

# **Equality and Diversity Policy**

**Approved by the Board: 26 July 2018  
Review Date: July 2020  
Version: 6**

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## YMCA Derbyshire

### EQUALITY AND DIVERSITY POLICY

#### 1. POLICY STATEMENT

The YMCA is a movement with Christian principles at its heart. It stands for:

- A world-wide fellowship based on the equal value of all persons
- Respect and freedom for all
- Tolerance and understanding between people of different backgrounds
- An active concern for the needs of the community.

Individuals with different cultures, perspectives and experiences are at the heart of the way YMCA Derbyshire ("the Association") works. Whilst our values are based on Christian principles, we want to recruit, develop and retain the most talented people, regardless of their background and make best use of their talents. Our values guide everything we do and we recognise that being a diverse and inclusive employer helps us fulfil our responsibilities to make a difference for our service users.

#### 2. SCOPE

Through this policy we are seeking to develop a work environment where we treat all employees as individuals, fairly and in a consistent way. We work within the spirit and the practice of the Equality Act 2010 by promoting a culture of dignity and respect and actively challenging discrimination, should it ever arise.

We are committed to opposing and avoiding all forms of unlawful discrimination in relation to, and which is not exclusive to, pay and benefits, terms and conditions of employment, responses to grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, selection for employment, promotion, training or other development opportunities.

We will also remove unnecessary barriers for our employees seeking opportunities through training and development, promotion and career planning.

We will continue to support our leaders, managers and employees to demonstrate the principles of diversity and inclusion in their everyday activities, roles and functions.

The rights and obligations set out in this policy apply equally to all employees, whether part time, full time, voluntary, temporary or fixed term and also to associated persons such as secondees, agency staff, contractors and others employed under a contract of service.

This policy does not form any part of an employee's contract of employment and it may be amended at any time. We may also vary this procedure, including any time limits, as appropriate in any case.

### **3. PRINCIPLES**

The Association is committed to promoting equality and diversity and promoting a culture that actively values difference and recognises that people from different backgrounds and experiences can bring valuable insights to the workplace and enhance the way we work.

The Association aims to be an inclusive organisation, committed to providing equal opportunities throughout employment including in the recruitment, training and development of employees, and to pro-actively tackle and eliminate discrimination.

Every individual associated with the Association has a personal responsibility for the application of this policy. As part of the new starters induction, employees are expected to read and familiarise themselves with this policy, ensure that it is properly observed and fully complied with and to complete the declaration at the back of the policy.

### **4. YMCA DERBYSHIRE'S COMMITMENT**

Every employee is entitled to work in an environment that promotes equality and respect for all. The Association will not tolerate any acts of unlawful or unfair discrimination (including harassment) committed against a fellow employee, contractor, job applicant, service user, or visitor because of a protected characteristic:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy or maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

All employees will be encouraged to develop their skills and fulfill their potential and to take advantage of training, development and progression opportunities with the Association. Selection for employment, promotion, training, or any other benefit will be on the basis of aptitude and ability.

No form of intimidation, bullying or harassment will be tolerated. If an employee believes that they may have suffered discrimination because of any of the above characteristics they should consider the appropriateness and feasibility of attempted informal resolution by discussion in the first instance with their line manager or a colleague from HR.

An employee may decide as an alternative to raise the matter through the bullying and harassment policy or grievance policy.

Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the appropriate procedure. The Association will ensure that individuals who make such allegations in good faith will not be victimised or treated less favourably as a result. However, false allegations of a breach of this policy which are found to have been made in bad faith will be dealt with under the disciplinary policy.

A person found to have breached this policy may be subject to disciplinary action under the Associations Disciplinary Policy.

Employees may also be personally liable for any acts of discrimination prohibited by this policy that they commit.

## **5. APPLICATION OF THIS POLICY**

This policy applies to all conduct in the workplace and also to conduct outside of the workplace that is related to an employee's work (e.g. at meetings, social events and social interactions with colleagues) or which may impact on the Associations reputation (e.g. the expression of views on social media, contrary to the commitments expressed in this policy, that could be linked to the Association).

Specific areas of this application include (and which are not exclusive):

### i) Recruitment

The Association is committed to ensuring that we recruit, retain and treat staff in a manner which is fair and equitable. Selection for employment at the Association will be on the basis of aptitude and ability.

We are committed to fair and transparent recruitment and selection processes including providing all unsuccessful applicants at interview stage with an opportunity to receive verbal feedback. Further detail is set out in the Recruitment and Selection Policy. Where possible, The Association will capture applicants' diversity demographics as part of its recruitment processes to promote the elimination of unlawful discrimination.

### ii) Training & Development

Employees may also be required to participate in training and development activities from time to time to encourage the promotion of the principles of this policy. Opportunities for training will be provided in a clear and transparent way.

### iii) Promotion and Performance Management

All promotion decisions will be made on the basis of merit, and will not be influenced by any of the protected characteristics listed above. Promotion opportunities will be monitored to ensure quality of opportunity at all levels. Where appropriate, steps will be taken to and remove unnecessary or unjustifiable barriers to promotion. Decisions taken on performance management will only be based on ability and performance.

