

North England Conference of Seventh-day Adventists

EQUAL OPPORTUNITIES POLICY FOR THE NEC OFFICE

The following document sets out the North England Conference of Seventh-day Adventists' (the NEC) Policy on Equal Opportunities. The NEC is committed to a policy of treating its employees and job applicants equally within the framework of its Working Policy. No employee or potential employee shall receive less favourable treatment or consideration on the grounds of race, colour, ethnic or national origin, age, disability, marital status as defined by section 3 of the Sex Discrimination Act 1975, or part-time status or be disadvantaged by any conditions of employment that cannot be justified as necessary on operational grounds and the beliefs of the Seventh-day Adventist Church.

The NEC's Policies on Maternity, Paternity, Adoption and Parental Leave are set out in separate documents, copies of which are available from the Personnel Director.

1. PRINCIPLES

- (a) In order to safeguard the values and ethos of the Seventh-day Adventist Church the NEC will give preference to employing persons who are members of the Seventh-day Adventist Church. There shall be no discrimination on account of race, colour, ethnic or national origin, age, disability, nationality, marital status as defined by section 3 of the Sex Discrimination Act 1975 or part-time status.
- (b) The NEC will appoint, train, develop, reward and promote on the basis of merit and ability within the framework of the policy of the NEC.
- (c) All employees have personal responsibility for the practical application of the NEC's Equal Opportunities Policy, which extends to the treatment of job applicants, employees and church members.
- (d) Special responsibility for the practical application of the NEC's Equal Opportunities Policy falls upon Department Heads, Personnel Directors and the Executive Officers involved in the recruitment, selection, promotion and training of employees.
- (e) The NEC's Grievance Procedure is available to any employee who believes that he or she may have been unfairly discriminated against. Likewise the separate harassment complaints procedures are available to any employee who believes that he or she may have been harassed. Employees will not be victimised in any way for making such complaints in good faith. Complaints of this nature will be dealt with seriously, in confidence, and as soon as possible.
- (f) Disciplinary action will be taken against any employee who is found to have committed an act of unlawful discrimination. Serious breaches of this Policy and serious incidents of harassment will be treated as gross misconduct. Allegations of discrimination, which are not made in good faith, will also be considered as a disciplinary matter. Confidential records of ongoing matters dealt with in accordance with this Policy will be kept.
- (g) In the case of any doubt or concern about the application of this Policy in any particular incident the Personnel Director is to be consulted.
- (h) The NEC will keep under review its policy, procedures and practice on Equal Opportunities and make changes as and when needed.

2. EQUAL OPPORTUNITIES CODE OF PRACTICE

(a) Objectives

- (i) The NEC Office regards this as a commitment to make full use of the talents and resources of all its employees and to provide a healthy environment, which will encourage good and productive working operations within the organisation. This code of practice describes how the policies are to be applied in the NEC Office.
- (ii) The NEC is particularly concerned that equality of opportunity is maintained in the following areas:
 - Recruitment and selection;
 - Promotion and training;
 - Terms of employment, benefits, facilities and services;
 - Grievances and Disciplinary Procedures;
 - Dismissals and redundancies.

(b) Code of practice

- (i) An Equal Opportunities Policy statement will be sent to all staff. A copy of this policy is available from the Personnel Director.
- (ii) The NEC will ensure that all Department Heads/Personnel Directors and Executive Officers with responsibility for any of the areas of particular concern listed under objectives above are provided with the appropriate Equal Opportunities training when necessary.
- (iii) The Personnel Director will regularly monitor the effectiveness of this policy to ensure that it is working in practice and review and update the policy as and when necessary in consultation with the Executive Officers and the NEC Executive Committee.

(c) Recruitment and selection

The following principles should apply whenever recruitment or selection for positions takes place:

- (i) Individuals will be assessed according to their personal capacity to carry out a given job and preference will be given to Seventh-day Adventist Church members.
- (ii) Assumptions that only certain types of persons will be able to perform certain types of work must not be made.
- (iii) Any qualifications or requirements applied to a job which have or may have the effect of inhibiting applications from certain types of persons should only be retained if they can be justified in terms of the job to be done.
- (iv) Any age limits applied to a job should only be retained if they can be justified in terms of the job to be done.
- (v) Recruitment solely or primarily by word of mouth should be avoided. Vacant positions should be advertised as widely as appropriate to the nature and scope of the post (temporary/permanent, part-time/full-time) through official church channels ie. Messenger, BUC News, letters/posters to local churches.

