

# Equal Opportunities Policy – Staff

## 1. Policy Background

- 1.1 The policy of the Woodcraft Folk is that the Woodcraft Folk shall operate an equal opportunity policy to ensure that all people who are interested in or who are working for the Woodcraft Folk will receive equal treatment in employment regardless of their gender, marital status, race, creed, colour, ethnic or national origin, disability or whether they are lesbians or gay men.
- 1.2 The Woodcraft Folk as an employer recognises the need for an equal opportunity policy. The policy concerns all matters related to employment affecting individuals and groups whether they are actual or potential employees. The active promotion of this policy is specifically directed at members of disadvantaged groups. Disadvantaged groups can be identified according to race, colour, creed, ethnic or national origin, disabilities, gender, sexuality (where they are lesbians or gay men) or marital status. The Woodcraft Folk is convinced that it is morally wrong to hinder equality of opportunity on such grounds and further, recognises that passive policies will not in themselves provide equality of opportunity.

## 2. Equal Opportunity Legislation

### 2.1 EQUAL OPPORTUNITY LEGISLATION

The Race Relations Act is the most significant piece of statute law so far designed to eradicate discrimination. All forms of potential discrimination are defined (see para 3 below) and rendered unlawful.

### 2.2 SEX DISCRIMINATION ACT 1975

The Sex Discrimination Act 1975 makes sex discrimination unlawful in employment, training and related matters, and in the provision of goods, facilities and services. In addition the Act also makes unlawful discrimination on grounds of marital status, in the field of employment.

### 2.3 DISABILITY DISCRIMINATION ACTION 1995

For employers with 20 or more employees (including part-time and temporary employees) the Disability Discrimination Act 1995 makes it illegal to discriminate unjustifiably against a person on the basis of disability. The definition of disability is quite broad and in some cases includes long-term illness.

What is or is not justifiable depends on the nature of the job, the nature of the person's disability, and whether it is reasonable for the employer to make adaptations to the job, premises or equipment to enable the person to do the job.

Even where the Act does not apply, because the employer has fewer than 20 employees, an organisation committed to equal opportunities should make genuine efforts to recruit people with a disability.

Some jobs genuinely require physical mobility, good eyesight or other physical attributes, but most are suitable or could be adapted for people with various types of disability. Even if premises are not accessible to people with serious mobility difficulties and cannot be adapted, they may well be accessible to people with other disabilities.

If a job *is genuinely* not appropriate for people with a particular type of disability, this should be clearly stated in the person specification. Beyond that, the organisation should be committed to interviewing applicants suitable for the job despite any

disability they have, assessing them on the basis of their ability to do the job rather than their disability, and making necessary adaptations to equipment or premises to allow a person with a disability to do the job.

The significant difference between the Disability Discrimination Act and other discrimination legislation is that it makes it unlawful for an employer to discriminate against the traditionally disadvantaged group (disabled people) while under race and sex legislation it is unlawful to discriminate against the traditionally advantaged group (white people and men) as well as the disadvantaged group. In practice this means that a disabled person who is equally suitable for a position to non-disabled candidate could claim discrimination if not appointed. This also means that the employer can positively discriminate in favour of a disabled person where all other factors are equal.

Information about the Act and good practice is available from the Disability Discrimination Act Information Line (Freepost Mid 02164, Stratford upon Avon CV37 9BR, tel 0345-622633).

Local job centres can provide access to advice, information and support for employers and employees. Funds are available for adaptations to premises or equipment to enable an individual worker to do a job; equipment is also available on permanent loan.

### 3. **Discrimination**

There are two kinds of discrimination both of which contravene this policy.

a) Direct discrimination: Where a person treats another person less or more\* favourably on grounds of race, colour, nationality, gender, marital status, creed, sexual orientation or disablement.

\* *Subject only to the provisions of the Disability Discrimination Act.*

b) Indirect Discrimination: Where a person applies an unjustifiable condition or requirement to another person who is seeking a job, grant, service, etc.

### 4. **Disciplinary Action**

All employees are required to comply with the equal opportunities policy. Failure to do so would justify disciplinary action.

