

Scotswood Natural Community Garden Equality and Diversity Policy

Date approved: 4 December 2012
Approved by: Board of Trustees
Last Review Date: Dec 2021
Next Review Date: Dec 2024

Equality and Diversity Policy

This is Scotswood Natural Community Garden's Equality and Diversity Policy and it forms a major part of our ethos. All employees and volunteers are bound by its contents:

1. Equality and diversity statement
2. Management issues and delivery mechanisms
3. Employee practices
4. Service delivery
5. Monitoring and evaluation
6. Review of this policy

Appendix

Harassment and dignity at work

1. Equality and diversity statement

Scotswood Natural Community Garden aims to promote equality and diversity as an employer and seeks to ensure that equality and diversity principles underpin all areas of the organisation's work and service provision.

Scotswood Natural Community Garden recognises that many people and groups suffer discrimination and face serious barriers when trying to fulfil their true potential. It also recognises that not all forms of unreasonable and unfair discrimination are the subject of legislation. It is the aim of this organisation to take positive steps to redress discrimination, to improve equality of opportunity and to combat any unreasonable or unfair treatment which places people at a disadvantage for any reasons not directly related to their ability to do a job for this organisation or to their eligibility to receive services from us.

In most cases it is unlawful to discriminate against people because of their gender or gender reassignment, sex, pregnancy and maternity, race, colour, nationality, ethnic and national origin, sexuality/sexual orientation, religion or belief, age, or because they are disabled, married or in a civil partnership, a member of a trade union, work part time or on a fixed-term contract. It is also unlawful to discriminate against people either because they are perceived to have a certain characteristic or because they associate with someone who has a certain characteristic.

However we recognise that people may experience discrimination for many additional social, educational and economic reasons such as their language, health, caring responsibilities, trade union activity, where they live, how they speak and whether they work flexibly. This policy will apply equally to all these circumstances.

Scotswood Natural Community Garden will not tolerate discrimination, harassment, bullying, victimisation or abuse of people who are members of staff or of people connected with the services provided by Scotswood Natural Community Garden.

2. Management issues and delivery mechanisms

Scotswood Natural Community Garden's Board of Trustees has ultimate responsibility for the equality and diversity policy. It is however the responsibility of the CEO to implement, monitor and evaluate the equality and diversity policy in terms of employment practice and service delivery. S/he is also under a duty to ensure that the Board of Trustees is regularly kept informed of the policy's implementation and the implications of the Board of Trustees decisions and policies for equality and diversity issues. It is the responsibility of all staff to report any discrimination of which they become aware.

All employees, Board of Trustee members, and other volunteers will be informed that an equality and diversity policy is in operation and that they are bound to comply with its requirements. The policy will also be drawn to the attention of Scotswood Natural Community Garden's members, funding agencies, job applicants and those using the services of Scotswood Natural Community Garden.

The 'Equality and Diversity Statement' above shall be easily available in our offices, accessible to staff and visitors. Staff and trustees are to be given a copy of the whole policy upon appointment/election and whenever the policy is modified.

Scotswood Natural Community Garden's grievance and disciplinary procedures will be used to deal with any complaints about discrimination, harassment or bullying involving staff or volunteers.

Complaints from people using the organisation's services will be through the complaints procedure for Scotswood Natural Community Garden.

Scotswood Natural Community Garden seeks a broad and representative Board of Trustees.

It is expected that when staff or Trustees represent Scotswood Natural Community Garden on the committees of other agencies they will endeavour to ensure that equality and diversity principles and practices are adopted by those agencies.

3. Employment practices

Scotswood Natural Community Garden aims to promote equality and diversity as an employer and to ensure that no job applicant or employee receives less favourable treatment or is disadvantaged by conditions or requirements that cannot be shown to be justifiable within the context of the policy.

Scotswood Natural Community Garden regards discrimination, harassment, abuse, victimisation or bullying of staff, clients or of others in the course of work as disciplinary offences that could be regarded as gross misconduct. Condoning such behaviour could also be treated as a disciplinary offence. As well as disciplining the perpetrator(s), we will give appropriate support to people who complain of harassment of themselves or others.

Selection, recruitment, training, promotion and employment practices generally will be subject to regular review to ensure that they comply with the equality and diversity policy. In particular, selection and recruitment procedures should be reviewed no less than annually in order to try and constantly improve equality and diversity practices.

Scotswood Natural Community Garden will attempt to accommodate staff requests to work flexibly, whether part-time or some other working arrangement, for whatever reason, so long as agreement is consistent with the needs of the organisation. (See related policy: home working)

We recognise that organisations are obliged under the Equality Act 2010 to make reasonable adjustments to accommodate disabled people and to enable them to do their job without unnecessary difficulty. We will make adjustments which are reasonable, [whether or not we are obliged to do so by law, and whether or not a disabled applicant or employee is covered by the definition of disabled under the Equality Act.]

