



# **EQUALITY POLICY**

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| Author:        | Practice Governance and Training Sub-Committee |
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## **Policy statement**

Cruse Scotland is committed to achieving a working environment which provides equality of opportunity and freedom from unlawful discrimination on the grounds of race, sex, pregnancy, and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

This Policy aims to remove unfair and discriminatory practices within Cruse Scotland and to encourage full contribution from its diverse community. Cruse Scotland is committed to actively opposing all forms of discrimination.

Cruse Scotland also aims to provide a service that does not discriminate against its clients in the means by which they can access the services provided by Cruse Scotland. Cruse Scotland believes that all staff and clients are entitled to be treated with respect and dignity.

## **Objectives of this policy**

To prevent, reduce and stop all forms of unlawful discrimination in line with the Equality Act 2010. To ensure that recruitment, promotion, training, development, assessment, benefits, pay, terms and conditions of employment, redundancy and dismissals are determined on the basis of capability, qualifications, experience, skills, and productivity.

## **Definition of discrimination**

Discrimination is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances on the grounds of race, sex, pregnancy, and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation. Discrimination may be direct or indirect.

# Types of discrimination

## Direct discrimination

This occurs when a person or a policy intentionally treats a person less favourably than another on the grounds of race, sex, pregnancy, and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

## Indirect discrimination

This is the application of a policy, criterion, or practice which the employer applies to all staff, but which is such that:

- It is detrimental to a larger proportion of people from the group that the person the employer is applying it to represents
- The employer cannot justify the need for the application of the policy on a neutral basis; and
- The person to whom the employer is applying it suffers detriment from the application of the policy.

Example: A requirement that all staff must be 6ft tall, if that requirement is not justified by the position, would indirectly discriminate against staff who are not 6ft tall.

## Harassment

This occurs when a person is subjected to unwanted conduct that has the purpose or effect of violating their dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

## Victimisation

This occurs when a person is treated less favourably because they have brought or intend to bring proceedings, or they have given or intend to give evidence.

# Unlawful reasons for discrimination

## Sex

It is not permissible to treat a person less favourably on the grounds of sex, marital status, civil partnership, pregnancy or maternity, gender reassignment or transgender status. This applies to men, women and those undergoing or intending to undergo gender reassignment. Sexual harassment of people can be found to constitute sex discrimination.

Example: Asking a woman during an interview if she is planning to have any (more) children constitutes discrimination on the ground of gender.

## Age

It is not permissible to treat a person less favourably because of their age. This applies to people of all ages. This does not currently apply to the calculation of redundancy payments.

## Disability

It is not permissible to treat a disabled person less favourably than a non-disabled person. Reasonable adjustments must be made to give the disabled person as much access to any services and ability to be employed, trained, or promoted as a non-disabled person.

## Race

It is not permissible to treat a person less favourably because of their race, the colour of their skin, their nationality, or their ethnic origin.

## Sexual orientation

It is not permissible to treat a person less favourably because of their sexual orientation. For example, an employer cannot refuse to employ a person because they are homosexual, heterosexual or bisexual.

## Religion or belief

It is not permissible to treat a person less favourably because of their religious beliefs or their religion or their lack of any religion or belief.

It is also against the law to discriminate against anyone because of gender reassignment, being married or in a civil partnership or being pregnant or on maternity leave.

For more information on discrimination and protected characteristics see:  
<https://www.gov.uk/discrimination-your-rights>

## Positive action in recruitment

Under the Equality Act 2010, positive action in recruitment and promotion applies as of 6 April 2011. 'Positive action' means the steps that Cruse Scotland can take to encourage people from groups with different needs or with a past record of disadvantage or low participation, to apply for positions within Cruse Scotland.

If Cruse Scotland chooses to utilise positive action in recruitment, this will not be used to treat people with a protected characteristic more favourably, it will be used only in tie-break situations, when there are two candidates of equal merit applying for the same position.

## Reasonable adjustments

Cruse Scotland has a duty to make reasonable adjustments to facilitate the employment of a disabled person. These may include:

- Making adjustments to premises
- Re-allocating some or all of a disabled staff's duties
- Transferring a disabled staff to a role better suited to their disability
- Relocating a disabled staff to a more suitable office
- Giving a disabled staff time off work for medical treatment or rehabilitation
- Providing training or mentoring for a disabled staff
- Supplying or modifying equipment, instruction, and training manuals for disabled staff
- Any other adjustments that Cruse Scotland considers reasonable and necessary provided such adjustments are within the financial means of Cruse Scotland.

If a member of staff has a disability and feels that any such adjustments could be made by Cruse Scotland, they should contact the Director of Client Services.

