TWAM

Tools with a Mission

Equal Opportunities and Anti-Discriminatory Practice Policy

Our Commitment

Tools with a Mission (TWAM) is committed to providing an environment where everyone is respected and valued. Our policy is based on the principles laid out in the Human Rights Act:

- **Fairness - Everyone has a right to a fair hearing**
- **Respect – Everyone should expect their privacy and confidentiality to be respected**
- **Equality – Everyone should enjoy freedom from discrimination**
- **Dignity - Everyone has a right to expect freedom from inhuman and degrading treatment**
- **Autonomy – Everyone has the right to be involved in decisions that affect them.**

Providing equality of opportunity means understanding and appreciating the diversity of our staff and volunteers, ensuring a supportive environment which is free from harassment. To help ensure this TWAM encourages people to challenge discrimination and promote equality of opportunity for all.

Equal opportunity does not mean treating everybody exactly the same. It means recognising that all people are individual and unique and therefore we will aim to adapt the way we work in order to ensure that everyone is treated fairly, equally and have access to the same opportunities as is reasonably practicable.

TWAM recognises the guidelines of the Commission for Racial Equality's Code of Conduct, the Disability Discrimination Act, the Race Relations Act and the Sex Discrimination Act.

Employees and Volunteers

We will ensure that no member of staff or volunteer will receive less favourable treatment on irrelevant, inappropriate or illegal grounds, particularly including (but not exclusive to) age; gender; religion; cultural or ethnic origin; race; disability; HIV status; sexual orientation or marital status.

Anyone who feels they have been denied equality of opportunity will be encouraged to feedback using the complaints procedure described in the Employment Contract for staff and Volunteer Handbook for volunteers.

Tools with a Mission is a Christian organisation with a Christian ethos and certain roles are covered by the "genuine occupational requirement" (GOR) that the person employed is a Christian. This includes roles that require the employee to:

1. **Lead the Christian purpose of the organisation, setting the vision and strategy,understanding and articulating the theology of the organisation**

Tools with a Mission, 2 Bailey Close, Hadleigh Road Industrial Estate, Ipswich, IP2 0UD
t: 01473 210220 e: post@twam.uk twam.co.uk
Registered charity No: 1104903 (England and Wales) SC044069 (Scotland)
A company limited by guarantee and registered in England no: 5114575

2. **Lead the development of or delivering the main Christian activity/ies of the organisation. Represent the Christian purpose of the organisation, speaking, preaching, advocating on behalf of the organisation**
3. **Being the face-to-face contact with the public, delivering the Christian purpose of the organisation to those whom the organisation serves**
4. **Being the "voice" of the organisation, representing the organisation to enquirers, being the point of contact about the organisation**
5. **Being responsible inside the organisation for representing, promoting, maintaining and ensuring the transference of the Christian ethos of the organisation.**
6. **Leading or supporting the spiritual life of the organisation, conducting acts of worship, prayer times, retreats, responsible for spiritual development.**

Anti-discriminatory Practice

TWAM is committed to ensuring that anti-discriminatory practice is promoted throughout the organisation. The organisation aims to develop employees and volunteers to become fully sensitive to the culture, race, gender, disability, sexual orientation and social background of others.

TWAM will take all reasonable steps to ensure that people with different cultures, religions, abilities and social practices are welcomed into a non-threatening environment where they are valued because of who they are.

Protected Characteristic Definitions

The Equality Act protects individuals with protected characteristics and TWAM is determined to create an environment free of harassment, bullying and discrimination, where everyone is treated with dignity and respect whether or not they have protected characteristic. Protected characteristics are defined as:

Age

Age refers to an individual's age group and when it refers to a group of individuals people who share the protected characteristic of age, it means they are in the same age group.
An age group can:

- **mean individuals of the same age or a range of ages**
- **be wide such as 'people under 50'**
- **be narrow such as 'people in their mid-50s' or people born in a particular year**
- **be relative, such as 'older than me' or 'older than us'**
- **be linked to actual or assumed physical appearance which may bear little relation to chronological age such as 'the grey workforce'.**

Disability

An individual is a disabled person (someone who has the protected characteristic of disability) if they have a physical and/or mental impairment which has what the law calls 'a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities'.

Tools with a Mission, 2 Bailey Close, Hadleigh Road Industrial Estate, Ipswich, IP2 0UD
t: 01473 210220 e: post@twam.uk twam.co.uk
Registered charity No: 1104903 (England and Wales) SC044069 (Scotland)
A company limited by guarantee and registered in England no: 5114575

There is no need for an individual to have a medically diagnosed cause for their impairment; what matters is the effect of the impairment not the cause.

