

## **Equal Opportunities, Dignity at Work and Harassment**

Fegans is an equal opportunity employer and is fully committed to a policy of treating all its employees and job applicants equally.

Fegans will take all reasonable steps to employ, train and promote employees on the basis of their experience, abilities and qualifications without regard to race, colour, ethnic origin, nationality, national origin, religion or belief, sex, sexual orientation, marital or civil partnership status, age or disability.

Fegans will also take all reasonable steps to provide a work environment in which all employees are treated with respect and dignity and that is free of harassment based upon an employee's race, colour, ethnic origin, nationality, national origin, religion or belief, sex, sexual orientation, marital or civil partnership status, age or disability. Fegans will not condone any form of harassment, whether engaged in by employees or by outside third parties who do business with Fegans.

Employees have a duty to co-operate with Fegans to ensure that this policy is effective in ensuring equal opportunities and in preventing discrimination, harassment or bullying. Action will be taken under Fegans' disciplinary procedure against any employee who is found to have committed an act of improper or unlawful discrimination, harassment, bullying or intimidation.

Serious breaches of this policy will be treated as potential gross misconduct and could render the employee liable to summary dismissal. Employees should also bear in mind that they can be held personally liable as well as, or instead of, Fegans for any act of unlawful discrimination. Employees who commit serious acts of harassment may also be guilty of a criminal offence.

Employees should draw to the attention of their manager any suspected discriminatory acts or practices or suspected cases of harassment. You must not victimise or retaliate against an employee who has made allegations or complaints of discrimination or harassment or who has provided information about such discrimination or harassment. Such behaviour will be treated as potential gross misconduct in accordance with Fegans' disciplinary procedure.

Fegans will also take appropriate action against third parties who are found to have committed an act of improper or unlawful harassment against its employees.

Fegans is a charitable organisation with clear Christian ethos, mission and values which are incorporated within the objects of its Trust Deed. In order to maintain its ethos, mission and values, and to fulfil the stated objects, it does seek to employ Christian staff into all jobs where an Occupational Requirement demands that they should be practising Christians.

## Recruitment, advertising and selection

The recruitment process will be conducted in such a way as to result in the selection of the most suitable person for the job in terms of relevant experience, abilities and qualifications. Fegans is committed to applying its equal opportunities policy at all stages of recruitment and selection.

An outline Job Description and a Person Specification will be prepared for all current and potential jobs where it is necessary to employ a new member of staff. These documents, together with the 'Basis of Faith' statement and a Staff Application Form will be available on line for all prospective applicants.

Applicants will be sought through one or more of the following means:

- by direct approach to people with appropriate skills, gifting and potential who, it is discerned by the Council of Management and/or Senior Management are suitable.
- from Fegans existing staff team (paid staff, volunteers and those on placement); when appropriate, this will be advertised through the use of Fegans internal communications systems.
- writing to persons who have indicated an interest in being advised of vacancies
- requesting churches to make the need known through their notices/news-letters
- advertising in newspapers, website, notice boards, shops etc.

Advertisements will encourage applications from all suitably qualified and experienced people. Job vacancies will be advertised in order to attract applications from all sections of the community.

The selection process will be carried out consistently for all jobs at all levels. All applications will be processed in the same way. The staff responsible for short-listing, interviewing and selecting candidates will be clearly informed of the selection criteria and of the need for their consistent application. Person specifications and job descriptions will be limited to those requirements that are necessary for the effective performance of the job. Wherever possible, all applicants will be interviewed by at least two interviewers and all questions asked of the applicants will relate to the requirements of the job. The selection of new staff will be based on the job requirements and the individual's suitability and ability to do, or to train for, the job in question.

The successful applicant will be offered employment, confirmed in writing, subject to satisfactory outcomes to:

- two satisfactory references
- an Enhanced Disclosure from the Disclosure Vetting and Barring Scheme (DBS) where appropriate. The Disclosure process includes steps to positively identify the applicant against documentary/photographic evidence
- evidence of qualifications and training undertaken. Only original documents are acceptable – they will be photocopied and returned to applicant.
- signed acceptance of the Statement of Terms and Conditions relating to the role
- completion of any other formalities required
- completion of the 'right to work in the UK' requirements

With disabled job applicants, Fegans will have regard to its duty to make reasonable adjustments to work provisions, criteria or practices or to work premises in order to ensure that the disabled person is not placed at a substantial disadvantage in comparison with persons who are not disabled.

If it is necessary to assess whether personal circumstances will affect the performance of the job (for example, if the job involves unsociable hours or extensive travel), this will be discussed objectively, without detailed questions based on assumptions about race, colour, ethnic origin, nationality, national origin, religion or belief, sex, sexual orientation, gender reassignment, age, marital or civil partnership status, disability, children and/or domestic obligations.