- (vi) Selection tests should be specifically related to job requirements and should measure the person's actual or inherent ability to do or train for the work.
- (vii) Selection tests should be reviewed regularly to ensure they remain relevant and free from any unjustifiable bias either in content or in scoring mechanism.
- (viii) Applications from different types of person should be processed in the same way.
- (ix) Written records of interviews and reasons for appointment and non-appointment should be kept subject to the overriding requirements of the Data Protection Act.
- (x) Questions should relate to the requirements of the job. If it is necessary to assess whether personal circumstances may affect job performance this should be done objectively without questions or assumptions being made which are based on stereotyped beliefs about certain types of person.
- (xi) No decisions regarding recruitment or selection should be made by a person who has not read and understood this policy.

(d) Promotion and training

The following principles should apply to appointments for promotion and training:

- (i) Assessment criteria and appraisal schemes should be carefully examined to ensure that they are not unlawfully discriminatory.
- (ii) Assessment criteria and appraisal schemes should be monitored and where such criteria or schemes result in predominantly one group of employees gaining access to promotion or training it will be checked that this is not due to any hidden or indirect discrimination.
- (iii) Promotion and career development patterns will be monitored to ensure that access to promotion and career development opportunities in particular groups of employees are not unjustifiably being excluded.
- (iv) Traditional qualifications and requirements for promotion and training such as length of service and age, which may discriminate against certain groups of employees shall be reviewed and will only continue to be applied if genuinely justified.
- (v) Policies and practice regarding selection for training, day release and personal development should not result in an imbalance in training between groups of employees unless this is objectively justified.
- (vi) Where the NEC's arrangements in relation to promotion or training put disabled employees at a substantial disadvantage for a reason connected with their disability, reasonable adjustments to the arrangement should be made to eliminate, or if that is not reasonably practicable, reduce the disadvantage unless objectively justified.

(e) Terms of employment, benefits, facilities and services

The following principles should apply to terms of employment, benefits, facilities and services:

- (i) The terms of employment, benefits, facilities and services available to employees should be reviewed regularly to ensure that they are provided in a way which is free from unlawful discrimination.
- (ii) Part-time employees should receive pay, benefits, facilities and services on a pro-rata basis to their full-time comparator unless otherwise objectively justified.

- (iii) Where the NEC's arrangements relating to terms of employment, benefits, facilities and services put disabled employees at a substantial disadvantage due to a reason connected with their disability, reasonable adjustments to the arrangements should be made to eliminate, or if this is not reasonably practical, reduce the disadvantage unless otherwise objectively justified.
- (iv) Pay, policies and arrangements should be carefully examined and monitored and if it appears that any group of employees are disadvantaged by them they will be checked to make sure this is not due to any hidden or indirect discrimination.

(f) Grievances, disciplinary procedures, dismissals and redundancies

- (i) Employees who in good faith bring a grievance (or assist another to do so) either under this policy or otherwise in relation to an Equal Opportunities matter will not be disciplined, dismissed or otherwise victimised for having done so.
- (ii) Any group of employees will not be disciplined or dismissed for performance or behaviour which would be overlooked or condoned in another group unless there is genuine and lawful justification for this.
- (iii) Redundancy criteria and procedures will be carefully examined to ensure that they do not operate in an unlawfully discriminatory manner.

3. HARASSMENT

(a) Policy statement

- (i) All employees have the right to work in an environment which is free from any form of harassment.
- (ii) It is the NEC's policy that the harassment of any of its employees is unacceptable behaviour. Anyone found to be in breach of this policy will be liable to disciplinary action which could result in their dismissal.

(b) Harassment – what is it?

- (i) Harassment takes many forms, occurs on a variety of different grounds and can be directed at one person or many people. An essential characteristic is that it is unwanted by the recipient and that the recipient finds the conduct offensive or unacceptable. Conduct becomes harassment if it is persisted in once it has been made clear that it is regarded by the recipient as offensive although a single incident may amount to harassment if it is sufficiently serious. It is the unwanted nature of the conduct which distinguishes harassment from friendly behaviour which is welcome and mutual.
- (ii) Harassment can be based on:
 - Race, ethnic origin, nationality, or skin colour;
 - Authority;
 - Willingness to challenge harassment (leading to victimisation);
 - Disability, sensory impairments or learning difficulties;
 - Age;
 - Health, physical characteristics, personal beliefs, religion.

(iii) Whilst not an exhaustive list forms of harassment include:

- Physical contact;
- Offensive jokes/language, gossip, slander, offensive songs, letters, offensive e-mails and screen savers etc;
- Posters, graffiti, obscene gestures and emblems;
- Isolation or non-co-operation and exclusion;
- Coercion for sexual favours;
- Pressure to participate in political groups;

(iv) Harassment is unlawful in many cases and individuals may be legally held liable for their actions.

