



# Equal Opportunities, Diversity & Inclusion Policy

September 2024, Version 1

## Introduction

The Equality and Human Rights Commission states:

"that every organisation should have an **equality policy** to ensure **equal opportunity**, and share it with staff and (as appropriate) with customers, clients or service users and others who may be interested in it, such as organisations considering contracting with them"

The aims of a policy and supporting action plan are to:

- Set the tone expected in the organisation
- Set out people's roles and responsibilities for eliminating discrimination, practicing equality and promoting diversity and inclusion
- Identify our commitment to learning and development for directors, volunteers and staff
- Monitor progress towards a more inclusive organisation

## Commitment

We promote equality and diversity in the work place by:

- Treating everyone fairly through our policies, procedures and systems
- Creating a culture that is inclusive and welcoming to everyone to enable them to contribute to the organisation's aims
- Actively promoting equality and diversity through our employment and volunteering policies, and management procedures
- Ensuring that all employees, volunteers and directors adhere to the legislation and understand and follow our Equality and Diversity policy.
- Adopting practices that maximise the abilities, skills and experience of all staff and volunteers
- Role modelling expected behaviour
- Making sure everyone is given the chance to develop to their full potential
- Ensuring there is equal access to opportunities e.g. learning, training and development
- Ensuring we communicate well and by giving everyone opportunities to fully engage
- Providing training for staff, volunteers and service users to be able to identify and challenge inequality and promote equality and diversity
- Designing and providing services and facilities that meet the diverse needs of our service users and enable people to be included and to participate fully
- Providing a venue, spaces and materials which are accessible and inclusive
- Enforcing this equality, diversity and inclusion policy
- Monitoring progress against our equality, diversity and inclusion action plan and reporting progress to the Board
- Updating the action plan annually

## **Equality Act 2010**

Under the Equality Act 2010 nine characteristics are protected by law, these are:

- Age
- Disability
- Gender reassignment
- Marriage or civil partnership
- Pregnancy or maternity
- Race (which includes colour, nationality and ethnic or national origins)
- Religion or belief
- Sex
- Sexual orientation

Our commitment to Equal Opportunities, Diversity and Inclusion will be demonstrated through our policies, practices and all of our work. We fully support the principles of equality of opportunity, diversity and inclusion in employment, volunteering and in the design and delivery of our services and facilities.

We oppose all forms of unlawful and unfair discrimination. All our employees, volunteers and directors have a responsibility to ensure the principles of Equality, Diversity and Inclusion are upheld and that best practices are implemented.

## **Scope**

This policy applies to all prospective and current employees, volunteers, directors and contractors.

## **Responsibilities**

Equality of opportunity will be applied throughout Yr Ardd Community Interest Company (CIC). Responsibility for promoting equality within Yr Ardd CIC rests with the Board of Directors, the Project Manager and all volunteers.

Yr Ardd CIC can be held legally responsible for any act of discrimination in employment and in provision of its services and facilities.

Yr Ardd CIC has both a legal and moral obligation to ensure that no employee or potential employee, and no individual appointed to provide services is subjected to unlawful or unjust discrimination. Everyone should be treated fairly, with dignity and respect.

Yr Ardd CIC expects that each person should be aware of their behaviour towards others. At all times people's feelings will be valued and respected. Language or humour that people find offensive will not be tolerated.

Yr Ardd CIC will not tolerate any employee, volunteer, director or service user being discriminated against either directly or indirectly. Disciplinary proceedings may be taken against an individual employee, volunteer or director found guilty of discrimination.

