

## Reality Adventure Works in Scotland Ltd.

### EQUAL OPPORTUNITIES POLICY

#### 1. Policy

1.1 Reality Adventure Works in Scotland Ltd. (Reality) is fully committed to the principles of equal opportunities in the delivery of its services and in the employment of staff and its work with volunteers. Reality opposes all forms of unlawful or unfair discrimination including those on the grounds of :

- a) Age
- b) Disability
- c) Ethnic or national origin
- d) HIV status
- e) Marital status
- f) Race
- g) Gender
- h) Religion
- i) Sexual orientation
- j) Colour
- k) Nationality
- l) Responsibilities for dependants
- m) Offending background
- n) Disadvantaged by any condition which cannot be shown to be relevant to performance.

#### 2. Notes

2.1 Reality will use existing and future legislation as a framework upon which to develop and promote good practice. Reality will comply with its existing legislative obligations and review policy and practice in the light of legislative development at Scottish, UK, European and international levels.

Scottish : Scotland Act 1998

UK :

- Equal Pay Act 1970
- Sex Discrimination Act 1975 & 1986
- Employment Act 1989 & Employment Rights Act 1996
- Maternity and Parental Leave Regulations 1999
- Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- Race Relations Act 1976 (Amendment) Regulations 2000

- Flexible Working (Procedural Requirements) Regulations 2002
- Disability Discrimination Act 1995 (Amendment) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Age) Regs 2006
- Employment Relations Act 1999
- Protection from Harassment Act 1997
- Trade Union and Labour Relations
- Sex Discrimination (Gender Reassignment) Regulations 1999
- European Convention on Human Rights (incorporated into domestic law by both Scotland Act 1998 & Human Rights Act 1998)

European :

- Article 119 of the Treaty of Rome (on equal pay) and the Equal Treatment Directive
- Treaty of Rome: Article 12; Article 13; Article 141; Article 39; Article 43; Article 49; Article 56
- Treaty of European Union: Article 6(1) & 7
- European Union Charter of Fundamental Rights 2000 (optional)

International :

- UN Convention on the Elimination of all forms of Discrimination against Women
- UN Convention on the Elimination of all forms of Racial Discrimination
- UN International Covenant on Civil and Political Rights
- UN International Covenant on Economic, Social and Cultural Rights
- UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
- UN Convention on the Rights of the Child

2.2 This Policy will govern the treatment by all employees and volunteers towards other employees, job applicants, volunteers, users, visitors, suppliers and contractors. Reality aims to treat all with dignity and respect and provide a working environment free from discrimination. It will conduct its affairs at all times in a manner that is consistent with this aim. (See also Statement of Aims and Values, dated August 2008).

2.3 Reality aims to provide equality of opportunity to all in respect of the services and programmes it delivers. To achieve this, Reality endeavors to ensure that information reach, relevance and accessibility issues are considered at all stages of planning and delivery.

2.3 The Policy on Equal Opportunities and Recruitment of Ex-Offenders is set out as an extension wording at the end of this document. (see Item 13 below)

### **3. Procedures**

#### **3.1 Implementation**

- a. Every possible step will be taken to ensure that employees and job applicants are treated equally and fairly and that decisions on recruitment, selection, training, promotion, pay and career development are based solely on objective and job related criteria, merit and/or ability. Individual employees at all levels are responsible for ensuring that their own conduct, in the exercise of Reality's affairs is consistent with this equal opportunities policy.
- b. Reality will treat seriously any breaches of this policy and all instances of actual, or alleged inappropriate behaviour will be fully investigated and staff responsible may be subject to disciplinary procedures, as set out in the Employee Handbook
- c. In order to achieve effective implementation of this policy, Reality will ensure that this policy statement is brought to the attention of all employees and volunteers.

#### **3.2 Advertising**

- a. Whenever possible all opportunities within Reality will be publicly advertised as widely as possible and will be designed to encourage applications from relevant groups.
- b. Qualifications and requirements (including age limits for employment) will only be asked for when they can be justified by the nature of the job or contract advertised.
- c. All vacancy advertisements will include an appropriate short statement on equal opportunity.

#### **3.3 Non Discriminatory Language**

- a. All publications and internal documents produced or prepared in the course of business by employees of Reality will refrain from the use of words or phrases which are directly or indirectly discriminatory.

#### **3.4 Recruitment**

- a. Recruitment solely or primarily by word of mouth will be avoided if its effect is or may be to prevent certain types of people from applying.

- b. All recruitment literature will state that Reality is an equal opportunities organisation and will be designed to ensure that irrelevant information is not gathered at the application stage.
- c. Interviews and other recruitment and selection procedures will be designed to test the abilities of applicants against an agreed person specification outlining the skills, experience and aptitudes necessary and desirable for the post.
- d. Wherever possible, more than one person will be involved in the selection and recruitment process.
- e. Written records of interviews and reasons for appointment and non appointment will be kept as far as is reasonable to do so.

### 3.5 Responsibility

- a. Implementation of this policy is the collective and individual responsibility of all members of staff at Reality. All staff have a personal responsibility to adhere to the policy. The Board through the Project Manager will have special responsibility for implementation of the policy in recruitment, selection, training, promotion, planning, etc.

