



# **EQUAL OPPORTUNITIES POLICY**

**October 2010**

**THE ME ASSOCIATION (herein called “the MEA”) is committed to the principle of equal opportunities whether it is in employment or in any other activity in which the MEA is involved. The MEA is opposed to any form of less favourable treatment, direct or indirect, accorded to volunteers, employees, job applicants or any member of the public on the grounds of age, race, religion, creed, colour, disability, ethnic origin, nationality, marital/parental status, sex or sexual orientation.**

The MEA recognises its obligations under the Sex Discrimination Acts, Race Relations Act, Disability Discrimination Act, the Equality Act and Age Discrimination Act.

## **Work practices**

The MEA:

- supports the principles and practices of equal opportunity and recognises that it is the duty of all staff, volunteers and those self-employed personnel directly providing services to the MEA (jointly herein after referred to for the purposes of this Statement as “MEA workers”) to accept their personal responsibility for fostering a fully integrated community at work and in society by adhering to the principles of equal opportunity and maintaining racial harmony.
- will actively promote equal opportunities throughout the organisation through the application of employment and other policies, which ensure that individuals receive treatment that is fair and equitable and consistent with their relevant aptitudes, potential, skills, experiences and abilities. Managers and supervisors will seek to ensure that all MEA workers comply with these principles.
- will ensure that individuals are recruited and selected, promoted and trained on objective criteria having regard to the relevant aptitudes, potential, skills, experiences and abilities. No applicant will be placed at a disadvantage by requirements or conditions which are not necessary to the performance of the job or which constitute indirect unfair discrimination.
- recognises the problems that sexual or racial harassment may cause both at work and outside the working environment. The MEA is committed to ensuring that such unacceptable behaviour does not take place. Sexual harassment includes (but is not limited to) unwanted physical contact, suggestive remarks or behaviour, compromising invitations, demands for sexual favours and similar unwanted behaviour. Racial harassment is similarly unwanted treatment but is concerned with derogatory treatment and language on racial grounds.
- will not tolerate harassment. Sexual and racial harassment are regarded as unlawful discrimination and may be subject to criminal proceedings. All such cases will be dealt with under the disciplinary procedures of the MEA.
- is aware that the detriment a disabled person endures as a consequence of their disability can, in many instances, be removed by the adoption of reasonable adjustments. The MEA is committed to ensuring that such adjustments will be effected where reasonably practicable and where the detriment is substantial.

## **Monitoring and review**

The MEA:

- recognises that the regular monitoring of ethnic origin, sex and disabilities of MEA workers and applicants is essential to the thorough review of the effectiveness of this policy and will initiate equal opportunity monitoring. The successful implementation of this policy depends upon the regular examination and progress towards equal opportunity.
- will review the physical features and arrangements affecting any newly disabled MEA worker and will take such steps as is reasonable to prevent substantial disadvantage.

## **Grievance and disciplinary procedures**

The MEA will ensure that any MEA worker who believes they have experienced direct or indirect unfair discrimination are properly represented in any grievance proceedings. Any individual who feels that they have been treated unfairly in connection with their work for the MEA should raise their grievance through the Grievance Procedure when every effort will be made to secure a satisfactory resolution. In addition the MEA will ensure that any person making a complaint of unfair discrimination (or any person assisting or representing) will be protected from any victimisation.

The MEA will continue to treat unfair discriminatory conduct by any MEA worker as a disciplinary offence.

## **Training and advertising**

The MEA will train, develop and promote on the basis of merit and ability only.

When vacancies are advertised the MEA will ensure that such advertising, both in placement and content, is compatible with the terms of this policy. Opportunities will be taken through language, images or declarations, as appropriate, to show that the MEA is an equal opportunities employer.

## **Communication**

The principles in this policy will be brought to the attention of all MEA workers by means of its website and for employees also by means of employees' handbooks.

All MEA workers are encouraged to bring to the attention of their immediate line manager any act of discrimination they are aware of.

