

2 Equal Opportunities Policy

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Introduction

advice^{UK} exists as a support to centres that share a common purpose in providing a quality advice service which is accessible to all. An Equal Opportunities policy is instrumental to this aim. This is why it is one of the non-discretionary criteria for Membership.

This briefing provides the information for centres to create their own Equal Opportunities policy. We firmly believe that centres should develop their own policy which is understood by everyone involved in the centre and reflects their own values and ways of working. Unlike the Confidentiality and Complaints briefings we are not including a model document for adoption. We do not see the value in every advice^{UK} member adopting the same policy. Instead we are providing you with a framework which will ensure that centres have a comprehensive Equal Opportunities policy that meets the advice^{UK} membership criteria.

The Equal Opportunities policy advice^{UK} requires centres to operate is related to both employment of paid and unpaid staff and service delivery. We also require you to operate a policy rather than rely on a statement of intent. This briefing is intended to help centres achieve this and ensure that the policy is a live document which is implemented with understanding and commitment.

The framework is devised to prompt thinking and discussion within the centre. We hope that it will enable you to devise a policy. We are happy to see the framework submitted to advice^{UK} as your policy once you have made it individual to your own centre.

The reason we do not offer a model policy is because to be meaningful the policy must be particular to a centre and not just a copy of someone else's. An Equal Opportunities policy is a public declaration of the centre's recognition of equal opportunities as an issue and an indication that the centre intends to monitor, and change if necessary, how the centre works and what it works on, to be more relevant to the community it serves.

You may also wish to use this document to establish whether your current Equal Opportunities policy will meet advice^{UK}'s requirements - the framework can be used for this purpose. We have also included a checklist that summarises the contents of the framework.

Why Operate an Equal Opportunities Policy?

A commitment to equal opportunities ensures that the centre offers an accessible service. Not everyone who wants to use the services of an advice centre believes they will be dealt with fairly or offered a service that is relevant to their needs. There are lots of reasons why this is the case. There is documented evidence that certain groups in society face discrimination, which can range from stereotypical assumptions about what individuals will be like, to serious physical attack. As an advice centre you will come across many examples of people being treated unfairly either by organisations or individuals. Advice centres should set out not to duplicate such treatment.

To offer a fair and accessible service the centre needs to ensure that potential users are confident that they will not face such instances of discrimination when visiting the centre. Providing a "quality service" is not only about providing accurate and complete advice - it is equally about delivering the advice in a supportive way and treating people with respect and empathy for their situation.

In order for policies to operate successfully there needs to be commitment from the Management Committee and staff of the centre. A written document is a good starting point: it will promote understanding of the policy and be a useful reference point if problems arise or if users or funders require clarification of what policies you work to and why. It is important to discuss priorities for your policy with all workers - paid and unpaid, Management Committee members.

The work involved in implementing your EOP will make the whole organisation more sensitive to your users' needs, and they will all get a better service. You will be more sensitive to each other as people and individuals and the general culture of the centre will be one that encourages support and breaking down of barriers.

- ✓ It makes you accountable
- ✓ It assures your users of your intention to be accessible and responsive
- ✓ It is more efficient
- ✓ It allows workers to work with something specific
- ✓ You are more likely to attract a diverse workforce
- ✓ It prevents new staff or Management Committee having to go over old ground
- ✓ It makes implementation plans easier
- ✓ It is essential for monitoring and evaluation
- ✓ It confirms the organisation's values and ethos

- ✓ It provides clear guidance to staff and users of behaviour that would be unacceptable
- ✓ You can use it to meet legislative requirements

Equal Opportunities Framework

How to use this framework

The framework covers all the areas advice^{UK} want an Equal Opportunities policy to contain. Each section of the policy provides further details of what the section should contain and offers information.

We suggest you use it in the following way:

- ▶ As a checklist of what an Equal Opportunities policy should contain - if you have an existing policy check it against the framework and amend if necessary. You will then be able to assess whether you meet advice^{UK}'s membership requirements before you submit your document to us. This will help us process your application quickly.
- ▶ As a tool to develop your own policy.

STEP ONE

Take the framework in this briefing and use it as a basis for discussion - you may like to photocopy further copies so staff and Management Committee members can take it away to read.