In relation to physical impairment:

- **Conditions that affect the body such as arthritis, hearing or sight impairment (unless this is correctable by glasses or contact lenses), diabetes, asthma, epilepsy, conditions such as HIV infection, cancer and multiple sclerosis, as well as loss of limbs or the use of limbs are covered.**
- **HIV infection, cancer and multiple sclerosis are covered from the point of diagnosis.**
- **Severe disfigurement (such as scarring) is covered even if it has no physical impact on the person with the disfigurement, provided the long-term requirement is met (see below).**
- **People who are registered as blind or partially sighted, or who are certified as being blind or partially sighted by a consultant ophthalmologist, are automatically treated as disabled under the Act.**
- **Mental impairment includes conditions such as dyslexia and autism as well as learning disabilities such as Down's syndrome and mental health conditions such as depression and schizophrenia.**

The other tests to apply to decide if someone has the protected characteristic of disability are:

- **The length the effect of the condition has lasted or will continue: it must be long term. 'Long term' means that an impairment is likely to last for the rest of the person's life, or has lasted at least 12 months or where the total period for which it lasts is likely to be at least 12 months. If the person no longer has the condition but it is likely to recur or if the person no longer has the condition, they will be considered to be a disabled person.**
- **Whether the effect of the impairment is to make it more difficult and/or time-consuming for an individual to carry out an activity compared to someone who does not have the impairment, and this causes more than minor or trivial inconvenience.**
- **If the activities that are made more difficult are 'normal day-to-day activities' at work or at home.**

Whether the condition has this impact without taking into account the effect of any medication the person is taking or any aids or assistance or adaptations they have, like a wheelchair, walking stick, assistance dog or special software on their computer. The exception to this is the wearing of glasses or contact lenses where it is the effect while the person is wearing the glasses or contact lenses, which is taken into account.

Progressive conditions and those with fluctuating or recurring effects are included, such as depression, provided they meet the test of having a substantial and long-term adverse effect on an individual's ability to carry out normal day- to-day activities.

Gender reassignment

Tools with a Mission, 2 Bailey Close, Hadleigh Road Industrial Estate, Ipswich, IP2 0UD
t: 01473 210220 e: post@twam.uk twam.co.uk
Registered charity No: 1104903 (England and Wales) SC044069 (Scotland)
A company limited by guarantee and registered in England no: 5114575

Gender reassignment is an individual process (rather than a medical process) which involves an individual expressing their gender in a way that differs from or is inconsistent with the physical sex they were born with.

This personal process may include undergoing medical procedures or, as is more likely for school pupils, it may simply include choosing to dress in a different way as part of the personal process of change.

An individual will be protected because of gender reassignment where they:

- **make their intention known to someone – it does not matter who this is, whether it is someone at school or at home or someone like a doctor:**
- **once they have proposed to undergo gender reassignment they are protected, even if they take no further steps or they decide to stop later on**
- **they do not have to have reached an irrevocable decision that they will undergo gender reassignment, but as soon as there is a manifestation of this intention they are protected**
- **start or continue to dress, behave or live (full-time or part-time) according to the gender they identify with as an individual**
- **undergo treatment related to gender reassignment, such as surgery or hormone therapy, or**
- **have received gender recognition under the Gender Recognition Act 2004.**

It does not matter which of these applies to an individual for them to be protected because of the characteristic of gender reassignment. This guidance uses the term 'transsexual person' to refer to someone who has the protected characteristic of gender reassignment.

Pregnancy and maternity

The protected characteristic of pregnancy and maternity is not defined as such by the Equality Act 2010. However, s.18 of the Act provides that the forms of unfavourable treatment listed below constitute pregnancy and maternity discrimination, and it is therefore clear that these aspects of pregnancy and maternity are covered. Section 18 covers unfavourable treatment of a woman, during the "protected period" in relation to a pregnancy of hers, because of:

- **her pregnancy; or**
- **illness suffered by her as a result of pregnancy;**

An individual also discriminates against a woman if they treat her unfavourably because:

- **she is on compulsory maternity leave; or**
- **she is exercising or seeking to exercise, or has exercised or sought to exercise, the right to ordinary or additional maternity leave.**

Race

Race means an individual's:

- **ethnic or national origin and a racial group is composed of people who have or share a colour, nationality or ethnic or national origins.**
- **colour, and/or**

Tools with a Mission, 2 Bailey Close, Hadleigh Road Industrial Estate, Ipswich, IP2 0UD
t: 01473 210220 e: post@twam.uk twam.co.uk
Registered charity No: 1104903 (England and Wales) SC044069 (Scotland)
A company limited by guarantee and registered in England no: 5114575

- **nationality (including citizenship).**

An individual has the protected characteristic of race if they belong to a particular racial group, such as 'British people'. Racial groups can comprise two or more racial groups such as 'British Asians'

Religion or belief

TWAM is a Christian charity based on the principles laid down within the Bible. TWAM recognises that our staff and volunteers are of faith and no-faith and seek to respect them all equally.

TWAM recognises that the protected characteristic of religion or belief includes any religion and any religious or philosophical belief. It also includes a lack of any such religion or belief.

A religion need not be mainstream or well known to gain protection as a religion. It must, though, be identifiable and have a clear structure and belief system. Denominations or sects within religions may be considered a religion. Cults and new religious movements may also be considered religions or beliefs. Belief means any religious or philosophical belief and includes a lack of belief.

'Religious belief' goes beyond beliefs about and adherence to a religion or its central articles of faith and may vary from person to person within the same religion.

