**The New Cross Gate Trust Equality and Diversity Policy**

Approved by the Board, Nov 2019, Review due on Nov 2020

# Introduction

**The diversity of New Cross Gate is one of its greatest strengths. We believe that New Cross Gate should be a vibrant neighbourhood characterised by its diversity, equality and pride.**

Equality of opportunity and freedom from discrimination is a fundamental right.

The Trust has a duty to exercise leadership to promote this right and make it a reality in people’s lives. All sections of the community should be supported to achieve their best, get involved, and have equal access to local services and facilities. We believe that New Cross Gate Trust’s vision can only be realised if it truly encompasses all of our residents.

**Aims**

This policy aims to outline New Cross Gate Trust’s commitment to ensuring equality of opportunity and equal treatment for its staff, workers, volunteers Trustees, contractors, users of our services and facilities, and in our relationship with the wider residents of New Cross Gate.

New Cross Gate Trust aims to:

* Promote equality of opportunity
* Celebrate and value diversity
* Eliminate unlawful direct and indirect discrimination

We intend to do this through our role as:

* Employer
* Service and facility provider
* Community Voice

**Scope**

The policy applies specifically to discrimination and equality of opportunity in respect of ‘protected characteristics’ as defined in the Equalities Act 2010:

* Age
* Disability
* Race
* Sex
* Religion or cultural beliefs
* Gender reassignment
* Marital status and civil partnership
* Sexual orientation
* Pregnancy and maternity

However, the trust recognises that there may be a range of other issues that may make it difficult for some individuals to participate and we are conscious of the need to reach out to all hard-to-reach groups.

**Equality Objectives**

# The Trust as Service Provider

The Trust Aims to ensure that services and facilities are provided to the whole community in a way that supports and celebrates diversity and ensures equality of opportunity. This includes:

* Making special or separate service provision where appropriate
* Ensuring our buildings are accessible to all
* Providing clear, meaningful information about our services in ways that are accessible and meet the community’s needs
* Working together and consulting with all sections of the community on service needs and provision
* Monitoring take-up and evaluating services with respect to access via different groups on an on-going basis to ensure they do not discriminate or exclude and that uptake is representative of our local community
* Ensuring equal access to the Trust’s complaints procedure

# The Trust as Employer

The Trust aims to ensure equal and appropriate treatment in employment, including:

* Implementing recruitment and selection processes which are non-discriminatory and encourage applications from all groups in the community
* Ensuring that all employees have fair access to learning and development opportunities, and including the provision of equality and diversity training
* Providing a safe and accessible working environment that values and respects the identity and culture of each individual.
* Ensuring that access to information and data is as open and transparent as possible
* Ensuring a culture and working environment free from discrimination, harassment and violence
* Ensuring effective communication with and involvement of all employees
* Applying a transparent way of evaluating jobs that aims to ensure equal pay for equal work
* Encouraging and supporting all staff to reach their full potential
* Ensuring that all applicants are informed of the Trust’s commitment to Equality and Diversity.

# The Trust as a Community Voice

The Trust aims to support equality and diversity through its role as a voice of the community, including:

* Encouraging and supporting people from all sectors of the population to be active in community life
* Working with others to provide an environment that is free from discrimination, harassment and violence
* Ensuring that any organisations contracted to provide goods and services on behalf of the Trust have an equality and diversity policy in place, or, are provided with a copy and requested to abide by the Trust’s policy on equality and diversity in delivery of their services to the Trust.
* Challenging, in an appropriate way, any discrimination that it identifies within the local area
* Celebrating and respecting the cultural diversity within our neighbourhood
* Listening and responding to the views of our community through appropriate and widespread public consultation and participation within a safe environment
* Seeking and feeding the views of all our community into local developments to ensure that all people’s views are represented and particular needs are catered for as fully as possible

**Data Collection**

#### Any data, qualitative or quantitative required to monitor the requirements or impact of the Equalities Act 2010 will be collected where it is reasonable, proportionate or practical to do so, and will be held securely in compliance with the GDPR. We have a separate GDPR policy which sets out the controls in place.

**Legislation**

The Equality Act 2010 replaces the existing anti­-discrimination laws with a single Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in important ways to help tackle discrimination and inequality.