STEP TWO

Use the framework to write in draft the various elements of your policy. It is useful to do this taking into account the advice in the framework. You could consider asking a trainer or facilitator to help with the process. Use the framework to brainstorm ideas, then pass the responsibility onto a small number of individuals - either a sub-committee or The Manager/Organiser and staff.

STEP THREE

You now need to write up your policy. You can send us a draft copy if you would like us to confirm whether it meets our membership criterion.

STEP FOUR

Take your finalised Equal Opportunities policy to your Management Committee to endorse, and then submit a copy to advice^{UK}.

Statement of Intent

The best place to start with an EO policy is to write a clear, simple statement setting out what you are trying to achieve. Your statement should be specific to your organisation, so if the service is set up to serve a specific group of people your statement should emphasise this. It should be displayed in the centre waiting room and in working areas.

The first part of your Statement of Intent should declare the centre's commitment to equal opportunities and the challenging of discrimination.

EXAMPLE:

Anytown Advice Centre is actively opposed to all forms of discrimination on the grounds of:

Age, Appearance, Caring Responsibilities, Caste, Class, Gender, HIV Status, Marital Status, Nationality, Political Beliefs, Religion, Immigration Status, Race/Ethnicity, Sexuality, Long term Illness, Unrelated Criminal Conviction, Physical or Mental Ability, Trade Union Activity.

Think through the grounds by which people are discriminated against. This will include a list of groups that face discrimination. Use this as an opportunity to think why you are developing a policy and raise awareness of the discrimination individuals might face. You may feel that a lengthy list may dilute your message but think through the implications for service users - they may seek assurance from a statement that says you recognise the issues they may face.

- **Your Statement of Intent should also demonstrate your commitment to delivering services that are accessible and recognise the discrimination people may face.**

EXAMPLE:

Anytown Advice Centre will introduce measures to combat all direct or indirect discrimination in our employment practice and our service delivery.

If you are able to offer specific services - bilingual workers, minicom, interpreters then highlight it in your statement.

- **Your Statement of Intent should address the Management of the Centre.**

EXAMPLE:

We will ensure our Management Committee is representative of the target community.

You should say what people can do if they feel that the centre has not met the values of the statement.

EXAMPLE:

If you feel we are not meeting the above aims, please contact a member of staff or ask for a copy of our complaints procedure.

The Policy

advice^{UK} asks for policies that relate to recruitment, selection and employment of staff, both paid and unpaid, and a policy that considers the aspects of delivering a service. You can choose to combine both aspects into one document or provide us with separate policies.

Writing a more detailed policy for standards of work or service delivery is an essential follow up step to writing the statement. It entails going through the statement carefully and expanding on each section, laying out the detailed changes you need to make to your working practices - you may find that you do not have to make many, but rather, you are formalising procedures and practices you have been working with for years.

Writing these up in detail is vital because of the importance of avoiding any misunderstanding between members of the centre at all levels about what really is involved in implementing equal opportunities. This will help you reflect on the work that is actually done in the centre and how roles and responsibilities are divided.

The policy is your detailed document which should outline what you intend to do and how you will know that your aims are being carried through. Use this framework to ensure that you cover all areas.

Service Delivery

Most centres display their policy statement as a poster and place copies where it can be seen by both users and staff members, as it forms a useful summary of the centre's commitment to Equal Opportunities.

- **Specify how the statement and policy will be publicised, i.e. in what medium (e.g. language, Braille) you will provide them in and where the statement will be displayed.**

- **Detail how the centre will make services as accessible as possible.**

PUBLICITY OF SERVICES

Where and how you publicise your services and how to access them will affect who knows about your service and is able to use it. A frequent response to the suggestion that advice centres advertise is that they have more than enough work already. This is true, but there is a general acceptance that advice centres should be pro-active rather than reactive. There are benefits to targeted publicity.

➤ Think of the following examples:

- ▶ A centre for disabled people will ensure that their publicity is placed in locations where it is accessible to the people it is trying to reach.
- ▶ A centre with a legal aid franchise will need to publicise their services to people on a low income to ensure that they see individuals who are eligible for legal aid.
- ▶ A generalist centre evaluates their statistics and finds that they are not getting many visits from people from a local housing estate that has a very high percentage of unemployment. Posters and leaflets in the estate may encourage local people to use the service.

