



Equal Opportunities Policy Oxford Dog Training Society

Equal Opportunities and Discrimination (Equality Act 2010)

The new Equality Act came into force in October 2010 and replaces all previous equality legislation in England, Scotland and Wales – namely the Race Relations Act 1976, the Disability Discrimination Act 1995, the Sex Discrimination Act, the Equal Pay Act, the Employment Equality (Age) Regulations 2006, The Civil Partnership Act 2004, the Employment Equality Regulations 2003 (religions and belief and sexual orientation).

Protected Characteristics:

Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race , religion or belief, sex and sexual orientation.

Who Is Responsible For Equal Opportunities?

All members have a personal responsibility to ensure compliance with this policy, to treat members with dignity at all times and not to discriminate against or harass other members, their guests, potential members or members of the public with whom the society may have dealings.

What Is Discrimination?

Discrimination occurs in different ways, some more obvious than others. Discrimination on the grounds of any of the Protected Characteristics is prohibited by law, even if unintentional, unless a particular exemption applies.

Direct Discrimination

Direct Discrimination is less favourable treatment because of one of the Protected Characteristics. Restricting recruitment to persons under 40 because you want to have a young and dynamic training force would be an example of this.

Direct discrimination can arise in some cases even though the person complaining does not actually possess the Protected Characteristic but is perceived to have it or associates with other people who do. For example, when a person is less favourably treated because they are (wrongly) believed to be homosexual or because they have a spouse who is Muslim.

Indirect Discrimination

Indirect discrimination arises when an employer applies an apparently neutral provision, criterion or practice which in fact puts individuals with a particular Protected Characteristic at a disadvantage. This may be saying that only those with 10 years experience with dogs may apply to be a trainer, this negatively acts against younger people and so would be unlawful.

Victimisation

Victimisation means treating a person less favourably because they have made a complaint of discrimination or have provided information in connection with a complaint or because they might do one of these things.

Harassment

Harassment is:

- unwanted conduct which is related to a Protected Characteristic and which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them: or
- unwanted conduct which is of a sexual nature and which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them (**Sexual Harassment**); or
- less favourable treatment because of the rejection of or the submission to Sexual Harassment.

Harassment can arise in some cases even though the person complaining does not actually possess a Protected Characteristic but is perceived to have it (for example, when a person is harassed because they are (wrongly) believed to be homosexual) or associates with other people who possess a Protected Characteristic (for example, because they have a spouse who is Muslim).

Harassment May Include:

- use of insults or slurs based on a Protected Characteristic or of a sexual nature or other verbal abuse or derogatory, offensive or stereotyping jokes or remarks;
- physical or verbal abuse, threatening or intimidating behaviour because of a Protected Characteristic or behaviour of a sexual nature;
- unwelcome physical contact including touching, hugging, kissing, pinching or patting, brushing past, invading personal space, pushing grabbing or other assaults;
- mocking, mimicking or belittling a person's disability, appearance, accent or other personal characteristics;
- unwelcome requests for sexual acts or favours; verbal sexual advances, vulgar, sexual, suggestive or explicit comments or behaviour;
- repeated requests, either explicitly or implicitly, for dates;
- repeated requests for social contact or after it has been made clear that requests are unwelcome;
- comments about body parts or sexual preference;
- displaying or distributing offensive or explicit pictures, items or materials relating to a Protected Characteristic or of a sexual nature;
- shunning or ostracising someone, for example, by deliberately excluding them from conversations or activities;
- 'outing' or threatening to 'out' someone's sexual orientation (ie to make it known);
- explicit or implicit suggestions that employment status or progression is related to toleration of, or acquiescence to sexual advances, or other behaviour amounting to harassment;

Other important points to note about harassment:

- a single incident can amount to harassment;
- behaviour that has continued for a long period without complaint can amount to harassment;
- it is not necessary for an individual to intend to harass someone for their behaviour to amount to harassment;

- it is not necessarily for an individual to communicate that behaviour is unwelcome before it amounts to harassment; and
- the onus is on each individual to be certain that their behaviour and conduct is appropriate and is not unwanted and in the case of doubt, you must refrain from such conduct.

Disability Discrimination

This could be direct or indirect discrimination, as is any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

Oxford Dog Training Society will try to make any reasonable adjustment for those with a disability and offer what assistance it is able to to help anyone with a disability use its services.

Disabled Persons

Any member or member of staff who considers that they may have a disability is strongly encouraged to speak with the Secretary, particularly if they experience difficulties because of their disability so that any reasonable adjustments to help overcome or minimise difficulties can be discussed. For these purposes, disability includes any physical or mental impairment which substantially affects your ability to perform day to day activities and has lasted (or is likely to last) more than 12 months. Disclosure of this information will be treated in confidence, if you wish it to be, so far as is reasonably practicable and we will do our best to handle matters sensitively and to ensure that you are treated with dignity and with respect for your privacy.

We will consult with you about whether adjustments are needed to avoid you being disadvantaged and may seek professional guidance, to advise on this. We will seek to accommodate your needs within reason. If we consider a particular adjustment unreasonable we will explain why and try to find an alternative solution.

