



# Volunteer Equality and Diversity

## What do we mean by equality and diversity?

- Equality does not mean 'everybody being the same'. It is about recognising that individual volunteers are different, yet treating all with an equal level of respect and ensuring equal access to opportunities, education and training, goods, services and facilities.
- Diversity is about seeing the bigger picture. It means recognising, respecting, valuing and drawing on the positive aspects of differences. Diversity fosters an environment that recognises the contribution that every individual volunteer makes, or can make to the organisation. It promotes dignity and respect. Embracing diversity benefits the organisation or group, staff, learners, customers, clients and the individual volunteer.

### *What does an inclusive and diverse volunteer involving organisation or group look like?*

An inclusive and diverse volunteer environment is one where the principles of fairness, respect, equality, dignity and autonomy are promoted and are part of everyday goals and behaviour. The following are found in an inclusive and diverse volunteer environment.

- There is a welcoming culture where everyone is treated with respect and dignity and everyone feels valued.
- Policies are in place concerning equality and human rights. A positive volunteer working environment, dignity at work, volunteer welfare and fair recruitment practices are all evident.
- The organisation has a zero tolerance towards any acts of discrimination or harassment by or against volunteers and other stakeholders including the public.
- All members of staff, the leadership of the organisation or group and volunteers are all aware of the inclusive values of the organisation and are actively consulted and involved in policy development. Training is offered to all.
- The staff and volunteer workforce is representative of the local community or service users, or if not, under-represented groups are encouraged to apply.
- All volunteers are encouraged to develop and progress. Any barriers faced by specific groups are identified and action taken to address them.
- The organisation is aware of any potential tensions within the volunteering environment and takes action to anticipate and address them. Everyone is encouraged to raise concerns at an early stage and is aware of the procedure should they wish to make a complaint.
- Inclusive strategies are fully supported and promoted by all.

## Does the law protect volunteers?

No, not exactly. Volunteers are not protected by law in the same way as paid employees. The Equality Act 2010 applies to employees and organisations providing a service. Volunteering could be considered as a service and as such organisations involving volunteers should still protect volunteers from discrimination, harassment or victimisation on the grounds of the protected characteristics.

The Equality Act 2010 is the law which bans unfair treatment and helps to achieve equal opportunities in the workplace and in wider society. The Act brings together for the first time the legal requirements that the private, public and voluntary sectors need to follow. It replaced all previous equality law including:

Sex Discrimination Act 1975  
 Race Relations Act 1976  
 Disability Discrimination Act 1995

The Equality Act protects people from discrimination on the basis of 'protected' characteristics. These characteristics vary depending on whether the role is as an employee or a volunteer (service user).

There are nine protected characteristics your employees might have:

- Disability
- Gender reassignment
- Marriage or civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sexual orientation
- Sex (gender)
- Age

There are eight protected characteristics of people who use services, such as volunteers:

- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief
- Sexual orientation
- Sex (gender)
- Age

You can see a more in-depth definition of these protected characteristics on the Office of Public Sector Information [website](#).

### How do you know if you have responsibilities under the law?

- All employers and service providers have a responsibility under the law to treat their employees and service users (including volunteers) fairly.
- You are a service provider if you provide goods, facilities or services to the general public, regardless of whether this is free or paid for. Volunteering could be considered a service.
- If you are not providing services to the public, you will also have responsibilities if you are a private club or association.

### What are the main barriers to equality and diversity?

Some groups of volunteers may be treated less favourably than others through prejudice based discrimination, but this may also happen as a result of ignorance or unnecessary rules. Equality legislation recognises seven types of discrimination:

- **Direct discrimination** - where someone is treated less favourably than another person because of a protected characteristic.
- **Associative discrimination** - this is direct discrimination against someone because they are associated with another person who possesses a protected characteristic.
- **Discrimination by perception** - this is direct discrimination against someone because others think that they possess a particular protected characteristic. They do not necessarily have to possess the characteristic, just be perceived to.
- **Indirect discrimination** - this can occur when you have a rule or policy that applies to everyone but disadvantages a person with a particular protected characteristic.
- **Harassment** - this is behaviour that is deemed offensive by the recipient. People can now complain of the behaviour they find offensive even if it is not directed at them.

- **Harassment by a third party** – organisations or groups are potentially liable for the harassment of their staff or volunteers by people they don't have direct responsibility for, i.e. a service user.
- **Victimisation** - this occurs when someone is treated badly because they have made or supported a complaint under this legislation.

### **Can positive action be taken?**

Positive action, or positive discrimination as it is sometimes called, is not legal under the Equalities Act.

You are not able to select your volunteers based on any of the protected characteristics listed above over another volunteer who has more experience or more relevant skills. The only situation where you are able to choose a volunteer who has a particular characteristic is if there are two volunteers who are equally able and/or qualified to fulfil the role.

Organisations or groups can recruit specifically from a certain group if there is a 'business reason'. For example a helpline aimed at women suffering from domestic abuse may only recruit female volunteers.

However, you may actively encourage certain groups of people to apply to volunteer. An example of this may a mentoring scheme for children may find that they have few male mentors to match to boys who would benefit from having a positive male role model. The project may decide to actively recruit for male volunteers from the local community. Once they start the recruit process they must be treated equally to everyone else.

### **Why monitor volunteers?**

You do not have to monitor equality and diversity, but it can be a positive way of demonstrating commitment to promoting equality and diversity of opportunity in volunteering. Monitoring can help to determine the success of policies and practices adopted to maintain or promote equality.

### **What can be monitored?**

It is up to each organisation to decide what factors will be monitored. Typically this includes sex, disability, race, sexual orientation and age. For example, in an attempt to encourage more young people to volunteer an organisation or group may develop a youth volunteer project targeted at this group. By collecting monitoring data over a period of time it should be possible to see an increase in the number of young volunteers.

### **Why should volunteers disclose personal details?**

Some volunteers may feel that the questions you are asking are personal and may be reluctant to respond openly and honestly. It is also important to be aware that some volunteers may be particularly sensitive around equality and diversity questions, for example regarding sexual orientation, civil partnership status, disability or political opinion. Again, you should be very open about why you are collecting the information and how you will use it and store it.

Volunteers can choose not to complete a monitoring form. It should be made clear that not completing all, or part, of a form will not affect the chance of obtaining a volunteering opportunity and that anything included on the form will be treated in the strictest confidence.

### **What should you do before introducing equality and diversity monitoring?**

Before introducing equality and diversity monitoring of volunteers you should identify and agree the following:

- what you will be monitoring and why;
- who the Monitoring Officer will be;
- where and how you will you store information securely;
- how the information will be collected and used;
- when and how the data will be reviewed.

*Does Volunteer Scotland have a template of a volunteer equality and diversity monitoring form?*

Yes you can download our ***Equality and Diversity Monitoring Form*** template.

### **What next?**

You may choose to conduct an inclusive review of your volunteering environment which may lead you to develop an action plan to promote and encourage positive change.

This could look at your organisation: its size, the type of volunteering and work it does, where it is located, who uses its services, and what its goals are; and thinking about how it could become more inclusive.

You should also have a process in place to regularly review the equality and diversity monitoring information you collect. Check if it is still appropriate or if it needs updated. Make sure that the information is being used and stored in the way you told volunteers it would be. Ask volunteers for their feedback on any improvements to the process.

### **Need some more help?**

If you would like more help or advice in relation to this guide please get in touch with us:

- Telephone: 01786 479593
- Email: [hello@volunteerscotland.org.uk](mailto:hello@volunteerscotland.org.uk)
- Website: [www.volunteerscotland.org.uk](http://www.volunteerscotland.org.uk)