All the examples ensure that the advice centre is prioritising people in need, and is ensuring that their profile of users reflects the aims of the service and meets the needs of users and funders.

➤ Specify where you will publicise your service. Think through how to advertise your service so it reaches under-represented sections of the target community.

MONITORING SERVICE USERS AND TYPES OF ENQUIRIES

You should include a section on what monitoring you will carry out. The depth of monitoring varies and you should devise a system that is applicable to your service.

The basic level of monitoring is to keep a record of how many people you see and what types of enquiries they bring. This will provide you with data to share in your annual report. If you keep these figures on a weekly or monthly basis you will be able to see fluctuations over time.

What the basic level of monitoring will not tell you is who is using your service. Think about collecting details such as gender, age range and ethnic origin.

Some centres initially find it difficult to collect this data. They may be wary of asking users for such information. Ask the user to complete a simple monitoring form. It is important to let the individual user self-define.

The London Advice Services Alliance (LASA) has developed a statistical information system, STATS, which can be used manually or with a computer. STATS breaks down an enquiry into 4 elements:

- ▶ details about the user
- ▶ the work your centre does
- ▶ the subject that the user has approached you about
- ▶ fine cross-subject category detail.

For further details contact the LASA Information Systems Team on 0171 377 1226

- ➔ **Define your monitoring system and who the information will be shared with. Think how to use the monitoring - the Management Committee should evaluate the figures and staff in the centre should refer to them when planning services.**

CONSULTATION WITH SERVICE USERS ABOUT SERVICES

A key aspect to demonstrating your commitment to equal opportunities and addressing the accountability of your centre is to consult with service users. One aspect advice centres find difficult is contacting users once they have visited to ask them about the service. There are implications for confidentiality in this instance. Other centres hold meetings for users of the service to come and give their views - send out questionnaires, surveys and talk to user groups. This is particularly useful when you are planning to change the service.

- ➔ **Define how you will consult with service users.**

REFERRAL ARRANGEMENTS

You will not be able to meet all the needs of the users of your services and you must recognise the particular limitations of your own service. To ensure that referrals are appropriate, make links with local groups and find out what services they are able to provide. Don't automatically refer someone - make sure via referral arrangements that the awareness of staff is raised, and that they are able to recognise issues of discrimination.

- ➔ **Detail how you will contact centres and specify the organisations in your area.**

CAMPAIGN/SOCIAL POLICY WORK

Many centres have a commitment to using the information they gather from users to lobby for change or raise awareness of the impact of legislation on individuals or groups of users. This is a valued aspect of advice work.

- **Detail here how you intend to use your social policy work to highlight discriminatory practices.**

CHALLENGING DISCRIMINATORY BEHAVIOUR

Your equal opportunities statement spells out the ethos of the centre and should include a section on how it applies to users as well as workers - the section that relates to workers is later in this briefing in the section on employment.

- **Think what you would do if a user was racially abusive in the reception area or if during an interview a user expressed homophobic views.**

You should include a section in your policy that states that you will challenge discriminatory comments or behaviour. You should give some thought to how you will support staff in carrying out these challenges - they will be much more confident if they have received training and will feel supported by the centre having a clear policy about what they should do and when to refer it on to the Manager/Organiser.

- **Take care in this section to detail the procedure you will follow.**

RIGHT TO WITHDRAW SERVICES

Linked to the previous section is the need to be clear about when you will withdraw services. This may be when someone is persistently discriminatory or is threatening in their behaviour. Your equal opportunities policy should relate to discriminatory behaviour. You may also find that you need a separate more detailed policy about dealing with violence.

Just as staff will find it useful to have clear directions about challenging remarks, so you should also take time to define in what instances the service will be withdrawn and the procedure you will use to do this.

- **Detail your procedure for withdrawing services.**

HOW SERVICE USERS MAKE COMPLAINTS

You should include a section on how users can make a complaint if they feel you have not followed the equal opportunities policy. You can choose to deal with the complaint via the complaints procedure.

Employment

An effective EOP includes every area in which the centre relates to staff - recruitment and selection, conditions of service, staff development and training, and the recognition that everyone contributes to the success of the centre.

