

## Equal Opportunities Policy

This policy sets out Adventure Alternative Nepal's approach to promoting Equality of Opportunity with the primary aim of providing equality for all and preventing any form of discrimination.

### Policy Statement

Adventure Alternative Nepal is committed to creating and maintaining an inclusive environment to maximize the potential of all staff and clients, providing equal opportunities in all aspects of employment and activity and avoiding both immoral and unlawful discrimination. Adventure Alternative Nepal will additionally not tolerate discrimination, harassment, bullying or victimization of contracted employees or third parties who work on Adventure Alternative Nepal's behalf.

### Who does the policy apply to?

The policy applies to all Adventure Alternative Nepal staff; in-country office staff, who are expected to adopt the same principles; contractors; consultants and any other third parties who carry out work on Adventure Alternative's behalf. It additionally applied to clients, client group leaders/representatives and volunteer staff and helpers in-country.

### Principles

The key principles of this equal opportunities policy are to:

- Provide equality for all
- Promote an inclusive culture
- Respect and value differences of everyone
- Prevent discrimination, harassment and victimization
- Promote and foster good relations across the workforce and with partners.

This means being aware of the impact of our behaviour and thinking about the impact of employment policies and our programs and overseas on people from the protected groups listed below.

### The Law

Our policy is directed by the Equality Act 2010, which makes it unlawful to discriminate directly or indirectly against individuals or groups because of a protected characteristic. The protected characteristics are:

- Age
- Disability
- Gender (or sex)
- Gender reassignment
- Race, nationality or ethnic origin
- Religion or belief
- Sexual orientation
- Pregnancy and maternity
- Marriage and civil partnership

As well, it is important to note that Adventure Alternative Nepal strongly abides by the rules of the **UK Equality Act**.

## **Types of Unlawful Discrimination - What is unlawful discrimination?**

The Equality Act 2010 defines the different types of discrimination that are unlawful:

### **Direct discrimination**

Is when someone is treated less favourably than another person because of a protected characteristic. Direct Discrimination is not justifiable. Examples of direct discrimination would be refusing to recruit a woman because she is pregnant; or excluding one staff member from a team training event on account of their disability or race.

### **Occupational Requirement**

Previously known as genuine occupational requirement. In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protect characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and be a proportionate means of achieving a legitimate aim. Decisions are made on a case by case basis.

For example, a Catholic religious college could reasonably refuse women admittance on a course for the Priesthood because all Catholic priests are male, whereas an Anglican religious college could not refuse women, because both men and women can be Anglican priests. Another example is an organization that campaigns for LGBT legal rights may feel that their Chair should be lesbian, gay or bisexual.

### **Indirect discrimination**

Is when you have a condition, rule, criterion, policy or practice that applies to everyone but particularly disadvantages people who share a protected characteristic and it cannot be shown to be a proportionate means of achieving a legitimate aim. An example of indirect discrimination would be a manager continually holding team meetings on a Monday, which is a day that a part-time member of the team does not work.

### **Associative discrimination**

Is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic. An example would be not promoting a staff member because they care for a parent who had a stroke. This is discrimination against the staff member because of their association with a disabled person.

### **Perceptive discrimination**

Is where an individual is directly discriminated against or harassed based on a perception by others that they have a particular protected characteristic. It applies even if the individual does not actually possess that protected characteristic.

An example would be if colleague A harasses colleague B because they think colleague B has AIDS, even though they do not, in fact, have the illness. Colleague A has made assumptions and discriminated against colleague B, based on a perception.

### **Discrimination arising from disability**

Is where an individual has been treated unfavourably because of something connected with their disability (so does not have to be the disability itself).

An example would be disciplining a staff member for repeated spelling mistakes that are in fact caused by dyslexia, which amount to discrimination arising from disability.

This type of discrimination is unlawful where the employer (or a line manager) knows, or could be reasonably expected to know, that the person has a disability.

### **Harassment**

Is unwanted conduct related to one of the protected characteristics that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

It does not matter whether or not this effect was intended by the person responsible for the conduct. Employees can complain of behaviour that they find offensive even if it is not directed at them and the complainant does not need to possess any of the protected characteristics themselves.

### **Victimisation**

Is when an employee is treated badly and subjected to detriment, such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so.

An employee is not protected from victimization if they have maliciously made or supported an untrue complaint. An example would be if a disabled staff member raises a grievance that the line manager is not complying with the duty to make reasonable adjustments and is then systematically excluded from all meetings; such behaviour could amount to victimisation.

### **Reasonable Adjustments**

The Equality Act also makes it unlawful to fail to make reasonable adjustments, as a result of a disability, to overcome barriers in employment or to using services. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical feature makes it impossible or unreasonably difficult for disabled people to make use of services.

In addition, employers and employees have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service, for example ensuring documents are available in alternative formats.

### **Selection and Acceptance of Participants**

In addition to the general principles outlined above. Adventure Alternative Nepal applies the principles and policy of Equal Opportunity to that of selection and acceptance of venture participants.

It is expressly stated here that no applicant participant shall be discriminated against solely on the basis of the protected characteristics outlined above.

In the event of certain participant characteristics being of direct relevance to their suitability to a given venture, direct dialogue will be engaged to investigate further.

In circumstances where it is deemed necessary, Adventure Alternative Nepal may seek the opinion of an expert in a given field, such as medicine, to inform any decisions. Where it is deemed appropriate, Adventure Alternative Nepal does reserve the right to refuse an application to join a venture if it is concluded that it is not appropriate to the participant.

This will only be concluded following a period of direct correspondence with the participant and a full explanation will be given.

### **Raising Concerns**

Adventure Alternative Nepal recognizes that on occasion individuals may be unwilling to make a complaint regarding equal opportunities, for a variety of reasons, including: Fear that others will consider that behaviour trivial; Fear of retaliation and/or public humiliation; Fear that the complaint will not be taken seriously; Fear of it having a negative effect upon their employment.

However, Adventure Alternative Nepal hereby makes the commitment that all complaints will receive prompt attention and will be properly investigated. We will seek to resolve them as quickly as possible and in a confidential and sensitive way. Issues such as equal opportunities are considered a core aspect of our organization and will always be treated in this way. If you have any queries or concerns in relation to any of the above points, please address them to our office staff.