

## Equality and Diversity Policy

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## Equality and Diversity Policy

### 1. Purpose

Age UK Hertfordshire (AUKH) believes that equality for all is a basic human right and actively opposes all forms of unlawful and unfair discrimination, harassment and victimisation. Age UK Hertfordshire is committed to promoting equal opportunities in employment and therefore employees and any job applicants will receive equal treatment regardless of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, religion or belief, sex or sexual orientation (known as protected characteristics). For the purpose of this policy the term sex also includes any person that identifies as non-binary.

Age UK Hertfordshire celebrates diversity of society and strives to promote and reflect that diversity within the organisation.

Age UK Hertfordshire believes that by providing equality of opportunity for all members of our community, and by recognising and valuing the diversity of that community, we will not only fulfil our legal and social responsibilities, but will promote organisational effectiveness and innovative ways of working that will aid in the delivery of our services.

### 2. Scope

This policy sets out the AUKH's approach to equal opportunities and the avoidance of discrimination at work. It applies to all aspects of employment including recruitment, pay and conditions, training, appraisals, promotions, conduct at work, disciplinary and grievance procedures and termination of employment.

This policy applies to AUKH's employees, consultants, contractors, volunteers, interns, casual workers and agency workers. This policy also applies to the AUKH's dealings internally with service users and the general public.

This policy should be read in conjunction with all of Age UK Hertfordshire's policies and procedures. Equality and diversity is an integral part of all policies and practices within Age UK Hertfordshire.

This policy incorporates the principles contained in the Equality Act 2010 (Appendix 1).

This policy is non-contractual, does not form part of any employee's contract of employment and AUKH may amend it at any time.

### 3. Objectives

Age UK Hertfordshire is committed to:

- ensuring no-one within the organisation, or using its services, experiences discrimination or harassment
- ensuring that all workers and volunteers receive training on issues around equality and diversity
- ensuring services take into account difference and diversity and are accessible to all who need them
- carrying out the policy in accordance with current legal requirements and codes of practice
- ensuring that all managers set an appropriate standard of behaviour, lead by example, and ensure that those they manage adhere to the policy and promote AUKH's aims and objectives with regard to equal opportunities.

### 4. Worker/Volunteer Responsibilities

Individual workers/volunteers will be expected to:

- Cooperate in measures designed to ensure equality of opportunity and non-discrimination
- Press for the introduction of measures that have not already been introduced by Age UK Hertfordshire
- Ensure their own practice is non-discriminatory, in that their work promotes anti-discrimination practice and the provision of equal opportunities.
- Draw the attention of management and, where appropriate, a staff representative to acts, or practices, of discrimination/harassment and identify any necessary improvements for physical access and working arrangements
- Abide by the disciplinary and grievance procedures as they relate to equal opportunities and non-discrimination.

## 5. Discrimination

No one must unlawfully discriminate against or harass other people, including current and former employees, job applicants, clients, customers, suppliers or other work-related contacts.

The following forms of discrimination are prohibited under this policy and are unlawful:

- (a) Direct discrimination: treating someone less favourably because of a protected characteristic. For example, rejecting a job applicant because of their religious views or their sexual orientation.
- (b) 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 would adversely affect women because they generally have greater childcare commitments than men. Such a requirement would be discriminatory unless it can be justified.
- (c) Harassment: this includes sexual harassment and other 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. Harassment is dealt with further in the Dignity at Work policy.
- (d) Victimisation: retaliation against someone who has complained or has supported someone else's complaint against discrimination or harassment.
- (e) 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

Age UK Hertfordshire is an equal opportunities employer.

In accordance with Age UK Hertfordshire's Recruitment and Selection Policy and Procedures, all vacancies will be advertised internally within AUKH as far as possible. If a vacancy is advertised externally, these advertisements will encourage potentially suitable applicants from all sections of the community. Advertisements should avoid stereotyping and/or using wording which may discourage particular groups from applying.

There should be no discrimination in the distribution and content of application forms.

Shortlisting for interview will be carried out against objective selection criteria based on essential role and person requirements. These criteria will be non-discriminatory and relate solely to the requirements of the job. Applicants invited for interview will be asked to make known any special requirements or access needs to assist them at the interview so that appropriate arrangements can be made.

Interviewing panels will be aware of the inadmissibility of discriminatory questions. Interviews will be based on job requirements and selection criteria and applicants will not be asked about age, marital or family status, or any other personal matter.

