Equality, Diversity and Inclusion

*CLASS Policy Framework*

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**Key contacts:**

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# **Introduction**

CLASS has a duty to ensure that it treats everyone equally and that all our organisational processes are inclusive and free from discrimination.

This policy is reviewed, endorsed and approved by the board of trustees every three years unless specifically needed for example when legislation changes. Day-to-day operational responsibility for this policy has been delegated to the CLASS Director.

# **2. Purpose and scope of this policy**

This policy applies to anyone working on behalf of CLASS, including senior managers and the board of trustees, paid staff, volunteers, sessional workers, agency staff and students.

The purpose of this statement of policy and procedures is:

* to enable staff and volunteers to recognise and understand how people are excluded and disadvantaged
* to ensure people do not experience barriers to accessing our services, activities, or employment and volunteering opportunities
* to improve our ways of working and behaviours in order to contribute to overcoming exclusion and disadvantage

In respect of anyone employed by CLASS, this policy 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. This policy does not form part of any employee’s contract of employment and we may amend it at any time.

# **Legal Framework and equality guidance**

This policy draws on NCVO and Equality and Human Rights Commission guidance relating to the legal obligations of voluntary sector organisations under the Equality Act 2010.

1. **Supporting documents**

This policy statement should be read alongside other CLASS organisational policies and guidelines including:

* Safeguarding policies
* Health and safety
* Data protection
* Recruitment and selection
* Grievance and disciplinary
* Complaints
* Code of conduct

# **Definitions**

**Commonly used definitions (adapted from** [**www.ncvo.org.uk**](http://www.ncvo.org.uk)**):**

* **Equality** means ensuring every individual has equal opportunities. By being conscious of and actively challenging bias or prejudice we make sure no-one is treated less favourably because of who they are or what makes them different from other people. This requires a proactive approach to make reasonable adjustments that address the visible and invisible barriers people face.
* **Equity** means treating people in ways that make sure they are not unfairly prevented from accessing resources and opportunities nor that others have an unfair advantage. Simply providing the same opportunities to everyone is not an effective way to create equality of outcomes. Equality of outcomes is not just about giving everyone the same things; it is about giving people what they need to achieve fair access. This is about removing inequalities to make sure everyone has the chance to realise their ambitions.
* **Diversity** means having differences within an organisation or setting. Diversity recognises we are all different in many ways. People with differing identities, backgrounds and experiences should all have equitable access to resources and decision-making. Some people prefer to use the term ‘representation’ to focus on how organisations should be reflective of the society we live in and the communities we serve.

* **Inclusion** means being proactive to make sure people of different backgrounds, experiences and identities feel welcomed, respected and fully able to participate. It is not only about creating a diverse environment but also about ensuring a culture exists where individuals can be their full selves.

***What are protected characteristics?***

It is against the law to discriminate against someone because of:

**Age:** a person belonging to a particular age (for example 32 year olds) or range of ages (for example 18 to 30 year olds).

**Disability**: a person has a disability if she or he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

**Gender reassignment**: this is the process of transitioning from one gender to another. Gender reassignment discrimination is when you are treated differently because you are transsexual (when your gender identity is different from the gender assigned to you when you were born).

**Marriage and civil partnership**: marriage is a union between a man and a woman or between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act).

**Pregnancy and maternity:** pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. Protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

**Race:** refers to the protected characteristic of race. It refers to a group of people defined by their race, colour, nationality (including citizenship), or ethnic or national origins.

**Religion and belief:** Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

**Sex**: a man or a woman

**Sexual orientation:** Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

These are called **protected characteristics**

The Equality Act 2010 says that you must not be discriminated against, harassed or victimised on the basis of any of these protected characteristics, including whether someone perceives you to have a protected characteristic or whether you are connected to someone with a protected characteristic.

***Direct and indirect discrimination***

Discrimination does not have to be intentional to be unlawful.

Direct discrimination is when an organisation treats a person or a group of people less favourably because of a protected characteristic. For example, rejecting a job applicant because of their religious views or because they might be gay.

Indirect discrimination is when an organisation does something which has a worse impact on people with a protected characteristic than on other groups of people who do not have that protected characteristic. For example, refusing permission for staff to wear a hat or headwear at work which would have a worse impact on people of certain religions. This would be discriminatory unless it can be justified.

***Disability discrimination***

Disability discrimination 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.

***Harassment***

Harassment includes unwanted conduct related to a protected characteristic which has the purpose or effect or violating someone’s dignity or which creates a hostile, degrading, humiliating or offensive environment for someone with a protected characteristic.

***Victimisation***

Victimisation is treating someone unfavourably because they have taken (or might be taking) action under the Equality Act or supporting somebody who is doing so.

1. **We will promote equity, diversity and inclusion within our organisation by:**
* Treating people fairly and with dignity and respect.
* Recognising and respecting differences.
* Making decisions or judgements about people based on individual merit and need not through bias, prejudice, assumptions or stereotyping.
* Creating a climate where everyone has fair and equal access to training, volunteering, employment, and promotion opportunities.
* Maintaining a working environment which is free from discrimination, harassment and victimisation or bullying.
* Ensuring our services can be accessed by all and that we deliver a consistent standard of service to all.
* Providing appropriate services that match differing needs, priorities and preferences across different social groups (within the boundaries of our organisational objectives)
* Striving to achieve more equitable outcomes for the communities we work with
* Promoting good relations between people who have different backgrounds and experiences in everything that we do
* Ensuring that the principles of respect, equality and diversity apply across all of our activities and that it is an integral part of business planning and delivery.
* Maintaining standards promoting equity, diversity and inclusion in areas of activity where we are sub-contracting with other partners.
* Taking any concerns or allegations about discrimination raised with our staff or volunteers seriously and acting on them with care and efficiency.

**7. Recruitment and selection**

Recruitment, promotion, and other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoid discrimination. Please refer to our recruitment and selection policy which is reviewed every three years. This policy aims to ensure that individuals are treated on the basis of their relevant merits and abilities.

We are required by law to ensure that all employees are entitled to work in the UK and all prospective employees will be asked to produce original documents to satisfy current immigration legislation. Assumptions about immigration status should not be made based on appearance or apparent nationality.

**8. Training and Promotion and Conditions of Service**

Training needs will be identified through regular appraisals. CLASS staff members and volunteers will be given appropriate access to training to enable them to progress within the organisation where funding is available,and all promotion decisions will be made on the basis of merit.

**9. Termination of Employment**

We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

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. Disabilities**

We encourage CLASS staff members or volunteers who are disabled or become disabled, to tell us about their condition so that we can support them and make any reasonable adjustments as needed. If we consider a particular adjustment would not be reasonable we will explain our reasons and try to find an alternative solution. In the event that we rent or purchase premises we will endeavor to ensure they are fully accessible.

**11. Part-time and fixed-term work**

Part-time and fixed-term staff should usually enjoy the same terms and conditions as comparable full-time or permanent staff unless there is a justifiable reason for different treatment.

**12. Procedure for reporting concerns about discrimination:**

We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Grievance and Disciplinary Policy. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.

Staff members, volunteers, or trustees of CLASS who have concerns about discrimination should raise the matter through our Grievance and Disciplinary Policy. Complaints will be treated in confidence and investigated as appropriate.

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 Grievance and Disciplinary Policy.