

# EQUALITY, DIVERSITY AND INCLUSION

## POLICY AND PROCEDURE

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**CONTENTS**

	<b>Page No.</b>
1 EQUAL OPPORTUNITIES STATEMENT.....	3
2 CHRISTIAN ETHOS.....	3
3 ABOUT THIS POLICY.....	3
4 WHO IS RESPONSIBLE FOR THIS POLICY?.....	4
5 DISCRIMINATION.....	5
6 RECRUITMENT AND SELECTION.....	6
7 TRAINING AND PROMOTION.....	8
8 TERMS OF EMPLOYMENT, BENEFITS, FACILITES AND SERVICES .....	8
9 TERMINATION OF EMPLOYMENT.....	8
10 CONSIDERATIONS RELATING TO DISABILITY.....	9
11 PART-TIME AND FIXED-TERM WORK.....	9
12 BREACHES OF THIS POLICY.....	9
13 RELATED POLICIES.....	10
14 REVIEW.....	10
SUMMARY OF AMENDMENTS V1 TO V2.....	<b>ERROR! BOOKMARK NOT DEFINED.</b>

## **1 EQUAL OPPORTUNITIES STATEMENT**

YMCA Black Country Group is committed to promoting equal opportunities in employment. All employees, volunteers and any job applicants will receive equal treatment regardless of the following regarded as “**Protected Characteristics**” in accordance with the Equality Act 2010, namely:

- age,
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

## **2 CHRISTIAN ETHOS**

The Aims and Purposes of the YMCA Black Country Group are based on its ethos as a non-denominational Christian Movement. At the heart of our Christian values lies the belief that all people are created in the image of God and that all have immeasurable value and equal significance. We value diversity, understanding it to be a demonstration of God’s creativity and design, we hold that it is in the uniting of diverse backgrounds, experiences and beliefs that we learn, grow and are most effective as a workforce. People employed or volunteering in all roles are expected to respect the Christian Ethos of the Association and to uphold its values. The majority of roles are open to people of all faiths and none. Those employed or volunteering in roles which are assessed by the Board to be central in nurturing and upholding the Association’s Christian Ethos, including enabling people to experience, explore and express the faith based motivation of its work, are required to demonstrate a commitment to the Christian faith as an occupational requirement (OR). We review the OR on a case-by-case basis and only implement it where we believe the OR to be a proportionate means of achieving a legitimate aim.

This policy should be read in conjunction with the Association’s Christian Ethos Statement and its Central Post Policy.

## **3 ABOUT THIS POLICY**

- 3.1 This policy sets out our approach to equal opportunities and the avoidance of discrimination at work. It applies to all aspects of employment with us, including recruitment, pay and conditions, training, appraisals, promotion, conduct at

work, disciplinary and grievance procedures, and termination of employment.

- 3.2 This policy covers all employees, officers, consultants, contractors, volunteers, Apprenticeships, Relief Workers, interns, sessional workers and agency workers.
- 3.3 This policy does not form part of any employee's contract of employment and we may amend it at any time.
- 3.4 This policy applies to YMCA Black Country Group, its subsidiaries, and its associated companies.

#### **4 WHO IS RESPONSIBLE FOR THIS POLICY?**

- 4.1 The Board of YMCA BCG has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.
- 4.2 The Chief Officers are the nominated Board representatives for the Equality and Diversity Policy across the organisation, ensuring that all concerns raised are dealt with fairly, thoroughly and in accordance with the policy.
- 4.3 The Executive Head of Human Resources and Ethos Services has day-to-day operational responsibility for this policy, including regular review of this policy.
- 4.4 All managers must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities. Managers will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice.
- 4.5 It is the responsibility of every individual, both staff and volunteer, to prevent unlawful discrimination by ensuring the practical application of this policy and reporting incidents of unlawful discrimination (such as those described below) to a member of management.
- 4.6 Where staff are involved in management or recruitment, or if they have any questions about the content or application of this policy, they should contact the Executive Head of Human Resources and Ethos Services to request training or further information.
- 4.7 All allegations of unlawful discrimination will be treated seriously. Any such discrimination is totally unacceptable to

the Association and may result in disciplinary action and possible dismissal.

## **5 DISCRIMINATION**

5.1 You must not unlawfully discriminate against or harass other people including current and former employees, job applicants, clients, customers, suppliers and visitors. This applies in the workplace, outside the workplace (when dealing with customers, suppliers or other work-related contacts or when wearing a work uniform), and on work-related trips or events including social events.

5.2 There should be no discrimination in the workplace because of any of the protected characteristics set out in the policy statement in Section 1 above. The following forms of discrimination are prohibited under this policy and are unlawful:

5.2.1 **Direct discrimination:** treating someone less favourably because of a protected characteristic. An example of this would be paying someone less because of their sex or because they belong to a particular racial group. '**Because of**' is very wide and will cover behaviour that takes place, for example because of sexual orientation. It also includes less favourable treatment because someone is associated with another person who has a protected characteristic, e.g. because a worker is the primary carer for a disabled child.

5.2.2 **Indirect discrimination:** a provision, criterion or practice that applies to everyone but adversely affects people with a particular protected characteristic more than others, and is not justified. For example, requiring a job to be done full-time rather than part-time may adversely affect women because they generally have greater childcare commitments than men. Such a requirement would be discriminatory unless there is a demonstrable occupational reason why a job must be full or part-time.

5.2.3 **Harassment:** this is unwanted conduct related to a protected characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Harrassment may also be of a sexual nature. It may also occur when someone harasses the victim, the victim either rejects or submits to the harassment and, because of that rejection or submission, that person then treats the victim less favourably.

