**Equity Diversity & Inclusion Policy**

**Introduction**

Our organisation is made up of brilliant people. Each of us is unique in terms of our background, personal characteristics, experience, skills or motivations. And we value our people for the differences they bring to the table.

Fostering an inclusive culture helps us benefit from a wider range of these different perspectives, experiences and skills. This creates a happier, more productive working environment for us all.

To support this inclusive culture, this policy:

* outlines our commitment throughout the employment lifecycle to equality, diversity and inclusion and sets out how we put this commitment into practice;
* explains the behaviours we expect of our people in support of this commitment; and
* sets out the key steps we take to make our culture as inclusive as possible, including our diversity and inclusion framework and how we ensure equality of opportunity throughout the employment lifecycle.

This policy does not form part of your contract of employment, and we reserve the right to amend or withdraw it at any time.

**Scope**

This policy applies to anyone working for us. This includes employees, workers, contractors, volunteers, interns and apprentices. The policy also relates to job applicants and is relevant to all stages of the employment relationship.

The policy accompanies any other equality, diversity and inclusion (EDI) policies adopted by the organisation, for example, [Transgender equality policy](https://www.xperthr.co.uk/policies-and-procedures/transgender-equality-policy/51927/), [Menopause policy](https://www.xperthr.co.uk/policies-and-procedures/menopause-policy/164482/), etc.

**Our commitment to you**

We believe that a culture of equality, diversity and inclusion benefits our organisation and supports wellbeing and enables our people to work better because they can be themselves and feel that they belong.

We are committed to promoting a working environment based on dignity, trust and respect and free from discrimination, harassment, bullying or victimisation.

We ensure that our recruitment, promotion and retention procedures do not treat people less favourably because of their:

* disability;
* gender, gender identity or gender reassignment status;
* marital status;
* race, racial group, ethnic or national origin, or nationality;
* religion or belief;
* sexual orientation;
* age;
* civil partnership status;
* pregnancy or maternity;
* paternity;
* educational background;
* socio-economic background;
* caring responsibilities;
* part-time status; or
* fixed-term status.

**What we expect from you**

We expect you and other employees to take personal responsibility for observing, upholding, promoting and applying this policy. Our culture is made in the day-to-day working interactions between us, so creating the right environment is a responsibility that we all share.

Cultivating this culture does not happen accidentally but requires ongoing commitment and nurturing. The reality is that we live in a world where areas of difference (whether gender, sexual orientation, ethnicity or others) often translate to biases, challenges and barriers that others may not face. And the more areas of difference a person brings, the more this effect can be compounded.

In this way, the experiences of a black woman with a disability may be very different to the experiences of a black woman without a disability and also very different from the experiences of a white woman. This way of looking at diversity and inclusion is known as "intersectionality".

We expect you to treat your colleagues and third parties (including customers, suppliers, contractors, agency staff and consultants) fairly, with dignity, trust and respect. Sometimes, this may mean allowing for different views and viewpoints and making space for others to contribute.

By embedding such values and constructively challenging inappropriate comments or ways of working, you can help us achieve and maintain a truly inclusive workplace culture.

Any dealings that you have with colleagues or third parties must be free from any form of [discrimination](https://www.xperthr.co.uk/policies-and-procedures/equality-diversity-and-inclusion-edi-policy/34031/?keywords=Diversity&searchrank=2#discrimination), [harassment](https://www.xperthr.co.uk/policies-and-procedures/equality-diversity-and-inclusion-edi-policy/34031/?keywords=Diversity&searchrank=2#harassment), [victimisation](https://www.xperthr.co.uk/policies-and-procedures/equality-diversity-and-inclusion-edi-policy/34031/?keywords=Diversity&searchrank=2#victimisation) or [bullying](https://www.xperthr.co.uk/policies-and-procedures/equality-diversity-and-inclusion-edi-policy/34031/?keywords=Diversity&searchrank=2#bullying).

If any of our employees are found to have committed, authorised or condoned an act of discrimination, harassment, victimisation or bullying, we will take action against them, including (for those to whom it applies) under our [Disciplinary/Resolution procedure](https://www.xperthr.co.uk/policies-and-procedures/disciplinary-procedure/16170/).

