

EQUAL OPPORTUNITIES

POLICY STATEMENT

PHOENIX HOUSE recognises the need for an equal opportunities policy and the statutory requirements laid down in the Race Relations Act 1976, Commission for Race Code of Practice, Sex Discrimination Act 1975 and Disability Discrimination Act 1995. These Acts make it unlawful for any person to discriminate or to treat an individual differently on the grounds of colour, race, ethnic origin, gender, age or disability. PHOENIX HOUSE would extend this principle to ensure that no service user, job applicant or employee is disadvantaged by conditions or requirements which cannot be shown to be justifiable. In particular it would not discriminate on grounds of marital status, race, creed, disability, age, gender or sexual orientation.

PHOENIX HOUSE accepts that specific programmes of action are required to ensure that the aims of its equal opportunities policy are achieved. This will include training to develop full potential, ensuring that systems of recruitment or referral do not discourage application, ensuring that our offices and accommodation units are, so far as possible, welcoming to potential staff and service users and monitoring the recruitment process to ensure fairness. PHOENIX HOUSE has a duty to consider reasonable adjustments to any physical features of our premises or to any work arrangements which put a disabled employee at a substantial disadvantage when compared to another employee.

In order to achieve these aims the Administrative Manager has been given responsibility to monitor and review practice, advice on improvements and ensure that objectives and priorities set by the Service Manager are implemented.

PHOENIX HOUSE recognises however that, while much can be achieved through developing procedures to meet legal obligations, real progress requires a programme of action which involves the participation of all staff. Commitment to equal opportunities is therefore an expectation of all staff. Discriminatory behaviour is unacceptable and deliberate acts of discrimination will be defined as gross misconduct in our disciplinary procedures.

Staff holding management and supervisory positions in the organisation have additional responsibilities to ensure the effectiveness of the policy and the commitment of all employees to it.

CODE OF PRACTICE

INTRODUCTION

The purpose of this Code of Practice is to improve equality of opportunities by putting into practice, reviewing and monitoring the policies laid down in the equal opportunity policy statement.

THE LAW

1. The Race Relations Act 1976 makes discrimination on 'racial' grounds unlawful. It seeks to promote equal opportunities by removing discriminatory practices and promoting positive action.

Direct discrimination occurs when one person is treated less favourably than another on racial grounds in terms of employment, training, education or the provision of services.

Indirect discrimination occurs when a condition or requirement is applied across the board which had a disproportionately adverse effect on a particular racial group and cannot be shown to be justifiable on other than racial grounds.

2. The Sex Discrimination Act 1975 closely mirrors the provisions of the Race Relations Act 1976.

Direct discrimination occurs where a person is treated less favourably on the grounds of gender than a person of the opposite sex would be in the same circumstances.

Indirect discrimination occurs where a requirement is applied equally to men and women. Such a condition may discriminate indirectly because the proportion of one gender which can comply with it is much smaller than the proportion of the other gender.

3. Victimisation occurs when a person is treated less favourably than others because he or she has made a complaint of sexual or racial harassment or is asserting his or her rights under the Acts.

4. The Disability Discrimination Act 1995 sets out the duty of an employer to consider reasonable adjustments to avoid discriminating against disabled persons.

Discrimination occurs where a person is treated less favourably than another on the grounds of a disability and where the employer cannot justify such treatment.

STAFF DEVELOPMENT AND TRAINING

Employees are offered an equal opportunity to progress within the organisation and are offered training in order to reach their true potential.

Equal opportunities training is provided for all staff.

The training and development needs of all staff are assessed and training courses identified which will help them to meet these needs.

COMPLAINTS OF DISCRIMINATION OR HARASSMENT

These notes are designed to assist service users, job applicants and employees who feel they have been discriminated against or harassed by another person/persons behaviour towards them. PHOENIX HOUSE procedures apply equally to complaints alleging discrimination or harassment on the grounds of marital status, race, creed, age, disability, previous criminal convictions or sexual orientation. This procedure operates in a similar manner to the organisation's Complaint Procedure.

In the first instance the complainant may feel able to challenge the person/persons identified as offending them and requesting an apology and an assurance that the behaviour will not occur again.

The matter may also be taken up with the person in managerial authority in the organisation. This will hopefully then resolves the problem especially when the offending behaviour is minor or unintentional. If this procedure does not deal with the matter satisfactorily or if the incident is considered so serious that, it should warrant action that is more serious than a complaint should be made to a person in greater authority within PHOENIX HOUSE staff structure.

PHOENIX HOUSE manager is responsible for investigating complaints of this nature and the manager is available to receive complaints. If the complaint is against the manager then the complaint can be made to one of the named bodies identified in the organisation's Complaint Procedure.

Details of offensive behaviour will be required by the investigator and witnesses/service users/or staff might need to be interviewed.

The person/persons being the subject of the complaint will also need to be interviewed for a response to the allegations. Both the complainant and person/persons subject to the complaint may have to be interviewed more than once in order to try and establish the facts.

Complaints will be dealt with speedily and confidentially according to the general Complaints Procedure. The investigator will try and reach a definite conclusion as to whether or not the complaint is justified. If it is determined that there is sufficient evidence of discrimination or harassment then appropriate action will be taken against the person/persons concerned. If either party is not satisfied with the outcome of the complaint, the way in which it was dealt with, or if another senior staff was previously involved, an appeal may be made to the Service Manager or according to the general Complaints Procedure.

Any employee bringing a complaint of the above nature must remember that such are serious allegations, and if found to be untruthful or made maliciously, they may face disciplinary action including dismissal.

EQUAL OPPORTUNITIES STATEMENT

The purpose of this statement is to make clear to all those who come into contact with PHOENIX HOUSE that the promotion of equality of opportunity is intrinsic to all of PHOENIX HOUSE activities.

PRINCIPLES

PHOENIX HOUSE acknowledges and values the diversity in society and sees a practical commitment to equality of opportunity as fundamental to its aims and objectives. PHOENIX HOUSE exists to serve the community and works in accordance with anti-discriminatory legislation (Race Relations Act 1976, Sex Discrimination Act 1975 and Disability Discrimination Act 1995) and relevant codes of practice. PHOENIX HOUSE extends its policies to include all those without legal redress.

ACTION PLAN

PHOENIX HOUSE recognises that in seeking to implement this statement in all areas of its activities it will need to develop specific policies and undertake regular evaluation and monitoring of performance.

Monitoring equal opportunity and dignity at work

The Organisation will regularly monitor the effects of selection decisions and personnel and pay practices and procedures in order to assess whether equal opportunity and dignity at work are being achieved. This will also involve considering any possible indirectly discriminatory effects of its working practices.