We accept our obligation not to discriminate against applicants and employees on the basis of their religion or belief. We will try to accommodate employees' religious beliefs in any way which is compatible with the work of the organisation by, for example, allowing for

prayers during the working day and at the workplace; considering employees' dietary requirements in providing facilities for staff to eat and store food; allowing staff to take their holidays for religious festivals; trying to arrange job interviews or other important work meetings at times when they do not clash with important religious festivals; and not imposing a dress code with which people of a particular religion cannot comply.

Scotswood Natural Community Garden will not discriminate on grounds of age in recruitment, promotion, training, or in the availability of benefits such as pension contributions or health insurance.

Scotswood Natural Community Garden will take whatever positive action is required where it can be shown that under-representation of any particular group has occurred in recruitment. Where appropriate and where legally permissible, employees from under-represented groups will be given training and encouragement in order to promote equality and diversity within Scotswood Natural Community Garden.

4. Service delivery

Scotswood Natural Community Garden seeks to ensure that its services are accessible to all sections of the community served by Scotswood Natural Community Garden. In particular Scotswood Natural Community Garden will ensure that this applies to those most at social, economic or educational disadvantage.

Scotswood Natural Community Garden will make public its commitment to combating discriminatory attitudes where these are encountered.

Scotswood Natural Community Garden will attempt to ensure that none of its policies discriminate directly or indirectly against any group or individual.

Scotswood Natural Community Garden will adopt a Complaints Procedure that will include its objectives with regard to equality and diversity in service delivery.

Scotswood Natural Community Garden will attempt to find ways of making our service accessible to everyone, including people for whom English is not a first language, people with visual or hearing impairments, and people who live in remote rural areas and/or who cannot easily travel.

Scotswood Natural Community Garden will take all reasonable steps to ensure that all its activities are carried out in premises which are accessible to people with mobility difficulties. In the event that the premises operated by Scotswood Natural Community Garden are not accessible for particular individuals, Scotswood Natural Community Garden will arrange alternative meeting places. This will include committee meetings.

Scotswood Natural Community Garden will be sensitive to the particular needs of service users by trying to provide for example, translations, childcare facilities run by vetted carers and, when providing food, having regard to religious and other dietary requirements.

Scotswood Natural Community Garden will operate a variety of means to allow people to contact staff.

Scotswood Natural Community Garden will be concerned especially with people and communities that are disadvantaged and excluded and will find ways to support the representation of their interests.

5. Monitoring and evaluation

Scotswood Natural Community Garden will regularly evaluate its services and the effectiveness of its equality and diversity policy, by a variety of means.

Monitoring may be carried out by Scotswood Natural Community Garden to provide the data for this regular evaluation. For instance, Scotswood Natural Community Garden may ask clients using our services, job applicants, volunteers and trustees for information about their ethnic origin, disability, age or other personal information. We will only do this for a specific lawful purpose as defined in our Data Protection policy, such as collecting statistical data for funders, for research or for our own monitoring to evaluate this policy's impact.

Scotswood Natural Community Garden will be sensitive to groups and individuals and will have due regard for the principles of data protection when seeking information. Where sensitive information is gathered, those responding will be explicitly informed of the purpose and that they are at liberty to withhold the information. All monitoring information will be securely stored, aggregated and anonymised.

Related Policy: Data Protection & Confidentiality

6. Review of this policy

Scotswood Natural Community Garden's commitment to equality and diversity is an active one. This document should be amended on a regular basis as part of this active commitment.

Scotswood Natural Community Garden's equality and diversity policy will be reviewed as and when required and in line with changes in legislation.

Scotswood Natural Community Garden will also seek to keep abreast of new developments in Equality and Diversity practice and actively seek information on this issue.

This Equality and Diversity Policy was adopted by the Board of Trustees of Scotswood Natural Community Garden at their meeting on 4 December 2012.

Signed by

Tony Milan

Chair of Trustees

4/12/2012

Appendix

Harassment and dignity at work

Scotswood Natural Community Garden's objectives will be best served if staff and volunteers work in harmony with each other and with those to whom they report. Each member of staff or volunteer should respect other members of staff/volunteers and realise that behaviour that they may find acceptable may not be so regarded by others.

Managers and supervisors shall act and react towards employees in a manner which respects their dignity. They shall work to ensure that those under their management and / or direction act in a similar way in their relationships with each other.

Harassment at work in any form is entirely unacceptable and each member of staff carries responsibility for their own behaviour under the policy.

Harassment

The Equality Act 2010 defines harassment as unwanted conduct which has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

Harassment because of sex, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage and civil partnership, maternity and pregnancy is prohibited by the Equality Act. Harassment at work in any form is entirely unacceptable to Scotswood Natural Community Garden, whether or not it is because of a characteristic protected by law.

