

Equalities and Diversity Factsheet

This factsheet will cover the following key issues and topics relating to equalities and diversity for VCSE organisations:

- Equalities Definitions
- Equalities Act 2010 and the Charities Exemption
- Discrimination and Harassment
- Positive Action and Discrimination
- Equalities Policies

Equalities Definitions

Different people and organisations may define equalities terms differently depending on their perspectives and context. Here is a summary of common definitions used in the VCSE sector:

Equality is about ensuring every individual has equal opportunities to realise their potential and no one has reduced life chances or is treated unfavourably because of their individual characteristics.

Equity is about treating people differently dependent on their individual needs to remove barriers and ensure they can access the same opportunities and so achieve the same outcomes.

Diversity is about recognising the differences between people and valuing those differences. It is also about ensuring people with different characteristics, experiences and from the different communities we serve are welcomed, included and can participate fully in our organisations.

Equalities Act 2010 and the Charities Exemption

The **Equalities Act 2010** makes discrimination or harassment against anyone because of a 'protected characteristic' illegal in a wide range of areas including employment and service provision.

The protected characteristics identified are:

- age
- disability
- gender
- reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

However, there are a few exceptions to this, including the **charities' exception** that allows a charity to discriminate by limiting the group of people it helps or by targeting benefits to particular groups.

This [government guidance](#) explains the charities' exception in the Equality Act 2010.

Equality law applies to any size organisation that provides goods, facilities or services to members of the public, even if services are free of charge. Anyone who acts on behalf of your organisation is subject to equality law whether they are paid or unpaid.

This [Equality and Human Rights Commission guidance](#) explains what equality law means for your voluntary and community sector organisation (including charities and religious organisations).

Discrimination and Harassment

Several categories of discrimination and harassment are set out in law:

- **Direct discrimination** is treating someone less favourably or excluding them because of a particular protected characteristic.
- **Indirect discrimination** is applying a practice or criteria that disadvantages someone with a protected characteristic without justification.
- **Victimisation** is treating someone less favourably when they have raised a concern or made a complaint about discrimination.
- **Harassment** is unwanted behaviour in relation to a protected characteristic that violates dignity or makes someone feel intimidated, humiliated or offended.

We need to be aware of these categories because sometimes as individuals or organisations, we can discriminate against someone unintentionally. Also some disadvantaged groups or people with protected characteristics are more likely to experience discrimination and harassment than others.

More information is available in this [ACAS guide](#) which sets out what all employers, employees and volunteers need to do to comply with equality law.

[NCVO advice](#) is available on responding to discrimination or harassment and links to organisations that help.

Positive Action and Discrimination

Positive action can be legally taken when recruiting if certain groups are under-represented in a role. It allows for applications from under-represented groups to be encouraged to help overcome disadvantage. However, once the job has been advertised, positive action must cease and selection and appointments should be made solely on individual merit according to the agreed criteria.

Positive discrimination, which is preferential recruitment based on a protected characteristic, is illegal in most situations. The Equality Act 2010 does allow reasonable adjustments for individuals with disabilities to enable them to access the recruitment process and avoid disadvantage in the workplace.



Equalities Policies

An equalities policy is important because it sets out in a written agreement how your organisation will be safe and inclusive for people who use your services or facilities. It should make clear your commitment to equality and explains what is expected of staff and volunteers. Procedures for managing any situation of discrimination or harassment in your organisation should also be included.

Diversity can also be added to an equalities policy by specifying how you will recognise and respect the range of differences in your organisation and value individual skills and strengths.

Equalities monitoring is important to determine if our services are reaching those who need them from all sections of the communities served. It can also highlight any access issues and barriers that people face.

Information and guidance for VCSE organisations on equalities and diversity in employment and a link to the ACAS template for an equality policy is available on the [NCVO website](#).

Voscur is a council for voluntary service and a development agency for the voluntary, community and social enterprise sector in Bristol.

We deliver **training** on different aspects of running a VCSE organisation. Follow this link to our VCSE Academy to look for upcoming courses: <https://www.vcseacademy.org/courses/> We can also offer bespoke training for your organisation, so do get in touch to discuss your training needs.

Voscur is here to **support** VCSE organisations. For support, advice and guidance on how to apply this information in your particular circumstances, please contact us: info@voscur.org 0117 909 9949

