



# **Llangattock Green Valleys Community Interest Company (CIC)**

## **Equal Opportunities & Fairness Policy**

1. This sets out Llangattock Green Valleys (the Organisation) policy on equal opportunities. We are committed to avoiding unlawful discrimination and have a policy of treating all employees, job applicants, clients, customers and suppliers equally.

### Principles

2. There should be no unlawful discrimination on account of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (which includes colour, nationality and ethnic or national origins), religion or belief, political association or belief, sex or sexual orientation. These are known as protected characteristics under the legislation.

3. Discrimination can take several forms:

Direct discrimination – where someone is treated less favourably than another person because of a protected characteristic. An example of direct discrimination would be refusing to employ a woman because she is pregnant. In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate<sup>1</sup> means of achieving a legitimate<sup>2</sup> aim

Indirect discrimination – where a rule or a policy that applies to everyone within the Organisation can disadvantage people with a particular protected characteristic unless that required characteristic can be justified by showing that it was a reasonable characteristic to enable employees to manage their business, i.e. that it is ‘a proportionate means of achieving a legitimate aim’.

1 Proportionate means that: (1) What the employer is doing is actually achieving its aim; (2) the discriminatory effect should be significantly outweighed by the importance and benefits of the legitimate aim; and (3) the employer should have no reasonable alternative to the action that it is taking.

2 The aim can be “legitimate” if it relates to: (1) economic factors such as the needs of and the efficiency of running a business; (2) the health, welfare and safety of the individual (including protection of young people or older employees); or (3) the particular training requirements of the job.

Llangattock Green Valleys CIC is registered in England and Wales. Company number: 07255186  
Registered office: Crickhowell Resource and Information Centre (CRiC)  
Beaufort Street, Crickhowell, Powys, NP8 1BN  
E: [admin@llangattockgreenvalleys.org](mailto:admin@llangattockgreenvalleys.org)

- Associative discrimination – where direct discrimination takes place against a person because they associate with someone who has a protected characteristic e.g. where an employee is discriminated against due to them being a carer of their disabled son.
- Discrimination by perception – where direct discrimination takes place against someone because others think they possess a protected characteristic, whether they do or not e.g. where an employee is discriminated against because he is thought to be gay even though he is not.
- Harassment is where there is unwanted conduct, related to one of the protected characteristics that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether this effect was intended by the person responsible for the conduct.

4. Harassment by a third party occurs where an employee is harassed and the harassment is related to a protected characteristic, by third parties such as customers. We are required to ensure that we take all reasonably practicable steps to prevent any harassment of employees. Being mindful of this, the above is still relevant to our policy.

- Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion, because they made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint. There is no longer a need for a complainant to compare their treatment with someone who has not made or supported a complaint under the Equality Act 2010. For example, if a blind employee raises a grievance that the employer is not complying with its duty to make reasonable adjustments, and is then systematically excluded from all meetings, such behaviour could amount to victimisation.

5. We will appoint, train, develop, reward and promote based on merit and ability.

6. All employees have personal responsibility for the practical application of our Equal Opportunities Policy, which extends to the treatment of job applicants, employees, clients, customers, suppliers and visitors.

7. Special responsibility for the practicable application of our Equal Opportunities Policy falls upon Directors, Managers and supervisors involved in the recruitment, selection, promotion and training of employees.

8. Our Grievance Procedure is available to any employee who believes that they may have been unfairly discriminated against. The harassment complaints procedure set out in this policy is

Llangattock Green Valleys CIC is registered in England and Wales. Company number: 07255186  
Registered office: Crickhowell Resource and Information Centre (CRiC)  
Beaufort Street, Crickhowell, Powys, NP8 1BN  
E: [admin@llangattockgreenvalleys.org](mailto:admin@llangattockgreenvalleys.org)

available to any employee who believes that they may have been harassed. Employees will not be victimised in any way for making such a complaint in good faith. Complaints of this nature will be dealt with seriously, in confidence and as soon as possible.

