



**BRATHAY TRUST**

**EQUALITY AND DIVERSITY POLICY**

**POLICY & MANAGEMENT GUIDELINES**

## DOCUMENT MANAGEMENT RECORD

**Policy Name:** Equality and Diversity Policy

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**Policy Owner:** Business Support Manager

**Distribution:** Internal and External – Non- Confidential; Website

## SUMMARY POLICY STATEMENT

At Brathay we always strive to demonstrate the organisation's values which are to inspire, share, support and achieve. Our staff demonstrate these by building meaningful, high quality, relationships with young people and adults that are built on respect, care, and unconditional positive regard.

This policy relates to staff and other key stakeholders. Whilst it is written with staff in mind, we also expect our clients, partners, suppliers and sub contractors to abide by the principles and requirements contained within this document.

The ethos and principles set out here also define how we expect everyone to work with learners and programme delegates.

**Equality** - We promote equality of opportunity by seeking to remove barriers, eliminating discrimination and ensuring equal opportunity and access for all groups of people.

**Diversity** – We accept each person as an individual. Our success is built on our ability to embrace diversity – and we believe that everyone should feel valued for their contributions. By working together, we will deliver the best possible services for our children, young people and families, learners and delegates and for our staff and stakeholders.

**Inclusion** – We are committed to creating a culture where differences are not merely accepted but valued; where everyone can develop in a way that is consistent with, and adheres to, Brathay's values of 'inspire, support, share and achieve'. Our aim is to be an organisation where people feel involved, respected and connected.

In addition, the purpose of this policy is to provide equality and fairness for all our staff and not to discriminate on grounds of age, disability, gender reassignment, marriage/civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. We oppose all forms of unlawful and unfair discrimination and do not discriminate because of any other unrelated factor.

Brathay is committed to complying with the Equality Act 2010 in terms of discrimination, harassment, and victimisation, and legislation detailed in the Race Relations Act 1976 and Race Relations (Amendment) Act 2000, the Equality Act (Sexual Orientation) Regulations 2007, and the Disability Discrimination Act 2005. We act in accordance with ACAS Guidelines on Delivering Equality and Diversity and the ACAS guide Disability Discrimination: Key Points for the Workplace. We also recognise and work to the government guide 'Recruitment and Retention of Transgender Staff'.

## OUR STAFF

Brathay Trust is committed to eliminating discrimination and encouraging diversity amongst our workforce. Our aim is that our workforce will be truly representative of all sections of society, especially the communities within which we work, and that each employee feels respected and able to give of their best within a culture that values meritocracy, openness, fairness and transparency.

All staff, whether part-time, full-time, temporary, or sessional, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit is based on aptitude and ability. All employees are helped and encouraged to develop their full potential and the talents and resources of the workforce are fully utilised to maximise the efficiency of the organisation.

All staff are responsible for the promotion and advancement of this policy. Behaviour, actions or words that transgress the policy are not tolerated and are dealt with under Brathay's disciplinary procedures, as appropriate.

Staff who believe they have not been treated fairly should use Brathay's grievance procedure.

Brathay's commitment:

- To create an environment in which individual differences and the contributions of all our staff are recognised and valued.
- All staff are entitled to a working environment that promotes dignity and respect to all: no form of intimidation, bullying or harassment is tolerated
- Training, development and progression opportunities are available to all employees
- Equality in the workplace is good management practice and makes sound business sense
- We review all our employment practices and procedures on a regular basis to ensure fairness
- Breaches of our Equality & Diversity policy are regarded as misconduct and could lead to disciplinary proceedings
- This policy is fully supported by the Leadership Team
- The policy is monitored annually and reviewed every three years by the Trustees

## **POLICY DETAILS**

### **1. Recruitment and Selection**

Please refer to Brathay's Recruitment and Selection Policy

Specifically, we:

- Encourage more people to apply for posts by considering part-time working
- Advertise widely to attract a diverse workforce (Brathay web site, Job Centre Plus, local and national media (where appropriate), using social media, as appropriate)
- Monitor recruitment data and publish internally
- Maintain confidentiality
- Offer work experience opportunities/mentoring for students
- Work with community groups

### **2. Remuneration and Benefits**

Please refer to Brathay's Remuneration & Benefits Policy

Specifically, we:

- Aim to be fair, transparent and consistent: wherever possible, each of our jobs is matched to the relevant rank and job family of an external salary survey, and a salary range given for each job.
- Offer flexible working to all staff wherever possible and where this fits with business needs, not just to those who are eligible by law.