The Act protects people who have a ‘protected characteristic’ (these used to be called ‘grounds’). The relevant characteristics are:

* - age
* - disability
* - gender reassignment
* - pregnancy and maternity
* - race – this includes ethnic or national origins, colour and nationality
* - religion or belief
* - sex, and
* - sexual orientation.

The Act protects people against:

*Direct discrimination*

Direct discrimination occurs when a person is treated less favourably than another person because of a protected characteristic.

*Association and perception*

Direct discrimination can also take place because of a protected characteristic a person does not personally have. For example, it includes a person being treated less favourably because they are linked or associated with a person who has a protected characteristic.

*Indirect discrimination*

Indirect discrimination happens when there is a rule, a policy or even a practice that applies to everyone but which particularly disadvantages people who share a particular protected characteristic. Indirect discrimination can be justified if it can be shown that the rule, policy or practice is intended to meet a legitimate objective in a fair, balanced and reasonable way. If this can be shown it will be lawful. When considering introducing a new rule or policy, you should first consider whether there is any other way to meet your objectives that would not have a discriminatory effect or that is less likely to disadvantage people who have a protected characteristic. Lack of financial resources alone is unlikely to be a sufficient justification.

*Discrimination arising from disability*

Discrimination arising from disability occurs when a disabled person is treated unfavourably because of something connected with their disability and this unfavourable treatment cannot be justified. Treatment can be justified if it can be shown that it is intended to meet a legitimate objective in a fair, balanced and reasonable way. If this can be shown then the treatment will be lawful.

This form of discrimination can occur only if the service provider knows or can reasonably be expected to know that the disabled person is disabled.

*Harassment*

Harassment means unwanted behaviour related to a protected characteristic that has the purpose or effect of violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

*Victimisation*

Victimisation occurs when a service provider treats someone badly because they have made or supported a complaint about discrimination or harassment, or because the service provider thinks that they are doing or may do these things. It will also be victimisation if a service provider treats someone badly because they support someone else who makes a discrimination claim. A person is not protected from victimisation if they have maliciously made or supported an untrue complaint.

*Positive action*

Some people with protected characteristics are disadvantaged or under-represented in some areas of life, or have particular needs linked to their characteristic. They may need extra help or encouragement if they are to have the same chances as everyone else. The new positive action provisions enable service providers to take proportionate steps to help people overcome their disadvantages or to meet their needs.

- there is no requirement to take positive action, and

- there is no restriction on treating disabled people more favourably than non-disabled people. It is also permitted to take steps to meet the needs of people with a particular disability.

*Charities*

Special rules allow charities to provide benefits only for people with a particular protected characteristic (but not a group defined by colour), provided that the charity acts on the basis of its charitable instrument (the document that set it up), and this:

- can be justified as intended to meet a legitimate objective in a fair, balanced and reasonable way, or

- is for the purpose of preventing or compensating for a disadvantage linked to that protected characteristic.

***Other relevant legislation includes:***

* The Rehabilitation of Offenders Act 1974
* The Employment Rights Act 1996
* The Human Rights Act 1998
* The Part-time Workers (prevention of less favourable treatment regulations) 2000
* The fixed term Employees (prevention of less favourable treatment) Regulations 2002
* The Work and Families Act 2006
* Other relevant legislation relating to discrimination in employment and the provision of goods, facilities and services.

**Responsibility and accountability**

New Cross Gate Trust values its staff, contractors, volunteers, Trustees, users, and local residents and expects them to be treated in a respectful manner. Accordingly, all of the above have a responsibility to treat each other with dignity and respect. The organisation is committed to an environment in which the contribution and needs of everyone are fully recognised and valued. We will not tolerate any inappropriate, violent or abusive behaviour.

It is the responsibility of the Strategy and Partnerships Manager to ensure that the Trust takes all necessary steps to implement our equal opportunity policy, to provide advice and guidance on equality and diversity issues, and to ensure that the equality and diversity policy is kept up to date.

Each Trustee has a responsibility to ensure that the Trust’s activities comply with all equal opportunity legislation and to ensure we implement best practice.

The overall implementation of the policy will be monitored by the Trust Board on an annual basis.