9. Use of our Grievance Procedure does not affect the employee's right to make a complaint to an Employment Tribunal, subject to the rules of the Tribunal. Complaints to an Employment Tribunal must normally be made within three months of the act of discrimination complained of.

10. Disciplinary action will be taken against any employee who is found to have committed an act of unlawful discrimination. Serious breaches of this policy and serious incidents of harassment will be treated as gross misconduct. Allegations of discrimination which are not made in good faith will also be considered as a disciplinary matter. Confidential records of ongoing matters dealt with in accordance with this policy will be kept.

11. In the case of any doubt or concern about the application of this policy in any particular instance, consult a Manager.

12. We will keep under review our policy, procedures and practices on equal opportunities.  
Equal Opportunities Code of Practice

13. We have introduced this Equal Opportunities Policy as a commitment to make full use of the talents and resource of all employees and to provide a healthy environment which will encourage good and productive working operations within the Organisation. This code of practice describes how the policy is to be applied throughout.

14. We are particularly concerned that equality of opportunity is maintained in the following areas:

- recruitment and selection;
- promotion, transfer and training;
- terms of employment, benefits, facilities and services;
- grievances and disciplinary procedures; and
- dismissals and redundancies.

To this end, policies and procedures reflecting this objective, including the penalties for failure to follow these policies and procedures are created, reviewed and communicated to employees and managers. The list is not exhaustive.

15. When managing matters relating to equal opportunities, we process 'special category' personal data collected in accordance with our Data Protection Policy and Privacy Notice. Data collected is held securely and accessed by, and disclosed to, individuals only for the purposes of managing matters relating to equal opportunities.

Llangattock Green Valleys CIC is registered in England and Wales. Company number: 07255186  
Registered office: Crickhowell Resource and Information Centre (CRiC)  
Beaufort Street, Crickhowell, Powys, NP8 1BN  
E: [admin@llangattockgreenvalleys.org](mailto:admin@llangattockgreenvalleys.org)

16. Data collated during the process of monitoring will be held anonymously, securely and accessed by, and disclosed to, individuals only for the purposes of managing matters relating to equal opportunities.

### **Recruitment and Selection**

17. The following principles should apply whenever recruitment or selection for positions takes place:

- individuals will be assessed according to their personal capability to carry out a given job;
- assumptions that only certain types of person will be able to perform certain types of work must not be made;
- any qualifications or requirements applied to a job which have or may have the effect of inhibiting applications from certain types of person should only be retained if they can be justified in terms of the job to be done;
- recruitment solely or primarily by word of mouth should be avoided if its effect is or may be to prevent certain types of person from applying;
- selection tests should be specifically related to job requirements and should measure the person's actual or inherent ability to do or train for the work;
- selection tests should be reviewed regularly to ensure they remain relevant and free from any unjustifiable bias, either in content or in scoring mechanism;
- applications from different types of person should be processed in the same way;
- written records of interviews and reasons for appointment and non-appointment should be kept;
- questions should relate to the requirements of the job; if it is necessary to assess whether personal circumstances may affect job performance, this should be done objectively without questions or assumptions being made which are based on stereotyped beliefs about certain types of person;
- where our arrangements for recruitment and selection put disabled people at a substantial disadvantage due to a reason connected with their disability, reasonable adjustments to the arrangements should be made to eliminate or if that is not reasonably practicable, reduce the disadvantage unless objectively justified;
- no decisions regarding recruitment or selection should be made by a person who has not read and understood this policy.

18. Pre-employment medical questionnaires will not usually be used by the Organisation unless in the following circumstances:

- to make reasonable adjustment to facilitate interviewing for the job.
- equality monitoring.
- to explore whether a prospective employee is able to undertake a function which is intrinsic to the work.

Llangattock Green Valleys CIC is registered in England and Wales. Company number: 07255186  
Registered office: Crickhowell Resource and Information Centre (CRiC)  
Beaufort Street, Crickhowell, Powys, NP8 1BN  
E: [admin@llangattockgreenvalleys.org](mailto:admin@llangattockgreenvalleys.org)

19. We cannot lawfully discriminate in the selection of employees for recruitment or promotion, but may use appropriate lawful methods, including lawful positive action, to address the underrepresentation of any group which we identify as being underrepresented in particular types of job.

