

Millennium Farm Trust

HR10 Equal Opportunities Policy V05

Next review date: June 2025



Version Control

Version number	Date of changes	Who	Review summary
04	Feb 2020	T Freathy	Re draft for SCG Code of Practice
05	March 21	T Freathy	Annual review
	May 2022	T Freathy	Annual review. No changes
	June 2024	T Freathy	Scheduled review, no changes

Scope of Policy

This policy and the principles of non-discrimination and equality of opportunity apply to all employees, volunteers. This includes job advertisements, recruitment and selection, training and development, opportunities for promotion, conditions of service, pay and benefits, conduct at work, disciplinary and grievance procedures and termination. It also applies to how staff and volunteers deal with farm helpers and their associated commissioners and suppliers of the Farm and anyone else dealt with in the course of business. The Equality Act 2010 sets out ways in which it is unlawful to treat someone, including direct or indirect discrimination, harassment, victimisation and failing to make a reasonable adjustment for a disabled person.

This policy does not form part of any employee's contract of employment and may be amended at any time

Aims of Policy

The policy aims to:

- Create an environment in which individual differences and the contributions of all employees and volunteers are recognised and valued
- Ensure compliance with our legal obligations under the Equalities Act 2010.
- Communicate the commitment of the Trustees and members of MFT to the promotion of equality of opportunity

Diversity is about recognising that everyone is different, whilst respecting and valuing those differences and realising the business benefits of having a diverse workforce. All staff and volunteers have a duty to act in accordance with this policy, to treat colleagues with dignity at all times, and not to discriminate against or harass other people regardless of their status.

We will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities. We are committed to ensuring that training, development and progression opportunities are available to all employees. Our employment policies and procedures are reviewed regularly to ensure fairness and good practice. Any form of discrimination may be unlawful and breaches of MFT's Equality and Diversity policy.

Discrimination will be treated as a disciplinary offence and dealt with under the disciplinary procedures.

Policy Statement

We are opposed to all forms of unlawful and unfair direct and indirect discrimination, discrimination by perception, associative discrimination and discrimination arising from a disability, harassment, third party harassment and victimisation. A note outlining the definitions and examples of these types of discrimination is reproduced at Annex A of this policy.

Discrimination against staff or volunteers or farm helpers on the basis of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation (protected characteristics) is neither legal nor acceptable.

All staff, volunteers farm helpers, support workers, members, friends and visitors of MFT will be treated fairly and will not be discriminated against on any of the above grounds. Decisions on any service or other benefit will be made objectively, without unlawful discrimination, and based on aptitude and ability.

We recognise that the provision of equal opportunities in all our activities will benefit the organisation. Our equal opportunities policy will help MFT people to develop their full potential and the talents and resources will be utilised fully to maximise the effectiveness of the organisation.

MFT recognises its statutory duty under the Equalities Act 2010, to implement an equal opportunities policy. This policy applies to applicants for employment, volunteers and members of the group alike.

MFT is committed to the principles and practice of Equality. MFT values diversity. We want our services, facilities and resources to be accessible and useful to every citizen regardless of gender, age, ethnic origin, religious belief, disability, marital status, sexual orientation, or any other individual characteristic which may unfairly affect a person's opportunities in life.

Equality commitments

We are committed to:

- promoting equality of opportunity for all persons
- promoting a good and harmonious learning environment in which all people are treated with respect and dignity and in which no form of intimidation or harassment is tolerated
- preventing occurrences of unlawful direct discrimination, indirect discrimination, discrimination by perception, associative discrimination and discrimination arising from a disability, harassment, third party harassment and victimisation.
- fulfilling all our legal obligations under the equality legislation and associated codes of practice
- complying with our own equal opportunities policy and associated policies
- taking lawful affirmative or positive action, where appropriate
- breaches of our equal opportunities policy will be regarded as misconduct and could lead to termination of membership

Responsibility for this policy

The Trustees have overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law. Day-to-day operational responsibility, including regular review of this policy, has been delegated to the Director.

All staff must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities. Staff will be given appropriate training on equal opportunities awareness and best practice for equal opportunities recruitment and selection. The Director has overall responsibility for equal opportunities training. If you are involved in management or recruitment, or if you have any questions about the content or application of this policy, you should contact the Director.

All employees and volunteers must contribute to an environment that embraces diversity, ensuring their behaviour and actions do not amount to discrimination, harassment, bullying or victimisation in any way.

Employees or volunteers who believe they are victims of harassment may report any behaviour that is or may be regarded as such to their manager without the need to make a formal complaint.

