BIRSE COMMUNITY TRUST
Policy Statement
On
Equal Opportunities

Written 7th November 2012
Latest review by Trustees February 2026

POLICY STATEMENT

Birse Community Trust ("BCT") wholeheartedly supports the principle of Equal Opportunities in employment and related matters and opposes all forms of unlawful or unfair discrimination.

BCT is committed to maintaining a culture and philosophy which recognises and rewards individual achievement and merit regardless of:

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

(all of the above are known as "protected characteristics")

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BCT will seek to take every possible step to ensure that individuals directly and indirectly involved in the work of the Trust are treated equally and fairly and that decisions on:

- recruitment
- selection
- training
- promotion
- career development.

are based on objective and job-related criteria.

ACTION TO IMPLEMENT POLICY

BCT will put this policy into practice in the day to day operation of the Trust and will, as necessary, develop and provide training and guidance on the policy and its implementation to those acting on behalf of the Trust.
BCT will use an appropriate grievance procedure for any possible instance of discrimination and with any instance of discrimination by someone acting on the Trust's behalf, the Trustees will decide on the appropriate course of action.
BCT will monitor the implementation of the policy and review the policy periodically.

BACKGROUND INFORMATION
EQUAL OPPORTUNITIES AND EMPLOYMENT LAW

The main piece of legislation covering non-discrimination and equal treatment is the Equality Act 2010.

SOME COMMON TERMS AND THEIR MEANINGS

Direct discrimination
This arises when, an individual is treated less favourably than another because of a protected characteristic they have or are thought to have (known as perception discrimination).

Indirect discrimination
This arises when a requirement, rule, policy, practice or condition is neutral on the face of it when applied to everyone but its impact particularly disadvantages individuals with a protected characteristic, unless the organisation can justify it as a "proportionate means of achieving a legitimate aim".

Harassment
This arises where an individual is subjected to unwanted conduct relating to a protected characteristic, which has the purpose or effect of violating and individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

Be aware that the perceptions of the individual are very important and harassment can be deemed to have occurred even if the intention was not present, but the individual felt they were being harassed.

Third party harassment
This arises when personnel are harassed by individuals who are not employees of the organisation, for example, customers or clients. The organisation is only liable in the event that the harassment has occurred on at least two previous occasions, the effected individual has made the organisation aware that the harassment has taken place and no reasonable steps have been taken to prevent the harassment re-occurring.

Victimisation
This arises when an individual is treated less favourably because he or she has asserted their legal rights in line with the Equality Act 2010 or have helped another individual to do so.

Positive action
This allows an organisation to take positive action if it is believed that employees or those applying for a position who share a specific protected characteristic suffer a disadvantage because of that protected characteristic, or if their participation in a particular activity is disproportionately low.

This means, for example, that an organisation can take into consideration a protected characteristic when deciding to promote from a certain group or recruit for a new position. However, this can only be done when the group in question or applicants for the new position are as "qualified as each other" (of which there must be evidence) and the protected characteristic can effectively be used as the "tie-breaker".

Be aware that the organisation must **not** have a positive action policy for any particular protected characteristic and must always consider the abilities, merits and qualifications of all individuals potentially being recruited or promoted.