### **3. Learning & Development**

Please refer to Brathay's Learning & Development Policy.

Equality and diversity training for all staff is included in Brathay's induction process. Any further training needs relating to equality and diversity are identified and scheduled into individual Personal Development Plans (eg, Recruitment & Selection training for new managers)

Thereafter, there is scope to discuss equality and diversity issues via the 121 process.

Specifically, we:

- Explain Brathay's culture and approach to equality and diversity and why it is important
- Explain the relevant law and what this means in practice
- Explain the roles and responsibilities of staff in making the policy work
- Explain our policy for dealing with bullying and harassment (see below)
- Provide written/electronic materials to underpin the training
- Provide specialist guidance via training workshops for staff with responsibility for recruitment and selection, appraisals etc.
- Explain how staff can raise their concerns (see below)
- Explain our approach to dealing with potential breaches of the equality and diversity policy

### **4. Bullying and Harassment**

Please refer to Brathay's Bullying and Harassment Policy.

Brathay is committed to taking all reasonably practical steps to ensure that bullying and harassment does not occur in the workplace.

Specifically, we:

- Foster a culture of mutual respect and confidence amongst all staff via our induction, training and on-going appraisal and learning and development processes
- Have disciplinary and grievance policies and processes to investigate all claims of bullying and harassment in a fair and consistent manner. Physical violence or bullying, and unlawful discrimination or harassment, both carry the gross misconduct penalty under Brathay's disciplinary policy.

- Provide support for those who are victims of bullying and harassment at work, including the provision of a confidential Employee Assistance Programme.

## **5. Disciplinary**

Please refer to Brathay's Disciplinary Policy

An overview of our Disciplinary Policy is included on the Brathay intranet. Further details are given to staff during their induction. We follow ACAS procedures.

Specifically, the following both carry the gross misconduct penalty (this list is not exhaustive):

- Physical violence or bullying, and
- Unlawful discrimination or harassment

## **6. Grievance**

Please refer to Brathay's Grievance Policy

An overview of our Grievance Policy is included on the Brathay intranet. Further details are given to staff during their induction. We follow ACAS procedures.

Specifically, we:

- Encourage staff to discuss issues at the earliest opportunity.

## **7. Monitoring and review**

Please refer to Brathay's Recruitment & Selection Policy

We are committed to monitoring equality of opportunities and take appropriate action to identify any anomalies as we strive to develop best practice within our staff teams.

Specifically, we:

- Collate equality and diversity data, reporting (by exception) any adverse trend(s) to the Executive Team
- Produce quarterly statistics
- Report grievances quarterly via the Board Report, which is read by the Trustees.
- Review the policy on a regular basis
- Engage staff on equality and diversity issues via our appraisal process (objective-setting and one-to-one meetings), where we discuss anti-discriminatory practice and give feedback on desired behaviours

## **OUR LEARNERS AND DELEGATES**

Brathay Trust is committed to eliminating discrimination and encouraging diversity amongst all the learners and delegates that we work with. Our programmes are designed to be accessible to those from all sections of society, especially the communities within which we work, and to ensure that each person feels respected and able to give of their best within a culture that values meritocracy, openness, fairness and transparency.

All learners and delegates will be treated fairly and with respect. Selection for attendance on any Brathay programme is expected to be inclusive and any discrimination understood to have taken place in selection will be addressed with the concerned client. All delegates and learners are helped and encouraged to develop their full potential and the talents and resources of the groups are utilised to maximise the positive outcomes of any programme.

All staff are responsible for the promotion and advancement of this policy, encouraging and supporting these behaviours and attitudes amongst all learners and delegates. Behaviour, actions or words that which are disrespectful and discriminatory will be challenged and appropriate actions to address any such instances will be taken in collaboration with accompanying staff.

Learners or delegates who believe they have been treated unfairly or derogatively should be supported by Brathay staff to raise this either through the Brathay Complaints Process or as a Safeguarding Incident if the individual feels vulnerable as a result of the actions.

Brathay's commitment:

- To create an environment in which individual differences are celebrated and the contributions of everyone are recognised and valued.
- All learners and delegates are entitled to an environment that promotes dignity and respect to all: no form of intimidation, bullying or harassment will be tolerated
- All programmes will be designed to be accessible to all learners and delegates.
- Breaches of our Equality & Diversity policy are taken seriously and should be reported in a timely and appropriate manner.
- This policy is fully supported by the Leadership Team

The policy is monitored annually and reviewed every three years by the Trustees.