### **Promotion, Transfer and Training**

20. The following principles should apply to appointments for promotion, transfer and training:

- assessment criteria and appraisal schemes should be carefully examined to ensure that they are not unlawfully discriminatory;
- assessment criteria and appraisal schemes should be monitored and, where such criteria or schemes result in predominantly one group of workers gaining access to promotion, transfer or training, they will be checked to make sure this is not due to any hidden or indirect discrimination;
- promotion and career development patterns will be monitored to ensure that access to promotion and career development opportunities in particular groups of workers are not unjustifiably being excluded;
- traditional qualifications and requirements for promotion, transfer and training, such as length of service, and age, which may discriminate against certain groups of workers shall be reviewed and will only continue to be applied if genuinely justified;
- policies and practices regarding selection for training, day release and personal development should not result in an imbalance in training between groups of workers unless this is objectively justified;
- where our arrangements in relation to promotion, transfer or training put disabled workers at a substantial disadvantage for a reason connected with their disability, reasonable adjustments to the arrangements should be made to eliminate or, if that is not reasonably practicable, reduce the disadvantage unless objectively justified.

### **Terms of Employment, Benefits, Facilities and Services**

21. The following principles shall apply to terms of employment, benefits, facilities and services:

- the terms of employment, benefits, facilities and services available to workers should be reviewed regularly to ensure that they are provided in a way which is free from unlawful discrimination;
- we will comply with our obligations in relation to statutory requests for contract variations and will also make reasonable adjustments to our standard working practices to overcome barriers caused by disability.
- part-time workers should receive pay, benefits, facilities and services on a pro-rata basis to their full-time comparator unless otherwise objectively justified;
- where our arrangements relating to terms of employment, benefits, facilities and services put disabled workers at a substantial disadvantage due to a reason connected with their disability,

Llangattock Green Valleys CIC is registered in England and Wales. Company number: 07255186  
Registered office: Crickhowell Resource and Information Centre (CRiC)  
Beaufort Street, Crickhowell, Powys, NP8 1BN  
E: [admin@llangattockgreenvalleys.org](mailto:admin@llangattockgreenvalleys.org)

reasonable adjustments to the arrangements should be made to eliminate or, if that is not reasonably practicable, reduce the disadvantage unless otherwise objectively justified;

- pay and bonus criteria, policies and arrangements should be carefully examined and monitored, and if it appears that any group of workers are disadvantaged by them, they will be checked to make sure that this is not due to any hidden or indirect discrimination.

### **Grievances, Disciplinary Procedures, Dismissals and Redundancies**

22. Workers who, in good faith, bring a grievance (or assist another to do so) either under this policy or otherwise in relation to an equal opportunities matter will not be disciplined, dismissed or otherwise victimised for having done so;

23. Any group of workers will not be disciplined or dismissed for performance or behaviour that would be overlooked or condoned in another group unless there is genuine and lawful justification for this;

24. Redundancy criteria and procedures will be carefully examined to ensure that they do not operate in an unlawfully discriminatory manner;

25. The provision of voluntary redundancy benefits will be equally available to all workers concerned unless there is a genuine and lawful justification for doing otherwise.

### **Non-employee procedures**

26. We will not discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by the Organisation.

27. Employees should report any discrimination by customers, suppliers, visitors or others to their manager who will take appropriate action.

28. Because of our own commitment to equal opportunities, we will insist that our advisors, contractors, consultants and agents demonstrate a similar Equal Opportunities Policy.

29. We wish to make it plain to all our advisors, contractors, consultants and agents that we will not tolerate discriminatory behaviour towards any other advisors, contractors, consultants and/or agents, our employees, clients or the general public. Any allegation of such conduct will be investigated thoroughly, and appropriate disciplinary action will be taken against offenders should the Managing Director /CEO/ Board of Directors be satisfied that the allegations are substantiated.

