

Paper E1

United Reformed Church Policy in relation to the Equality Act 2010

Equal Opportunities Committee





Paper E1

Equal Opportunities Committee: United Reformed Church Policy in relation to the Equality Act 2010

Basic Information

Contact name and email address	Revd Elizabeth Nash, convener elizabethjnash@gmail.com
Action required	Decision
Draft resolution(s)	Mission Council accepts the document, 'United Reformed Church Policy in relation to the Equality Act 2010' and recommends its use throughout the United Reformed Church.
Alternative options to consider, if any	

Summary of Content

Subject and aim(s)	To encourage awareness of the Equality Act and compliance with its provisions across the United Reformed Church
Main points	The paper gives advice on disability access, both in terms of buildings and other issues of participation and inclusion. It outlines the protected characteristics covered by the Act and spells out some of the implications for the Church.
Previous relevant documents	Equal Opportunities policy (attached as appendix A)
Consultation has taken place with...	

Summary of Impact

Financial	
External (e.g. ecumenical)	

Synod & United Reformed Church Policy in Relation to the Equality Act 2010

with contact information for
England, Scotland and Wales

What is the Equality Act?

The Equality Act 2010 brings together a number of pieces of legislation relating to discrimination in respect of age, race, sexuality, gender, disability, etc. In respect of people with disability the Act makes it unlawful to discriminate against disabled people in connection with employment, the provision of goods, facilities and services, or the management of premises.

Previous law on disability concentrated on employment issues rather than the broader issue of discrimination; by making discrimination unlawful, the Act aims at full inclusion of disabled people in society.

Previous legislation subsumed under the Act is primarily:

- the Equal Pay Act 1970
- the Sex Discrimination Act 1975
- the Race Relations Act 1976
- the Disability Discrimination Act 1995
- and 3 major statutory instruments protecting discrimination in employment on grounds of religion or belief, sexual orientation and age.

The Act protects people who have protected characteristics. The relevant characteristics are:

- Disability
- Gender Reassignment
- Pregnancy & Maternity
- Race
- Religion or Belief
- Sex
- Sexual Orientation
- Age
- Marriage & Civil Partnerships

Service Providers

Duties under the Act are placed on 'service providers', the definition of which includes churches; it does not matter whether the service is provided free or not.

A THE CHURCH'S DUTY IN RESPECT OF DISABLED PEOPLE

This duty is covered in significant detail because of statutory implications.

A church's primary purpose is for worship and in the eyes of the Act; this is regarded as a service which the church provides for all people. Additionally most churches also have wider activities, whether these are activities for groups (perhaps in a church hall), concerts, education, etc. All such are covered by the Act.

The Act covers many forms of disability such as hearing and visual impairment, reduced mobility, manual dexterity and learning disability. The Act is therefore about making activities accessible to everyone – a theme fully consonant with the Christian faith.

Duties

Provision in the Equality Act is built upon previous legislation in the Disability Discrimination Acts of 1995 and 2005. Synod Guidelines in relation to Disability Discrimination, produced in response to these Acts are included as an Appendix and should be read carefully and acted upon.

From October 2010 service providers have had to take reasonable steps to change a practice, policy, or procedure which makes it impossible or unreasonably difficult for a disabled person to make use of its services. For instance, if a person with impaired vision was unable to read a screen on which hymn words are projected at a church service, that is unlawful.

Service providers also have a duty:

- **to take reasonable steps to provide auxiliary aids where these would enable better use of a service by disabled people;**
 - Auxiliary aids are things like induction loops for hearing-aid users, handrails, or large print service sheets that enable people to take part in the service to the same degree as everyone else.
- **to have considered which physical features of a building inhibit use of services by disabled people and to take reasonable steps to remove the feature, alter it, provide a way of avoiding it, or provide a reasonable alternative method of making the service available;**
 - For churches this could include looking at access to the church and parts of the interior, use of WCs, noticeboards, churchyard, halls, etc.

The implications of these duties for churches have, understandably caused concern. However, only reasonable alterations are required, and it is quite lawful to make services available whilst avoiding physical features or providing a service in a different way. The important principle is that all people are included in the provision of the service.

The Act does not remove the need for planning legislation. Synod approval processes will be required in the usual way. Likewise planning and building regulations approval will also be required where necessary.

Action Required

Initially an **Access Appraisal** of all premises should be undertaken. The appraisal requires an assessment of various factors, as follows:

- Service-provision: What services do we provide and how and where do we provide them?
- Accessibility: What are the barriers to people wishing to use our services?
- Significance: How is the church (along with its fittings and furnishings) significant?
- Experience: What do disabled people in your congregation or community feel would best respond to their needs?

These factors need to be balanced and a list of priorities for action drawn up; this becomes your **Access Plan**.

