

St Albans Mencap

Charity number: 210073

stalbansmencap.org.uk

Equal Opportunities Policy

This document outlines the Equal Opportunities Policy of St. Albans Mencap, emphasizing legal compliance, inclusivity, and the promotion of a respectful and supportive environment for all members of its community.

Document control:

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| 1 | October 2024 | Board of Trustees | August 2026 |
| 1 | December 2025 | Board of Trustees | December 2026. |
| | | | |

Summary of changes:

| Version: | Changes: |
|----------|---------------------|
| 1.0 | Initial re-draft |
| 1 | No further changes. |
| | |

Signed on behalf of the Board



David Keen, Chair of Trustees

Legal Framework:

This policy has due regard to statutory legislation, including, but not limited to, the following

1. UN Convention on the Rights of the Child 1989
2. Human Rights Act 1998
3. The Equality Act 2010

This policy has due regard to statutory guidance

Equal Opportunities Statement of Commitment

The Equality Act 2010 has replaced anti-discrimination laws with a single Act. It simplifies the law, removes inconsistencies and makes it easier for people to comply and understand. It also strengthens the law in important ways to help tackle discrimination and inequality.

The Equality Act 2010 protects everyone in Britain.

The “protected characteristics” under the Act include:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation

Any behaviour, comments or attitudes that undermine or threaten an individual’s self-esteem on these grounds is not acceptable. We aim to provide equal access to high quality community outreach support and day services opportunities to ensure that everyone feels that they are a valued member of the St Albans Mencap community. We seek to provide a safe and happy environment where all can flourish and where cultural diversity is celebrated.

We aim to empower our children and young people to make informed choices so that they are better prepared for the opportunities, responsibilities and experiences of life within their community. Equality of opportunity cannot be realised without the involvement and commitment of all members of the St. Albans Mencap community and a common understanding of the pivotal role of equal opportunities in the context of the charity’s ethos and values, in particular, the recognition that the role of all staff is crucial in the delivery of the objectives of the policy.

St. Albans Mencap will adopt secure controls on sensitive personal data, ensuring all data is accurate, secure and processed fairly and lawfully.

All members of the St. Albans community are responsible for promoting the charity’s equal opportunities policy and are obliged to respect and act in accordance with the policy.

Aims and objectives

St. Albans Mencap Charity aims to:

- carry out its legal duty in complying with the relevant legislation (including The Sex Discrimination Act, Race Relations Act, Disability Discrimination Act and Employment Equality Regulations)
- reinforce the charity's position as a provider of quality services and as a good employer providing development opportunities
- ensure that equality remains high on the charity's strategic agenda
- establish good people management practice and to set out a proactive agenda in which discrimination is recognised as an organisational issue which needs an organisational response
- endeavour to achieve a staffing mix that reflects the composition of the wider community
- ensure all staff work together with a shared sense of purpose to meet the needs of every child and young people
- ensure that children and staff contribute towards a happy and caring environment by showing respect for, and appreciation of, one another as individuals.
- ensure that complaints or evidence of failure to comply with the charity's equal opportunities policy will be dealt with promptly and fully investigated according to the relevant procedure (e.g. complaints relating to staff may be investigated either under the disciplinary, grievance or anti-harassment procedure as appropriate). All forms of discrimination by any person within the charity's responsibility will be treated seriously for such behaviour is unacceptable.

Policy and planning

Equal opportunities implications, including race equality, will be considered whenever charity policies are developed or reviewed. All policies are reviewed (according to schedule) to provide a comprehensive and consistent process of monitoring and evaluation and to ensure that our working policies reflect best practice and legislative expectations.

Employment

Appointments:

In all staff appointments the best candidate will be appointed based on strict professional criteria¹. We recognise the barriers to employment facing many people and will therefore offer a range of opportunities for people to volunteer or gain work experience in St. Albans Charity.

Staff Terms and Conditions

We will offer flexible and supportive work arrangements to enable people to maximise their contribution at work. We will ensure that our policies and procedures take account of the diversity of our workforce.

¹ For specific details see the St. Albans Mencap Charity Safer Recruitment Policy

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Policies include:

- Family provisions (overview)
- Adoption
- Maternity
- Parental Leave
- Shared parental leave
- Career Break
- Flexible Working (for every employee after 26 weeks service)
- Wellbeing

HIV/AIDS: the St. Albans Board of Trustees recognises that people with HIV/AIDS not only suffer from the purely medical effects of the infection but may also experience prejudice and misunderstanding leading to unfair discrimination and victimisation. The St. Albans Board of Trustees therefore will ensure that people with HIV/AIDS do not experience unfair treatment in relation to employment, as children or as other members of the charity community. The charity and St. Albans Board of Trustees will follow the detailed guidelines regarding staff recruitment and children admissions set out in Appendix B.

Trans² employees and gender reassignment: The Sex Discrimination Act expressly covers discrimination on grounds of gender reassignment.

Training and development

The success of the Equal Opportunities Policy is closely linked to the provision of relevant training. St. Albans Board of Trustees will be encouraged to take up all relevant opportunities provided by the Charity Trustee Training Programme.