### **Director Responsibilities**

Directors have a legal obligation to ensure that their staff and volunteers do not unlawfully discriminate. Directors have a duty to promote and sustain equality of opportunity by:

- Positively promoting the principles of equality, diversity and inclusion
- Ensuring all employees and volunteers are made aware of this policy during induction
- Making sure all employment practices are fair
- Ensuring people are aware that direct or indirect discrimination or any form of harassment or bullying is unacceptable
- Establishing and maintaining an environment free from harassment, bullying and discrimination
- Making sure that offensive or potentially offensive material is not displayed in the workplace
- Ensuring staff and volunteers are aware of how to report incidents of discrimination, harassment or bullying - through the Grievance Procedure
- Monitoring and informing the Board of Directors of any instances of harassment, bullying or discrimination
- Taking prompt action to stop harassment, bullying or discrimination by arranging a disciplinary hearing where it is deemed that the matter warrants such action

### **Individual Responsibilities**

Staff or volunteers who witness what they believe to be discrimination should report it to the Project Manager or a CIC Director as soon as possible.

Employees and volunteers can be held personally liable as well as, or instead of, the organisation for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence. Acts of discrimination, harassment, bullying or victimisation against employees or service users are disciplinary offences and will be dealt with under the disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

No person should behave in a way that could be regarded as offensive, harassing, bullying or discriminatory. It is essential that everyone guards against discrimination based on possible preconceptions, stereotyping and prejudice.

### **Service Users, Suppliers, Contractors, Visitors and Others**

We will not discriminate unlawfully against service users, suppliers, contractors, visitors or other people involved with the organisation.

If anyone is bullied or harassed by a service user, supplier, contractor, visitor or others, or if you witness someone else being bullied or harassed, you are asked to report this to your manager who will take appropriate action.

## **Employment Practices**

Yr Ardd CIC will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, access to learning and development opportunities, pay, terms and conditions and benefits, discipline and selection for redundancy.

No employee will be placed at a disadvantage by conditions or requirements which adversely affect one group more than another and cannot be strictly justified in terms of the requirements of the job description.

Yr Ardd CIC is committed to equal pay for work of equal value.

Part-time staff and those in job share roles will have the same rights and entitlements as full time staff. Yr Ardd CIC fully supports the statutory entitlements of employees to apply to work flexibly. Employees can request a change to their working pattern providing they meet the qualifying conditions set out in the Flexible Working Policy.

Equality and inclusion will be addressed in all volunteering policies and procedures.

## **Staff Recruitment and Selection**

Person specifications and job descriptions will be limited to those criteria that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for a candidate with a disability.

Where qualifications are part of the selection criteria, other equivalent, recognised and relevant qualifications will be accepted. Interview questions and assessments will relate to the requirements of the job.

Yr Ardd CIC is committed to ensuring that:

- No job applicant will be treated less or more favourably than another specifically with regard to the protected characteristics (Equality Act 2010).
- No job applicant will be placed at a disadvantage by conditions or requirements that adversely affect one group more than another and cannot be strictly justified in terms of the requirements of performing the job.
- Consideration will be given to filling vacancies on a job share or part-time basis.
- The disclosure by any job applicant of a criminal conviction will not necessarily exclude them from taking up a post at Yr Ardd CIC. All disclosures of this nature will be referred to the Board of Directors to consider the relevance to the organisation and the nature of the position for which they are applying. In accordance with legislation, spent convictions are not considered by Yr Ardd CIC.

Yr Ardd CIC will comply with its obligations in relation to statutory requests for contract variations. Yr Ardd CIC will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

## **Positive Action**

To address under-representation in certain jobs within Yr Ardd CIC, we will actively seek to encourage job applications from under-represented groups by advertising job vacancies in specific press and through networks.

## **Advertising**

All advertising material, job descriptions, person specifications and supporting literature, will avoid presenting people in a stereotyped role.

## **Service Development and Delivery**

Yr Ardd CIC commits to actively designing and delivering its services, projects and activities in a way that encourages and enables participation from all beneficiaries. To achieve this, we will:

- Positively promote the principles of equality, diversity and inclusion in services and projects
- Ensure all employees and volunteers are made aware of this policy
- Keep up to date with the changing needs of service users and potential new service users
- Make reasonable adjustments to ensure disabled users can access services
- Make sure any proposed changes to services and projects consider the equality impact of those changes
- Monitor and evaluate equality measures as part of the management of services and projects.