The Act also requires that you **anticipate** that disabled people will want to use your premises; you should not wait until a disabled person turns up and then make arrangements.

Similarly, the Act applies to **all church premises** – the church itself, the hall, and any other buildings that are used for church activities (including clergy housing if appropriate).

Cost

The issue as to whether it is reasonable to undertake a particular scheme will be dependent on what can be afforded; this would need to be set against other priorities. **However, lack of funds is not an excuse not to think about what can be achieved and to investigate options.** It may be that, as a result of your **Access Plan**, it is agreed that various things can be phased in on a particular timescale relating to finances and other objectives. If this decision is made, however, it would need to set a realistic and justifiable timescale rather than putting things off indefinitely.

Many of the things that can be done will not necessarily be very expensive:

- providing large print copies of service sheets may make a big difference to a large number of people;
- reception of visitors at the door at a time of service may be very much part of plans for addressing the issues.

It is important to ensure that any access audit, whether professional or informal, includes consultation with existing disabled users of the church and any local disability groups.

Who carries out access audits?

A building surveyor may be able to offer this service. However, there is no formal recognised qualification for an access auditor so you will need to make sure that the person you entrust with the audit has relevant and up-to-date knowledge of construction and is familiar with the appropriate building regulations as well as disability issues. You may choose to check their credentials by speaking to previous clients or seek advice from the Synod Office. The Centre for Accessible Environments and many of the major disability organisations offer training to access auditors and maintain a list of access auditors that they have approved.

Alternatively, “Widening the Eye of the Needle” (see below) provides guidance and a checklist of such an audit which could be used by suitably knowledgeable members of the congregation, perhaps with the advice of a relevant professional.

What happens when we need to make physical changes to the church building?

The normal Synod procedures relating to building alterations still apply.

What if the church is a listed building?

The Equality Act does not override other legislation. You will still have to comply with planning or Ecclesiastical Exemption procedure (Ø661) as well as United Reformed Church procedures.

Access Appraisal

Access appraisal requires an audit process and the following may be consulted:

- *Widening the Eye of the Needle: Access to Church Buildings for People with Disabilities* John Penton: publication by the Church Buildings Council available from Church House Publishing, Church House, Great Smith Street, London SW1P 3AZ priced £16.99 (01603 785 923 for orders)
- Helpful documents and leaflets on approaches to considering access for disabled people and on audits and training from *Through the Roof* (PO Box 353, Epsom KT18 5WS Tel: 01372 749955) <http://www.throughtheroof.org>
- The Diocese of London has useful guidance and a model access audit form at www.london.anglican.org/DACInDepthAdvice
- The Diocese of Chichester has a guidance document (*Getting to Grips with Disability*) and an Access Appraisal guide at www.chichester.anglican.org/disability
- Accessibility and Disabled People
http://www.churchcare.co.uk/images/access_and_disabled_people.pdf

More detailed advice on the audit process and a church’s responsibilities under the Act is available in an advice note produced by the Church Buildings Council (formerly the CCC) and the Cathedrals Fabric Commission for England (CFCE): *Advisory Note 5 The Disability Discrimination Act 1995: Taking Account of its Implications for the Fabric of Churches and Cathedrals (2003)*

General advice on disability issues is available on the Government’s information website Directgov at: <http://www.direct.gov.uk/en/DisabledPeople/index.htm>

A booklet, *Easy Access to Historic Buildings* can be downloaded from: www.english-heritage.org.uk or www.historic-scotland.gov.uk

More information on providing access to historic buildings is available from:

Historic Scotland
Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Telephone: 0131-668 8600

General advice on the Equality Act 2010 is available on the website for the Government Equalities Office at: www.equalities.gov.uk. The section on “Equalities Act 2010 – What do I need to know?” is a useful starting point but if in doubt further advice should be sought from your Synod Office or a solicitor.

Other useful addresses and contacts:

Centre for Accessible Environments
4th Floor
Holyer House
20-21 Red Lion Court
London
EC4A 3EB
Tel: 020 7822 8232
www.cae.org.uk

Construction Industry Research and
Information Association
Classic House
174-180 Old Street
London
EC1V 9BP
Tel: 020 7549 3300
www.ciria.org

ENABLE Scotland
2nd Floor
146 Argyle Street
Glasgow
G2 8BL
Tel: 0141 226 4541
www.enable.org.uk

Mencap
Mencap National Centre
123 Golden Lane
London
EC1Y 0RT
Tel: 020 7454 0454
www.mencap.org.uk