### 5. **Implementation - Recruitment**

These notes are designed to both guide and inform all staff, National Council members, etc., particularly those directly involved in recruitment and training activities, how they can best carry out their responsibilities in accordance with the Equal Opportunities Policy. The implementation of these practices represents a significant step towards ensuring that day-to-day practice meets the spirit and letter of the law and of the Woodcraft Folk Equal Opportunity Policy.

#### 5.1 **Job Descriptions:**

i. Every job advertised must have a job description.

ii. Job descriptions should be written in a clear and concise manner.

iii. The job descriptions should be reviewed prior to the start of recruitment action.

iv. The job description should make it clear that all post-holders must be required to familiarise themselves with the Woodcraft Folk's Equal Opportunities Policy and to undertake their duties in accordance with it.

## 5.2 **Person Specifications:**

- i. Every job advertised should have a personnel specification.
- ii. Criteria contained in the personnel specification should be strictly relevant to the requirements of the job. The criteria should not be unnecessarily restrictive so as to exclude particularly disadvantaged groups, since this may be viewed as indirect discrimination and therefore be unlawful. As stated, entry requirements must be clearly justifiable in terms of the principal functions of the post. Care should be taken not to include 'preferred' criteria which are not essential to the requirements of the job, for example a personnel specification should only ask for the ability to play a game or musical instrument if this ability is needed in the normal performance of the post-holder's duties.

## 5.3 **Attracting a field of applicants**

- i. All concerned with recruitment must be aware of the advertising policy of the Woodcraft Folk to avoid inconsistency.
- ii. External advertisements must be placed in the appropriate professional journals where applicable.
- iii. Where jobs entail specific contact with particular racial groups, vacancies must be advertised additionally in the ethnic minority press.
- iv. Advertisements should be clear and unambiguous so that applicants will be able to determine their own suitability.
- v. All advertisements must carry the word 'The Woodcraft Folk is an Equal Opportunity Employer'.
- vi. Where advertisements state 'for further information please contact.....' this should be strictly limited to the provision to candidates of factual information concerning qualifications/experience required by candidates in accordance with the personnel specification and information about the organisation and post advertised, and must not be used as an informal sorting procedure.
- vii. Job vacancies should be displayed or circulated to all the present employees.

## 5.4 **Application forms:**

- i. A copy of the Equal Opportunity Policy must be sent out with all application forms.
- ii. All application forms must be acknowledged in some way unless it is stated on the form that if they have not been acknowledged within 28 days of the closing date, the application has been unsuccessful. Acknowledgements should be done speedily and if, for any reason there has been a delay in the recruitment process, for example, re-advertisement, applicants should be informed.

## 5.5 **Monitoring:**

In order to ensure that this Equal Opportunity Policy is being effectively implemented, applications will be monitored with regard to the race, gender and disability of applicants. This information will be sought, voluntarily, on a separate form which will be issued with the application form. Completed forms will be retained on file by the national office and shall remain confidential. From time to time, statistical information may be extracted from these forms in order to monitor the effectiveness of the policy. Information contained in such forms shall not be made available to any selection panel.

**5.6 Selection panels:**

In appointing members to form an selection panel, the National Council shall ensure that the panel is not composed of members who are all of the same gender. The size of the panel may vary depending on the nature of the post but in determining its size the National Council shall consider the need to encourage candidates to give their best possible performance at interview. The size of the panel shall not exceed 5 voting members and 2 other members in attendance.

**5.7 Initial selection:**

- i. A shortlist should be determined on the basis of the information contained on the application form, using criteria stated on the job and personnel specifications.
- ii. The criteria for initial selection must be consistently applied to all candidates.
- iii. Assumptions must not be made about the standard of overseas qualifications.
- iv. There should be no restriction on the number shortlisted from any disadvantaged groups. The adoption of non-statutory quotas is unlawful and unnecessary.