A belief which is not a religious belief may be a philosophical belief, such as humanism or atheism. A belief need not include faith or worship of a god or gods, but must affect how an individual lives their life or perceives the world.

For a belief to be protected by the Equality Act:

- **It must be genuinely held.**
- **It must be a belief and not an opinion or viewpoint based on information available at the moment**
- **It must be a belief as to a weighty and substantial aspect of human life and behaviour.**
- **It must attain a certain level of cogency, seriousness, cohesion and importance.**
- **It must be worthy of respect in a democratic society.**
- **It must be compatible with human dignity and not conflict with the fundamental rights of others.**

Sex

An individual's sex refers to the fact that they are male or female. In relation to a group of people, it refers to either men or women or to either boys or girls.

Sexual orientation

Sexual orientation means the attraction an individual feels towards one sex or another (or both), which determines who they form intimate relationships with or are attracted to.

- **Some people are only attracted to those of the same sex.**

Tools with a Mission, 2 Bailey Close, Hadleigh Road Industrial Estate, Ipswich, IP2 0UD
t: 01473 210220 e: post@twam.uk twam.co.uk
Registered charity No: 1104903 (England and Wales) SC044069 (Scotland)
A company limited by guarantee and registered in England no: 5114575

- **Some people are attracted to people of both sexes.**
- **Some people are only attracted to the opposite sex.**

Everyone is protected from being treated worse because of sexual orientation. Sexual orientation discrimination also covers discrimination connected with manifestations of that sexual orientation.

Marriage or Civil Partnerships

Marriage and Civil Partnership means people who are married or who are civil partners. A married man and a woman in a civil partnership both share the protected characteristic of marriage and civil partnership. Under the Equality Act 2010, marriage is not defined, but the code of practice states that it means "any formal union of a man and a woman which is legally recognised in the UK as a marriage". A civil partnership is one that is registered under the Civil Partnership Act 2004, including those registered outside the UK.

Discrimination

Discrimination is where an individual or group of individuals is treated less favourably because of a protected characteristic.

Direct Discrimination

This tends to be obvious discrimination, for example, a female candidate with the best qualifications and experience does not get an interview, but a male candidate with fewer qualifications does.

Or, if she is already in a job, she is ignored for promotion, the job going to a less qualified male worker.

Indirect Discrimination

Indirect discrimination is when a working condition or rule disadvantages one group of people more than another. For example, saying that applicants for a job must be clean shaven puts members of some religious groups at a disadvantage.

Indirect discrimination is unlawful, whether or not it is done on purpose. It is only allowed if it is necessary for the way the business works, and there is no other way of achieving it. For example, the condition that applicants must be clean shaven might be justified if the job involved handling food and it could be shown that having a beard or moustache was a genuine hygiene risk.

Harassment

Some harassment is unlawful discrimination and serious harassment may be a criminal offence. Harassment is unwanted conduct related to relevant protected characteristics, which are sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age, that:

Tools with a Mission, 2 Bailey Close, Hadleigh Road Industrial Estate, Ipswich, IP2 0UD
t: 01473 210220 e: post@twam.uk twam.co.uk
Registered charity No: 1104903 (England and Wales) SC044069 (Scotland)
A company limited by guarantee and registered in England no: 5114575

- **has the purpose of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or**
- **is reasonably considered by that person to have the effect of violating his/her dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for him/her, even if this effect was not intended by the person responsible for the conduct.**

Examples of harassment would include: physical conduct ranging from unwelcome touching to serious assault; unwelcome sexual advances; demeaning comments about an individual's appearance; unwelcome jokes or comments of a sexual or racial nature or about an individual's age; excluding an individual because he/she is associated or connected with someone with a protected characteristic.

Conduct may be harassment whether or not the person behaving in that way intends to offend. Something intended as a "joke" may offend another person. Behaviour that any reasonable person would realise would be likely to offend will be harassment without the recipient having to make it clear in advance that behaviour of that type is not acceptable to him/her. A single incident can be harassment if it is sufficiently serious.

Right to Report Harassment / Bullying

TWAM will treat all complaints of harassment seriously and will investigate them promptly, efficiently and in confidence.

Third Party Harassment

Third party harassment occurs either:

- **Where a person experiences harassment by someone who doesn't work for the organisation for instance, a contractor, supplier or visitor. Harassment and Discrimination caused by a third party and steps to prevent such Harassment and Discrimination should always be documented, reported, acted upon and retained in the employees' or volunteers' personnel file.**
- **Where a person witnesses the harassment of another person and is deeply affected by the experience. In this case the complaints procedure outlined in the employment contract and volunteer handbook should be followed.**

Your Responsibilities

Everyone is required to assist TWAM to meet its commitment to provide equal opportunities and uphold the integrity of this policy. Individuals can be held personally liable as well as, or instead of, TWAM, for any act of unlawful discrimination.

Tools with a Mission, 2 Bailey Close, Hadleigh Road Industrial Estate, Ipswich, IP2 0UD
t: 01473 210220 e: post@twam.uk twam.co.uk
Registered charity No: 1104903 (England and Wales) SC044069 (Scotland)
A company limited by guarantee and registered in England no: 5114575