

EQUALITY AND DIVERSITY POLICY

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Policy Statement

1.1 The Independent Living Centre (ILC) is committed to ensuring that all employees, workers and volunteers (referred to collectively for the purpose of this policy as "workers"), job applicants and prospective trustees, trustees, carers/clients and other people with whom we deal are treated fairly and are not subjected to unfair or unlawful discrimination.

1.2 This policy is not contractual, but aims to set out the way in which the ILC aims to manage equal opportunity and diversity.

Scope of this policy

This policy applies to all workers as well as trustees and agency staff.

Aims of this policy

3.1 Our policy is designed to ensure that current and potential workers are offered the same opportunities regardless of a protected characteristic (sex, gender, race, age, religion or belief, sexual orientation, disability, marital status or civil partnership, pregnancy/maternity) or indeed any other characteristic unrelated to the performance of the job. We seek to ensure that no one suffers, either directly or indirectly, as a result of unlawful discrimination. This extends beyond the individual's own characteristics, to cover discrimination by association and by perception.

3.2 We recognise that an effective Equality and Diversity Policy will help all employees to develop to their full potential, which is clearly in the best interests of both employees and our organisation. We aim to ensure that we not only observe the relevant legislation but also do whatever is necessary to provide genuine equality of opportunity.

3.3 We further recognise the benefits of employing individuals from a range of backgrounds, as this creates a workforce where creativity and valuing difference in others thrives. We value the wealth of experience within the local community in which we operate and aspire to have a workforce and board of trustees that broadly reflects this.

3.4 We aim to create a culture that values differences and where anyone who works for us is treated and treats others with respect. We seek to provide a working environment free from harassment, intimidation, or discrimination in any form that may affect the dignity of the individual.

3.5 We also aim to make our services as accessible and responsive as possible to all existing and potential clients, and to provide a service to them which recognises and respects their differences.

Principles

The ILC's commitment to equality and diversity is:

4.1 To create an environment in which individual differences and the contributions of all our workers and trustees are recognised and valued.

4.2 To ensure that decisions on recruitment, access to training and development are made only on the basis of ability.

4.3 To create a working environment that promotes dignity and respect for all. No form of intimidation, bullying or harassment will be tolerated.

4.4 To ensure training, development and progression opportunities are available to all.

4.5 To promote equality in the workplace, which we believe is good management practice and makes sound business sense.

4.6 To regularly review all employment and volunteering practices and procedures to ensure that no job or volunteering applicants, prospective trustees, workers or trustees are treated less favourably than others.

4.7 To regularly review services to ensure they are accessible and appropriate to all groups within society.

4.8 To treat breaches of the Equality and Diversity Policy seriously and to take disciplinary action when required.

4.9 To provide information and training to all workers and trustees so that they are fully aware of the issues relating to Equality and Diversity and their responsibilities relating to it.

4.10 To develop an equality action plan to ensure our Equality and Diversity Policy is fully implemented and to regularly review our employment and volunteering policies to ensure that people are treated fairly, equitably and consistently.

4.11 To monitor the composition of our workforce to provide us with robust data so that we can evaluate the effect of our policies. To routinely monitor all actions under grievance and disciplinary procedures by equality criteria we deem to be appropriate e.g. gender, race, disability, age.

4.12 To ensure the Equality and Diversity Policy is fully supported by the board of trustees.

4.13 To monitor and review the Equality and Diversity Policy in line with the Policy on Policies.

Discrimination

5.1 Discrimination may be direct or indirect, and can take different forms, for example:

5.1.1 Treating any individual less favourably than others on grounds of a protected characteristic (sex, gender, race, disability, sexual orientation, religion or belief, age, marital status or civil partnership, pregnancy/maternity)

5.1.2 Expecting a person, solely on the grounds stated above, to comply with requirements that are different to the requirements for others, for any reason whatsoever

5.1.3 Imposing requirements on an individual that are in effect more onerous than they are on others. This would include applying a condition (not warranted by the requirements of the position) that makes it more difficult for members of a particular group to comply than others not of that group

5.1.4 Harassment, i.e. unwanted conduct that has "the purpose, intentionally or unintentionally, of violating dignity, or which creates an intimidating, hostile, degrading, humiliating or offensive environment" for the individual

5.1.5 Victimisation, i.e. treating a person less favourably because he or she has committed a "protected act". "Protected acts" include previous legal proceedings brought against the employer or the perpetrator, or the giving of evidence at a disciplinary or grievance hearing or at tribunal, or making complaints about the perpetrator or the employer or their alleged discriminatory practices

5.1.6 Discrimination by association, i.e. someone is discriminated against because he/she associates with someone who possesses a protected characteristic

5.1.7 Discrimination by perception, i.e. discrimination on the grounds that the person is perceived as belonging to a particular group (e.g. sexual orientation, religion or belief), irrespective of whether or not this is correct

5.1.8 Any other act or omission of an act, which has the effect of disadvantaging one person against another, purely on the above grounds.