MIND

15-19 Broadway
London
E15 4BQ

Tel: 020-8519 2122
www.mind.org.uk

RADAR – Royal Association for Disability and Rehabilitation

12 City Forum
250 City Road
London
EC1V 8AF

Tel: 020 7250 3222
www.radar.org.uk

RNIB Scotland – Royal National Institute of Blind People Scotland

12-12 Hillside Crescent
Edinburgh
EH7 5EA

Tel: 0131 652 3140
www.rnib.org.uk/scotland

RNID Scotland – Royal National Institute for Deaf People Scotland**Name changed 9 June 2011 to Action on Hearing Loss**

Tel: 0808 808 0123 (freephone)

Textphone: 0808 808 9000 (freephone)

www.actiononhearingloss.org.uk/community/in-your-area/scotland.aspx

Action on Hearing Loss Cymru

16 Cathedral Road,

Cardiff,

CF11 9LJ

Telephone: 02920 333 034

Textphone: 02920 333 036

Fax: 02920 333 035

Email: cymru@hearingloss.org.uk

wales@hearingloss.org.uk

Diverse Cymru is an innovative equalities organisation in the Welsh Third Sector, created in recognition of the difficulties and discrimination faced by people experiencing inequality in Wales.

Diverse Cymru

3rd Floor, Alexandra House,

Cowbridge Road East,

Cardiff

CF5 1JD

029 2036 8888

029 2036 8887

<http://www.diverseecymru.org.uk/>

RNIB Cymru
Trident Court
East Moors Road
Cardiff
CF24 5TD

Tel: 029 2045 0440

Fax: 029 2044 9550

Email: cymruevents@rnib.org.uk

DISABILITY DISCRIMINATION ACT (DDA) CAPITAL FUNDING (Welsh Government)

<http://wales.gov.uk/topics/educationandskills/publications/circulars/FEFCL0413?lang=en>

Changes to the Disability Discrimination Act – Equality Act 2010

<http://www.disabilitywales.org/1168/2290>

Disability Wales,
Bridge House, Caerphilly Business Park,
Van Road,
Caerphilly CF83 3GW

Tel: 029 20887325

Fax: 029 20888702

email: info@disabilitywales.org

Learning Disability Wales
41 Lambourne Crescent
Cardiff Business Park
Llanishen
Cardiff
CF14 5GG

Telephone: 029 2068 1160

Fax: 029 2075 2149

Email: enquiries@learningdisabilitywales.org.uk

Equality and Human Rights Commission (EHRC) Wales
Ground Floor
1 Caspian Point
Caspian Way
Cardiff Bay
CF10 4DQ

Telephone 02920 447710 (non helpline calls only)

Textphone 029 20447713

Fax 02920 447712

wales@equalityhumanrights.com

Making everyone welcome

For many years it has been unacceptable in practice and in law for anyone to be deterred from entering our buildings and participating in church life as a result of a lack of adequate facilities where they could reasonably be provided. The Disability Discrimination Act 1995 had implications for churches in terms of internal and external adaptation of buildings but also wider implications in rethinking the way we carry out our activities. These provisions have been extended in this new Act.

Disability is defined as “a physical or mental impairment that has a substantial and long term adverse effect on the ability to carry out normal day-to-day activities”. The Act protects anyone who has or has had a disability, or who is associated with a disabled person, or who is mistakenly perceived as being disabled.

Think broadly, do not make assumptions, and consider those with less obvious disabilities. It is not just the obviously disabled such as the elderly, the ambulant disabled with their walking frame, or the wheelchair users but also those who have poor strength or dexterity; have learning difficulties; have impaired vision or impaired hearing or who have an illness which gives rise to a disability or is likely to do so; and people who have a temporary disability.

In addition to those directly and obviously included in the legislation, churches should be aware that a difficulty in accessing certain facilities or services may also be experienced by people such as heavily pregnant women; those particularly large or small in stature (including children); parents or others in charge of small children; or those emotionally distressed or unstable.

Churches should think in terms of the concept of risk as people interact with their environment. The challenge is to assess and respond to that risk so that we may meet, as fully as possible, the needs of people as they really are and not as they might wish to be or as we might wish them to be.

Why does it affect the church?

In relation to people with disabilities the general principle is that individuals or service providers must not treat disabled people less favourably than they would treat other people, for a reason related to their disability, when offering or providing access to goods, facilities or services.

It makes no difference that the services provided by a church are free of charge, churches are service providers. We should recognise ourselves as such and make every effort to make our activities and buildings accessible to all.

What are our responsibilities?

The new Equality Act sets out three core responsibilities or requirements in relation to those with disabilities;

The first requirement is that, where the way that things are done puts a person with disabilities at a substantial disadvantage to people who are not disabled, then reasonable

steps should be taken to avoid the disadvantage. In other words, this is about how things are done or how information is supplied. This might include such things as large print hymn books and notice sheets, people available to help someone from a car or into or around a building, and so on.