(c) Procedure

- (i) Due to the seriousness with which the NEC views harassment informal and formal reporting procedures have been introduced which are separate from the Grievance Procedure as a mechanism for dealing with complaints of harassment.
- (ii) All allegations of harassment will be dealt with seriously, promptly and in confidence. Employees who feel they have been subjected to harassment must not hesitate in using this procedure nor fear victimisation. Retaliation against an employee who brings a complaint of harassment is a serious disciplinary offence which may constitute gross misconduct.
- (iii) Personnel Directors will supply in confidence advice and assistance to employees subjected to harassment and assist in the resolution of any problems whether through informal or formal means.

(d) Informal stage

- (i) It is entirely in order for a recipient of unwanted conduct amounting to harassment to try and resolve the problem if he/she so prefers, by explaining to the individual concerned that the behaviour is not welcome, that it offends or makes the recipient uncomfortable and that it interferes with their work.
- (ii) Anyone who has been subjected to harassing or bullying behaviour may seek confidential assistance from personnel who have been given the responsibility to assist. All assisting staff will receive training to enable them to advise you in devising means of preventing a re-occurrence of the unwanted behaviour.
- (iii) An informal approach to an assisting staff member will be treated as completely confidential and will not result in any report to anyone within the Seventh-day Adventist organisation unless the complainant agrees.
- (iv) If the complainant prefers, or finds it difficult or embarrassing to take up the matter himself/herself, the assisting member of staff will participate in an informal meeting between the individuals concerned or will, if requested, approach the individual on the complainant's behalf.
- (v) The informal stage will not result in any formal internal investigation or disciplinary action but is intended to enable you to resolve the matter yourself without it going any further in the Seventh-day Adventist organisation.

- (vi) If the complainant considers that he/she may have been subjected to conduct amounting to a criminal offence (such as a sexual assault) he/she is entitled to seek the assistance of the appointed staff member to make a formal complaint to a police officer or to provide other assistance the complainant may require. In such a serious instance the appointed staff member will inform one of the designated officers of the outline circumstances of the case and will liaise with him/her to arrange special discretionary compassionate leave for the complainant, if necessary.

(e) Formal Stage

- (i) Where informal resolution is not appropriate, is not requested, or where the outcome has been unsatisfactory, then the complainant may bring a formal complaint to one of the designated complaints officers.
- (ii) If so desired the assisting member of staff will help the complainant to prepare your complaint as well as to accompany him/her to the meetings. All complaints will be thoroughly and expeditiously investigated. They will be conducted in an independent and objective manner by someone unconnected with the allegations and at least of equal grade/status with the alleged harasser. Wherever possible investigations will be completed within two weeks of the complaint being made.
- (iii) Investigations will be carried out with sensitivity and with due respect for the rights of both the complainant and the alleged harasser. All those interviewed will be permitted to be accompanied by a friend or colleague.
- (iv) The importance of confidentiality will be stressed to all those interviewed and everyone will be strictly required not to discuss the complaint with colleagues or friends. Breach of confidentiality may give rise to disciplinary action.
- (v) The investigation will focus on the facts of the complaint. Notes will be kept of all stages of the investigation and those interviewed will receive notes of the interview to agree. Parties will not be required to repeat distressing or embarrassing details any more than necessary.
- (vi) Wherever possible, consideration will be given to ensuring that the complainant and the alleged harasser are not required to work together whilst the complaint is under investigation.
- (vii) The complainant will be kept informed of the general progress of the process of investigation and will be informed whether the complaint has been upheld and is to result in disciplinary action. (The rights of the alleged harasser as to the confidentiality of the details of any disciplinary sanction will be respected).
- (viii) Where a complaint has been upheld, consideration will be given, wherever possible, to permitting the complainant to choose whether they wish to remain in their current post or to transfer. The Seventh-day Adventist employing body will seek to ensure that the complainant is not in any way penalised whether directly or indirectly for bringing a complaint and the situation will be monitored to ensure that the harassment has stopped.
- (ix) Even where a complaint is not upheld, for example where the evidence is inconclusive, consideration will be given to effecting arrangements which will enable the parties not to continue to work together against the wishes of either party.
- (x) Any complaint that is unfounded and not made in good faith, for example a malicious complaint will be treated as a disciplinary offence.
- (xi) Details of all formal complaints of harassment will be collated by the human resources department of the employing body. These will be annually reviewed by the administrative officers of the employing body with a view to ensuring that every effective step has been taken to prevent harassment at work and to monitor the effectiveness of the complaints procedure.