5.2 On all occasions where those responsible for the management of workers are required to make judgements between them, for example disciplinary matters, selection for training, promotion, pay increases, awards etc it is essential that merit, experience, skills and temperament are considered as objectively as possible.

Responsibility for this policy

6.1 The overall responsibility for this policy rests with the Board of Trustees.

6.2 Managers have a crucial role to play in promoting equality of opportunity in their own areas of responsibility.

6.3 All workers irrespective of their job or seniority, and trustees, will be given guidance and instruction, through our induction and other training, as to their responsibility and role in promoting equality of opportunity and not discriminating unfairly or harassing colleagues, job applicants or ex-workers, nor encouraging others to do so or tolerating such behaviour.

6.4 Workers should be aware that not only is the employer liable for any cases of discrimination or harassment that occur, but individuals also may be held personally liable for their own acts and behaviour.

Recruitment and selection

7.1 We aim through written instruction, appropriate training and supervision, to ensure that all those who are responsible for recruitment and selection are familiar with this policy.

7.2 Selection will be conducted on an objective basis and will focus on the applicants' suitability for the post and their ability to fulfil the post's requirements. Our interest is in the skills, abilities, qualifications, aptitude and the potential of individuals to perform the requirements of the role.

7.3 Job/role descriptions and person specifications will be reviewed for all posts to ensure that criteria are not applied which are discriminatory, either directly or indirectly, and that they do not impose any condition or requirement which cannot be justified by the demands of the post.

7.4 Questions asked of candidates will relate to information that will help us to assess their ability to perform the role. Questions about marriage plans, family intentions, religious or political commitments or about any other issues that may give rise to suspicions of unlawful discrimination should not be asked. Selection tests will be specifically related to the post and measure an individual's actual, or inherent, ability to do or train for the post.

7.5 Recruitment adverts should encourage applications from all types of candidates and should not be stereotyped. A range of advertising methods will be used in order to attract the widest pool of suitable candidates. When advertising a position that has traditionally been done by one sex, adverts should specify they are open to both sexes.

7.6 All adverts will state: "The Independent Living Centre is an equal opportunity employer and values diversity".

Employment of Ex Offenders

8.1 We do not discriminate at any stage of the recruitment process or during employment on the grounds of a criminal record.

8.2 Under employment law, it is illegal to discriminate against potential and existing workers on the grounds of spent convictions and workers usually do not have to declare these to employers. There are however exceptions under the Rehabilitation of Offenders Act 1974 for workers who carry out certain types of work and working with vulnerable groups is one of these exceptions. This means that the ILC is able to take into account a worker's spent and unspent convictions if they are in a role where they are carrying out certain activities or working in a regulated activity with vulnerable group members.

Induction, training and development

9.1 The ILC recognises that equal opportunity responsibilities do not end at selection, and is committed to ensure that wherever possible all workers receive the widest possible range of development opportunities.

9.2 All workers and trustees will be required to follow an appropriate induction process to ensure they are adequately supported in their initial weeks and fully equipped to perform their roles.

9.3 As part of the induction and probation period all workers and trustees will receive training on the Equality and Diversity Policy, procedures and action plan, and then at a frequency as required.

9.4 All workers will be encouraged to discuss their career prospects with their manager. Opportunities for vacancies will be advertised internally and externally, where appropriate, and made available to all workers on a fair and equal basis.

9.5 Training and development opportunities for employees will be discussed during supervision sessions and selection for training will be made on the basis of both the needs of the organisation, as set out in the Business Plan, and the personal or professional development of the individual. Training will be discussed with volunteers on a regular basis and offered where it is relevant and applicable to the volunteer's role, or as otherwise appropriate.

9.6 Special needs and requirements for people with disabilities or caring responsibilities will be taken into account whenever practicable and methods sought to help them overcome difficulties in taking up training opportunities.

Terms and conditions of employment

10.1 We will ensure that all of our policies and any other relevant issues associated with terms and conditions of employment are formulated and applied without regard to a protected characteristic (sex, gender, race, disability, sexual orientation, religion or belief, age, marital status or civil partnership, pregnancy/maternity) or indeed any other characteristic unrelated to the performance of the job.

10.2 These will be reviewed regularly to ensure there is no discrimination. Length of service as a qualifying criterion for benefits will not exceed five years unless clearly justifiable.

The Working Environment

We will take all reasonable steps (e.g. flexible working, reasonable aids and adaptations) to ensure that our working environment does not prevent people from taking up positions for which they are suitably qualified.