This section should describe what employment practices the centre will use to ensure fair treatment of all workers.

An Equal Opportunities employer takes steps to identify and challenge the barriers, which discriminate, directly or indirectly, against discriminated people amongst potential and existing staff (both paid and unpaid), and takes positive action to encourage all to develop their full career potential. The policy on employment should cover:

RECRUITMENT & SELECTION

Using set criteria to make it as objective as possible

Your policy should state that you use job descriptions and person specifications in recruitment. There is a general acceptance that using these tools provides you with an opportunity to make the recruitment and selection process as objective as possible.

A job description should state clearly and simply the duties, tasks, responsibilities and lines of accountability of the post holder.

The person specification should list the skills and experience a person needs to carry out the job.

These might include:

- ▶ Knowledge
- ▶ Skills & abilities
- ▶ Experience
- ▶ Education/Training/Qualifications
- ▶ Requirement to travel and/or drive

In drawing up these criteria, you need to ensure that you are not discriminating against certain groups of people by setting requirements that are likely to exclude them unless the requirement is essential for the post.

↻ Detail how job descriptions and person specifications will be drawn up.

APPLICATION FORM AND APPLICANTS' INFORMATION PACK

Send appropriate and sufficient information to ensure all applicants have an understanding of the centre and of services offered. Include job description, person specification, EOP, annual report, service leaflet, application form and monitoring form.

WHO IS ON THE PANEL

The panel should include people with the relevant knowledge and expertise and should be drawn mainly from staff and Management Committee members, with an outside specialist if the relevant expertise is not otherwise available.

All members of the panel should be trained in equal opportunities selection and interviewing principles and techniques. Selection panels should as far as possible reflect the diversity of the workforce, which the centre is aiming to achieve.

- **Think through how many people should be on the panel - you will need an odd number to ensure a majority decision - 3 is the usual number and certainly no more than 5.**
- **Specify how you determine who will be on your panel.**

SHORTLISTING

The essential criteria from the person specification form the basis of shortlisting. Devise a consistent scoring system (e.g. 2 = criteria met, 1 = partly met, 0 = not met). Mark each candidate in terms of how they meet each criterion in the person specification.

You should devise an application form with a removable front sheet with applicant's personal details so that when you shortlist, the panel are not aware of whose application form they are scoring. Some centres automatically shortlist applicants from under-represented groups who meet the essential criteria.

- **This is an essential aspect of your equal opportunities policy - detail how you will ensure that the recruitment & selection procedures are fair and do not discriminate.**

EQUAL OPPORTUNITIES INTERVIEWING

Interview questions should be based on the criteria in the person specification and candidates should be questioned in a similar way under each area. However it is more important to gain the relevant information than to stick to set questions and to ask only these questions. Some candidates may need supplementary or probing questions to give the information required. The panel must have met, discussed and agreed core responses to questions against which objective scores can be given.

The question areas should be allocated to panel members according to their expertise. Use a consistent scoring system, as in the shortlisting procedure, and ensure that scores relate to the standard questions to eliminate subjectivity.

- **Detail your approach to interviewing.**

EQUAL OPPORTUNITIES MONITORING

You should include a policy on monitoring the recruitment process. You should send out a confidential equal opportunities monitoring form with each application form. Keep them separate from the application form and inform candidates that they are for your own monitoring purposes. You will be able to use the information to report the profile of applicants, shortlisted applicants and the successful applicant. Evaluating this data will help you judge where it is best to advertise to attract a diverse selection choice.

- ➔ **Include a section on how you will monitor candidates.**

PUBLICISING THE POST

The Race Relations Act 1976, Sex Discrimination Act 1975 and Disability Discrimination Act 1995 define and outlaw discrimination but do permit specific treatment to address inequality or where it is recognised that the post demands exemption - for example advertising for a female worker for a women's refuge. If you wish to advertise for a person of a particular racial group or sex you need to do so under the genuine occupational qualification (GOQ) provisions. You need to demonstrate that there is a genuine reason for needing a person of that particular group in the post. Again this is very general information and you should seek further advice. Before advertising the post you should contact the Commission for Racial Equality and the Equal Opportunities Commission. They cannot give you the exemption, but can advise on whether the job is likely to fall within the GOQ exemptions.

