

**EQUAL OPPORTUNITIES POLICY**

**Introduction**

Active Essex Foundation recognises that everyone has a contribution to make to our society and a right to equal opportunity. This opportunity should be afforded to all the individuals who are served by our work. This includes participants, partners, staff and volunteers.

We promote an appreciation of - and respect for - the various differences in background, and physical, mental and emotional needs that are experienced by individuals living within our local community and the wider society.

The Management and Board of Trustees shall review the content and effectiveness of the policy and make adaptions or additions as necessary. It is the responsibility of the Manager to ensure that the policy is implemented by users of the service, employees, volunteers and those working in partnership with Active Essex Foundation on a regular basis.

**Our obligations under our constitution and the law**

The charitable purposes of Active Essex Foundation are to use the benefits of sport and physical activity to:

* Raise aspirations and enabling individuals to lead positive lives and reaching their full potential
* Strengthen and improve community cohesion, breaking down barriers and addressing inequalities
* Improve mental health and well-being, empowering people to take responsibility for their health and well-being
* Increase confidence and self-esteem in participants
* Impact on the reduction of crime and anti-social behaviour, engaging and supporting some of the hardest to reach groups across Essex
* Creation and use of ‘active’ positive role models within localities and communities

We will ensure that in reaching our charitable purposes that this policy is followed and that everyone involved with our work is treated equally. An awareness of equal opportunity is an essential requirement towards the development of building relationships and gaining the trust of the children, young people and adults that access the services and opportunities offered by Active Essex Foundation and project partners and in improving their conditions of life.

In striving for equal opportunities we recognise that we need to apply a clear set of policies and practices of our own and for ourselves. At the same time we will abide by any provisions of statute, which bear upon equality of opportunity and non-discrimination; whether in the subject of services to the users; or in dealings with employees or professionals that work in partnership with us on a wide range of matters.

No job applicant or employee, member, volunteer or organisation/individual to which we provide services will be unlawfully discriminated because of the [Equality Act 2010](https://www.legislation.gov.uk/ukpga/2010/15/contents/enacted) protected characteristics of:

* age
* disability
* gender reassignment
* marriage and civil partnership
* pregnancy and maternity
* race (including colour, nationality, and ethnic or national origin)
* religion or belief
* sex
* sexual orientation

As well as their:

* Social background

**The implications of equal opportunity for young people and children and adult participants**

At Active Essex Foundation we develop and deliver work with and for children, young people and adults (delivered by carefully selected partner organisations) the issues of equal opportunity revolve around three central themes:

1. Access to the supported session or event
2. General experience within the session or event
3. Equality of opportunity within the session or event
4. **Access to the supported session or event**

On the matter of *access*, individuals should not be excluded from attendance at a session or event on grounds which are unfairly discriminatory. Two examples will serve to illustrate:

*‘It is very important, for example, that individuals with disabilities are not unreasonably barred from access either by decision of those in charge, or because there is a preventable lack of suitable facilities, be they related to physical access (toilets, ramps, etc), or other factors)’.*

*‘It is similarly important that individuals are not barred from access because of their beliefs or religious background, either by decision of the organisers or through some avoidable obstacle which makes attendance impossible under the system of beliefs concerned’.*

There are clearly *some* circumstances where access is reasonably withheld, or where conditions necessary for certain individuals to attend cannot be provided reasonably or at all. For example, persons organising a group have a duty of care to particular participants to protect their safety. If an individual is so unruly or aggressive that it endangers others the young person can and must be excluded temporarily or permanently. Equal opportunity does not override the duty of care; or if, for example, the physical conditions of a meeting hall are not appropriate for an individual with a disability, then again access can reasonably be withheld.

Active Essex Foundation and its employees, volunteers and partner organisations should challenge *all* cases where access is being withheld, and satisfy itself that any restriction is reasonable and necessary in the circumstances. Where it is possible to overcome the difficulty in the longer run, for example by training, we are keen to promote consideration of the necessary changes, and will, in appropriate circumstances, seek to assist with resources where they are obtainable. We also believe that wherever possible exclusions should be temporary, and be reconsidered regularly.

Active Essex Foundation recognises that individuals may be deterred from access without there being an obvious act of exclusion or denial of entry. This can amount to self-exclusion by the young person, guardian or adult and can be unknown to the service provider. If the lack of approach is reasonable in the circumstances it could be an example of indirect discrimination. Or something similar can arise if the opportunities are not offered in a way which is conducive to an individual of particular circumstances or background seeking entry. For example:

*‘A session can be offering its services in a place where certain people would, quite reasonably, never dream of going. Or it might be that the subscription was too high for families of slender means’.*

If the service provider can reasonably avoid difficulties of this kind, such instances amount to wrongful indirect discrimination. It is the policy to seek out and challenge any such discrimination which might be occurring, and press for a remedy.