It is unlawful to harass someone or discriminate against them on the grounds of a characteristic they are perceived to have and it does not matter whether they actually possess that characteristic.

The law also protects someone who is associated with another person who has a protected characteristic, for instance because of their partner's race or because their parent is disabled.

Harassment may be persistent or an isolated incident. Actions or comments which are demeaning or unacceptable to the recipient can amount to harassment, regardless of the intention of the perpetrator. In extreme or repeated situations, harassment may amount to bullying or abuse.

Examples of unacceptable behaviour include:

- Spreading malicious rumours, or insulting someone (particularly on grounds of any of the protected characteristics)
- Copying memos that are critical about someone to others who do not need to know
- Ridiculing or demeaning someone –
- Picking on someone or setting them up to fail
- Exclusion or victimisation

- Unfair treatment
- Overbearing supervision or other misuse of power or position
- Unwelcome sexual advances – touching, standing too close, display of offensive materials
- Making threats or comments about job security without foundation
- Deliberately undermining a competent worker by overloading and/or constant criticism
- Preventing individuals progressing by intentionally blocking promotion or training opportunities.

Bullying and harassment are not necessarily face to face, they may be by written communications, visual images (for example pictures of a sexual nature or embarrassing photographs of colleagues), electronic email, phone, and automatic supervision methods – such as computer recording of downtime from work, or recording of telephone conversations – if these are not universally applied to all workers.

Scotswood Natural Community Garden will provide support for employees/volunteers who allege harassment and those against whom harassment has been alleged.

Scotswood Natural Community Garden will take appropriate action to protect employees/volunteers from harassment by third parties during the course of employment. This may include harassment by Scotswood Natural Community Garden's clients, members of the public and employees of other organisations. It is important that such incidents are reported by employees to [the Project Director/ their line manager].

Fair procedures will be followed and instigated promptly to minimise potential stress both for the alleged harasser and the complainant. Where possible and appropriate, complaints should be resolved informally.

Process

Informal procedure

Wherever possible employees/volunteers who believe that they have been the subject of harassment, should tell the person responsible that they find their behaviour offensive and ask them to stop. If the individual feels unable to do this themselves they may ask a friend, their Union representative, their line manager or another person of their choice to do it for them.

If the alleged harassment continues, or the complainant feels unable to speak directly to the alleged harasser, it may be helpful to write to the person concerned clearly indicating what is considered to be unacceptable behaviour.

Formal procedure

If the behaviour continues (or the informal procedure seems inappropriate) the matter should be dealt with as a grievance. It should be reported in writing to the complainant's manager giving details of the incidents, when they occurred, any possible witnesses and any discussion or correspondence under the informal procedure. This complaint may be made through a friend, a Union representative or another person of choice. After receipt,

the matter shall be brought to the attention of the alleged harasser's manager (if this is not also the complainant's manager) who shall carry out an investigation.

As an alternative to the above, which may be inappropriate, (e.g. because the alleged harasser is the complainant's manager), the complainant may raise the matter with the CEO or the Chair of Trustees, who shall act as a confidential advisor. This advice may mean the employee/volunteer needs to make a formal complaint to the manager of the person alleged to have carried out the harassment. The alleged harasser's manager shall then conduct an investigation.

The investigation shall be carried out under the terms of Scotswood Natural Community Garden disciplinary procedures. In certain circumstances the alleged harasser may be suspended without prejudice on full pay before, during or after the investigation.

During the investigation or resultant disciplinary hearing the complainant and alleged harasser will have the right to be accompanied and/or represented by a person of their choice.

If the allegations are upheld disciplinary action including the possibility of dismissal will result.

If the outcome of the investigation and/or disciplinary hearing is that no formal disciplinary action is to be taken, no record of the complaint will appear on the alleged harasser's personal file.

The complainant will be informed that a disciplinary investigation has been held and may be told of the broad findings and outcomes of this investigation, provided this information does not breach the obligation of confidentiality to the alleged harasser. The complainant may lodge an appeal under the grievance procedure if they are not satisfied that the matter has been properly dealt with.

Victimisation

Employees will not be victimised in any way for complaining about discrimination or racial, sexual or other forms of harassment or for giving evidence about such a complaint.

False allegation

Staff should not be subjected to unwarranted or vexatious complaints.

Where it is found that an employee is using this procedure to make deliberately false allegations, or as a form of bullying against a colleague or manager, this can be treated as misconduct, and in serious cases can justify dismissal.

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Review Date	Amendments	Signed
2/3/17		Rob Higgens
5/6/18		Stephanie Cole
13/5/19		Stephanie Cole
9/12/20		Chris Francis
8/12/21	None -but agreed to a full organisational EDI review over the next 2 years	Chris Francis
	Review delayed to 2024 due to ongoing organisational review of EDI. Policy to be updated by December 2024	