Job applicants should not be asked about health or disability before a job offer is made. There are limited exceptions which should only be used with the approval of the HR department. For example: -

- (a) Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments)
- (b) Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at an interview or assessment
- (c) Equal opportunities monitoring (which will not form part of the selection or decision-making process)

Where necessary, job offers can be made conditional on a satisfactory medical check.

Individuals are only appointed on the basis of the best match between their skills, knowledge, ability and experience and the requirements of the job.

Age UK Hertfordshire is 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 HR department.

Records will be kept at all stages of the selection process and destroyed at a time that they are no longer required for the purpose of which they are intended.

Further details on equality and diversity considerations during recruitment and selection can be found in AUKH's Recruitment and Selection Policy and Procedures.

## 7. Employment

To ensure that this policy is operating effectively and to identify groups that may be under-represented or disadvantaged at AUKH, the organisation monitors new employee's ethnic group, gender, disability, sexual orientation, religion and age as part of the induction procedure. Provision of this information is voluntary and it will not adversely affect any decision related to their employment. Analysing this data helps us to take appropriate steps to avoid discrimination and improve equality and diversity.

Age UK Hertfordshire's Diversity Lead is responsible for monitoring staff and Volunteer compliance with the Equality and Diversity Policy and for actively promoting equality and diversity throughout the organisation.

Age UK Hertfordshire will make reasonable adjustments to assist disabled employees in carrying out their duties. If an employee becomes disabled, AUKH will consider reasonable adaptation of the workplace or a suitable alternative role if possible, which may vary according to the individual circumstances.

The conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all employees who should have access to them and that there are no unlawful obstacles to accessing them.

## 8. Training

Induction training for workers and volunteers will include appropriate tuition on the Equality and Diversity Policy and individual responsibilities.

Training needs will be identified through regular appraisals. Access to training shall be equal for all employees to assist their future development in accordance with Age UK Hertfordshire's Training and Development Policy. All promotion decisions will be made on the basis of merit.

In cases where existing employees have become disabled, retraining will be provided to help them either retain their current job, or to carry out a new role, where possible.

## 9. Termination of Employment

Redundancy situations will be carried out in accordance with Age UK Hertfordshire's Redundancy Policy. The organisation will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

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

All employees who resign from AUKH shall be asked to complete an exit questionnaire and if requested will be interviewed by a member of the HR Department in order to monitor reasons for leaving. If these interviews reveal that people are leaving because they feel they are being discriminated against, a full investigation shall be carried out to rectify the situation if possible and the individual concerned encouraged to stay with AUKH.

## **10. Enforcement**

Failure by workers and volunteers to comply with this policy will be investigated under Age UK Hertfordshire's Disciplinary procedure and proven cases will be the subject of appropriate disciplinary action.

For circumstances where an employee considers that they have been the subject of harassment or discrimination, the Grievance procedure and/or Dignity at Work Policy should be referred to as appropriate.

For circumstances where a service user, volunteer or job applicant considers they have been the subject of harassment or discrimination, the Registered Complaints procedure should be followed. Individuals are able to complain about behaviour that they find offensive even if it is not directed at them.



## Appendix 1 Equality Act 2010

The Act covers nine protected characteristics, which cannot be used as a reason to treat people unfairly. The protected characteristics are:

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

The Equality Act sets out the different ways in which it is unlawful to treat someone, such as:

- Direct discrimination - This occurs when someone is treated less favorably than another person because of a protected characteristic.
- Associative discrimination - This is discrimination against a person because they have an association with someone with a particular protected characteristic.
- Perceptive discrimination - This is discrimination against a person because it is believed they possess a protected characteristic, even if they do not.
- Indirect discrimination - This occurs when a policy, rule or procedure applies to everyone but has a disproportionate impact on people with a protected characteristic.
- Harassment – This 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.
- Third party harassment – In certain circumstances, employers are potentially liable for harassment of their employees by people they do not employ.
- Victimisation - This occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so.

## Appendix 2 - Protected characteristics definitions:

The following definitions of protected characteristics are taken from Equality and Human Rights Commission guidance to the public sector equality duty, and are listed alphabetically.

**Age:** This refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

**Disability:** A person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

**Gender reassignment:** The process of transitioning from one gender to another.

**Marriage and civil partnership:** In Wales, England and Scotland marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple. Same-sex (and, in Wales and England, opposite-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/paternity:** Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity/paternity leave in the employment context.

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

**Religion and belief:** Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism).

**Sex (gender):** Someone being a man or a woman. Regarding gender: the wider social roles and relationships that structure men's and women's lives. These change over time and vary between cultures.

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