

**EQUAL OPPORTUNITIES POLICY**

Policy owner	Deputy Director, Legal & Governance
Sign off level	Board
Sign off date	January 2024
Review date	January 2027
Training required	Yes

Protecting the right to fair and equal treatment is one of Reprieve’s core purposes. Promoting equality and valuing diversity are fundamental to our mission. This policy exists to ensure equal access to the employment and service opportunities that are available in every dimension of our work.

Reprieve will not tolerate **Discriminatory Behaviour** and is committed to proactively promoting equality, diversity and mutual respect in all its policies, practices and procedures and in those areas in which it has influence. This applies to all of Reprieve’s professional dealings including with **Staff, Third Parties** and **Other Workers**.

Reprieve will not accept / tolerate any discrimination on the basis of any one or more of the **Protected Characteristics**.

This Policy is fully supported by the Reprieve Board, Joint Executive Directors and Senior Management Team who have given clear direction and leadership that promoting equality, diversity and inclusion is a priority. This Policy should be read alongside Reprieve’s commitment to racial justice available [here](#) which, together, inform Reprieve policies, procedures and working practices.

**Defined Terms**

“**Disability**” a person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on the person’s ability to carry out normal day-to-day activities;

“**Discriminatory Behaviour**” means any and all of the behaviours described in the “Forms of Discrimination” section below;

“**Protected Characteristics**” means any and all of the following characteristics:

- age;
- Disability;
- gender;
- marital or civil partnership status;
- gender re-assignment;
- race, racial group, colour, ethnic or national origin, nationality;
- religion or belief;
- sexual orientation;
- pregnancy or maternity;
- trade union membership or non-membership; or
- part-time or fixed-term employment status.

“**Staff**” means employees, whether part-time or full-time, and whether on temporary, permanent or fixed-term contracts employed by Reprieve;

**“Third Parties”** means all persons that Reprieve liaises with during its ordinary course of business and includes clients, their family members and persons at Reprieve’s various partner organisations;

**“Other Workers”** means fellows, consultants, trustees, ex-employees, job applicants and individuals such as secondees, volunteers and agency staff who are not Reprieve employees, but who carry out Reprieve work (whether such work is carried out at Reprieve’s offices or elsewhere).

### **Scope of this Policy**

This Policy provides guidance. It applies to, but is not limited to, advertising of jobs, recruitment and selection for jobs, training and development, opportunities for promotion, conditions of service, benefits, facilities, pay, health and safety at work, grievance and disciplinary procedures, dealings and matters in the ordinary course of Reprieve’s business, termination of employment and redundancy.

This Policy does not form part of any Staff contract of employment or any agreement with Other Workers and Third Parties and may be amended at any time.

### **Regulation and Legislation**

In developing and implementing this Policy, Reprieve is committed to complying with the Equality Act 2010 and associated codes of practice.

### **Beyond Compliance with the Law**

While this Policy focuses on Reprieve’s legal and regulatory obligations, through this Policy Reprieve also aims to:

- Attract and retain staff, fellows, consultants, supporters, and trustees that reflect the diverse communities in which we operate and who are committed to our equality principles.
- Build an organisational culture that is tolerant, open and inclusive and that actively values difference, and where the contributions of all are encouraged, valued and respected.
- Incorporate equality, diversity and inclusion into every aspect of our work including case management, advocacy, employment, fundraising, campaigning, procurement and facilities management so that Reprieve can meet the needs of all our stakeholders.

Please note that although socio-economic class, physical appearance, caring responsibilities and parenting (regardless of gender of the parent) are not a protected characteristics in law, Reprieve does not tolerate discrimination based on these characteristics.

Further, while not protected in law, Reprieve also aims to support all Staff and Other Workers experiencing menopausal symptoms and help colleagues and line managers understand how they can support others experiencing such symptoms.

### **Forms of Discrimination**

The following are non-exhaustive examples of the kinds of discrimination Reprieve will not tolerate and are contrary to this Policy:

- **Direct Discrimination** – treating a person less favourably because of one or more of the Protected Characteristics;
- **Indirect Discrimination** – a practice or provision which is applied to all, but which has the effect of disadvantaging one particular group of people substantially more than others, unless it can be justified;
- **Discrimination by association** – this is discrimination against someone because they associate with another person who possesses a Protected Characteristic;
- **Perception Discrimination** – this is discrimination against an individual because others think (incorrectly) that they possess a Protected Characteristic;
- **Victimisation** – less favourable treatment of someone who has complained or given information about discrimination or harassment, or supported someone else’s complaint; and

- **Discriminatory Harassment** – unwanted conduct, related to one or more of the Protected Characteristics, whose purpose or effect is to violate the dignity of a person and/or to create an intimidating, hostile, degrading, humiliating or offensive environment. Harassment may involve physical, verbal or non-verbal acts.

People with disabilities are specifically protected in law against discrimination 'arising from disability'. People with disabilities also have a legal right to reasonable adjustments from their employer or service provider.

A person who is pregnant is also protected in law against discrimination on the grounds of pregnancy and maternity during the period of their pregnancy and any statutory maternity leave to which they are entitled.

