

### Our Commitment

The Tenterden Mindfulness Group (TMG) is committed to providing equal opportunities to its Trustees; employees, trainers, and volunteers, (collectively termed as “staff”); to our service users and to avoiding unlawful discrimination, bullying or harassment.

Our aim is that:

1. The work and service environment is free of discrimination, harassment and bullying.
2. Everyone is treated with dignity.
3. Respect is an important aspect of ensuring equal opportunities.

### The Law

It is unlawful to discriminate directly or indirectly in recruitment, employment and to service users because of a ‘protected characteristic’. The Equality Act defines the protected characteristics as being age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality, caste and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership.

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

It is also unlawful to discriminate against or harass a member of the public or service user in the provision of services or goods or to fail to make reasonable adjustments to overcome barriers to using services caused by disability.

The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

### Types of Unlawful Discrimination

1. **Direct discrimination** is where a person is treated less favourably than another because of a protected characteristic. However discrimination may be lawful if there is an occupational requirement which is core to a job role and a proportionate means of achieving a legitimate aim.
2. **Indirect discrimination** means putting in place, a rule or policy or way of doing things that has a worse impact on someone with a protected characteristic than someone without one, when this cannot be objectively justified.
3. **Harassment** is where there is unwanted behaviour related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity) which has the purpose or effect of violating someone’s dignity or which creates a hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.
4. **Associative discrimination** is where the individual treated less favourably does not have a protected characteristic but is discriminated against because of their association with someone who does e.g. the parent of a disabled child.
5. **Perceptive discrimination** is where the individual discriminated against or harassed does not have a protected characteristic but they are perceived to have a protected characteristic.
6. **Third-party harassment** occurs where an employee is harassed by third parties such as service users, due to a protected characteristic.

7. **Victimisation** is treating someone unfavourably because they have taken some form of action relating to the Equality Act i.e. because they have supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint.
8. **Failure to make reasonable adjustments** is where a rule or policy or way of doing things has a worse impact on someone with a protected characteristic compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

### Equal Opportunities in Employment

The TMG will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy. Job descriptions will avoid any unnecessary requirements (those unrelated to effective performance) that may otherwise have deterred applicants. We will base decisions on objective criteria. We will consider making reasonable adjustments in recruitment as well as in day-to-day employment.

### Service Users, Suppliers and Others

The TMG will not discriminate unlawfully against service users using or seeking to use the services we provide. If a person is bullied or harassed by a service user, supplier, contractor, visitor or others, or if a person witnesses someone else being bullied or harassed, they are asked to report this to the TMG Chairperson who will take appropriate action.

### Training

The TMG will provide information and guidance to those involved in recruitment or other decision making where equal opportunities issues are likely to arise to help them understand their responsibilities and to avoid the risk of discrimination.

### Trustee and Staff Responsibilities

1. All Trustees and staff are responsible for supporting the organisation in meeting the commitments within this policy.
2. Any complaint will be treated seriously and the complainant will not be penalised for raising a grievance, even if the grievance is not upheld, unless the complaint is both untrue and made in bad faith.
3. If a person witnesses or believes they have been subjected to discrimination, bullying or harassment they should report this to the TMG Chairperson.
4. TMG Trustees and staff can be held personally liable as well as, or instead of, the organisation for any act of unlawful discrimination, harassment, bullying or victimisation.
5. Acts of discrimination, harassment, bullying or victimisation are disciplinary offences and will be dealt with under our disciplinary procedure potentially leading to dismissal without notice.

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