### iv) During employment

We are committed to ensuring that all staff members are treated with dignity and respect. We take complaints of bullying and harassment very seriously and we include a statement on our commitment to equal opportunities within all our job advertisements and job descriptions.

The benefits, terms and conditions of employment and facilities available to The Association employees will be reviewed on a regular basis to ensure that access is not restricted by unlawful means and to provide appropriate conditions to meet the needs of disadvantaged or under-represented groups. Wherever possible, we monitor the

diversity of existing staff to ensure our workforce is representative of the community within which it works

## **6. TYPES OF DISCRIMINATION**

There are various types of discrimination prohibited by this policy. The main types are:

### **i) Direct discrimination**

Direct discrimination occurs where one person is treated less favourably than another because of a protected characteristic set out in this policy. By way of example, refusing to promote a pregnant employee on the basis that she is shortly due to go on maternity leave would be direct discrimination on the protected characteristic of the employee's sex. Other types of direct discrimination are:

- **Associative discrimination** – this is direct discrimination against someone because they associate with another person who possesses a protected characteristic. For example, an employee is discriminated against because his/her son is disabled.
- **Perceptive discrimination** – this is direction discrimination against an individual because others think they possess a particular protected characteristic. For example, where co-workers believe the individual is gay. It applies even if the person does not actually possess that characteristic.

### **ii) Indirect discrimination**

Indirect discrimination occurs when an unjustifiable requirement or condition is applied which appears to be the same for all, but which has a disproportionate, adverse effect on one group of people. This is discrimination even though there was no intention to discriminate. For example, a requirement for UK based qualifications could disadvantage applicants who have obtained their qualifications outside of the UK; this could amount to indirect discrimination on the grounds of race.

### **iii) Victimisation**

Victimisation is when an employee is treated less favourably because they have complained about discrimination or have helped someone else who has been the victim of discrimination in the workplace.

### **iv) Harassment and bullying**

Harassment and bullying will not be tolerated by the Association, either amongst staff or towards staff and service users. Harassment is 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'. It is important to remember that it is not the intention of the harasser but how the recipient perceives their behavior, which determines whether harassment has occurred.

Further details of how the Association manages such issues can also be found in the Bullying and Harassment Policy. Staff members who feel they have been bullied or

harassed can raise a complaint either informally or formally in accordance with the Bullying and Harassment Policy.

Service users can raise a complaint via the complaints procedure which can be obtained from the HR department or on the Association website.

## **7. COMMUNICATING THE POLICY**

All staff, contractors, consultants and trustees will be supplied with or have access to a copy of this policy. Any queries relating to the policy should be raised directly with the HR department.

## **8. RESPONSIBILITY FOR IMPLEMENTATION**

All staff members are responsible for delivering a service and treating colleagues in a manner which is consistent with the equality and diversity policy.

We will ensure that access to our services is fair and equitable and that steps are made to take into consideration people's diversity when developing, arranging and delivering our services. We will commit to:

- Monitoring the diversity of our service users and reviewing this information to ensure that there is no unfairness in our service delivery
- Encouraging equality of opportunity for all people and actively promote good relations
- Ensuring that venues we use are accessible
- Meeting any dietary requirements service users may have
- Meeting any accessible requirements service users may have

The HR department will produce an action plan that will sit alongside this policy detailing how the policy will be implemented.

Integral to this plan will be training on equality and diversity for all staff, especially those in managerial roles.

All employees are required to undertake as a minimum, online Equality and Diversity training every two years.

Overall responsibility for implementing the policy lies with the Board of Trustees or its delegated committee. The Chief Executive and managers within the organisation have a particular responsibility to ensure that on a day to day basis the policy is adhered to by staff and all contractors and consultants. The policy will be driven and championed through the Association by the HR Director and HR department and there will be a progress report presented annually to the Board of Trustees.

## **9. OUR COMMITMENT IN PROCUREMENT**

When contractors and consultants are engaged by the Association we expect them to deliver services on our behalf in a way which is consistent with our policy on Equality and Diversity. When contractors deliver services on our behalf they are often perceived as an extension of our business. Therefore we expect all contractors and consultants we engage to adhere to our Equality and Diversity policy. We will commit to:

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- Providing all contractors and consultants with a copy of our Equality and Diversity policy.
  - Monitoring the diversity of our contractors and consultants and reviewing this information.

## **10. MONITORING AND REVIEW OF THIS POLICY**

The policy will be reviewed every two years or earlier in the event there is a change in legislation.

## **11. LINKS TO OTHER POLICIES**

This policy links to:

- Bullying and Harassment Policy
- Complaints Policy
- Disciplinary Policy
- Grievance Policy

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**YMCA Derbyshire**

**Equality and Diversity Policy**

I confirm that I have received a copy of the above policy and have read and understood it.

Signed	
Name	
Date	