



Equality & Diversity Policy 2021 -2022

Definition(s)

E&D - Equality and Diversity
RRA - Race Relations Act
POVA - Protection of Vulnerable Adults
CP - Child Protection
DDA - Disability Discrimination Act
MCA - Mental Capacity Act

Purpose

Purpose and Intended Outcomes of the Policy

This policy has been produced to ensure members of staff, volunteers, contractors, and visitors are aware of the duties placed upon the charity by equality legislation and regulations. It is a comprehensive policy to explain the background, law, and our intentions together with our commitment to equality and diversity.

Link to Mission/ Statement of Purpose

This policy reflects the values of Make Them Smile

Guiding Principles and Reasons for the Policy

The Equality and Diversity policy is based on human rights core principles, dignity, fairness, equality, respect, and autonomy.

These principles are relevant to daily life and protect individual's freedom to control their life, effectively take part in decisions made by public authorities which impact upon rights and get fair and equal services from the service at Seashell Trust.

These principles help people to flourish and fulfil their potential through:

- being safe and protected from harm
- being treated fairly and with dignity
- living the life, they choose
- taking an active part in community and wider society
- being given an equal and appropriate opportunity to realise their potential

Policy

Make Them Smile is committed to providing an environment in which all employees and volunteers are treated equally, can realise their full potential and in which discrimination is not tolerated. We are committed to promoting equality of opportunity regardless of characteristics defined by the Equality Act 2010 and any other criteria which is relevant to a person's learning or employment within the organisation.

Make Them Smile has developed policies and procedures to promote inclusion, challenge discrimination and value and celebrate the diversity of its staff, volunteers, and visitors. We aim to promote equality and tackle any form of discrimination and actively promote harmonious relations, support people to express their views and challenge where appropriate in all areas of life



Tel: 0330 1330 870 • Email: trustees@makethemsmile.org.uk • Web: makethemsmile.org.uk

within the trust. We seek to remove any barriers to access, participation, progression, attainment and achievement and the best possible quality of life. We take seriously our contribution towards community cohesion.

At Make Them Smile we will treat everyone who works within/ on behalf of the organisation, staff, trainees, volunteers and visitors with respect and dignity and establish a culture where diversity is valued. We aim to establish a constructive and positive working and learning environment, free from harassment, discrimination, and victimisation. We will celebrate and value diversity in human experience and circumstances.

This policy will apply to all current and potential employees, volunteers, contractors, and visitors to the organisation. Contractors are required to indicate that they subscribe to this policy or have to produce an equivalent policy of their own.

Age

Adults, young people, and children within the organisation should benefit from life at Make Them Smile and we are committed to the provision of a variety of strategies and practices that recognise age and take into account individual circumstances and needs.

Make Them Smile is committed to challenging stereotyping and marginalisation based on age. We recognise that people of all ages can make a positive contribution to the Trust based on their own experiences and skills. We will provide work and training opportunities for staff regardless of age.

Convictions

Make Them Smile complies with The Rehabilitation of Offenders Act 1974 in respect of employment and student admissions and seeks to ensure that, where appropriate, unrelated criminal convictions do not interfere with individuals' life at the organisation. However, there are circumstances which are exempt from the Act and staff will be provided with the appropriate guidance accordingly. When employing staff Make Them Smile will endeavour not to discriminate. However, some convictions will be relevant when making appointments.

Disability

Make Them Smile is committed to promoting access to people with disabilities. A further commitment is to work towards supporting and enabling staff with physical disabilities, sensory impairments, learning difficulties, special psychological needs and medical conditions which may have an impact on day-to-day activities, to take part in all aspects of the organisation's academic, care, working and social programmes. An easy read copy of the policy is available to support those who need it.

Gender

Make Them Smile is committed to ensuring that both female and male staff and volunteers are given equal access to all areas of the workplace; appropriate non-sexist language is used and stereotypical views are challenged. Make Them Smile will not enquire about a person's marital status.

Gender Reassignment

Make Them Smile is committed to upholding equal rights of transgendered people and will support anyone in the organisation who intends to, is undergoing or has undergone gender re-assignment.



Race

Make Them Smile values cultural diversity and aims to recognise and counter racism and cultural stereotyping in all its forms. The organisation recognises that institutional racism can affect the quality of the lives of staff, volunteers, contractors, and visitors. The Trust undertakes to examine its structures to ensure that they are offering equality of opportunity to all staff and volunteers whatever their ethnic origin or heritage. We will encourage an ethos of understanding and respect for all cultures.

Religion and Belief

Make Them Smile respects the right of individuals to hold their own religious and philosophical beliefs. Individuals are expected to respect the views and beliefs of others. The expression of intolerant beliefs and opinions that infringe the rights of others is not acceptable.

Sexual Orientation

Make Them Smile is committed to welcoming individuals of all sexual orientations, both employees and volunteers

The Trust will respond sensitively and supportively whenever individuals raise the issue of their sexuality. The Trust will be pro-active in promoting a safe and positive environment where people feel able to choose whether or not to be open about their sexuality and know that their choice will be respected.

Pregnancy and maternity

The Act lists pregnancy and maternity as a protected characteristic. Make Them Smile is committed to the principle that women should, so far as is possible, not be disadvantaged by their pregnancy or maternity. Make Them Smile will consider and apply "different treatment" if it is necessary to ensure the health and safety legislation where these laws are designed to protect women who are pregnant or who have recently given birth or to guard against risks specific to women.

Marriage and Civil Partnerships

At Make Them Smile we value all people. We recognise and respect marriage and civil partnerships.