1. **General experience within the session or event**

Many of the issues which arise with access to the session or event can also arise inside. In the matter of participants are generally treated (whatever the particular activity concerned) wrongful discriminations can arise, which are both direct and indirect, if the provider of the

session or event acts unreasonably and could have acted otherwise. Two examples will serve to illustrate:

*‘On a regular basis during the session the only drink that is provided for the refreshment break might be one which a particular child is allergic to or is banned from consuming by the parent. Or the club may make a regular practice of not remembering or fluffing the names of children from an ethnic background, or using other than alphabetic registration. This can be deeply upsetting to children and parents’.*

*‘Dress codes, unless absolutely necessary and reasonable, can be similarly insensitive. Overweight, under sized individuals, and many other categories can all to readily come to feel ‘ out of it’ or ‘ picked upon’ if close attention is not paid to the need to treat participants reasonably and consistently’.*

Active Essex Foundations’ policy is to encourage its own staff, volunteers, partner organisation, as well as those it supports to be conscientious in the ways in which individuals are treated whilst participating in sessions.

1. **Equality of opportunity within the session or event**

We understand that it is not always practicable or even desirable to ensure that only opportunities which suit *every* individual are provided, or to ensure that everyone ’gets a go’ on every occasion. Inevitably there are some worthwhile activities which are not suitable for some participants, because they require physical capability which cannot be matched or have some feature which could give rise to indirect discrimination, or are essentially restricted in numbers who can participate, etc.

Active Essex Foundation believes that there are many occasions where the value of diversity can and should be celebrated, and where young people need to learn to celebrate it without giving rise to feelings of unfairness and exclusion. So Active Essex Foundation, it’s employees and partner organisations will question any bland consistency in provision, and will seek to make people aware of the need to appreciate and recognise diversity.

Nevertheless, any imparity in provision can conceivably give rise to direct and indirect discrimination in a number of dimensions, and vigilance is needed to identify and challenge all such cases.

Active Essex Foundation’s policy is, therefore, to insist on the following principles:

* Where a proposed activity *can* be widely accessible without major loss of benefit to individuals and groups, the presumption should be in its favour.
* Where *some* participants are reasonably not able to enjoy an opportunity, a broadly equivalent opportunity should be offered or promised at the time, and offered then or subsequently (but not too much later).
* Notwithstanding these two points, over a longer period of time, e.g. a school term, every effort should be made to provide a range of opportunities which, although on occasion providing different and selective opportunities for individuals is nevertheless, acknowledged by all involved to be broadly equivalent in value for all individuals concerned. In assessing this equivalence, due regard must be paid to any implications or characteristics of activities which could reasonably give rise to feelings of indirect discrimination.

**Monitoring and evaluation**

It is Active Essex Foundation’s policy to monitor application of these principles in all its activities involving participants and the effectiveness of its equal opportunities systems and achievements on a regular basis, making adjustments and learning from experience as necessary. We will ensure that any partner organisation delivering projects and activities on behalf of Active Essex Foundation also has a suitable equal opportunities policy which aligns itself with this policy.

We will endeavour to provide at least once a year a venue for consultation with users in an attempt to establish the vision, aspirations and needs of its service users.

**The implications of equality of opportunity for employers**

Active Essex Foundation recognises the need for equal opportunity in its dealings with employers and volunteers, those working directly for us and those working for partner organisations.

We aim to promote equal opportunities, eliminate discrimination and eliminate harassment through the following:

* Opposing all forms of unlawful and unfair discrimination
* All employees (whether part-time, full-time or temporary), volunteers, members, and beneficiaries will be treated fairly and with respect.
* All vacancies will be advertised internally and externally simultaneously and will include a statement on equal opportunities.
* Selection for employment/volunteering, promotion, training or any other benefit will be on the basis of aptitude and ability. All selection/rejection decisions will be recorded.
* All employees/volunteers/members will be helped and encouraged to develop their full potential and the talents and resources of individuals will be fully utilised to maximise the efficiency of the organisation.

All employees/volunteers/members have a legal and moral obligation not to discriminate and to report incidents of discrimination against any individual or group of individuals to the management and Board of Trustees.

We will monitor and review the composition of its Board of Trustees with the aim of promoting a broad based representation of the users of the services provided by the organisation.

**Our commitment:**

* To create an environment in which individual differences and the contributions of all our staff, volunteers, members and beneficiaries are recognised and valued
* Every employee, volunteer, member and beneficiary is entitled to be part of an environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated

* Training, development and progression opportunities are available to all staff/volunteers
* Equality is good management practice and makes sound sense. Breaches of our equality policy will be regarded as misconduct and could lead to disciplinary proceedings or membership disqualification
* The policy will be monitored and reviewed annually

The successful implementation of this policy depends on the awareness and commitment of all staff and volunteers. Hence, all new staff and volunteers will be made aware of its existence on joining the organisation, and reminded they must refer to it on a regular basis.

**Equality and Diversity for any sessions that we are involved in developing, managing or delivering includes:**

* Delivering inclusive activities open to all
* Providing activities for males and females
* Providing projects targeting a wide range of groups across communities
* Providing a diverse range of positive role models in our community leaders, sports coaches and volunteers
* Allowing anyone to be involved in sessions regardless of:
  + Skin Colours
  + Gender
  + Age
  + Personalities
  + Languages we speak
  + Countries we come from
  + Our eye colours
  + Our attitudes
  + Our Religions
  + Ability

**Responsibilities and authority level**

|  |  |
| --- | --- |
| Person responsible for this policy: | Rob Hayne |
| Person with authority to amend or update: | Board of Trustees |
| Authority and Responsibility to Review and Approve Policy: | Board of Trustees |

**Review**

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| --- | --- | --- |
|  | Date: | Review date: |
| Version 2 | April 2023 | April 2026 |