The second requirement is that, where a physical feature puts a disabled person at a substantial disadvantage compared to people who are not disabled, then reasonable steps must be taken to remove, alter or ensure users can avoid it. This might include such things as providing a ramp to allow wheelchair users to gain access to premises otherwise reached by steps, widening an entrance or providing a hand rail.

The third requirement applies specifically to employment and so applies only to churches where they employ someone, for example a caretaker, administrator or youth worker. This third requirement is that where a disabled person would be put at a substantial disadvantage compared to someone who is not disabled without the provision of an auxiliary aid, then reasonable steps must be taken to provide that aid. This might include special software to allow use of a computer by a visually impaired administrator.

What action should we take?

If you have not already done so you must review the access and facilities your church provides for ALL its users but particularly those with disabilities. You need to consider both the inside and outside of the church building including approaches to and from the building, movement around the building and all of the services inside the building as well as exit routes and means of escape in case of an emergency.

Some measures are relatively simple to implement now and will give immediate benefit. For instance, providing (and maintaining) colour contrast to assist the visually impaired (e.g. highlighting changes in level and the nosings on steps, etc.), rearranging furniture such as desks or tables, making sure routes are well signed and clear of obstacles, providing handrails etc. Simple things like clear signs around your building, easy to use door handles, large print copies of your magazine and notice sheets can be implemented at little cost with some thought and modest effort.

Whenever you are planning and carrying out building or refurbishment works, such as extending premises or making structural alterations to an existing building, you should consider whether this is the opportunity to remove or alter any physical features which create difficulties for access or to provide a reasonable means of avoiding the feature.

For some buildings this may seem to present a considerable challenge, especially if your building is of historic interest but every church should have a prioritised, planned method of achieving the appropriate level of facilities in the longer term. This may be achieved by an access audit and through consultation with disabled users, the Local Authority's Access Officer or assistance from bodies or resources listed below.

It is important to think through what is provided for disabled visitors. Take a look at guidance under Welcoming Disabled Visitors

It is good practice to produce an Access Statement which gives information on the suitability of buildings for people with a wide range of disabilities. Such a statement can

be published and displayed by the church and handed out with acknowledgments of church bookings or lets by outside organisations and wedding or baptism bookings, etc. so that people know what to expect when they arrive at church. In this way people know what the situation and provision is in advance and should not have unwelcome surprises.

Useful People and Places to Contact

ENABLE Scotland

Leading the way in learning disability: Tel: 0300 0200 101; www.enable.org.uk

Churches for All

Telephone: 0118 9516971; makeadifference@churchesforall.org.uk

The Baptist Union Initiative for People with Learning Difficulties (BUILD)

David Buckingham, Secretary, 37, Sandon Avenue, Newcastle under Lyme, Staffs ST5 3QB
buildtogether@northern.org.uk

Disability Discrimination Information

www.directgov.uk/en/DisabledPeople/index.htm

The other Protected Characteristics deserve some mention here and are covered by the Equal Opportunities Policy of the United Reformed Church

B GENDER REASSIGNMENT

Where a person proposes, has started or has completed a process to change his or her sex.

C PREGNANCY & MATERNITY

Discrimination because of a woman's current or previous pregnancy.

D RACE

Race

- Colour
- Nationality
- Ethnic or National Origins

E RELIGION or BELIEF

- Religion means any religion
- Belief means any religious or philosophical belief
- A reference to religion includes a reference to a lack of religion, and
- A reference to belief includes a lack of belief

F SEX

Males and Females (Gender)

G SEXUAL ORIENTATION

- Persons of the same sex
- Persons of the opposite sex
- Persons of the same and of the opposite sex

H AGE

People belonging to a particular age group. Includes people of the same age and people of a particular range of ages.

I MARRIAGE & CIVIL PARTNERSHIPS

- People who are married
- Civil Partnership
- People who are not married or civil partners do not have protection in terms of:
 - association or perception
 - harassment
 - education or services

URC/ Synod Policy on Civil Partnerships should be consulted.

The Equality Act 2010 applies to all of the above and can be consulted at <http://www.legislation.gov.uk/ukpga/2010/15/contents>

The Equality Act 2010 is the law which bans unfair treatment and helps achieve equal opportunities in the workplace and in wider society. It is therefore central to the Church's work and practice both in being an employer and in its concern for people and society.

As an employer the Church seeks to care for and protect its employees, volunteers and members who take on positions and responsibilities within the fellowship.

In terms of its employment responsibilities the Synod of Scotland provides protection for employees and others under the **Guidelines for responding to allegations of bullying or harassment** as agreed by General Assembly in 2012 and published in the Book of Reports, pages 187-912 and under the **Synod Grievance & Discipline Policy** currently being finalised by the former Synod Clerk, Synod Moderator and College Principal.