**5.8. Selection interviews:**

- i. Adequate notes should be made to be able to make a fair comparison between candidates.
- ii. Interviewers should not imply discrimination by asking questions either about personal circumstances which are unrelated to the requirements of the job, or else designed to test more vigorously certain candidates on the basis of gender, race or disablement. Neither should candidates be asked about their ethnic origin or that of their family or how they would react to a colleague of different gender or race.
- iii. Where questions about personal circumstances are relevant, eg, jobs with living accommodation requirements, these questions should be asked of all candidates and the reasons for them explained.
- iv. In interviewing candidates from minority groups, questions should not be asked which could be seen as directly discriminatory, e.g., questions about understanding of UK customs.
- v. In determining whether to reject a candidate, interviewers may only consider factors relevant to the effective execution of the job.
- vi. Where there is doubt about a disabled candidate's suitability for employment because of the nature of the disability, further advice should be sought as to the nature of the disability and the availability of aids to employment or the adaptation of buildings before a decision to reject them is taken. (Grants and free loan of equipment are often available from government agencies).
- vii. No interviewee must be excluded from any part of the selection process, and all interviewees must be made aware of the nature of that process.
- viii. Written references will be requested from applicants. These will be consulted to ascertain any factual information which may deem the candidate suitable or unsuitable for the post. Referees opinions about the suitability of an applicant shall not be taken into consideration.

**5.9 Promotion within the Woodcraft Folk:**

The Equal Opportunity Policy and implementation notes apply equally to the recruitment and selection of internal candidates.

5.10 **Letters of appointment:**

- i. Letters of appointment should be sent out as soon as possible after the interview.
- ii. If appropriate, letters to unsuccessful candidates should be sent out as soon as possible after the interview.
- iii. In the interest of personal and professional development, unsuccessful candidates should be given the opportunity, if they wish, to receive information on their candidature.

5.11 **Monitoring:**

Responsibility for monitoring the implementation of the above procedures lies with the Chair of National Council.

6. **Sexual Harassment**

The Woodcraft Folk recognises that sexual harassment is an unacceptable and discriminatory practice and is committed to ending it.

6.1 **Definition:**

Sexual harassment has been defined by the Trades Union Congress as: 'Repeated and unwanted verbal or sexual advances, sexually explicit statements or sexually discriminatory remarks made by someone in the work place which are offensive to the worker involved, which cause the worker to feel threatened, humiliated, patronised or harassed or which interfere with the worker's job performance, undermine security or create a threatening or intimidating working environment.'

A wide range of behaviour can be identified as harassment. The following are examples but the list is by no means exhaustive: Leering, ridicule, embarrassing remarks or jokes, unwelcome comments about dress or appearance, provocative behaviour, display of pin-ups or pornographic pictures, deliberate abuse and repeated and/or unwanted physical contact, demands for sexual favours or physical assaults on workers.

Basically, any visual, physical or verbal conduct of a sexual nature constitutes sexual harassment if:

- a. it is unsolicited and unwelcome;
- b. when submission to such conduct is implicitly or explicitly a term or condition of an individual's appointment or continued employment;
- c. when submission to such conduct is implicitly or explicitly a term or condition for decisions which would affect promotion, salary or other job condition;
- d. when such behaviour creates an intimidating, hostile or offensive work environment for one or more employees.

Although there are many such cases of harassment to employees throughout all different working environments, affecting both men and women, most individuals are unwilling to make a complaint regarding sexual harassment. This can be for a variety of reasons, e.g.:

- a. fear that others will consider the behaviour trivial;
- b. fear of retaliation or public humiliation;
- c. unfamiliarity with the appropriate procedures;
- d. absence of an appropriate procedure;

e. fear that a complaint will not be taken seriously, and the likelihood that no action will be taken against the harasser.

**6.2 Procedure for dealing with complaints:**

The procedure for dealing with complaints should follow the existing grievance and disciplinary procedures which are designed to deal with individual grievances or disputes. If the complainant wishes, s/he may in the first instance discuss the matter with a woman colleague, member of the National Council or Staff Committee.

**6.3 Whom this policy concerns:**

Whilst it is generally expected that women are often harassed at work this policy applies equally to women and men. It is important to note also that gay men and lesbians are often the object of heterosexist sexual harassment which is equally unacceptable and is also deemed to be covered in the above policy.