Employees who believe they are victims of harassment are encouraged to use the MFT Grievance Procedure.

This policy will be read by all employees and volunteers as part of the induction process and it forms part of the staff handbook.

Implementation

The MFT Trustees, committee and staff have specific responsibility for the effective implementation of this policy. We expect staff, volunteers, farm helpers, support workers and members to abide by the policy and help to create the equality environment which is its objective.

In order to implement this policy, we shall:

- Communicate the policy to our staff, volunteers farm helpers, support workers, and members by issuing an induction pamphlet to all at induction and if the policy changes.
- MFT will endeavour through appropriate training to ensure that it will not consciously, or unconsciously discriminate in the selection or recruitment of applicants for membership of the group
- Incorporate specific and appropriate duties in respect of implementing the equal opportunities policy into roles and responsibilities of trustees, committee members and staff members and volunteers
- Incorporate equal opportunities notices into general communications practices (e.g. announcements, annual report at annual general meeting, notices and newsletters). This policy will be read out to all attendees at each annual general meeting

- Ensure that adequate resources are made available to fulfil the objectives of the policy

Monitoring and review

We will establish appropriate information and monitoring systems to assist the effective implementation of our equal opportunities policy. The effectiveness of the equal opportunities policy will be reviewed regularly (at least annually) and action taken as necessary.

Complaints

Anyone who believe that they have suffered any form of discrimination, harassment or victimisation are entitled to raise the matter through the agreed procedures. A copy of these procedures is available from the secretary. All complaints of discrimination will be dealt with seriously, promptly and confidentially.

Every effort will be made to ensure that anyone who makes a complaint will not be victimised. Any complaint of victimisation will be dealt with seriously, promptly and confidentially. Victimisation will result in disciplinary action and may warrant dismissal.

Complaints will be dealt with under our Grievance Policy and Procedure

Annex A

Equalities Act 2010: Types of Discrimination

Direct discrimination

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have or because they associate with someone who has a protected characteristic.

Discrimination by association

Associative discrimination now applies for all practical purposes to all the discrimination strands. It did apply already to race, religion or belief and sexual orientation and has been extended to cover age, disability, gender reassignment and sex. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

An example of associative discrimination might be a non-disabled employee who is discriminated against because of action she needs to take to care for a disabled dependant. The Act extends disability discrimination to '**Discrimination ARISING from disability**'. The clause provides that it is discrimination to treat a disabled person in a particular way which, because of his or her disability, amounts to treating him or her badly and the treatment cannot be shown to be justified. For this type of discrimination to occur, the employer or other person must know, or could reasonably be expected to know, that the disabled person has a disability. Also, the person who treats the disabled person in that way may still be liable for discrimination under this provision, whether or not the duty to make reasonable adjustments has been complied with.

The protection by association could have implications in relation to requests for time off or flexible working, parking permits for student parents with disabled children, etc.

Perception discrimination

Perceptive discrimination applies for all practical purposes to all the discrimination types. This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Indirect discrimination

Indirect discrimination is when a condition, rule, policy or even a practice applies to everyone, but has a disproportionate impact on people with a protected characteristic. Indirect discrimination can be justified if we can demonstrate that we acted reasonably for a sound business reason: i.e. that it is 'a proportionate means of achieving a legitimate aim'. A legitimate aim might be any lawful decision, but if there is a discriminatory effect, the sole aim of reducing costs is likely to be unlawful. Being proportionate really means being fair

and reasonable, including showing that you've looked at 'less discriminatory' alternatives to any decision you make.

Equality Impact Assessments could be a useful tool in this area, to demonstrate consideration of different options. These will continue to be rolled out across the University accompanied by staff training if required.

Harassment

Harassment is "unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual".

Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership. Employees will now be able to complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves. Employees are also protected from harassment because of perception and association.

Harassment will apply to all protected characteristics except for pregnancy and maternity and marriage and civil partnership. However, because of the overlap with sex and sexual orientation discrimination, for practical purposes, employers should assume the same protection will be given to people with these characteristics as for other protected characteristics.

Third party harassment

The Equality Act makes us potentially liable for harassment of our employees by people (third parties) who are not employees (for example, contractors or external trainers. Third parties can also include farm helpers). Strict requirements for third party harassment means that one-off incidents may still occur without the employee having recourse to complain: we will be liable however when harassment has occurred on at least two previous occasions, and we are aware that it has taken place and have not taken reasonable steps to prevent it from happening again.

Victimisation

Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint. There is no longer a need to compare treatment of a complainant with that of a person who has not made or supported a complaint under the Act.