The following Appendix completes this paper:

Appendix A: **United Reformed Church Equal Opportunities Policy (updated May 2011)**

This Appendix outlines the Equal Opportunities Policy of the United Reformed Church as agreed by General Assembly in 2008 and updated in May 2011, together with guidance in recognising responsibility and applying the policy.

Appendix A

United Reformed Church Equal Opportunities Policy (updated May 2011)

Introduction

The United Reformed Church believes that all people are created in God's image and are loved by God. In his ministry Jesus showed God's love by his openness to all people, including those who were marginalised in his day.

Statement of intent

The United Reformed Church affirms its commitment to show the same openness to all people in today's world. It intends, in spirit and in deed, to promote equality of opportunity and diversity in all spheres of its activity and is committed to behaving as an equal opportunity organisation. It acknowledges that people are called to be diverse and lively, inclusive and flexible through the sharing of the gospel.

Equal Opportunities and Diversity Policy Statement

Exclusion and discrimination can occur on many grounds including those recognised in law, gender, gender reassignment, sexual orientation, religious beliefs, colour, ethnic or national origin, age, marital status and disability. The United Reformed Church seeks to eradicate less favourable treatment in these areas by endeavouring to:

- build inclusive communities where all will be treated with dignity and respect and have equality of opportunity to contribute their gifts to the common life;
- identify and remove barriers to participation in employment, training, promotion, leadership and representation on church committees and in the attitudes and actions of every congregation;
- take positive action to counter attitudes and practices contrary to this statement of intent;
- define within the law when being of a particular religion or belief is or is not a requirement for any post within the church;
- develop detailed policies to give effect to these requirements; and
- monitor and report on progress in fulfilling these requirements.

This policy is the overarching equality and diversity direction of the United Reformed Church and should be read in conjunction with the United Reformed Church's declaration that it is a multicultural Church and its equality policies on employment, church activities, membership, committees and councils.

Appendix B

Equal Opportunities and Diversity Guidance

An Equal Opportunities Policy: What does this mean and what are its implications for the United Reformed Church?

Such a policy affects the United Reformed Church as a whole as we strive to celebrate and implement God's all-encompassing love. His justice demands that we do this inclusively and equally with all people in Christ, regardless of human distinctions.

It must be remembered that there is the potential for discrimination to occur in every aspect of the life of the Church, whether in the construction of buildings, the delivery of the service and services, employment of individuals and running of projects, to name a few.

This guidance is intended to provide a greater understanding of how an equal opportunities and diversity policy works, the issues involved, general considerations and where to find further help and advice if required. It is important that if in doubt the law as a whole is considered and appropriate advice obtained.

What does Equal Opportunities mean?

This is about treating everybody equally and providing the same opportunity to all, irrespective of their gender, gender reassignment, sexual orientation, religious beliefs, race/colour, age, marital status or disability.

Discrimination explained

In a nutshell, discrimination is the actual behaviour towards members of another group. It involves treating one particular group of people less favourably than others because of their race, gender, age, etc.

Types of discrimination

This occurs in a number of ways: direct, indirect, perceptive and associative. When considering whether discrimination is present, remember that what may be considered to be well-established, tried and tested procedures should also be questioned.

Direct: This is where one person is deliberately treated less favourably than another, the reason being because of their sexual orientation, race, disability, etc., e.g. there are two people with equal qualifications who are both equally capable of performing a job/ task, the job/ task is given to the man and not the woman, solely because of her sex.

Indirect: Such discrimination often occurs as an unintended consequence. It occurs where the effects of certain requirements, conditions or practices have a disproportionately adverse impact on one group/ individual as opposed to another, e.g. a post is advertised and it is specified that only mature applicants need apply. Such an advert constitutes age discrimination against younger applicants.

Perceptive: This is where discrimination occurs against someone because the discriminator thinks the person is of a particular racial group or sexual orientation, etc., even if they are not.

Associative: This type of discrimination can occur against someone because they have an association with someone who is of a particular sexual orientation or racial group, etc.

What if we believe that there is a particular need for a specific type of person? In a situation where a particular post or project specifically requires a particular type of person in relation to any of the 'protected characteristics' under the Equality Act 2010 (this Act harmonises previous discrimination law – e.g. the Disability Discrimination Act 1995, the Sex Discrimination Act 1975, etc.) and seeks to strengthen the law to support progress in equality. These protected characteristics are: age, sexual orientation, disability, religion or belief, gender reassignment, marriage and civil partnership, pregnancy and maternity, sex or race. It needs to be demonstrated that there is an 'occupational requirement (OR) which is crucial to the post, then the law can recognize this as an exception to the general position in relation to discrimination, e.g. a woman is required to work with women who have been subjected to physical/ sexual abuse. It is also possible in some situations to discriminate in relation to age if there is a good 'business' reason for doing so, e.g. a task may require specific experience and qualifications which a younger person would not have. In the case of religion/ belief this need is also referred to as an 'occupational requirement' (OR). (See ANNEX C)

Diversity

This is the taking into account and encompassing the values, attitudes, cultural experiences and differences of individuals in order not only for them to be included within the operations of an organisation but also to enrich the operation and values of that organisation by the knowledge and experience that is brought by all and also to encourage open-mindedness, flexibility and respect for all.