Membership of Representative Professional Bodies

Make Them Smile will not discriminate against staff who belong or do not belong to a professional body, and we will adhere to the concept of anti-discriminatory practice and freedom of speech.

Risk Assessment

Individual people within Make Them Smile and the organisation are in breach of the law if they fail to act within the policy.

Positive Action

In certain circumstances the law allows Positive Action as a way of overcoming inequality. Positive Action allows the organisation to:

Provide facilities and services, in training education and welfare to meet the special needs of people from particular equality groups

Target services at particular equality target groups that are underrepresented

Encourage applications from particular equality target groups that are underrepresented



Positive action strategies are intended to be temporary measures only. They must be kept under regular review and cannot be used once the under representation no longer exists. The Trust will ensure that when using positive action as a strategy it falls within the law

Breaches of policy

Acts of discrimination, harassment, abuse or victimisation will be treated as a serious disciplinary offence.

Disciplinary action could include dismissal in the case of staff

Staff and volunteers who feel they are being discriminated against should seek resolution through the Harassment Complaints procedure.

Staff or volunteers who feel that they have experienced discrimination from members of the public will receive support from the charity and the charity will take appropriate action against the individual.

Applicants for employment who feel that they have been unfairly treated with regard to their application or are dissatisfied with some aspect of the recruitment and selection procedure should write giving details to the Trustees. All complaints will be investigated, and the applicant informed of any action taken in line with the trust's complaints procedure.

Monitoring and Evaluation

The Trustees will monitor and review on an annual basis the progress that has been made towards achieving its targets using Equality and Diversity Impact Measures. Results from monitoring and an associated action plan shall be published and made available to staff and volunteers.

Roles and responsibilities

Directors of the Charity are responsible for:

Having ultimate responsibility to ensure that the organisation complies with Equality legislation and the codes of practice supporting it.

Ensuring that the Equality and Diversity policy is followed, and this will be achieved through the consideration of an annual report.

Ensuring that the membership of the Directors reflects the diversity of the communities served by the organisation.

Ensuring that the organisation's strategic plan includes a commitment to equality.

Ensuring that equality training is part of the organisation's strategic plan.

Being aware of the organisation's statutory duties in relation to equality legislation as an employer and service provider.

Receiving and responding to the monitoring information on equality target groups provide information in appropriate, accessible formats;

Be involved in dealing with serious breaches of the policy;

Be pro-active in recruiting high-quality applicants from under-represented groups.

Overseeing the continuing application and development of the Equality and Diversity Policy.

Monitoring the performance of the organisation in terms of Equality, Diversity and Inclusion

Preparing, monitoring, and reviewing the Equality Action Plan.

Advising on the formulation of policies, procedures and resources.



Managers are responsible for ensuring that:

They take the lead in creating a positive, inclusive ethos that challenges inappropriate language and behaviour.

They are aware of the charity's statutory duties in relation to equality legislation.

All aspects of the charity's policy, procedures and activities are sensitive to matters of equality.

Equality and Diversity monitoring data is collected and analysed.

Internal verification procedures include scrutiny of equality and diversity issues.

The procedures for recruitment and promotion of staff model best practice in equality.

Targets are set on the recruitment and promotion of staff based on the analysis of monitoring data.

The charity's publicity materials present appropriate and positive messages about minority groups.

Appropriate training and development is provided for both staff and volunteers to support the appreciation and understanding of diversity.

All staff are responsible for ensuring that:

They are aware of the organisation's statutory duties in relation to equality legislation.

Schemes of work, care plans, planned and unplanned activities demonstrate sensitivity to issues of diversity.

They challenge witting and unwitting discrimination and inappropriate language and behaviour by staff, volunteers, placement providers other members of staff and users of our services

Supporting the ambitions of the Trust in the development of outstanding practice around equality and diversity

Signposting, gaining knowledge and passing on in an appropriate and effective way.

Partners, Contractors and Service Providers

All partners, contractors and service providers will be responsible for adhering to any equality guidelines in agreements or contracts.

The Charity is committed to ensuring that those organisations with which it works, and employs will demonstrate their commitment to equality and diversity and have policies and procedures in place to achieve this.

This policy is implemented within the context of the following legislation:

Equality Act 2010

Equal Pay Act 1970

Health & Safety at Work Act 1974

The Rehabilitation of Offenders Act 1974

Sex Discrimination Act 1975

Race Relations Act 1976

Disability Discrimination Act 1995/2005

Employment Rights Act 1996

Protection for Harassment Act 1997

Human Rights Act 1998

Race Relations (Amendment) Act (2000) Racial and Religious Hatred Act (2006)

Employment Act 2002

Sexual Orientation (employment regulations) 2003

Gender Recognition Act 2004

The Children and Families Act 2014

Age Discrimination (employment regulations) 2006

Religious Belief (employment regulations) 2003



Make Them Smile Children's Charity



Registered Charity No: 1150013

Tel: 0330 1330 870 • Email: trustees@makethemsmile.org.uk • Web: makethemsmile.org.uk

Gender Equality Duty 2007
Mental Capacity Act Including Deprivation of Liberty Safeguards 2005
Data Protection Act 1998
Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges 2016

Related Document(s)

Related information is contained in the charity's procedures:

Compliments and complaints Procedure
Harassment Policy and Procedure
Dignity at work Policy
Staff Discipline, Capability and Grievance Procedures
Disclosures and Disclosure Information Policy
Attendance Policy
Safeguarding Policy and Procedures
Mental Capacity Policy
Curriculum Policy
Admissions and Assessment Policy
Equality Impact Screening

Completed by	T Stirk	Date	17 th October 2021
Role	Trustee	Date for Review	October 2022