## **Learning and Development**

Yr Ardd CIC will encourage directors, staff and volunteers to attend training in equality and diversity to better understand their rights and responsibilities. Everyone involved in recruitment will be expected to attend equality awareness training before taking part in any recruitment and selection.

## **Monitoring and Review**

This policy will be monitored periodically to judge its effectiveness and will be updated in accordance with changes in the law. We will report to the Board of Directors quarterly on any actions or activities undertaken to improve equality of opportunity.

Any information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the Data Protection legislation.

Yr Ardd CIC is committed to improving its equality and diversity practice. We will monitor progress in the following areas:

- Staff recruitment
- Staff learning and development
- Director recruitment

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- Volunteer recruitment
- Volunteer learning and development
- How the Equality and Diversity policy, and the supporting action plan, are working in practice

Services and projects will include relevant and appropriate Equality and Diversity Key Performance Indicators (KPI). These will be monitored as part of project monitoring and evaluation and reported to the Board of Directors. We will monitor progress in the following areas:

- Service design – accessibility and client feedback
- Service delivery – accessibility and client feedback

### **Grievances**

Employees who believe they have been or are being discriminated against or harassed in any way should pursue the allegation through the Grievance Procedure. Where there is evidence of discrimination, harassment, bullying or any deliberate act contravening this policy, the complaint will be dealt with through the Disciplinary Procedure.

Service users, suppliers, contractors or visitors who believe that they have been discriminated against by Yr Ardd CIC staff could pursue their complaint through the Complaints Policy.

Use of Yr Ardd CIC grievance and/or disciplinary procedures does not affect an employee's right to make a claim to an employment tribunal within three months of the alleged discrimination.

<b>Date approved</b>	07/10/2024
<b>Date of next review</b>	07/10/2025
<b>Person Responsible</b>	Elizabeth Riches

## Appendix 1

### Definitions

**Diversity** is about recognising and accepting the different elements and abilities that make us individual and understanding and respecting that we all have different beliefs and live our lives in different ways.

**Direct Discrimination** happens where someone is treated less favourably than another person because of a protected characteristic.

**Indirect Discrimination** can occur where a provision, criterion or practice is in place which is discriminatory in relation to individuals who have a protected characteristic such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

**Associative Discrimination** is where an individual is directly discriminated against or harassed for an association with another individual who has a protected characteristic.

**Perceptive Discrimination** is when an individual is directly discriminated against or harassed based on a perception that he/she has a protected characteristic, even if the person does not possess the characteristic.

**Discrimination arising from disability** is when an individual is treated less favourably because of their disability and this treatment can't be justified as a reasonable act in managing the business. (This is different to direct disability discrimination.)

**Harassment** is defined as unwanted, abusive or insulting behaviour towards another individual, regardless of the intent of the harasser and must be related to a relevant protected characteristic or be of a 'sexual nature'. It causes the recipient to feel threatened, humiliated or harassed, may interfere with work performance, undermine job security or create a threatening, hostile, degrading or intimidating work environment.

Harassment can occur both inside and outside the workplace and can be verbal, written or physical. Generally, harassment:

- includes bullying, nicknames, jokes, 'banter', gossip, inappropriate questions, excluding an employee, insults or unwanted physical contact
- can also apply to an employee who is harassed because they are perceived to have a protected characteristic, whether that is real or perceived
- can also apply to an employee who is harassed because they are associated with someone with a protected characteristic
- can also apply to an employee who witnesses harassment because of a protected characteristic which in turn has a negative effect on their dignity at work or the working environment, irrespective of whether they share the protected characteristic of the employee that is being harassed. While the Equality Act 2010 protects against harassment related to most protected

characteristics, other legislation such as the Protection from Harassment Act 1997 may also apply.