4. DISABILITIES

(a) It is the NEC's policy that disabled people including job applicants and employees should be able to participate in all of the NEC's activities fully on an equal basis with people who are not disabled.

(b) Disabilities – what are they?

(i) For the purposes of this Policy disabilities are either physical or mental impairments that have a substantial and long-term effect upon a person's ability to carry out normal day to day activities.

(ii) Some disabilities are immediately obvious, for example use of a wheelchair, while other disabilities may not be apparent at all. Certain conditions are not considered to be disabilities, for example poor eyesight which is corrected simply by wearing prescription spectacles. If you would like further information about whether a particular condition is a disability you should contact the Human Resources Department.

(iii) Normal day to day activities are any of the following:

- Mobility;
- Manual dexterity;
- Physical co-ordination;
- Continence;
- Ability to lift, carry or otherwise move everyday objects;
- Speech, hearing or eyesight;
- Memory or ability to concentrate, learn or understand; or
- Perception of risk of physical danger.

(c) Principles

(i) The general Equal Opportunities principle set out early in this policy will, unless objectively justified, apply in relation to disabled people.

(ii) The NEC will take all reasonably practical steps to ensure that disabled people are able to participate in its business and activities on an equal basis with people who are not disabled.

(iii) The NEC will not for a reason relating to a person's disability treat disabled people less favourably than it treats or would treat others to whom the same reason does not or would not apply unless genuinely justified.

(iv) If any arrangements made by or on behalf of the NEC, or any physical features of premises occupied by the NEC, put disabled people at a substantial disadvantage compared to people who are not disabled, the NEC will take such reasonably practical steps as it can to prevent this disadvantage.

(v) The NEC is equally concerned that disabled employees are treated equally in the following areas:

- Recruitment and selection;
- Promotion and training;
- Terms of employment benefits, facilities and services; and

- Dismissals and redundancies.

(d) Procedure

- (i) Due to the wide variety of potential disabilities and the likelihood of a disability affecting different people in different ways it would be inappropriate to prescribe rigid rules on how issues concerning disabled people should be dealt with. What is essential however is that all Department Heads and Personnel Directors take all reasonably practical steps to ensure that disabled people are not less favourably treated or disadvantaged by comparison to people who are not disabled in relation to their work, working environment or by arrangements made by the NEC.
- (ii) The following general steps should always be considered where issues concerning disabilities arise or may arise:
 - Be flexible. There may be many different ways to avoid discrimination or to minimise the effects of discrimination;
 - Do not make assumptions. Whenever possible talk to the disabled person to find out how his/her disability affects him/her and what steps he/she thinks might help;
 - Seek expert advice. Disability issues can be complex. You may need expert medical advice about a person's disability or expert technical advice about adjustments to technology or premises that might help the disabled person;
 - Think ahead. Try to anticipate the effects that certain arrangements may have on disabled people even if there are no disabled employees at the time to prevent problems occurring in the future;
 - Consider any performance or attendance problems in the context of the person's disability and its effect on his or her ability to meet performance and attendance targets;
 - Do not discipline or dismiss a disabled employee for performance or attendance-based reasons without first establishing whether the performance or attendance is affected by the disability and appropriate adjustments to accommodate the disability have been made.

5. RELIGION OR BELIEF

The NEC will give preference to employing persons who are members of the Seventh-day Adventist Church because this is a genuine, legitimate and justified occupational requirement necessary to preserve the organisation's ethos.

However, employees working for the NEC will be informed that it is not only wrong but unlawful:

- To discriminate directly or indirectly against anyone on the grounds of his or her religion or belief.
- To subject a person to harassment on the grounds of their religion or belief.
- To victimise a person because they have made a complaint or allegation or have given evidence against another person on the grounds of religion or belief.

6. SEXUAL ORIENTATION

The Seventh-day Adventist church has well-defined official position statements on the Church's biblical understanding of marriage (to be both monogamous and heterosexual, a lifelong union of loving companionship between a man and a woman) and of human sexuality (to be an intimacy that belongs only within the heterosexual marital relationship of a man and a woman).

Consequently, while the Seventh-day Adventist church affirms the dignity of every human person created in the image of God and condemns any person who would insult, belittle, or otherwise harm someone because of their sexual orientation, it believes that it has a genuine occupational requirement with respect to:

- complying with its religious doctrine;
- maintaining the ethos of the organisation.

The NEC will employ individuals in harmony with the above position statements.