St. Albans Charity will endeavour to:

- enhance and develop the skills, knowledge and abilities of existing employees to realise their full potential, irrespective of background or employment status
- provide equal access to training and development opportunities for all staff, including part time, based on their assessed training needs
- promote greater awareness of equal opportunities and the contribution which staff, trustees, parents/guardians and children and young people can make
- equip employees with the skills to provide personal and organisational solutions, discriminatory practices and behaviour and to promote anti-discriminatory behaviour.

Professional development involves a continuous process of learning involving self-development, encouragement and motivation. ST. Albans Mencap places great importance on the relationship between team leaders and their teams and will ensure that employees are encouraged and supported to take responsibility for their own learning and development in the context of the charity's performance management system.

² Trans is a generic term reflecting all identities within the gender identity spectrum

Harassment

A person harasses another if they engage in unwanted conduct that devalues or intimidates others on basis of their difference. It is important to remember that it is not the intention of the harasser but how the recipient perceives their behaviour, which determines whether harassment has occurred.

St. Albans Mencap Charity will not tolerate harassment from any person, including staff, volunteers, and third parties including clients, contractors, partner organisations and suppliers. Any staff member who is found to be harassing another person on these grounds will face disciplinary action.

Harassment may involve any of the following:

- physical contact or violence
- offensive humiliating and intimidating remarks or actions
- exclusion from participation in job-related or classroom-related discussions
- training or social or other events
- unfair work allocation
- unjust or excessive or humiliating criticism of performance
- offensive signs or notices
- graffiti
- repeated demands or requests for sexual favours.

These are merely examples and not an exhaustive list. Whatever the form, the charity will provide support for any member of the charity's community, children or staff member who feels threatened or isolated because of such actions.

Monitoring, review and evaluation

St. Albans Board of Trustees have a duty to ensure that policies are monitored and reviewed in accordance with the review schedule.

Monitoring is an essential aspect of this policy, as it should provide important information by which the charity can measure its performance against its aims and objectives. Statistical information can also enable the St. Albans Board of Trustees and senior managers to detect where potential or actual imbalances exist and to take steps to correct them.

Regular employment monitoring (sex, race, disability, grade and subject) including exit interviews will be undertaken in the following areas:

- composition of the charity staff
- recruitment trends
- take up of training opportunities
- promotion patterns
- use of complaints procedure
- use of grievance, disciplinary, harassment etc.
- use of sanctions

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- take-up of family-friendly policies³

³ **Family-friendly policies:** the St. Albans Mencap is a family-friendly employer and will do its best to respond to the changing needs of all staff by publicising existing schemes designed to support employees in combining work and other responsibilities (parental leave arrangements, job share opportunities, flexitime where appropriate, carers' leave provision). All policies are to be found in the network staff shared area: policies and procedures; staff attendance.

Appendix A:

Discrimination, victimisation and harassment

Discrimination on grounds of race, sex, disability, religion or belief, or sexual orientation is illegal. However, for the charity community, discrimination is also unacceptable on any of the other grounds referred to in this policy statement. Failure to comply with the policy will be fully and promptly investigated using the appropriate procedures. There are four ways in which discrimination may occur:

1. **Direct discrimination:** This means treating someone less favourably than others would be treated in the same or similar circumstances on the grounds of race, sex etc.
2. **Indirect discrimination:** This means applying a requirement or condition which cannot be justified to all groups, but which has a disproportionately adverse effect on one group because the proportion of that group which can comply is smaller than the proportion of the group(s) which can comply with it.
3. **Victimisation:** This occurs when a person is treated less favourably than other persons would be treated because that person has done a 'protected act' under the Equal Pay Act, Sex Discrimination Act, Race Relations Act or Employment Equality Regulations, for example, by bringing forward proceedings or giving evidence or information.
4. **Harassment:** Harassment can take many forms, from the most obvious abusive remarks to extremely subtle use of power. As with unfair or unlawful discrimination, harassment can be intentional or unintentional. However, the key issue is not simply the intention of the offender but the impact of the behaviour on the person receiving it.

Appendix B:

HIV/AIDS guidelines

St. Albans Board of Trustees will:

- Ensure that job applicants who are deemed to be medically fit to perform the job for which they have applied, are not denied an offer of work solely because they are HIV positive. In arriving at the decision, the charity's normal recruitment criteria will be observed including the normal medical procedures
- Ensure, where possible, that resources are available to support employees or children and young people with AIDS or other major health problems associated with HIV infection. The charity's normal rules and procedures regarding ill health will apply in such cases. Equally the charity will make appropriate arrangements for the provision of counselling (i.e. by referral to external agencies)
- Give positive consideration to applications for unpaid leave for those with responsibility for caring for people with AIDS-related conditions in accordance with carers' leave arrangements
- Treat any breaches of confidentiality as a serious matter to be dealt with in accordance with the normal disciplinary (or other appropriate) procedure
- Provide appropriate training in relation to AIDS in order to combat fears and prejudice and to enable the charity community as a whole to function without risk to health