- ➔ **Consider the following:**

- ▶ Where you might advertise posts
- ▶ How adverts will be phrased - include information on jobshare and training available
- ▶ Including a statement about Equal Opportunities on your advert.
- ▶ Listing what the centre can do - or aims to do - to encourage applicants.

CONDITIONS OF SERVICE

The employment contract and conditions can be an excellent way of implementing equal opportunities policies: putting into practice the ideals of anti-racism, anti-sexism, lesbian and gay rights and rights for disabled people. The contract is also one way to recognise the importance of cultural diversity and different individuals' needs and responsibilities.

WORKING HOURS

The Management Committee needs to consider carefully the effects on staff and users in deciding what to offer under this heading. Flexibility in working hours is beneficial to all

people, but can be especially beneficial to disabled people and people with caring responsibilities.

- **If you offer, or aim to offer, flexitime or job sharing then include it in your equal opportunities policy.**

LEAVE (DEPENDANTS, PATERNITY, ADOPTION, RELIGIOUS HOLIDAYS)

Use special leave and unpaid leave to recognise the needs of people who wish to travel abroad for extended visits to family or friends or for looking after sick children or the breakdown of normal childcare arrangements.

The Management Committee or Manager needs to have a clear policy on the number of days given for what reason and keep records of decisions. Care should be taken to apply these fairly and reasonably across the board.

It is good practice to recognise partners' leave and leave for adoptions as well as maternity rights.

- **State what arrangements you have for working hours and leave.**

COMMITMENT TO IMPLEMENTING THE CENTRE'S EOP AS A CONDITION OF EMPLOYMENT

The integration of equal opportunities will be enforced if you include a clause in the contract expecting staff to implement and abide by the policy - relate to disciplinary procedure/grievance procedure.

- **Specify how you will ensure that the Equal Opportunities policy is included in contracts of employment.**

REDUNDANCIES

The method of selecting staff for redundancy should ensure fairness and consultation.

- **Detail your own policy here**

STAFF DEVELOPMENT

Employers need to ensure all staff have opportunities for induction, personal development and training, and this should be recognised in an equal opportunities policy.

- **Think through how you will allocate resources and state if you are able to grant study leave or sabbatical opportunities.**

- **State the organisation's commitment to making available on-going staff development and training opportunities for all staff.**

POSITIVE ACTION

If the staff group does not include persons of a particular racial group or sex or the proportion of representation is small, legislation permits positive action:

- ▶ encouraging applications via the placing of adverts in specific publications.
- ▶ providing access to training to help gain skills

Staff and Management Committee Training

EQUAL OPPORTUNITIES AWARENESS

Do not forget the staff and Management Committee in your policy. Aim to offer training to everyone in the centre. Build training into induction programmes.

- **State how you will address equal opportunities awareness.**

MANAGEMENT

The policy should say how the centre will ensure that the Management Committee is diverse, and representative of users.

- ▶ Advertising vacancies on the Management Committee
- ▶ Targeting client group

DEVELOPING, IMPLEMENTING, MONITORING AND REVIEWING EQUAL OPPORTUNITIES

Ideally, the centre should have an Equal Opportunities working group (made up of representatives from the MC, staff, volunteers and service users) that holds this responsibility.

We will be looking for evidence that where you aim to implement a new practice there is a system for monitoring that that is done - reports to the Management Committee for instance.

- **The policy should clearly state who will plan, implement and monitor Equal Opportunities in the centre.**

- ▶ All new projects and service developments should be audited by a working group (Management Committee) for implications for equal opportunities policies
- ▶ Budget to finance changes needed (e.g. Physical access) and include in funding bids to ensure policy becomes a reality.

Legal Framework

If you infringe equal opportunities legislation you can face large penalties and adverse publicity. There is no need to detail the legislation in your policy, but you should have regard to this when developing your own policy.

- ▶ **Race Relations Act 1976**

The Race Relations Act outlaws discrimination on racial grounds (colour, race, ethnic origin, national origin or nationality) or between racial groups. It applies to applicants for jobs, workers supplied by an agency and the hiring of self-employed people.

- ▶ **Sex Discrimination Act 1975**

The Sex Discrimination Act outlaws discrimination on the basis of sex or being married, or pregnant. It has similar provisions to the Race Relations Act. It also applies to transsexuals.

