

# Lomond & Argyll Advocacy Service Policy Manual

## 2.1 - EQUAL OPPORTUNITIES POLICY

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### Policy Aim

- 1 The specific aim of Lomond and Argyll Advocacy Service's equal opportunities policy, in respect of service users, staff and volunteers working in or for LAAS, is to ensure that no service user, employee or job applicant is discriminated against either directly or indirectly.

### Statement of Intent

- 2 The Board of Management of LAAS has adopted the following statement of intent:

***"Lomond & Argyll Advocacy Service believes that its policies and procedures should not discriminate on the grounds of age, gender, race, colour, creed, disability, marital status or sexuality and will take the necessary steps to ensure that where discrimination exists it is eliminated."***

### Scope and Purpose of the Policy

- 3 The scope and purpose of the programme of action which is attached, is to:
  - establish a framework, based on experience and good practice, to enable managers to recruit, retain and promote the best available people without prejudice or discrimination
  - set targets and establish consistent appraisal procedures for monitoring and evaluating performance so that all staff know what they have to do to ensure that the overall policy aim is achieved
  - clarify the responsibilities of each member of staff and the part they have to play to help achieve that aim.

Failure to achieve these aims can carry a cost for LAAS as a whole - as well as costs to individuals - in, for example, low morale, reduced productivity, poor quality of service, grievances, and problems in attracting and retaining staff to carry out the vital work of LAAS.

### Introduction

- 4 LAAS is committed to treating all staff fairly and responsibly. Our equal opportunities policy forms an integral part of this overall strategy. The

Sex Discrimination Act 1975, Race Relations Act 1976, Equal Pay Act and the Disability Discrimination Act 1995 make discrimination on the grounds of sex or race unlawful and we recognise that discrimination is unacceptable. The aim of the Acts is to promote equal opportunities policies whereby no employee or job applicant is discriminated against either directly or indirectly on such grounds as race, colour, ethnic or national origin, sex, marital status, responsibility for children or dependants, disability, sexual orientation, religious or political beliefs. We are fully committed to promoting equal opportunities and to the continuing review of policies and procedures.

- 5 For equal opportunities policies to be effective they must be followed by all staff. Everyone working for LAAS must comply with these policies in the day-to-day conduct of his or her duties.
- 6 LAAS recognises that the promotion of equal opportunities involves more than just a commitment to remove discrimination. We are committed to 'positive action', as distinct from 'positive discrimination', to enable all individuals to develop their full potential and to overcome the effects of discrimination.

### **Access to Services**

- 7 An equal opportunities approach should also apply in relation to the services we provide.

### **Recruitment, Selection, and Promotion**

- 8 Recruitment practices will be kept in line with equal opportunities policies.
- 9 No unnecessarily restrictive qualifications should be demanded when considering appointment to jobs. Criteria and procedures will be kept under review to ensure that individuals are recruited or promoted solely on their merits and abilities. Anyone involved in recruitment or promotion should have appropriate training, including guidance on how to avoid discrimination. All staff are encouraged to apply for posts when they are advertised. The recruitment policy will apply for **all** contracted posts.

### **Training**

- 10 Training and equality of access to training has a key role in promoting equal opportunities. Appropriate training will be provided to increase awareness of equal opportunities issues so that staff at all levels can perform their jobs effectively and develop their full potential. Training is also offered to all staff and volunteers. Personal development is encouraged. Training may be job-specific but opportunities for training will not be refused on the grounds of age, gender, disability, marital status, sexuality, race, colour or creed.

## **Harassment**

- 11 Harassment of an employee or member of the public is unacceptable conduct. We are committed to procedures which deal effectively with the Protection from Harassment Act 1997 and promote an environment free from it.

## **Conditions of Service**

- 12 Conditions of service will be kept under review to ensure that they do not discriminate against any particular group and are within the organisation's Equal Opportunities Policy guidelines.

## **Grievance and Disciplinary Procedures**

- 13 Grievance and disciplinary procedures are detailed in the Staff Handbook which is issued to all members of staff on joining Lomond & Argyll Advocacy Service. Grievance procedures will be reviewed on a regular basis.

## **Pay**

- 14 Grading and salary scales are agreed by the Board of Management and are linked to NJC scales for a particular post. Positions on the scale may vary but only with regard to individual length of service or qualifications and experience. No distinction is made due to gender.

## **Equal Opportunities Policy Statement Definitions**

### **Direct discrimination**

- 15 Direct discrimination takes place when one person is treated less favourably than others in the same circumstances. An example is the refusal to recruit someone who has the required skills because they belong to a particular ethnic group or because they are married or have dependants.

### **Indirect discrimination**

- 16 Indirect discrimination means applying a condition or requirement of employment which adversely affects, or favours, one particular group more than another, and which cannot be strictly justified in terms of the requirements for performing the job. For example, an unnecessary physical requirement might discriminate against a woman or disabled person.

### **Harassment or abuse**

- 17 Discrimination also covers actions which amount to harassment and/or abuse. Such action would constitute less favourable treatment by creating a hostile working environment likely to affect the work and personal well-being of employees.

## **Positive action**

- 18 Sections 37 and 38 of the Race Relations Act 1976, Section 48 of the Sex Discrimination Act 1975 and the Disability Discrimination Act 1995 allow steps to be taken by which people from particular groups are either encouraged to apply for jobs in which they have been under-represented or given training to help them to develop their potential and so increase their prospects when competing for particular work. This is called positive action. It is not reverse discrimination which would be illegal. It recognises that, because of circumstances, some groups do not start equally and sets out to redress that imbalance. Competition based on ability remains paramount; positive action aims to provide fairer competition.