

Equal Opportunities Policy

Last updated: June 2024

The Equality Act legally protects people from discrimination in the workplace and in wider society. It replaced previous anti-discrimination laws with a single Act and sets out the different ways that it is unlawful to treat someone.

Policy Details

Phoenix Thrive CIC recognises the benefits of a diverse workforce and is committed to providing an environment that is free from discrimination. We seek to promote the principles of equality and diversity in all dealings with staff, volunteers, service users, stakeholders and the public. All staff and those who act on behalf of Phoenix Thrive CIC are required to adhere to this policy when undertaking duties or representing Phoenix Thrive CIC in any capacity.

1. What this policy covers

This policy covers all aspects of our company operations, how we treat those who work for and with us and how we engage others to join our community. We will ensure, as far as possible, full and equal access to vacancies, opportunities and services with our business and that all relevant decisions are made on the basis of objective criteria.

2. Who it applies to

All staff, volunteers, job applicants, partner agencies and casual workers. This policy does not form part of any employment contract. Phoenix Thrive CIC may amend this policy at any time.

Discrimination

Under UK law, there are several characteristics relevant to an individual who is covered by the policy that must not be unfairly considered in decisions relating to any aspect of their working life. Unlawful discrimination of any kind will not be tolerated and Phoenix Thrive CIC will take all necessary action to prevent its occurrence.

These characteristics are 'protected characteristics' and include the following:

- Age
- Disability
- Gender reassignment
- Marital or civil partnership status
- Pregnancy or maternity
- Race (including colour and ethnic origin)

- Religion or belief
- Sex
- Sexual orientation

Where employment-related decisions are made about an individual on the basis (whether wholly or partially) of any of these protected characteristics, unlawful discrimination will take place.

Phoenix Thrive CIC aims to ensure that no employee, job applicant or service user is subject to unlawful discrimination, either directly or indirectly. The sorts of actions that would fall into this category of unlawful and prohibited initiatives, include (but are not limited to) those set out below:

1. Direct discrimination

When someone with a protected characteristic is treated less favourably than somebody else has or would have been in identical circumstances. An example of this would be where an applicant for a job is rejected on grounds of their racial background.

2. Indirect discrimination

When a group of people with one of the protected characteristics is disadvantaged by a provision, criterion or practice that is applied to all staff (unless the treatment may be justified for a good business reason).

3. Harassment

Covers hostile, humiliating, degrading, intimidating or similarly offensive treatment or conditions to which an individual with one or more protected characteristics is subjected. Any such actions deprive an individual of their dignity and violate them.

4. Victimisation

This has a particular meaning under UK employment law and it is narrower than an ordinary dictionary definition, covering the situation only where:

- a. a worker has complained of discrimination (or harassment),
- b. or has supported a fellow worker in making a complaint about these concerns and has then suffered reprisals from others, including those responsible for that worker's employment prospects and working conditions.

5. Other discriminatory actions that are also prohibited

The UK's employment law also identifies other acts that can be unlawful under the equal opportunities' legislation. Examples of these include:

- a. Knowingly assisting somebody else when they carry out a discriminatory act
- b. Discriminating against somebody believed to have a protected characteristic, whether they do, or because they associate with a third party who does.

Human Rights

Basing service provision on an individual's human rights will promote better outcomes for people and avoid discrimination. Protecting and promoting human rights is at the heart of good care for people. The key principles underpinning human rights in providing services are:

- Fairness
- Respect
- Equality
- Dignity
- Autonomy

Human rights are of relevance to individuals receiving service from Phoenix Thrive CIC

- Article 8: provides that everyone has the right to respect for private and family life, their home and correspondence
- Article 2: provides that everyone has the right to life
- Article 3: is an absolute right. It provides that no one shall be subjected to torture or to inhuman or degrading treatment or punishment
- Article 5: is a limited right. It provides that everyone has the right to liberty and security
- Article 6: provides that everyone has the right to a fair trial
- Article 9: provides that everyone has the right to freedom of thoughts, conscience, and religion
- Article 14: protects individuals from discrimination in relation to the other rights

Equal Opportunities practice is developing constantly as social attitudes and legislation change. Phoenix Thrive CIC will review all policies and implement necessary changes where these could improve equality of opportunity.

Recruitment of Ex-offenders

Phoenix Thrive CIC actively promotes equality of opportunity for all candidates, including those with criminal records. Where appropriate, Phoenix Thrive CIC requires you to provide details of any criminal record at an early stage in the application process. Any such information should be sent in a separate confidential letter to the designated person leading the recruitment process. Only those who need to see it as a formal part of the recruitment process will have access to this information. Having a criminal record does not necessarily prevent you from being appointed. Any recruitment

decision will depend on the nature of the position and the circumstances and background of the offence(s). Phoenix Thrive CIC will discuss this with you and the relevance of any offence to the job in question. If you fail to reveal any information relating to disclosures in accordance with Phoenix Thrive CIC recruitment policy, this may lead to the withdrawal of an offer of employment.

Career Development

While positive measures may be taken to encourage under-represented groups to apply for employment opportunities, recruitment or promotion to all jobs will be based solely on merit. All staff will have equal access to training and other career-development opportunities appropriate to their experience and abilities. However, Phoenix Thrive CIC will take appropriate positive action measures (as permitted by the Equality Act 2010) to provide specialist training and support for groups that are under-represented in the workforce and encourage them to take up training and career development opportunities.

Positive Action

The Equality Act allows service providers and their staff to take positive action to promote equality of opportunity. You can take positive steps to help groups of people who are disadvantaged, have needs or are under-represented in particular activities. It must be proportionate to what they are trying to achieve.

Complaints of Discrimination

Phoenix Thrive CIC will treat all complaints of discrimination seriously and will act where appropriate. If you feel you have been discriminated against, you are encouraged to raise the issue as soon as possible with a member of the management team using Phoenix Thrive grievance procedures.

Allegations regarding potential breaches of this policy will be treated in confidence and investigated thoroughly. If you make an allegation of discrimination, Phoenix Thrive CIC is committed to ensuring that you are protected from victimisation, harassment or less favourable treatment. Any incidents will be dealt with under Phoenix Thrive CIC's disciplinary procedures.

Investigating Accusations of Unlawful Discrimination

If you are accused of unlawful discrimination, Phoenix Thrive CIC will investigate the matter fully. During the investigation, you will be given the opportunity to respond to the allegation and provide an explanation of your actions. If the investigation concludes that your actions amount to unlawful discrimination, you will be subject to disciplinary action, up to and including dismissal without notice, for gross misconduct.