- ▶ **Disability Discrimination Act 1995**

The Act applies to employers with 20 or more employees; however, smaller employers are encouraged to follow good practice.

The provisions relating to unlawful discrimination in employment are similar to those for race and sex.

- ▶ Maternity Rights are covered in the Sex Discrimination Act.
- ▶ Discrimination on the basis of religion is unlawful in Northern Ireland
- ▶ **The Rehabilitation of Offenders Act**
Makes it unlawful for an employer to refuse to employ a person, or dismiss an employee because s/he has a spent conviction.
- ▶ Discrimination on the grounds of being lesbian or gay is currently not unlawful but there is considerable pressure to change this. This is an instance when the advice sector takes positive action to ensure equal rights for lesbians and gays.

▶ **Equal Pay Act 1970**

Further Help

If you require further information on legislation relating to equal opportunities, contact the following organisations:

▶ **Commission for Racial Equality**

St Dunstan's House, 201-211 Borough High Street, London SE1 1GZ
Tel 020 7939 0000. Fax 020 7939 0001. E-mail info@cre.gov.uk

▶ **Equal Opportunities Commission**

Great Britain: Arndale House, Arndale Centre, Manchester M4 3EQ
Email: info@eoc.org.uk. Fax: 0161 838 1733. Tel: 0845 601 5901

▶ **Disability on the Agenda**

Tel: 0345 622 633

▶ **Royal Association for Disability and Rehabilitation (RADAR)**

12 City Forum, 250 City Road, London EC1V 8AF
Tel: 020 7250 3222. Fax: 020 7250 0212. Minicom: 020 7250 4119
E-mail: radar@radar.org.uk

▶ **Maternity Alliance**

Third Floor West, 2-6 Northburgh Street, London EC1V 0AY
Office: 020 7490 7639 Information Line: 020 7490 7638 Fax: 020 7014 1350
E-mail: info@maternityalliance.org.uk

▶ **National Association for Care and Rehabilitation of Offenders**

169 Clapham Road, London SW9 0PU. Tel: 020 7582 6500

▶ **Lesbian and Gay Employment Rights**

Unit 1G, Leroy House, 436 Essex Road, London N1 3QP. Tel: 020 7704 2205

Equal Opportunities Checklist

Statement of Intent

- Commitment to equal opportunities and challenging discrimination
- Commitment to delivering accessible services
- Commitment to challenging discrimination
- Management of centre
- Complaints from clients if equal opportunities values are not met

Policy on Service Delivery

This should describe how the centre will make services as accessible as possible, and should cover:

- Publicity of the EOP
- Publicity of services
- Monitoring service users and types of enquiries
- Consultation with service users about services
- Referral arrangements
- Campaign/Social Policy work
- Challenging discriminatory behaviour
- Right to withdraw services
- How service users make complaints

Policy on Employment

This should cover:

RECRUITMENT & SELECTION

- Publicising the Posts
- Application form and information pack
- Using set criteria to make it as objective as possible
- Who is on the panel
- Shortlisting
- Interviewing
- Equal Opportunities monitoring

CONDITIONS OF SERVICE

- Working hours
- Leave (dependants, paternity, adoption, religious holidays)
- Commitment to implementing the centre's EOP as a condition of employment
- Redundancies
- Staff development
- Positive action

STAFF AND MANAGEMENT COMMITTEE TRAINING

- Equal Opportunities awareness
- Implementing the EOP
- Training to help personal and/or career development

Ensure you have a separate section of the policies for volunteers/unpaid workers unless they are covered in relevant sections.

Management

The policy should also say how the centre will ensure that its Management Committee is diverse, and representative of the target users.

Developing, Implementing, Monitoring and Reviewing Equal Opportunities

Ideally the centre will have an Equal Opportunities working group which holds this responsibility. The policy should clearly state who will:

- Plan,
- Implement, and
- Monitor Equal Opportunities in the whole centre.

Think through the contents

For each area of work to be covered you need to include:

- Specific action to be taken
- Any targets set including deadlines
- Clear rules and procedures
- Detailed instruction.

This will help you make the policy specific to your organisation. Spell out as specifically as possible the changes you intend to make.