5.2.4 **Victimisation:** this is treating someone less favourably because they have alleged discrimination or asserted their right not to be discriminated against because of a protected characteristic. An example of this would be retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment.

5.2.5 **Disability discrimination:** this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

## **6 RECRUITMENT AND SELECTION**

- 6.1 Recruitment, promotion, and other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoid discrimination. Shortlisting should be done by more than one person and with the involvement of the Human Resources Department, where possible. Our recruitment procedures should be reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities.
- 6.2 Vacancies should generally be advertised to a diverse section of the labour market. Adverts should avoid stereotyping or using wording that may discourage particular groups from applying. In order to prevent unconscious bias all application forms and CVs are anonymised by the HR team before they are passed on to the recruiting manager.
- 6.3 We take steps to ensure that our vacancies are advertised to a diverse labour market and, where possible we will avoid recruiting only internally or by word of mouth – in order to help increase applications from a more diverse pool of talent.
- 6.4 Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic.

- 6.5 Additionally, they should not be asked about health or disability before a job offer is made. However, there are limited exceptions, for example:
- 6.5.1 Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
  - 6.5.2 Questions to establish if an applicant is fit to attend an assessment or to understand if any reasonable adjustments may be needed at interview or assessment to eliminate any disadvantage an individual may be placed at.
  - 6.5.3 Positive action to recruit disabled persons.
  - 6.5.4 Equal opportunities monitoring (which will not form part of the selection or decision-making process).
- 6.6 We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the Human Resources team.
- 6.7 To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our organisation, we monitor applicants' ethnic group, gender, disability, sexual orientation, religion and age as part of the recruitment procedure. Provision of this information is voluntary and it will not adversely affect an individual's chances of recruitment or any other decision related to their employment. The information is removed from applications before shortlisting, and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity.
- 6.8 Decisions regarding the method of recruitment or selection or who is recruited or selected will be made by a person who has read and understood this policy and undergone relevant training.

## **7 TRAINING AND PROMOTION**

- 7.1 Training needs will be identified through regular appraisals. Staff will be given appropriate access to training to enable them to progress within the organisation and all promotion decisions will be made on the basis of merit.
- 7.2 Workforce composition and promotions will be regularly monitored to ensure equality of opportunity at all levels of the organisation. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the special needs of disadvantaged or underrepresented groups.
- 7.3 We will ensure that policies and practices regarding selection for training, day release and personal development do not result in an imbalance in training between groups of workers.

## **8 TERMS OF EMPLOYMENT, BENEFITS, FACILITIES AND SERVICES**

- 8.1 Our conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all staff who should have access to them and that there are no unlawful obstacles to accessing them.
- 8.2 We will ensure that part-time workers receive pay, benefits, facilities and services on a pro-rata basis to their full time comparator unless objectively justified.
- 8.3 If any provision, criterion or practice relating to the terms of employment, benefits, facilities or services puts disabled workers at a substantial disadvantage due to a reason connected with their disability, we will ensure that reasonable adjustments are made reduce the disadvantage.
- 8.4 We will examine carefully and monitor regular pay policies and practices and, if it appears that any group of workers are disadvantaged by them, we will check to make sure that this is not due to any hidden or indirect discrimination.

## **9 TERMINATION OF EMPLOYMENT**

- 9.1 We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.
- 9.2 If a staff member, in good faith, brings a grievance (or assists another to do so) either under this policy or otherwise in relation to an equality or equal opportunities matter, they will



not be disciplined, dismissed or otherwise suffer any adverse treatment for having done so.

- 9.3 We will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

## **10 CONSIDERATIONS RELATING TO DISABILITY**

- 10.1 Where staff are disabled or become disabled, we encourage them to tell us about their condition so that we can support them as appropriate.
- 10.2 If a staff member experiences difficulties at work because of their disability, they are encouraged to contact the Human Resources team to discuss any reasonable adjustments that would help overcome or minimise the difficulty. The Human Resources team may wish to consult with them and their medical adviser about possible adjustments. We will consider the matter carefully and try to accommodate their needs with diligence. If we consider a particular adjustment would not be reasonable we will explain our reasons and try to find an alternative solution where possible.
- 10.3 We will monitor the physical features of our premises to consider whether they might place anyone with a disability at a substantial disadvantage. Where necessary, we will take reasonable steps to improve access.
- 10.4 We will take all reasonably practicable steps to ensure that disabled people are able to participate in our business and activities on an equal basis with people who are not disabled.

## **11 PART-TIME AND FIXED-TERM WORK**

Part-time and fixed-term staff should be treated the same as comparable full-time or permanent staff and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate) unless different treatment is justified.

## **12 BREACHES OF THIS POLICY**

- 12.1 We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Procedure. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.
- 12.2 If a staff member believes that they have suffered discrimination, they can raise the matter through the

Grievance Procedure as contained in the Staff Handbook. Complaints will be treated in confidence and investigated as appropriate.

12.3 There must be no victimisation or retaliation against staff who complain about discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under our Disciplinary Procedure.

### **13 RELATED POLICIES**

13.1 This policy is supported by the following other policies and procedures:

- 13.1.1 Central Posts Policy;
- 13.1.2 Dress Code and Uniform Policy and Procedure;
- 13.1.3 Disciplinary Policy and Procedure;
- 13.1.4 Ethos Statement;
- 13.1.5 Flexible Working Procedure in the Staff Handbook;
- 13.1.6 Maternity, Paternity, Adoption and Shared Parental Leave Policies in the Staff Handbook;
- 13.1.7 Parental Leave Policy and Procedure;
- 13.1.8 Time Off for Dependants Procedure in the Staff Handbook;
- 13.1.9 Recruitment and Selection;

### **14 REVIEW**

**The effectiveness of this policy will be reviewed every two years.**