

## **South West Ministry Training Course (SWMTC)**

### **Equal Opportunities Policy**

#### **Introduction**

Equal opportunities policies are adopted by SWMTC for theological, legal and practical reasons. Christian faith includes the belief that all human beings are created in the image of God, and all are valued equally by Him and share equally in His love. Unlawful and unfair discrimination between people is accordingly contrary to God's purpose.

#### **Equal Opportunities Policy Statement**

The South West Ministry Training Course wholeheartedly supports the principle of equality of opportunity in both employment and in education and is committed to opposing all forms of discrimination, harassment or victimisation in the workplace and in the learning environment.

#### **The aim of this policy is to:**

- provide equality of opportunity for all employees, voluntary staff and students and for all applicants for employment or voluntary work for SWMTC;
- ensure that decisions on selection, teaching and other aspects of education are fair and based solely on objective criteria;
- ensure that decisions on recruitment, selection, training, career development and other aspects of employment are based solely on objective and job-related criteria;
- ensure that all employees know that they are able to work in an environment that is free from discrimination, victimisation and harassment; and
- enable them to achieve their full potential in their job.

In terms of employment, the Board reserves the right to require members of staff and volunteers to be people of faith as detailed below. Within the organisation as a whole, the Board will not tolerate discrimination (whether direct, associative or indirect), harassment or victimisation based upon any of the protected characteristics (see below for definitions), as defined in the Equality Act 2010, namely:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;

- race;
- religion or belief;
- sex;
- sexual orientation.

Discrimination, harassment or victimisation will be regarded most seriously and when perpetrated by staff will be treated as gross misconduct under the Board's Disciplinary Procedure.

In summary, each protected characteristic is addressed in the Equality Act 2010 as follows:

**Age:** The Act protects employees of all ages, but age remains the only protected characteristic that allows employers to justify direct discrimination thus if an employer can demonstrate that to apply different treatment because of someone's age constitutes a proportionate means of meeting a legitimate aim, then no discrimination will have taken place.

**Disability:** It is unfair to treat a disabled person unfavourably because of something connected with a disability, for example the tendency to make spelling mistakes arising from dyslexia. Also, indirect discrimination covers disabled people, which means for example that a job applicant could claim that a particular rule or requirement disadvantages people with that disability. It is unlawful, with limited exceptions, for employers to ask about a candidate's health before offering them work.

**Gender Reassignment:** It is discriminatory to treat people who propose to start to or have completed a process to change their gender less favourably, for example, because they are absent from work for this reason.

**Marriage and Civil Partnership:** employees who are married or in a civil partnership are protected. Single people are however not protected against discrimination.

**Pregnancy and Maternity:** Women are protected against discrimination because they are pregnant or have given birth.

**Race:** people are protected against discrimination on the grounds of their race, which includes colour, nationality, ethnic or national origin.

**Religion or Belief:** people are protected against discrimination on the grounds of their religion or their belief, including a lack of any belief. "Religion" includes religious beliefs or similar philosophical beliefs. In terms of employment, the Board (having regard to its religion-based ethos) may apply a requirement for the holder of a particular post to be a communicant member of the Church of England, or of a Church in communion therewith. In applying this requirement, it must be able to demonstrate that there is a genuine and determining occupational requirement, and that it is proportionate to apply this requirement in respect of the particular job. The regulations allow an employer, when recruiting for a post, to treat job applicants differently on the grounds of religion or belief, if possessing a particular religion or belief is a genuine and determining (ie decisive) occupational requirement for that post. Where the Board believes such a genuine religious occupational requirement (GOR) applies to a post, this will be identified at the beginning of any recruitment, training or promotion process and it will make this clear in the advertisement. The reasoning will be explained in any application pack which will clearly show that the Board considers that a GOR applies and the point will be reiterated during the selection process.

**Sex:** both men and women are protected against discrimination on the grounds of their sex.

**Sexual Orientation:** bisexual, gay, heterosexual and lesbian people are protected from discrimination on the grounds of their sexual orientation.

### Types of discrimination

These are:

- **Direct discrimination** - where someone is treated less favourably than another person because of a protected characteristic
- **Associative discrimination** - this is direct discrimination against someone because they are associated with another person who possesses a protected characteristic
- **Discrimination by perception** - this is direct discrimination against someone because others think that they possess a particular protected characteristic. They do not necessarily have to possess the characteristic, just be perceived to.
- **Indirect discrimination** - this can occur when you have a rule or policy that applies to everyone but disadvantages a person with a particular protected characteristic
- **Harassment** - this is behaviour that is deemed offensive by the recipient. Employees can now complain of the behaviour they find offensive even if it is not directed at them.

- **Victimisation** - this occurs when someone is treated badly because they have made or supported a complaint or grievance under this legislation

This policy applies to all students, and to all job applicants and employees, including temporary workers, volunteers and contracted workers of the Board (referred to as “employees” or “staff”).

SWMTC’s policy on **Bullying and Harassment** is set out in **Policy 6**

With regard to this Equal Opportunities policy, the SWMTC is mindful that UK and European laws impose requirements upon employers and employees in respect of equality of opportunity, namely the Equality Act which came into force on 1 October 2010 and replaced previous anti-discrimination legislation.

### **Implementation**

#### **Awareness**

All students, members of staff, members of committees and prospective staff members will be made aware of the SWMTC equal opportunities policy.

#### **Recruitment and Selection for employment**

The recruitment and selection procedures are designed to recruit the most suitable person for the post. They will be on the basis of fair and objectively justified criteria that do not apply any requirements or conditions that are not necessary for the needs of the post or SWMTC. The usual practice will be for all posts to be advertised internally and externally at the same time. However, the Board reserves the right to advertise posts internally only, as this may be a fair way to provide opportunities for example for existing employees as part of a reorganisation or a development and retention strategy. Similarly, the Board reserves the right to confirm a post holder in a permanent post where a post has been undertaken satisfactorily on a temporary basis for some time.

#### **Career Development**

The Board is committed to providing equality of opportunity for career development for all employees, staff and volunteers who have the skills, experience, qualifications, training, attitude and aptitudes required for specific posts.

### **Responsibility for implementation**

It is the responsibility of every staff member, including volunteers to ensure the application of this policy. Additionally, those involved in recruitment and selections who are not employees, such as Board members who sit on academic and appointment panels, must be aware of and abide by the provisions of the relevant legislation and this policy. All staff members are expected to conduct themselves in a manner that is not discriminatory to other staff or to students and SWMTC will take all possible steps to ensure that equal opportunity is maintained.

### **Complaints**

If any current, potential or past **employee or staff member** believes that they are or have been subjected to discrimination, they should follow the Board's **Grievance Procedure**, as set out in this Handbook. If any current, potential or past **student** believes that they are or have been subjected to discrimination, they should follow the Board's **Complaints Procedure** which may be found on the SWMTC website.

### **Applicant and Workforce monitoring**

SWMTC will seek to monitor the effectiveness of this policy and consider, where necessary, what action is needed to be taken to bring about change.

### **Status of this Policy**

This policy and the associated implementation procedures form part of the terms and conditions of all the employees of SWMTC and of all other staff members including volunteers: as stated above, this policy applies to all students, job applicants and employees, including temporary workers, volunteers and contracted workers of the Board (referred to as "employees" or "staff").

### **Review**

This Policy and the associated Policy 6 (Bullying and Harassment) were reviewed in 2015 and SWMTC will formally review this policy periodically.