Any MEA worker who is newly disabled is encouraged to bring this to the attention of their immediate manager to enable a review of their treatment to be made. This review will include an assessment of physical features and arrangements to ensure that these do not place the disabled person at a substantial disadvantage. Where they do adjustments will be effected, where reasonable to do so.

## **Sexual and racial harassment**

Sexual and racial harassment are unlawful and are improper and inappropriate behaviour, which lowers morale and interferes with the effectiveness of people whether at work or outside the workplace.

It is the MEA's policy to make every effort to provide a working environment free of sexual or racial harassment and intimidation.

All MEA workers are expected to comply with the policy and to ensure that such conduct does not occur. Appropriate disciplinary action including summary dismissal for serious offences will be taken against any MEA worker who violates this policy.

Sexual and racial harassment is defined unwanted conduct of a sexual or racial nature or conduct based on sex or racial abuse, which is offensive to the recipient.

Sexual harassment does not refer to behaviour of a socially acceptable nature. It refers to behaviour which is unsolicited, that is personally offensive and that fails to respect the rights of others.

### ***Examples of inappropriate behaviour include:***

Physical conduct of a sexual nature: unwanted physical contact including unnecessary touching, patting, pinching or brushing up against another's body, assault, coercing sexual intercourse.

Verbal conduct of a sexual or racial nature: unwelcome sexual advances, propositions or pressure for sexual activity, continued suggestions for social activity outside the workplace after it has been made clear that such suggestions are unwelcome, offensive flirtations, suggestive remarks, innuendoes or lewd comments.

Non-verbal conduct of a sexual nature: the display of pornographic or sexually suggestive pictures, objects or written materials, leering, whistling or making sexually suggestive gestures.

Sex-based or racially abusive conduct: conduct which denigrates or ridicules or is intimidatory or physically abusive to an MEA worker because of his or her sex or race such as derogatory or degrading abuse or insults which are gender-related or of a racial nature and offensive comments about dress or appearance or physique, hygiene, etc.

## **Duty of managers and supervisors**

Supervisors and managers are responsible for eliminating any sexual and racial harassment and intimidation of which they are aware. Failure to do so will be treated as a failure to fulfill all the responsibilities of their position. Similarly, all supervisors and managers are responsible for eliminating less favourable treatment of disabled persons for a reason or reasons which relate to their disability. Again, failure to do so will be treated as a failure to fulfil all the responsibilities of their position.

No supervisor or manager shall threaten or insinuate, either explicitly or implicitly, that an MEA's worker's rejection of sexual advances or resistance to any racial abuse will be used as a basis for an employment decision affecting that employee. Such conduct shall be treated as a serious disciplinary offence by the supervisor or manager.

## **Sexual harassment complaints procedure**

Wherever possible the person who believes that they are the subject of sexual or racial harassment should ask the person responsible to stop the behaviour. Where this does not stop or some employment consequences result then a complaint should be made to the appropriate line manager, trustee or a nominated officer of the same sex or race if desired and where possible. A diary should be kept by the victim giving (or noting) details of the allegations and dates when they occurred.

It is inappropriate for the normal grievance procedure to be used for complaints of harassment where it is their manager about whom the person wishes to make a complaint. In such instances the complaint should be made to one of the MEA's trustees.

An investigation will be conducted into the complaint in a confidential manner. All parties will be guaranteed a fair and impartial hearing.

In any serious case of alleged harassment either or both of the parties may be suspended on full pay pending the investigation.

The victim will be interviewed, preferably by a person of the same sex/race. Confidentiality will be assured.

If the investigation reveals that the complaint is valid, senior management will give it its prompt attention and disciplinary action will be taken to stop the harassment immediately and prevent its recurrence. In such circumstances if relocation proves necessary, every effort will be made to relocate the harasser and not the victim.

MEA workers shall also be protected from intimidation, victimisation or discrimination for filing a complaint or assisting in an investigation. Retaliation for complaining about harassment is a disciplinary offence and is also actionable in the case of employees through Employment Tribunals.