Recruitment

Recruitment must:

- specify only recruitment criteria that are relevant to the job, reflect genuine business needs and are proportionate. More than one person should be involved in shortlisting of applicants wherever practicable;
- ensure that vacancies are advertised to a diverse audience and try to avoid informal recruitment methods that exclude fair competition. In very rare cases, it may be legitimate and necessary to restrict recruitment to a particular role to certain groups, but it is essential that this is discussed with the Secretary so that appropriate steps can be taken to ensure legality;

There is no specific legal requirement for societies to advertise every job vacancy that arises. However, the risk in recruiting friends, family or other contacts of current members without advertising a vacancy externally is that this may give rise to allegations of unlawful discrimination. Where the workforce is predominantly male or female, or comprised of, for example, a particular racial group, informal recruitment methods such as word-of-mouth or personal recommendation perpetuate the existing imbalance and restrict the choice of applicants. This can constitute indirect discrimination against the sex or race that is under-represented in the workplace. As a result, members/applicants who do not hear about a vacancy until it is too late to apply for it because candidates have been sought through an informal recruitment exercise may be able to claim discrimination on the basis that the recruitment method was a discriminatory arrangement.

The person responsible for placing any job advertisement should

- review job advertisements carefully to ensure that stereotyping is avoided and that particular groups are not unjustifiably discouraged from applying;

When interviewing for a position the following should be observed by those carrying out the interview

- not ask applicants about health or disability before a job offer is made (other than in exceptional circumstances and after having been approved by the Secretary). If necessary a job offer can be expressed to be conditional upon satisfactorily passing a medical check.
- not ask candidates about any Protected Characteristic if the question may demonstrate an intention to discriminate. For example, candidates should not be asked about current or future pregnancy, childcare or related matters; and
- not make assumptions about immigration status based on appearance, accent or apparent nationality;
- so far as reasonably practicable, keep a written record of their reasons for relevant decisions.

Oxford Dog Training Society is legally required to verify that all employees have the right to work in the UK. Prior to starting employment, all employees must produce original documents to the Societies satisfaction, irrespective of nationality.

This applies even if the recruitment position is unpaid or voluntary.

Where an application for an employed position is made to Oxford Dog Training Society it will monitor Sex, Sexual Orientation, Ethnic Group, Disability, Religion as part of the recruitment process.

We do this to assess the effectiveness of our measures to promote equal opportunities and to help us identify and take appropriate steps to avoid discrimination, under-representation and potential disadvantage and improve diversity. Provision of this information is voluntary and the information is kept in an anonymised format solely for the purposes stated here. The information will not be used as part of any decision-making process relating to the recruitment or employment of the person providing the information. Our recruitment policies must be reviewed at regular intervals to ensure people are being treated fairly and according to ability and merit.

What to do if you encounter discrimination

If you believe that you have been the victim of discrimination, you should contact the Secretary immediately.

Every society member and member of Staff has a responsibility to combat discrimination if they encounter it. Members or staff who observe or are aware of acts that they believe amount to discrimination directed at others are encouraged to report these to the Secretary.

Any grievance or report raised about discrimination will be kept confidential so far as this is practicable. We may ask you if you wish your complaint(s) to be put to the alleged discriminator if disciplinary action appears to be appropriate. It sometimes may be necessary to disclose the complaint or take action even if this is not in line with your wishes, but we will seek to protect you from victimisation and, if you wish, we will seek to protect your identity. You should be aware that disciplinary action may be impossible without your co-operation or if you refuse to allow relevant information to be disclosed.

Staff who raise a complaint about or report discrimination in good faith will be protected from retaliation or victimisation. As long as you act in good faith, the fact that you have raised a complaint or report will not affect your position within the Society, even if the complaint is not

upheld. Making a false allegation deliberately and in bad faith is a misconduct offence and will be dealt with in accordance with our disciplinary policy. Any member or member of staff who attempts acts of retaliation or victimisation may be subject to disciplinary action up to and including termination of membership or in the case of a staff member summary dismissal for gross misconduct.

Whilst we hope you will give us the chance to rectify any issue, you may take external action if you feel it warranted. However bringing such external action without giving Oxford Dog Training Society a chance to rectify the issue may prejudice such action.

Non-compliance with equal opportunities rules

Any breach of equal opportunities rules or failure to comply with this policy will be taken very seriously and is likely to result in disciplinary action against the offender

Members and staff should also note that:

- in some cases, they may be personally liable for their acts of discrimination and that legal action may be taken against them directly by the victim of any discrimination; and
- it may be a criminal offence intentionally to harass another member or employee.

Review of this policy

The Committee shall keep this policy under review. However no part of this existing policy may be deleted, it may be added to or amended to meet legal obligations.

The Committee encourages comment on this policy and the suggestion of ways in which it might be improved. If any member wants to ask any questions if they are unsure about any part of this policy or how it is applied they should do so by contacting the Secretary.