

APPENDIX 1 – EQUAL OPPORTUNITIES POLICY

Policy Statement

NICVA is an Equal Opportunities Employer and as such NICVA management will rigorously observe the principles and actively pursue the objectives set out in the discharge of their responsibilities so that this policy is fully implemented. It is our policy to provide employment equality to all, irrespective of:

- Gender (including persons who intend to undergo, are undergoing or have undergone gender reassignment).
- Pregnancy or Maternity Leave.
- Marital status or Civil Partnership or family status.
- Religious belief.
- Political opinion.
- Race (including colour, nationality, ethnic or national origins, being an Irish Traveller).
- Disability.
- Sexual orientation.
- Age.
- Having or not having dependents.

NICVA is opposed to all forms of unlawful and unfair discrimination. All full-time and part-time employees and job applicants (actual or potential) will be treated fairly and selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability.

Our Equal Opportunities Policy will help all employees to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation. We are committed to:

- Promoting a good and harmonious working environment in which all persons are treated with respect and dignity.
- Preventing any form of direct or indirect discrimination or victimisation.
- Promoting equal opportunities for women and men.
- Securing fair participation for Catholics and Protestants.
- Promoting equal opportunities for people with disabilities.
- Promoting equal opportunities for the beliefs of all individuals.
- Promoting equal opportunities for ethnic minorities.
- Promoting equal opportunities for people of different sexual orientation.
- Promoting a good and harmonious working environment where all men and women are treated with respect and dignity and in which no form of intimidation or harassment will be tolerated.

- Fulfilling all legal obligations under the relevant legislation and associated Codes of Practice.
- Taking any necessary positive/affirmative action.

Any act which contravenes the equal opportunities policy and practice will be regarded as gross misconduct and could lead to disciplinary action including dismissal being taken against an employee in breach of the procedure.

Implementation

The Director of Corporate Services has specific responsibility for the effective implementation of this policy. The Management Group and all other line managers have responsibilities and it is expected that all employees abide by the policy and help create the equality environment which is its objective.

In order to implement this policy, NICVA will ensure that:

- (1) The policy is communicated to all employees through induction training and will be contained in the staff handbook and made known to job applicants.
- (2) Line managers are aware of their responsibilities through appropriate training.
- (3) Staff involved in assessing candidates for recruitment or promotion will be trained in non-discriminatory recruitment and selection techniques.
- (4) Consultation will take place with recognised trade unions/employee representatives on the implementation of this policy and any amendments to practice.

Affirmative Action

Where appropriate, lawful positive action measures such as special encouragement in advertisements or special training will be developed. These measures are available to us in certain circumstances; for example where there is an under-representation of a particular group in specific areas of work.

Monitoring and Review

The provision of equality of opportunity between women and men will be monitored through the collection and analysis of statistical data on the community background, ethnic background, gender, age group, marital status, status as a disabled person of all employees and job applicants. NICVA will also monitor the workforce composition and undertake periodic reviews as required by Article 55 of the Fair Employment and Treatment (Northern Ireland) Order 1998. Progress on the implementation of this policy and any equal opportunities and affirmative/positive action programmes will be reviewed annually.

Complaints

Employees who believe that they have suffered any form of discrimination, harassment or victimisation are entitled to raise the matter through the agreed procedures (see *Harassment in the Workplace – Appendix 24*). All complaints of discrimination will be dealt with seriously, promptly and confidentially.

These internal procedures do not replace or detract from the right of the employees to pursue complaints under the Sex Discrimination (Northern Ireland) Order 1976, the Disability Discrimination Act 1995, the Race Relations (Northern Ireland) Order 1997 and the Employment Equality (Sexual Orientation) Regulations (Northern Ireland) 2003 to an industrial tribunal or, under the Fair Employment and Treatment (Northern Ireland) Order 1998, to a Fair Employment Tribunal.

Every effort will be made to ensure that employees making complaints will not be victimised. Any complaint of victimisation will be dealt with seriously, promptly and confidentially. Victimisation will result in disciplinary action and may warrant dismissal.

Direct Discrimination

Direct discrimination occurs when a person is treated less favourably than another on the grounds of their gender, marital or family status, religious belief or political opinion, disability, race or ethnic origin, nationality, sexual orientation and age.

Indirect Discrimination

Indirect discrimination can occur when a requirement or condition, which cannot be justified on grounds other than gender, marital or family status, religious belief or political opinion, disability, race or ethnic origin, nationality, sexual orientation and age is applied equally but has the effect in practice of disadvantaging a considerably higher proportion of persons in one or other of the above groups.

Disability Discrimination

Disability discrimination occurs when for a reason related to their disability, a disabled person is treated less favourably than other people, and this treatment cannot be justified. It also occurs when an employer fails to comply with the duty to make a reasonable adjustment in relation to the disabled person, and the failure cannot be justified. An employer cannot justify less favourable treatment if, by making a reasonable adjustment, it would remove the reason for the treatment.

Victimisation

Victimisation occurs when a person is treated less favourably than another because that person has, for example, asserted rights under any of the discrimination laws or

has helped another person to assert such rights or given information to the relevant statutory body, or because it is suspected that the person might do any of these things.

Complaints

Complaints of sex/marital status, sexual orientation, race/nationality/ethnic/national origin, disability and age discrimination should be lodged with an industrial tribunal within three months from the date of the alleged act of discrimination. In respect of equal pay, the complaint can be lodged at any time while the person is in the job or within six months of leaving the job.

Complaints to a Fair Employment Tribunal must be lodged within three months from which a complainant first knew, or might reasonably have known, of the act of discrimination or within six months from the date when the act occurred, whichever is earlier.