Discrimination in relation to people with a disability

The Equality Act 2010 provides that the Church should take reasonable steps to alter or remove features of their premises which make it impossible or unreasonably difficult for a person with disabilities to make use of the facilities that the Church provides.

The Church is therefore under a duty to:

- i) take reasonable steps in all circumstances to remove any practices, policies or procedures or to make the necessary changes which make it impossible or unreasonably difficult for disabled people to take part in Church activities; and
- ii) provide reasonable alternative methods of taking part in Church activities where they are unable to do so by reason of physical features or, if appropriate, to provide aids or services as may be reasonable to enable or make it reasonable for them to take part in Church activities.

What is meant by 'reasonable?'

There is no legal definition of 'reasonable' within the act. When considering if a failure to make adjustments was reasonable, issues that can be considered are:

- could anything reasonable have been done to remove the obstacle;
- how practicable would it have been to do it;
- what financial and/ or other resources were available to achieve this.

It must be remembered that disability or impairment has a wide application and includes problems with mobility, visual impairment, speech, dyslexia, hearing, mental illness and learning disabilities. It is therefore important that not only are the physical features of church premises considered, but also the way in which services are provided and the general practices, policies and procedures that need to be considered so that it can be demonstrated that the legal obligations provided by the Equality Act 2010 have been met, e.g. the provision of a ramp to enable wheelchair access to a building would be considered under the Equality Act 2010 as providing a reasonable means of providing disabled access to the building, as would the provision of an induction loop to assist those with hearing difficulties. For further issues for consideration please refer to **ANNEX A**.

How to try and ensure that the equal opportunities and diversity policies (including disability discrimination) are being followed

It is recommended that an audit is carried out of practices, policies, procedures and buildings. This can be done in a variety of ways. Outside organisations can be used and/or materials obtained which will provide resources to enable an audit to be made. This can identify both immediate and more long-term needs.

Alternatively, an audit/assessment can be made using the template shown at **ANNEX B**. This template is intended as a guide and can be amended as appropriate. The intention is that it will enable issues to be identified which can be considered further and if appropriate positive steps then taken to amend/correct the situation. An access audit on buildings should also be considered. Assistance can be provided by the Church's Action on Disability (CHAD) on this.

If your church is a community building, then it may be the case that other user groups will have suggestions and be able to provide assistance with this. Assessments should also be considered under the Management of Health and Safety at Work Regulations 1999 and the Workplace (Health Safety and Welfare) Regulations 1992.

Develop detailed policies to give effect to these requirements

A number of policies have already been developed and are available for churches to access on contacting the Human Resources office at Church House and discussing their needs with the staff.

Policies available include:

Adoption leave, Age Discrimination, Alcohol Policy, Capability Procedure, Data Protection, Disciplinary Procedure, Employment Policy, Equal Opportunities Policy, Flexible Working Policy, Grievance Procedure, Guidelines on leave, Harassment Policy, Maternity, Paternity and Parental Leave policies, Religion or Belief Discrimination Policy, Sexual Orientation Discrimination Policy, Stress Management Policy and Violence and Abuse Guidelines.

Future Prevention

- Provide or review existing training to all those involved in areas where discrimination may occur.
 - Encourage those with responsibilities in these areas to attend training courses and obtain appropriate resources in support.
 - Constantly review and up-date procedures so as to be compliant with changes in the law (monitoring).
- (See **ANNEX C**)

ANNEX A

Examples of particular disabilities or impairments and issues for consideration

Matter for consideration	Issues
Employment Advertisement	(i) worded so as to avoid potential discrimination (ii) if there is a GOQ, can this be justified before being specified?
Job Application Form	Should avoid references to: (i) age (ii) marital status (iii) disability
Interview	Avoid same issues as with advertising and asking health related questions. Exceptions relating to health include: <ul style="list-style-type: none"> • to find out whether reasonable adjustments are needed for the interview or practical test; • to find out whether an applicant can carry out a function intrinsic to the job; and • for equal opportunities monitoring purposes. Once the job has been <u>offered</u> , health related questions are permitted.
Terms of Employment	There should be equality in terms of benefits, etc., to ensure no discrimination on grounds of sex, etc.
Management of Project/ Membership of Committee/ etc. In order to avoid causing disadvantage/ discriminating against a certain group, consider	(i) timing of meeting, e.g. to avoid school run (ii) location of meeting, e.g. on 1st floor where there is no lift (iii) access, e.g. public transport?
Training	Available to all on equal basis
Mobility	(i) Lightweight doors (ii) Rails (iii) Ramps or lift (iv) Chair with armrest available (v) Steps highlighted (vi) Good lighting level (vii) Accessibility for wheelchairs and walking frames (viii) Space in sanctuary for wheelchairs to be accommodated