## Responsibility for the implementation of this policy

All staff, sub-contractors and agents of Cruse Scotland are required to act in a way that does not subject any other staff or clients to direct or indirect discrimination, harassment, or victimisation on the grounds of their race, sex, pregnancy, or maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

Responsibility for ensuring the effective implementation and operation of the arrangements will rest with the Executive Directors. Managers will ensure that they and their staff operate within this policy and arrangements, and that all reasonable and practical steps are taken to avoid discrimination.

Each manager will ensure that:

- their staff are aware of the policy and the arrangements, and the

- reasons for the policy
- grievances concerning discrimination are dealt with properly, fairly, and as quickly as possible
- proper records are maintained.

The Executive Directors and the Director of Client Services will be responsible for monitoring the operation of the policy in respect of staff and job applicants, including periodic audits.

The co-operation of all staff is essential for the success of this Policy. Senior staff are expected to follow this Policy and to try to ensure that all staff, sub- contractors, and agents do the same. Responsibility for ensuring that there are no unlawful discrimination rests with all staff and the attitudes of staff are crucial to the successful operation of fair employment practices. In particular, all members of staff should:

- comply with the policy and arrangements
- not discriminate in their day-to-day activities or induce others to do so
- not victimise, harass or intimidate other staff or groups who have, or are perceived to have one of the protected characteristics
- ensure no individual is discriminated against or harassed because of their association with another individual who has a protected characteristic; inform their manager if they become aware of any discriminatory practice.

Staff may be held independently and individually liable for their discriminatory acts by Cruse Scotland and in some circumstances an Employment Tribunal may order them to pay compensation to the person who has suffered as a result of discriminatory acts.

All employment policies and arrangements have a bearing on equality of opportunity.

Cruse Scotland policies will be reviewed regularly, and any discriminatory elements removed.

## Rights of disabled people

Cruse Scotland attaches particular importance to the needs of disabled people. Under the terms of this policy, managers are required to:

- make reasonable adjustment to maintain the services of a member of staff who becomes disabled, for example, training, and provision of special equipment, reduced working hours. (NB: managers are expected to seek advice on the availability of advice and guidance from external agencies to maintain disabled people in employment)
- include disabled people in training/development programmes
- give full and proper consideration to disabled people who apply for jobs, having regard to making reasonable adjustments for their particular aptitudes and abilities to allow them to be able to do the job.

## Equality training

Training will be provided for staff on equality issues. These will be repeated as necessary. Equality information is also included in induction programmes.

Training will be provided for managers on this policy and the associated arrangements. All managers who have an involvement in the recruitment and selection process will receive specialist training.

## Monitoring

Cruse Scotland deems it appropriate to state its intention not to discriminate and assumes that this will be translated into practice consistently across the organisation as a whole. Accordingly, a monitoring system will be introduced to measure the effectiveness of the policy and arrangements.

The system will involve the routine collection and analysis of information on staff by gender, marital status, ethnic origin, sexual orientation, religion/beliefs, grade and length of service in current grade. Information regarding the number of staff who declare themselves as disabled will also be maintained.

There will also be regular assessments to measure the extent to which recruitment to first appointment, internal promotion and access to training/development opportunities affect equal opportunities for all groups. We will maintain information on staff who have been involved in certain key policies.

## **Disciplinary, grievance and bullying & harassment**

Where appropriate equality impact assessments will be carried out on the results of monitoring to ascertain the effect of Cruse Scotland policies and our service may have on those who experience them.

The information collected for monitoring purposes will be treated as confidential and it will not be used for any other purpose.

If monitoring shows that Cruse Scotland, or areas within it, are not representative, or that sections of our workforce are not progressing properly within Cruse Scotland, then an action plan will be developed to address these issues. This will include a review of recruitment and selection procedures, company policies and practices as well as consideration of taking legal Positive Action.

### **Grievances/discipline in respect of complaints concerning discrimination or victimisation**

Staff have a right to pursue a complaint concerning discrimination or victimisation via Cruse Scotland Grievance or Harassment Procedures. Discrimination and victimisation will be treated as disciplinary offences, and they will be dealt with under Cruse Scotland Disciplinary Procedure.

## **Review**

The effectiveness of this policy and associated arrangements will be reviewed biennially under the direct supervision of the Executive Directors.

## Changes sheet

| Date       | Change Details                                                                                                                                                                                                                                    | Author        |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 14.07.2017 | Review date amended as per PGT request                                                                                                                                                                                                            | Elaine Bayley |
| 10.05.2023 | V1.1 Changes to the reporting person title, he/she changed to they. Link to UK Government link to information on discrimination & protected characteristics entered. Policy will be reviewed biennially. CBCS to Cruse Scotland and logo updated. | Wendy Diack   |
| 25.07.2025 | Reformatted document to 2025 house style                                                                                                                                                                                                          | Ed Strutt     |
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