This disciplinary action may include:

- withdrawal from the work currently being undertaken;
- referral to the Commission for Equality and Human Rights;
- removal from our approved lists, etc.

### **Communication**

30. The successful implementation of the Equal Opportunities Policy depends on the awareness and commitment of all personnel employed by us and to this end, all new employees will be made aware of its existence and on joining the business will be given a copy and reminded they must conform to it in its entirety both at work and any business related function.

31. As a practical development of the Policy Statement, we seek to do the following: -

- involve/consult employees, and relevant groups in devising and reviewing the Equal Opportunities Policy;
- provide information upon its policies and procedures in various languages to reflect the need of ethnic minority communities within its area of operation should the need become apparent;
- publish the Equal Opportunities Policy on our notice boards and website And make customers and clients aware of the policy.
- ensure all contracts between the Organisation and contractors to supply goods, materials or services include a clause prohibiting unlawful discrimination or harassment by contractors and their employees, and by any sub-contractors and their employees. The clause will also encourage contractors and potential contractors to provide equality of opportunity in their employment practices.

### **Managers' Responsibilities**

32. Management has the primary responsibility for the successful implementation of the policy by:

- being committed to ensuring that all our employees and applicants for employment are protected from unlawful discrimination in employment.
- not discriminating, unlawfully, in the course of employment against fellow employees, job applicants, suppliers customers etc.
- not inducing or attempting to induce others to practice unlawful discrimination
- bringing to the attention of employees that they will be subject to disciplinary action for failure to adhere to the policy.
- taking action to prevent unlawful discrimination, harassment bullying or victimisation and act promptly and appropriately if any acts of this nature are observed and or reported.

### **Employee Responsibilities**

33. Every employee is required to assist us to meet our commitment to provide equal opportunities in employment and avoid unlawful discrimination.

Llangattock Green Valleys CIC is registered in England and Wales. Company number: 07255186  
Registered office: Crickhowell Resource and Information Centre (CRiC)  
Beaufort Street, Crickhowell, Powys, NP8 1BN  
E: [admin@llangattockgreenvalleys.org](mailto:admin@llangattockgreenvalleys.org)

34. Employees can be held personally liable as well as, or instead of, the Organisation for any act of unlawful discrimination. Employees who commit serious acts of harassment bullying or victimisation may be guilty of a criminal offence.

35. Acts of discrimination, against employees or customers are disciplinary offences and will be dealt with under the Organisation's disciplinary procedure. harassment bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

### **Breaches of Policy**

36. Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the Organisation's Disciplinary Procedure.

Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

### **Review and Monitoring**

37. We will annually monitor the effectiveness of this policy and its general compliance within the Organisation and will update it in accordance with changes in the law.

38. In particular, we may monitor the ethnic and gender composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and review our Equal Opportunities Policy in accordance with the results shown by the monitoring.

Grievances, disciplinary action, performance assessment, and terminations of employment, for whatever reason, may also be monitored by gender, racial group, age, disability, religion/belief and sexual orientation. If changes are required, we will implement them.

39. Overall responsibility for the effectiveness of the policy lies with the Directors. For more information, employees should contact a Director who would be pleased to provide more information.

### **Review**

This policy will be reviewed from time to time and updated as required.

Date: 20/09/2023

Signature (Chair) ...



Llangattock Green Valleys CIC is registered in England and Wales. Company number: 07255186  
Registered office: Crickhowell Resource and Information Centre (CRiC)  
Beaufort Street, Crickhowell, Powys, NP8 1BN  
E: [admin@llangattockgreenvalleys.org](mailto:admin@llangattockgreenvalleys.org)



Signature (Secretary) ...

A handwritten signature in black ink, appearing to read 'J. H. H. H.', written in a cursive style.

Llangattock Green Valleys CIC is registered in England and Wales. Company number: 07255186  
Registered office: Crickhowell Resource and Information Centre (CRiC)  
Beaufort Street, Crickhowell, Powys, NP8 1BN  
E: [admin@llangattockgreenvalleys.org](mailto:admin@llangattockgreenvalleys.org)