### **Equal Pay**

Fegans is committed to equal pay in employment. It believes its male and female employees should receive equal pay for like work, work rated as equivalent or work of equal value. In order to achieve this, Fegans will endeavour to maintain a pay system that is transparent, free from bias and based on objective criteria.

### **Harassment**

It is against Fegans' policy for any employee, male or female, to sexually harass another employee or to harass him or her on the grounds of actual or perceived sexual orientation. It is also against Fegans' policy for any employee to harass another employee on the grounds of his or her race, colour, ethnic origin, nationality, national origin, religion or belief, sex, sexual orientation, gender reassignment, age, marital or civil partnership status or disability.

Bullying is offensive or intimidating behaviour or an abuse or misuse of power which undermines or humiliates an employee.

Harassment occurs where, on the ground of an employee's race, colour, ethnic origin, nationality, national origin, religion or belief, sex, sexual orientation, gender reassignment, age, marital or civil partnership status or disability, a person engages in unwanted conduct that:

- has the purpose of violating the employee's dignity at work, or of creating an intimidating, hostile, degrading, humiliating or offensive work environment for the employee; or
- is reasonably considered by the employee to have the effect of violating his or her dignity at work, or of creating an intimidating, hostile, degrading, humiliating or offensive work environment for the employee, even if this effect was not intended by the person responsible for the conduct.

Harassment also occurs where, related to either the employee's sex or that of another individual, a person engages in unwanted conduct that:

- has the purpose of violating the employee's dignity at work, or of creating an intimidating, hostile, degrading, humiliating or offensive work environment for the employee; or

- is reasonably considered by the employee to have the effect of violating his or her dignity at work, or of creating an intimidating, hostile, degrading, humiliating or offensive work environment for the employee, even if this effect was not intended by the person responsible for the conduct.

In this scenario, the employee does not need to be the subject of the unwanted conduct for harassment to have occurred, for example, the conduct could be directed at nobody in particular or at someone other than the employee, including someone of the opposite sex.

Sexual harassment (as opposed to harassment related to gender) occurs where a person engages in any form of unwanted conduct of a sexual nature that:

- has the purpose of violating the employee's dignity at work, or of creating an intimidating, hostile, degrading, humiliating or offensive work environment for the employee; or
- is reasonably considered by the employee to have the effect of violating his or her dignity at work, or of creating an intimidating, hostile, degrading, humiliating or offensive work environment for the employee, even if this effect was not intended by the person responsible for the conduct.

Conduct may be harassment whether or not the person intended to offend. Something intended as a 'joke' or as 'office banter' may offend another person. This is because different employees find different levels of behaviour acceptable and everyone has the right to decide for themselves what behaviour they find acceptable to them.

Behaviour which a reasonable person would realise would be likely to offend an employee will always constitute harassment without the need for the employee having to make it clear that such behaviour is unacceptable, for example, touching someone in a sexual way. With other forms of behaviour, it may not always be clear in advance that it will offend a particular employee, for example, office banter and jokes. In these cases, the behaviour will constitute harassment if the conduct continues after the employee has made it clear, by words or conduct, that such behaviour is unacceptable to him or her. A single incident can amount to harassment if it is sufficiently serious.

Harassment also occurs where, on the ground of the employee's rejection of or submission to unwanted conduct of the kind specific above, a person treats the employee less favorably than he or she would treat him or her had he or she not rejected, or submitted to, the unwanted conduct.

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favours, engaging in other unwelcome verbal or physical conduct of a sexual nature, subjection to obscene or other suggestive comments, and sexual jokes or pictures.

Racial harassment includes, but is not limited to, engaging in unwelcome verbal or physical conduct of a racial nature, subjection to racist comments, and racist jokes or pictures.

Harassment may comprise intentional bullying which is obvious or violent but it can also be unintentional or subtle, such as the use of nicknames or teasing. It is for the victim to decide for

him or herself what they regard as offensive. Just because you think particular behaviour is not intimidating or offensive does not mean that others will be of the same opinion.

### **Steps to take**

1. If you feel able to speak to the person causing the offence, do so.
2. You may need to enlist the support of a colleague to do this. Say explicitly that the other person's behaviour is unacceptable.
3. If this informal talk does not resolve the situation, keep a record of incidents and report to your line manager. (In the event of the complaint being against your line manager, report to People and Culture.)
4. A report should be filed and given to the Chief Executive even if the complaint was resolved informally.

If a formal complaint is made, disciplinary action may be taken.

Alternatively, you may if you wish use Fegans' grievance procedure to make a complaint.

As part of the disciplinary procedure, counselling may be offered to the person causing the offence as well as counselling for the recipient.