Bullying and harassment

12.1 Bullying and harassment, i.e. conduct that violates a person's dignity, or behaviour against an individual that is intimidating, degrading, offensive, humiliating or malicious, will not be tolerated. It may be related to any personal characteristic of the individual (whether perceived or real), or by association (i.e. related to the individual's relationship or dealings with others who have that personal characteristic). It may be persistent, or an isolated incident, and can take many forms, from relatively mild banter to actual physical violence. It includes not only situations occurring whilst at work, but also at any time on our premises, or externally whilst attending social functions or training courses etc in the course of our employment. It also includes emails, phone calls and texts made outside of work using either our or the worker's own equipment, as well as via social networking sites.

12.2 All workers, irrespective of status, and Trustees have the right to be treated with respect and dignity at work. Any acts of bullying and harassment committed in the course of employment with the ILC will not be tolerated, and any individual worker who feels that he/she has been subjected to harassment or bullying should, where they feel able to do so, inform the perpetrator, either verbally or in writing, that the behaviour is unacceptable to them and it must stop. Where this fails, or a serious incident of bullying or harassment occurs, the worker should refer to our Grievance Policy (or, if a volunteer, discuss their concern with the volunteer manager or another manager).

12.3 Equally, anyone who witnesses incidents of harassment or bullying should report this to their line manager or the Chief Executive.

12.4 Serious examples of bullying and harassment may constitute gross misconduct that could lead to summary dismissal, in accordance with our Disciplinary Procedure.

Grievances, disputes and disciplinary procedure

13.1 Employees who believe they have been discriminated against and have not been able to resolve this informally are advised to use our internal Grievance Procedure (Volunteers should discuss their concerns with the volunteer manager or another manager). An employee or worker who brings a complaint of discrimination must not be less favourably treated.

13.2 When dealing with general disciplinary matters care is to be taken that workers who have, or are perceived to have, or are associated with someone who has, a protected characteristic are not dismissed or disciplined for performance or behaviour which could be overlooked or condoned in other workers.

Flexible Working

We will consider any request for flexible working in a way that aims to balance the needs of the individual and the organisation.

References

We will not discriminate against individuals who have left our organisation by providing references that are not based on factual information, nor fail to provide one based on a protected characteristic.

Retirement

We have no fixed retirement age and anyone who wishes to work beyond State Pension Age may choose to do so.

Positive action

17.1 We recognise that passive policies will not reverse the discrimination experienced by many groups of people. Whilst positive discrimination is illegal, if certain groups are under-represented within our organisation we will actively seek to encourage applications from those groups.

Service provision

18.1 The ILC will continue to take a leading role in combating any form of discrimination and will endeavour to ensure that our services are sensitive and appropriate to respond to the needs of all groups, whenever practicable, i.e. taking account of the needs of minority groups. We will take care to avoid unintentionally discriminatory passages appearing in published, printed or spoken material.

18.2 We are committed to meeting the requirements of the Equality Act 2010, and make every effort to ensure that our services and communications are accessible to people with special needs, including those with visual, audio, cognitive and/or physical impairments, and carers who are unable to communicate effectively in English.

18.3 Furthermore, we will work with others to ensure that the diversity of the population in Wiltshire is recognised and celebrated.

18.4 Anyone who feels they have been denied equality of opportunity whilst in receipt of our services will be encouraged to make their complaint in writing so that their concerns can be investigated and responded to. Users of our services should be referred to our Complaints Policy for further information.

18.5 We reserve the right to withdraw services to any carer/client if that individual behaves in a discriminatory, disruptive or abusive manner to any worker, trustee, carer or other person.

Communication of this policy

All job applicants and employees will be made aware of this policy and a copy will be included in our Employee Handbook, given to all employees on joining us. Volunteers and trustees will also be made aware of this policy.

HR policies and procedures

Our HR policies and procedures will be reviewed regularly to improve, amend or adapt current practices to promote equality of opportunity within our organisation.

Legal considerations

The following pieces of legislation apply to this policy:

- *the Rehabilitation of Offenders Act 1974
- *the Protection from Harassment Act 1997
- *the Human Rights Act 1998
- *the Sex Discrimination (Gender Reassignment) Regulations 1999
- *the Racial and Religious Hatred Act 2006
- *the Equality Act 2010
- *the Enterprise and Regulatory Reform Act 2013
- *any Codes of Practice issued by the Equality and Human Rights Commission

Plus any amendments to the above legislation.

Implementation, monitoring and review of this policy

22.1 This policy will take effect from December 2025. The Board of Trustees has overall responsibility for implementing and monitoring this policy, which will be reviewed on a regular basis following its implementation and may be changed from time to time.

22.2 Relevant data will be collected to support this policy. Personal details provided by employees or applicants for the purposes of equal opportunity monitoring are confidential, will be kept apart from all other records and not used for any other purpose.

22.3 Any queries or comments about this policy should be addressed to your line manager.