DP deplores and will take action against all forms of sexual harassment and behaviour at work or during the consultation process, including verbal and physical abuse or attack

- a) Under the Sex Discrimination Act 1975 (as amended), the GWLAD DP will not discriminate on grounds of sex, marriage or because someone intends to undergo, is undergoing or has undergone gender reassignment.
- b) Sex discrimination covers all aspects of employment - from recruitment to pay, and training to the termination of a contract. It also includes applying requirements or conditions which, though applied equally to all, have a disproportionately detrimental effect on one sex or on married people and which cannot be shown to be justifiable (for instance to be job-related).
- c) The Act permits employers, under certain conditions, to train employees of one sex in order to fit them for particular work in which their sex has recently been under-represented; they may also encourage the under-represented sex to take up opportunities to do that work.

- d) The SDA prohibits discrimination against men, as well as against women. It also requires that married people should not be treated less favourably than single people of the same sex.

Sexual Orientation

Since 1 December 2003, discrimination on the grounds of sexual orientation in employment is illegal in the UK. The GWLAD DP will not discriminate on the grounds of sexual orientation.

- a) A person's sexual orientation is not a matter which the GWLAD DP will take into account in determining suitability for recruitment, promotion, training or participation in the research process (subject to statutory obligations)
- b) The GWLAD DP will not tolerate any form of harassment or any unlawful or unjustifiable acts of discrimination on any grounds. Where such discrimination or harassment occurs action will be taken under the disciplinary procedure.
- c) The GWLAD DP is committed to developing a programme of action to promote diversity and equality

Positive Action

Under current equality legislation Positive Action measures –in limited circumstances- are allowed to tackle the marked levels of historical under representation of women/ethnic minorities in particular occupations or professions, e.g., senior management. The provisions of the legislation enable the encouragement of applications for jobs or promotion from specific sections of the community that are under-represented in the workforce as a whole or at particular level

The GWLAD DP will encourage positive action by employing a variety of measures designed to counteract the effects of past discrimination. Under this broad definition positive action may include initiatives such as the introduction of non-discriminatory selection procedures, training programmes or policies aimed at preventing sexual harassment.

Responsibilities

The Steering group will hold overall responsibility for equal opportunity matters affecting the DP and monitoring the effectiveness of the policy and partnership members.

Equal Opportunities will be a fixed agenda item for both Partnership and Steering Group meetings.

Working Language of Transnational Co-operation Agreement

It is agreed that all the products of the partnership need to be produced in both the French and English language by the DP responsible for that product. This will not however apply to the Czech Republic DP as it would double the workload for them.

In so far as it is possible, the language skills of DP members will be used in preference to external translation.

It is agreed that with the exception of steering group meetings, the receiving partnership will be responsible for providing translation during visits and exchanges.

For training and beneficiary exchange visits, the partners involved will work out their own arrangements.

4. Monitoring and Evaluation

Equal opportunities will be a regular standing item on the DP and Steering Group agenda. We will run half-yearly evaluation of our delivery of equal opportunities through a participatory workshop involving all members of the DP, addressing issues and concerns and identifying any further training or actions that are needed.

Allied to the half-yearly evaluation we will review the Equal Opportunities Policy. Clear guidelines and checklists will be developed to ensure that the DP's activities are fully accessible to all. These will be used before each meeting/activity is arranged to ensure full accessibility.

All activities undertaken during the course of the project such as courses, learning events, training days etc. will be evaluated by beneficiaries by a form which in addition to including areas normally covered in such evaluations will also refer to the EQUAL principles of empowerment, innovation and equal opportunities.

The operation of the Equal Opportunities Policy will be kept under review, and the GWLAD DP will work towards further development and improvement of the Policy.

The GWLAD DP will take steps to monitor the implementation of the Policy. For monitoring to be effective, the maintenance of a statistical record is necessary, and every effort shall be made to maintain and update this record. Data reports will be given annually to the GWLAD Steering Group and DP.

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Part C - Complaints, Grievance and Disciplinary Action

- a) The GWLAD DP will take seriously and will investigate thoroughly, and , when proven will deal effectively with all complaints of discrimination on grounds of age, colour, disability, ethnic origin, gender, marital status, membership or non-membership of a trade union, nationality, or against part-time workers, pregnancy or childbirth, race, religion and/or beliefs, sexual orientation. The GWLAD DP will establish and Equal Opportunities Sub-Group
- b) The GWLAD DP will produce a handbook which will have guidance on the complaints and grievances procedure and contact numbers
- c) The Equalities Sub-Group will meet every four months and monitor equalities issues.
- d) Any potential or actual employee or stakeholder who perceives a problem covered by the terms of the GWLAD DP's Equal Opportunities Policy should contact the Equalities Sub-Group in the first instance. (contact details in handbook)
- e) The Equalities Sub-Group will inform the GWLAD Steering Group of any complaints or grievances from the first instance
- f) The Equalities Sub-Group will inform WEFO of any complaints of grievances from the first instance.
- g) Any potential or actual employee or stakeholder who perceives a problem covered by the terms of the GWLAD DP's Equal Opportunities Policy should contact the GWLAD Steering Group in the first instance.
- h) Should the GWLAD Steering Group be unable to resolve any problem covered by the terms of the GWLAD DP's Equal Opportunities Policy, the matter will be investigated by the University of Wales, Bangor's established procedures which has a robust complaints and grievances procedure for students and employees.
- i) Should the University of Wales, Bangor be unable to resolve any problems covered by the terms of the GWLAD DP's Equal Opportunities Policy, the matter will then be referred to the Wales European Funding Office.