Mobility <i>continued</i>	<ul style="list-style-type: none"> (ix) Aisle lighting and highlighting (x) Explore the possibility of having a wheelchair/ walking stick/ walking frame available in church (xi) Ensure torches are available for power cuts/ lighting failure (xii) Easy-use taps (xiii) Flooring suitable for pushchairs and wheelchairs
Visual Impairment	<ul style="list-style-type: none"> (i) Level of lighting (ii) Handrails (iii) Steps highlighted (iv) Large Print hymn books and Bible (v) Use of coloured paper (vi) Large font size on acetates and PowerPoint (vii) Simple background rather than busy or picture
Hearing	<ul style="list-style-type: none"> (i) Loop systems (ii) Speak clearly (iii) Level of lighting appropriate for lip reading (iv) Use microphones whenever possible especially during services and meetings
Learning Disabilities	<ul style="list-style-type: none"> (i) A greater use of visual resources (ii) Greater use of drama, music, dance, the arts (iii) Develop an awareness within the congregation to need (this also applies in all the above situations) (iv) Pastoral Support network (v) A service outline which has a familiar pattern particularly at the start and finish; try to avoid being patronising, remember that when these people are involved in worship it is as participants too and they are not just performers
Dyslexia	<ul style="list-style-type: none"> (i) Familiar pattern to service (ii) Use of the arts – less reliance on written word (iii) Colour of paper e.g. yellow preferred (iv) Easily accessible font as recognised by British Dyslexia Association e.g. Arial or Comic Sans font size minimum 12
Race	<ul style="list-style-type: none"> (i) Seek, as with other minority groups to ensure that the councils of the Church at all levels represent the composition of the congregation (ii) Work through the Racial Justice and Multicultural Toolkit
Age	<ul style="list-style-type: none"> (i) Suitability of the service for all age worship (ii) Suitability of the building for all ages
Members unable to attend church for health reasons	<ul style="list-style-type: none"> (i) Pastoral visits for support and/or prayer (ii) Sacramental visits for communion (iii) Business visits to update on important issues – this may be done during a pastoral visit (iv) Taped services (v) An invitation to send in views – on important issues – to church meeting

Car Park	<ul style="list-style-type: none"> (i) No hazards or obstructions to visually impaired people (ii) The surface should be smooth and level (iii) Parking spaces for the disabled near accessible entrance
Physical access to and within the building	<ul style="list-style-type: none"> (i) Handrails or ramps to steps (ii) Sufficient width of access and doors (iii) Remove obstacles (e.g. especially at low level or not easily visible) (iv) Marking edge of steps (v) Replace worn out steps
Toilets	<ul style="list-style-type: none"> (i) Have a toilet suitable for disabled people with or without wheelchair (ii) Level and close to main meeting area (iii) Thermostatic control on temperature of water, (iv) For young children, have steps available to help with toilet height
Seating	<ul style="list-style-type: none"> (i) Spaces for wheelchairs (ii) Some chairs with arms should be available
Lighting	<ul style="list-style-type: none"> (i) Well lit access (ii) Suitably sited for book and lip reading
PA System	<ul style="list-style-type: none"> (i) Regularly maintained loop system or infra-red system (ii) Recording for people confined to home
Books, OHP and PowerPoint	<ul style="list-style-type: none"> (i) Large print (suitable typeface at least 16 point and Braille if required) (ii) OHP acetates at least 30 point type (iii) Clear visibility of screen (iv) Uncluttered background for PowerPoint
Noticeboards	<ul style="list-style-type: none"> (i) For text use both upper and lower case (ii) Contrasting colour paper (e.g. black on white or black on pale yellow). Matt paper helps people with dyslexia (iii) Clear signs (iv) Consider font size and clarity of information displayed
Church Website	<ul style="list-style-type: none"> (i) Keep number of fonts to a minimum (ii) Backgrounds white or pale pastel colours (iii) Fonts should be large enough (iv) Accessibility for visually impaired/blind

ANNEX B

Access/General Audit Assessment

Draft can be amended to suit particular needs

Matter under consideration	Hazards	Who might be harmed and how	Steps to reasonably remove hazard	Further action necessary	Action Plan

ANNEX C

Detailed Legal Explanations

Discrimination on grounds of sex, race, religion or belief is not an easy one for churches to address. However, it would be unlawful to have a general policy of discriminating by preferring church people when recruiting staff.

