**Name of organisation**

**Equality, Diversity and Inclusion Policy**

**Approved on:**

**Next Review Date:**

**Introduction**

1. [name of organisation] is committed to encouraging equality, diversity and inclusion among our workforce and eliminating unlawful discrimination. The aim is for our team to be truly representative of all sections of society and for each employee to feel respected and able to give their best. The organisation is committed to creating a culture that respects and values each other’s’ differences and promotes dignity, equality and diversity, encouraging individuals to develop and maximise their potential.

**Scope**

1. This policy and procedure applies to all employees of xxxx.

**Principles**

1. The policy’s main aims are to:
* provide equality, fairness and respect for all in our employment, whether temporary, part-time or full-time, or voluntary;
* not unlawfully discriminate against the Equality Act 2010’s protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex and sexual orientation;
* oppose and avoid all forms of unlawful discrimination. This includes pay and benefits, terms and conditions of employment, dealing with grievances and disciplinaries, dismissal, redundancy, leave for parents, requests for flexible working, selection for employment, promotion, training or other developmental opportunities; and
* recognise how unconscious bias can influence decision making - **unconscious biases** are social stereotypes about certain groups of people that individuals form outside their own conscious awareness. Everyone holds unconscious beliefs about various social and identity groups, and these biases stem from one’s tendency to organise social worlds by categorising.
1. The organisation commits to promoting Equality, Diversity and Inclusion by:
* treating all staff fairly;
* ensuring a fair and safe recruitment process;
* encouraging equality, diversity and inclusion in the workplace to support physical and mental wellbeing and enable our employees to work better;
* creating a working environment that is inclusive and is free from bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued;
* making opportunities for training, development and progress available to all staff, who will be helped and encouraged to develop to their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation; and
* ensuring decisions concerning staff are based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act 2010).

**Definitions**

1. Definitions of terms:
* **Equality** is ensuring individuals or groups of individuals are not treated differently or less favourably, on the basis of their specific protected characteristic (outlined above). Equality enables us to create a fairer society where everyone can participate and has the opportunity to fulfil their potential.
* **Diversity** aims to recognise, respect and value people’s differences to contribute and realise their full potential by promoting an inclusive culture for all staff. It is about creating a culture and practices that recognise, respect, value and embrace difference for everyone’s benefit.
* **Inclusion** refers to an individual’s experience within the workplace and in wider society, and the extent to which they feel valued and included.
* **Equality, Diversity** and **Inclusion** are different things and they need to be progressed together. Equality of opportunity will only exist when we recognise and value difference and work together for inclusion.

**What we expect from our employees**

1. We expect all of our employees, to take personal responsibility for observing, upholding, promoting and applying this policy. Our culture is made in the day-to-day working interactions between us so creating the right environment is a responsibility that we all share.
2. Cultivating this culture does not happen by accident but requires ongoing commitment and nurturing. The reality is that we live in a world where areas of difference (whether gender, sexual orientation, ethnicity or others) often translate to biases, challenges and barriers that may not be faced by others. And the more areas of difference a person brings, the more this effect can be compounded.
3. We expect all employees to treat their colleagues and third parties fairly and with dignity, trust and respect. Sometimes, this may mean allowing for different views and viewpoints and making space for others to contribute.
4. By embedding such values and constructively challenging inappropriate comments or ways of working, everyone can help us achieve and maintain a truly inclusive workplace culture.
5. Any dealings that an employee has with colleagues or third parties must be free from any form of [discrimination](https://www.xperthr.co.uk/policies-and-procedures/equality-diversity-and-inclusion-edi-policy/34031/#discrimination), [harassment](https://www.xperthr.co.uk/policies-and-procedures/equality-diversity-and-inclusion-edi-policy/34031/#harassment), [victimisation](https://www.xperthr.co.uk/policies-and-procedures/equality-diversity-and-inclusion-edi-policy/34031/#victimisation) or [bullying](https://www.xperthr.co.uk/policies-and-procedures/equality-diversity-and-inclusion-edi-policy/34031/#bullying).
6. If any of our employees are found to have committed, authorised, or condoned an act of discrimination, harassment, sexual harassment, victimisation or bullying, we will follow our Disciplinary procedure.

**Discrimination**

1. The Equality Act 2010 prohibits discrimination against individuals because of certain protected characteristics they may have. These are:
* disability;
* sex;
* gender reassignment;
* marital or civil partnership status;
* race;
* religion or belief;
* sexual orientation;
* age; and
* pregnancy or maternity.
1. Discrimination can be intentional or unintentional and may occur directly, indirectly, by association, or by perception.
2. There are also two specific types of discrimination that apply only to disability: "discrimination arising from disability" and "failing to make reasonable adjustments".
3. Discrimination is not always obvious and can be subtle and unconscious. This stems from a person's general assumptions about the abilities, interests and characteristics of a particular group that influences how they treat those people (known as "unconscious bias"). Such assumptions or prejudices may cause them to apply requirements or conditions that put those in particular groups at a disadvantage.

