

Equality, Diversity and Inclusion Policy

Our Commitment

Quaggy Development Trust recognises that unfair discrimination can manifest itself in our society, which can result in people being denied equal access to employment, training, services, decision making processes and other opportunities that affect their lives.

As an organisation, we are committed to providing equal opportunities in employment and to avoiding unlawful discrimination. We aim to achieve a work environment that is free of harassment and bullying, where everyone is treated with dignity and respect.

This policy is intended to assist Quaggy Development Trust to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.

Scope

This policy applies to all employees (whether full-time, part-time, fixed term or permanent) and to job applicants, volunteers, contractors and agency workers.

Document Support

If after reading this document, you need further help, please contact your line manager.

Policy

Quaggy Development Trust's policy is to comply with both the spirit and the letter of the law on equality and discrimination and we do not tolerate any form of discrimination or harassment.

Our commitment to equal opportunities is enhanced by the belief that creating a diverse and inclusive workplace brings many benefits for the organisation over and above legal compliance including:

- increased creativity
- better decision making
- timely and effective problem solving
- retention of employees
- attracting top talent
- higher employee wellbeing
- enhanced employee engagement
- better reputation for the organisation.

We have a separate Dignity at Work Policy which deals with issues of bullying and harassment and will never victimise anyone who makes a legitimate complaint about these issues.

The Law

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality, caste and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

You should not discriminate against or harass a member of the public or service user in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

Types of Unlawful Discrimination

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic.

In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant 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.

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and [according to guidance from the Government and ACAS] pregnancy and maternity).

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).

Third-party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity), by third parties such as service users.

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he/she is suspected of doing so. However, an employee is not protected from victimisation if he/she acted maliciously or made or supported an untrue complaint.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

Equal Opportunities in Employment

Quaggy Development Trust will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

Recruitment

Person and job specifications will be limited to those requirements 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 candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

Working practices

Quaggy Development Trust will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if Quaggy Development Trust considers it has good reasons, unrelated to any protected characteristic, for doing so. Quaggy Development Trust will comply with its obligations in relation to statutory requests for contract variations. Quaggy Development Trust will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

Equal Opportunities Monitoring

Quaggy Development Trust will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

Quaggy Development Trust treats personal data collected for reviewing equality and diversity in accordance with the data protection policy. Information about how data is used and the basis for processing is provided in Quaggy Development Trust's privacy notices.

Additional to the recruitment stage key aspects of employment and service delivery will be monitored and analysed as appropriate.

Inclusion

Quaggy Development Trust respects and values staff as individuals, providing support and commitment so that everyone has a sense of belonging and is able to achieve their best.

All employees have a personal responsibility to treat colleagues, Board members, contractors, applicants, visitors, volunteers and members of the public in accordance with our Equality, Diversity and Inclusion policy and Code of Practice/Conduct.

In our employment practices and in providing services, we expect all employees to:

- Support a working environment free of 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
- Act fairly and, provide equality of opportunity
- Recognise that everyone is different and that these differences must be equally respected
- Be aware that you must not treat people less favourably because of a protected characteristic

- Challenge discrimination so that we demonstrate our commitment to equality and diversity and do not exclude people or make them feel isolated
- Not unlawfully discriminate, for example, as staff responsible for decisions on recruitment, selection, promotion or transfer
- Not induce or attempt to induce others to practice discrimination, nor yield to pressure from others to discriminate
- Not victimise or attempt to victimise individuals on the grounds that they have made complaints under the Equality Act or provided information about discrimination
- Not harass, abuse or intimidate other employees, member organisations, partners etc; where employees commit such action, they will be liable to disciplinary action
- Draw to the attention of management apparent breaches of this Code of Practice
- Line Managers and Supervisors have a particular responsibility for ensuring that staff act appropriately.

Dignity at Work

Quaggy Development Trust has a separate dignity at work policy concerning issues of bullying and harassment on any grounds, and how complaints of this type will be dealt with.

Service users, suppliers and other people not employed by Quaggy Development Trust.

Quaggy Development Trust will not discriminate unlawfully against service users using or seeking to use the services provided by Quaggy Development Trust.

You should report any bullying or harassment by service users, suppliers, visitors or others to your manager who will take appropriate action.

Training

Quaggy Development Trust will provide training in/raise awareness of equal opportunities to managers and others likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise.

Quaggy Development Trust will provide training to/raise awareness of all existing and new employees and others engaged to work at Quaggy Development Trust to help them understand their rights and responsibilities under the Dignity at Work Policy and what they can do to help create a working environment free of bullying and harassment.

Quaggy Development Trust will provide additional training to managers to enable them to deal effectively with complaints of bullying and harassment.

Grievances

If you consider that you may have been unlawfully discriminated against, you should use Quaggy Development Trust's Grievance Procedure to make a complaint. If your complaint involves bullying or harassment, the Grievance Procedure is modified as set out in the Dignity at Work Policy.

Quaggy Development Trust will take any complaint seriously and will seek to resolve any grievance that it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

Monitoring and review

This policy will be monitored periodically by Quaggy Development Trust to judge its effectiveness and will be updated in accordance with changes in the law. In particular, Quaggy Development Trust will monitor the ethnic and gender composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will review its equal opportunities policy in accordance with the results shown by the monitoring. If changes are required, Quaggy Development Trust will implement them.

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 relevant data protection legislation.

NB- Please also see other related policies:

- -Dignity at Work
- -Access to information Policy
- -Compliments & Complaints Procedure
- -Disciplinary Procedure
- -Grievance Procedure
- -Information sharing Policy
- -Safeguarding Handbook

Date last reviewed: April 2020

Next review: April 2022