### 3.6 Discrimination and harassment

- a. Discrimination or harassment by any member of staff of Reality will be regarded as misconduct and will be dealt with through the appropriate disciplinary procedures, as set out in the Employee Handbook.
- b. Harassment can be difficult to define. Differences of attitude or culture and the misinterpretation of social signals can mean that what is perceived as harassment by one person may not seem so to another. However, the defining features are that the behaviour is unwanted by the recipient and would be regarded as harassment by any reasonable person.
- c. Harassment occurs when another person's behaviour causes discomfort or humiliation to the recipient, interferes with their job performance or prospects, or creates a threatening hostile or intimidatory environment at work.

### 3.7 Sexual harassment

- a. Sexual harassment can be physical or verbal, and includes physical touching, suggestive remarks or foul language. Displays of pornographic pictures or objects in the workplace, including on

computer screens, will constitute sexual harassment. (See IT Policy)

### 3.8 Racial harassment

- a. Racial harassment includes name calling, racist jokes, and ridicule or comments.

### 3.9 Bullying

- a. Bullying can be defined as any vindictive, cruel, malicious or humiliating treatment or behaviour, such as picking on people, making unfounded criticisms, isolation or non-cooperation or aggressive behaviour.
- b. Reality will not tolerate bullying in the workplace.

### 3.10 Responding to Harassment

- a. Any member of staff who complains of harassment or bullying will have his/her complaint thoroughly investigated within a reasonable time-scale, and action will be taken as appropriate. This will normally be done through Reality's grievance policy. No employee will be subjected to victimisation because of a complaint made in good faith.
- b. Any member of staff who is responsible for harassment or bullying will be subject to Realty's disciplinary procedure, as set out in the Employee Handbook. Harassment and bullying may constitute gross misconduct.

### 3.11 Monitoring

- a. Reality will carry out ongoing monitoring of applicants and employees to ensure that the company is attracting applicants and employees from all sections of the community. Responsibility for monitoring and analysis of equal opportunities issues will lie with the Project Manager.

### 3.12 Training

- a. Reality will provide training in its equal opportunities policy to all staff on a regular basis.

#### **4. Policy on Equal Opportunities and the Recruitment of Ex-Offenders**

- 4.1 Reality Adventure Works in Scotland Ltd. (Reality) complies fully with the Code of Practice, issued by Scottish Ministers, in connection with the use of information provided to registered persons and other recipients of information by Disclosure Scotland under Part V of the Police Act 1997, for the purposes of assessing applicants' suitability for employment purposes, voluntary positions, licensing and other relevant purposes. Reality undertakes to treat all applicants for positions fairly and not to discriminate unfairly against the subject of a Disclosure on the basis of conviction or other information revealed.
- 4.2 This written policy on the recruitment of ex-offenders is made available to all Disclosure applicants at the outset of the recruitment process.
- 4.3 Reality is committed to equality of opportunity, to following practices, and to providing a service which is free from unfair and unlawful discrimination. We ensure that no applicant, volunteer or member of staff is subject to less favourable treatment on the grounds of gender, marital status, race, colour, nationality, ethnic or national origins, age, sexual orientation, responsibilities for dependants, physical or mental disability, or offending background, or is disadvantaged by any condition which cannot be shown to be relevant to performance.
- 4.5 Reality actively promotes equality of opportunity for all with the right mix of talent, skills and potential, and welcomes applications from a wide range of candidates, including those with criminal records. The selection of candidates for interview will be based on skills, qualifications and experience.

#### **5. Procedures**

- 5.1 Reality will request a Disclosure from all applicants for paid or voluntary positions where this is considered proportionate and relevant to the particular position. This is based on a thorough risk assessment of that position and having considered the relevant legislation which determines whether or not a Standard or Enhanced Disclosure is available to the position in question.
- 5.2 Where a Disclosure is deemed necessary for a post or position, all applicants will be made aware at the initial recruitment stage that the position will be subject to a Disclosure and that Reality will request the applicant being offered the position to undergo an appropriate Disclosure check.
- 5.3 Where a Disclosure is to form part of the recruitment process, Reality will encourage all applicants selected for interview to provide details of their criminal record at an early stage in the application process.

Applicants will normally be requested to complete a criminal records self declaration form.

- 5.4 Reality will ask that this information be sent under separate, confidential cover, to a designated person within Reality and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process.
- 5.5 In line with the Rehabilitation Of Offenders Act 1974, Reality will only ask about convictions which are defined as 'unspent' in terms of that Act, unless the nature of the position is such that Reality is entitled to ask questions about an individual's entire criminal record.
- 5.6 At interview, or under separate discussion, Reality will undertake to ensure an open and measured discussion on the subject of any offences or other matters that might be considered relevant for the position concerned. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment/voluntary post.
- 5.7 Reality undertakes to discuss any matter revealed in a Disclosure Certificate with the subject of that Disclosure before considering withdrawing a conditional offer of employment / voluntary post.
- 5.8 Reality will ensure that all those in the organisation who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of Disclosure information. Reality will also ensure that they have received appropriate guidance and training in the relevant legislation relating to employment of ex-offenders (e.g. the Rehabilitation of Offenders Act 1974).
- 5.9 Reality undertakes to make every subject of a Disclosure aware of the existence of the Code of Practice and to make a copy available on request.
- 5.10 Having a criminal record will not necessarily debar a person from working with Reality. This will depend on the nature of the position, together with the circumstances and background of any offences or other information contained on a Disclosure Certificate or provided directly to Reality by a Police Force.