**Different types of discrimination under the Equality Act 2010**

1. **Direct discrimination:** Treating someone less favourably because of a protected characteristic compared with someone who does not have that characteristic (for example choosing not to recruit someone because they are disabled and the manager thinks they "wouldn't fit in" to the team).
2. **Indirect discrimination:** Where a policy, procedure or way of working that applies to everyone puts people with a particular protected characteristic at a disadvantage, compared with people who do not have that characteristic, unless there is a good reason to justify it.
3. **Associative discrimination:** Treating someone less favourably because they are associated with someone who has a protected characteristic, for example because their partner is transgender.
4. **Discrimination by perception:** Treating someone less favourably because an employee perceives them to have a protected characteristic even if they do not, for example choosing not to promote someone because they mistakenly perceive them to be gay.
5. **Discrimination arising from disability:** Treating someone unfavourably because of something connected with that person's disability and where such treatment is not justified.
6. **Failing to make reasonable adjustments:** Employers are legally obliged to make reasonable adjustments to ensure that aspects of employment, or the employer's premises, do not put a disabled person at a substantial disadvantage. Failing to comply with this duty is unlawful.

**Harassment and sexual harassment**

1. Harassment is unwanted conduct related to a protected characteristic that has the purpose or effect of:
* violating someone else's dignity; or
* creating an intimidating, hostile, degrading, humiliating or offensive environment for someone else.
1. Sexual harassment is:
* conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment; and
* less favourable treatment related to sex or gender reassignment that occurs because of a rejection of, or submission to, sexual conduct (refer to the Anti Sexual Harassment Policy)
1. They should refer to our Employee Anti-Bullying and Harassment Policy and Procedure and Anti Sexual Harassment policy for further information on our procedure for reporting harassment and sexual harassment. **– if applicable**

**Victimisation**

1. Victimisation is treating another person detrimentally either because that person has made a complaint of discrimination or harassment, or because they have supported someone else who has made such a complaint, for example by giving a witness statement that supports the allegations.

**Bullying**

1. There is no legal definition of bullying. However, we regard it as conduct that is offensive, intimidating, malicious, insulting, or an abuse or misuse of power, and usually persistent, that has the effect of undermining, humiliating or injuring the recipient.
2. Bullying can be physical, verbal or non-verbal conduct. It is not necessarily face-to-face and can be done by email, phone calls, online or on social media for example.
3. If the bullying relates to a person's protected characteristic, it may also constitute harassment and, therefore, will be unlawful.

**Equality of Opportunity**

**Recruitment**

1. We take reasonable and appropriate steps to encourage job applications from as diverse a range of people as possible.
2. Anyone making a decision about recruitment must not discriminate in any way and must have attended appropriate diversity and inclusion training **– amend as appropriate**
3. Every decision-maker should challenge themselves, and other members of the recruitment and selection panel, to make sure that any stereotypes, unconscious bias or prejudice do not play any part in recruitment decisions.

**Reasonable adjustments**

1. If an employee has a disability, they do not have to tell us. However, we would encourage them to let us know so that we can support them.
2. If an employee is experiencing difficulties at work because of their disability, employees must contact their line manager/management team/PCC to discuss potential reasonable adjustments that may alleviate or minimise such difficulties. We may need to discuss an employee’s needs with them and their medical adviser to help us get the right support in place.

**Training and responsibilities**

1. [name of organisation] will ensure that managers and all other employees undertake appropriate training and are made aware of their rights and responsibilities under the Equality, Diversity and Inclusion Policy. xxxx will ensure that managers undertake appropriate training relating to “Unconscious Bias” and Equality, Diversity and Inclusion.
2. Responsibilities of the organisation include monitoring staff conduct to help the organisation provide equal opportunities in employment, and to prevent bullying, harassment, victimisation and unlawful discrimination.
3. All staff should understand that they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination during the course of their employment. This could be against fellow employees or members of the public.

**Procedures**

1. [name of organisation] takesseriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, suppliers, visitors, the public and any others in the course of the organisation’s work activities. Such acts will be dealt with as misconduct under the organisation’s grievance and/or disciplinary procedures, and appropriate action will be taken. Details of the organisation’s grievance and disciplinary policies and procedures can be found on the staff intranet.
2. Furthermore, sexual harassment may amount to both an employment rights matter and a criminal matter, such as sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.

Use of the organisation’s 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.

**Monitoring**

1. The [name of organisation] will:
* Review employment practices and procedures when necessary to ensure fairness, and also update them and the policy to take account of changes in the law.
* Monitor and assess how the equality, diversity and inclusion policy, and any supporting action plan, are working in practice, reviewing them annually, and considering and taking action to address any issues.