## **TRAINING**

All staff receive an equality and diversity induction. Any issues requiring follow up are identified via Brathay's induction process.

Thereafter, equality and diversity issues are discussed via the appraisal process (121 meetings, appraisals etc.), with refresher sessions for all staff carried out regularly.

## **RESPONSIBILITIES**

### **Trustees**

Responsible for:

- Overall responsibility for the policy, ensuring compliance with the relevant statute(s).
- Treating people with dignity and respect, and ensuring fairness towards people of all ages, colleagues, and members of the community.

### **Chief Executive**

- Overall responsibility for Brathay's Equality & Diversity Policy and Procedures and ensuring that the policy is followed.
- Treating people with dignity and respect, and ensuring fairness towards people of all ages, colleagues, and members of the community.

### **Leadership Team**

Responsible for:

- Treating people with dignity and respect, and ensuring fairness towards people of all ages, colleagues, and members of the community.
- Development and maintenance of such procedures as are necessary to ensure communication and implementation of the policy
- Taking ownership and responsibility for the policy
- Ensuring that mainstream business communications reinforce the inclusive messages and become mainstreamed into day-to-day processes.
- Ensuring that communication imagery and graphics are inclusive, and reflect and reinforce the policy
- Ensuring policy reviewed on a regular basis
- Reporting to Trustees

### **Management**

Responsible for:

- Treating people with dignity and respect, and ensuring fairness towards people of all ages, colleagues, and members of the community.
- Monitoring desired behaviours via regular 121 meetings
- Using inductions, team, and individual meetings to raise awareness of equality and diversity matters
- Dealing with any concerns as soon as they arise, liaising with HR as appropriate
- Reporting to the Executive Team

**Individual Responsibility (including workers and contractors)**

Responsible for:

- Compliance with legislation and procedures: working towards the elimination of all forms of discrimination and disadvantage by creating an inclusive working environment and challenging equality issues that arise in the workplace.
- Taking responsibility for personal behaviour and learning
- Treating people with dignity and respect, and ensuring fairness towards people of all ages, colleagues, and members of the community.
- Reporting to management, as appropriate

## DEFINITIONS / ABBREVIATIONS

**Equality** can be defined as breaking down barriers, eliminating discrimination and ensuring equal opportunity and access for all groups; the basis of which is supported and protected by legislation.

**Diversity** can be described as celebrating differences and valuing every individual and group. Each person is an individual with visible and non-visible differences and by respecting this, everyone can feel valued for their contributions, which is beneficial not only for the individual but for the company. Equality and diversity are not inter-changeable but inter-dependent. There can be no equality of opportunity if difference is not valued and taken account of.

**Protected characteristics** are defined by the Equality Act 2010. These are; age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

**Direct discrimination** occurs when someone is treated less favourably than another person because of a protected characteristic.

**Associative discrimination** occurs when someone treats an individual unfairly because of someone else's protected characteristics (eg. a spouse or child)

**Discrimination by perception** occurs when someone discriminates against an individual because they think they possess a particular protected characteristic even though they may not.

**Indirect discrimination** occurs when a seemingly neutral position or practice that applies to everyone places a group who share a protected characteristic at a disadvantage.

**Dual discrimination** occurs where someone is treated less favourably because of a combination of two or more protected characteristics.

**Third party harassment** occurs when an employee is harassed by someone who does not work for the company (such as a customer, client, visitors or contractor). This section should contain any relevant definitions and/or abbreviations

## ASSOCIATED GUIDANCE AND DOCUMENTS

- Bullying & Harassment
- Complaints
- Disciplinary
- Grievance
- Learning & Development
- Recruitment & Selection
- Remuneration & Benefits
- Safeguarding
- Whistleblowing
- Wellbeing

## DOCUMENT HISTORY

<b>Issue</b>	<b>Date</b>	<b>Notes</b>	<b>Author</b>	<b>Status</b>
1.	<b>August 2016</b>	Document distributed to staff	HR Manager	Approved
2.	<b>July 2019</b>	Draft Document Issued for stakeholder consultation, including compliance trustee; updated for responses and recirculated to SMT	Finance Director	Approved
3.	<b>October 2020</b>	Document reviewed	HR Consultant	Draft