### **Recruitment and Selection of Staff and Other Workers**

Reprieve recognises the benefits of having a diverse workforce and will take steps to ensure that:

- employment opportunities are open and accessible to all on the basis of their individual qualities and personal merit;
- where appropriate, positive action measures are taken to attract applicants from all sections of society and especially from those groups which are under-represented in the workforce;
- selection criteria and processes do not discriminate unjustifiably on the grounds of one or more of the Protected Characteristics other than in those instances where Reprieve is permitted by law or is exercising permitted positive action;
- wherever appropriate and necessary, lawful exemptions (occupational requirements) will apply to enable the recruitment of suitable staff to meet the special needs of particular groups;
- recruitment procedures are kept under review to ensure that individuals are treated on the basis of their relevant merits and abilities;
- job selection criteria are carefully considered to ensure they are justifiable on non-discriminatory grounds as being essential for the effective performance of the job;
- applicants should not be asked about:
  - health or Disability before a job offer is made. There are limited exceptions which should only be used after seeking advice from the Deputy Director for Legal and Governance (who may seek external advice to consider whether such matters are relevant and may lawfully be taken into account);
  - past or current pregnancy or future intentions related to pregnancy; and
  - matters concerning age, race, religion or belief, sexual orientation, or gender reassignment without seeking advice from the Deputy Director for Legal and Governance (who may seek external advice to consider whether such matters are relevant and may lawfully be taken into account).

### **Conditions of Staff and Other Workers**

Reprieve will treat all Staff and Other Workers equitably and create a working environment which is free from Discriminatory Behaviour and which respects the diversity in the backgrounds and beliefs of Staff and Other Workers.

Terms and conditions of service for Staff and Other Workers will comply with the Equality Act 2010. Provision of working hours, maternity and other leave arrangements, performance appraisal systems, dress code, bonus schemes and any other conditions of employment will not discriminate unlawfully

against any member of Staff or, as applicable, Other Worker on the grounds of one or more of the Protected Characteristics. Age will only be taken into account to the extent permitted by law.

Where appropriate and necessary, Reprieve will endeavour to provide appropriate facilities and conditions of service which take into account the specific needs of individual members of Staff and Other Workers which arise due to Staff or Other Workers' ethnic or cultural background, gender, responsibilities as carers, Disability, religion or belief.

### **Disability Discrimination in respect of Staff, Other Workers and Third Parties**

Any member of Staff, Other Worker or Third Party who has a Disability or develops a Disability whilst working for Reprieve is encouraged to tell Reprieve about their condition so as much support as possible can be provided.

Staff and Other Workers should advise their Line Manager for whom they principally work or the Head of Operations of any proposals for reasonable adjustments to their working conditions or the duties of their job which they consider necessary, or which would assist them in the performance of their duties in line with Reprieve's Guidance on Requests for Changes to Working Arrangements.

Their Line Manager or the Head of Operations (as appropriate depending on who has been consulted by the Staff or Other Worker) may wish to consult with them and with a medical adviser(s) about possible adjustments. Third Parties should notify their relevant contact at Reprieve who will direct them to the Deputy Director for Legal and Governance.

Careful consideration will be given to any such proposals and Reprieve will aim to accommodate proposals where these are practicable and proportionate to the needs of the job or deliverables. Nevertheless, there may be circumstances where it will not be reasonable for Reprieve to accommodate the proposed adjustments and the relevant member of Staff, Other Worker or Third Party will be provided with information as to the basis of the decision not to make any adjustments.

An access audit of Reprieve's premises has been carried out under Equality Act 2010 and Reprieve will continue to monitor the physical features of its premises to consider whether they place members of Staff or Other Workers with disabilities at a substantial disadvantage. Where possible and proportionate Reprieve will take steps to improve access for such persons.

### **Dealings with Third Parties**

Reprieve will treat all Third Parties equitably and create an environment which is free from Discriminatory Behaviour and which respects the diversity in the backgrounds and beliefs of Third Parties. Age will only be taken into account to the extent permitted by law.

Where appropriate and necessary, Reprieve will endeavour to provide appropriate facilities and conditions of service which take into account the specific needs of Third Parties which arise due to their ethnic or cultural background, gender, responsibilities as carers, Disability, religion or belief.

### **Responsibility**

The Board of Reprieve has overall responsibility for the effective operation of this Policy.

Responsibility for the delivery of this Policy has been delegated to the Joint Executive Directors. The Joint Executive Directors, Senior Management Team and Head of Operations are responsible for acting as equality champions and role models, including implementing this Policy, integrating equality, diversity and inclusion into the work of Reprieve and responding to allegations of discrimination and harassment fairly, quickly and effectively.

Line Managers are responsible for checking that Staff and Other Workers are aware of this Policy and understand their rights and responsibilities contained within it. Line Managers are also responsible for role modelling behaviour that supports this Policy and challenging those they manage to do the same.

All Staff and Other Workers have a responsibility to treat others with dignity and respect and to do everything they can to ensure that this Policy works in practice.

Relieve will bring the existence of this Policy to the attention of all Staff and Other Workers and will provide such training as is necessary to ensure that the Policy is effective and that everyone is aware of it.