Religion and Belief

The Equality Act 2010 makes discrimination on the grounds of religion or belief unlawful in employment. The Equality Act 2010 regulations allow a limited exception to the general duty not to discriminate. This may apply in cases where being of a particular religion or belief is an occupational requirement (OR) for a particular post. A typical example where this applies would be the appointment of a Christian Chaplain by a hospital trust to tend to the needs of patients who are mainly Christian.

The United Reformed Church may well have a post to fill that has an OR. If so, care will need to be taken that this is really the case, such a requirement can be justified and that the job description and terms and conditions reflect them. There are obviously many posts within the United Reformed Church for which there is clearly no OR, (for example, a receptionist's position).

Volunteers are not employed and therefore the law about employees does not strictly apply to them. However, good practice should be followed which is to equate the conditions under which they work and are recruited with those of employees.

Sex and Race

The Equality Act 2010 makes it unlawful to discriminate on grounds of sex or because you are married.

Exceptions: There are situations when it is appropriate for a job only to be offered to a man or woman – these are referred to as an 'Occupational Requirement' (OR)

Some examples:

- for reasons of privacy and decency
- where a person has to live on work premises and there are no separate sleeping areas
- job in single sex institution
- jobs in private homes
- job has real physical need
- where job requires married couple

Discrimination due to race

Under the Equality Act 2010:

A complaint does not have to show an intention to discriminate on racial grounds but only that it took place.

Racial grounds include

- colour
- race
- nationality
- ethnic or national origins

Exceptions as to when it *may* not be discriminatory:-

Employment – an occupational requirement (OR), e.g. hostel for Asian women who suffered violence requires Asian women on grounds that they would be able to easily communicate and relate to people of the same racial group

Facilities and services – Clubs, associations and charities set up for people of a particular ethnic/national group allowed to discriminate on basis of nationality, ethnic/national origin; **NB not colour.**

Monitor and report on progress in fulfilling these requirements

Why do we need to monitor?

By having an Equal Opportunities Policy we acknowledge not only our need to comply with the law, but also our responsibility and commitment to be better informed whether or not black and minority ethnic groups, women, people of all ages and people with disabilities are fairly represented in the many different facets of the life of the church. Sometimes this can be done informally but in other situations formal monitoring will be needed. Monitoring also helps us to make informed decisions about what needs to be changed or improved to ensure that our policies are effective both now and for the future.

Asking people to complete monitoring forms may seem a chore, but they are very important. When all the data from the individual forms is collated we can begin to see a clear picture of how the Church is made up in all its parts. Monitoring from year to year allows us to make comparisons and see how things are changing over time.

Monitoring gives evidence to ensure that we are carrying out the policies we have agreed and that we are also complying with the law.

Just as with any accounting process creating an ‘audit trail’ is important. Keeping records to show what you have done to ensure that you have followed the United Reformed Church’s Equal Opportunities Policy is as important as your financial accounting.

Every synod and church should have an Equal Opportunities Policy and a record of all that they have done to operate it and to ensure that it is working.

Checklist

- Has your church/synod adopted an Equal Opportunities Policy? General Assembly Equal Opportunity policy is available on the United Reformed Church website?
- Has your church/synod explored the implications of this policy and applied it?
- What ‘positive action’ does your church/ synod need to take?
- What ‘detailed policies’ does your church/ synod need to adopt and implement?
- What steps does your church/synod need to take to ensure effective ‘monitoring’ takes place?
- Do your church/synod structures and committees reflect the make up of your community?
- What good employment practices does your church/synod need to adopt and implement?

Sources of further information

The Commission for Equality and Human Rights (formerly the Equal Opportunities Commission and the Commission for Racial Equality)

Glasgow: The Optima Building, 58 Robertson Street, Glasgow, G2 8DU
Telephone 0141 228 5910; Fax 0141 228 5912
scotland@equalityhumanrights.com

Churches for All

Telephone 0118 9516971
makeadifference@churchesforall.org.uk

The Baptist Union Initiative for people with Learning Difficulties (BUILD)

David Buckingham, Secretary, 37, Sandon Avenue, Newcastle under Lyme, Staffs, ST5 3QB
buildtogether@northern.org.uk

Department for Work and Pensions –

www.dwp.gov.uk

Disability Discrimination Information –

www.directgov.uk/en/DisabledPeople/index.htm

Equality Act 2010 – for further information see:

www.equalityhumanrights.com/advice-and-guidance/