You should know that you can be personally liable for discrimination and harassment.

**Discrimination**

The Equality Act 2010 prohibits discrimination because of certain protected characteristics. These are:

* disability;
* sex;
* gender reassignment;
* marital or civil partnership status;
* race;
* religion or belief;
* sexual orientation;
* age; and
* pregnancy or maternity.

Discrimination can be intentional or unintentional and may occur directly, indirectly, by association, or by perception.

Two specific types of discrimination apply only to disability: discrimination arising from disability" and "failing to make reasonable adjustments".

Discrimination is not always obvious and can be subtle and unconscious. This stems from a person's general assumptions about the abilities, interests and characteristics of a particular group that influences how they treat those people (known as "unconscious bias"). Such assumptions or prejudices may cause them to apply requirements or conditions that disadvantage those in particular groups. Examples include:

* steering employees into particular types of work based on stereotypical assumptions without considering the particular attributes and abilities of individuals;
* recruiting or promoting individuals into particular roles because of assumptions about the reactions or preferences of other employees or clients; and
* using different standards for different groups of employees to judge performance.

**Different types of discrimination under the Equality Act 2010**

* **Direct discrimination:** Treating someone less favourably because of a protected characteristic compared with someone who does not have that characteristic (for example, choosing not to recruit someone because they are disabled and you think they "wouldn't fit in" to the team).
* **Indirect discrimination:** Where a policy, procedure or way of working that applies to everyone puts people with a particular protected characteristic at a disadvantage, compared with people who do not have that characteristic, unless there is a good reason to justify it. An example is introducing a requirement for all staff to finish work at 6pm. Arguably, female employees, who statistically bear the larger share of childcare responsibilities, could be disadvantaged if the new working hours prevent them from collecting their children from school or nursery.
* **Associative discrimination:** Treating someone less favourably because they are associated with someone with a protected characteristic, for example, because their partner is transgender.
* **Discrimination by perception:** Treating someone less favourably because you perceive them to have a protected characteristic even if they do not, for example, choosing not to promote someone because you mistakenly perceive them as gay.
* **Discrimination arising from disability:** Treating someone unfavourably because of something connected with that person's disability and where such treatment is not justified.

Examples include:

* dismissing or failing to pay a bonus to someone because of their disability-related absence; or
* disciplining someone for losing their temper where such loss of temper was out of character and was due to severe pain caused by them having cancer.
* **Failing to make reasonable adjustments:** Employers are legally obliged to make reasonable adjustments to ensure that aspects of employment, or the employer's premises, do not put a disabled person at a substantial disadvantage. Failing to comply with this duty is unlawful. Examples of reasonable adjustments might include the following:
* allocating some of the disabled person's duties to a colleague;
* changing their working hours or place of work;
* adjusting procedures for assessing job candidates; and
* modifying disciplinary and grievance procedures.

**Harassment and sexual harassment**

Harassment is unwanted conduct related to a protected characteristic that has the purpose or effect of:

* violating someone else's dignity; or
* creating an intimidating, hostile, degrading, humiliating or offensive environment for someone else.

Sexual harassment is:

* conduct of a sexual nature that has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment; and
* less favourable treatment related to sex or gender reassignment that occurs because of a rejection of, or submission to, sexual conduct.

**Victimisation**

Victimisation is treating another person detrimentally either because that person has made a complaint of discrimination or harassment or because they have supported someone else who has made such a complaint, for example, by giving a witness statement that supports the allegations.

**Bullying**

There is no legal definition of bullying. However, we regard it as conduct that is offensive, intimidating, malicious, insulting, or an abuse or misuse of power, and usually persistent, that undermines, humiliates or injures the recipient.

Bullying can be physical, verbal or non-verbal conduct. It is not necessarily face-to-face and can be done by email, phone calls, online, or social media. Bullying may occur at work or outside work.

If the bullying relates to a person's protected characteristic, it may also constitute harassment and, therefore, will be unlawful.

**Recruitment**

We take reasonable and appropriate steps to encourage job applications from as diverse a range of people as possible.

Anyone deciding on recruitment decisions must not discriminate in any way.

Every decision-maker should challenge themselves and other recruitment selection panel members to make sure that any stereotypes, unconscious bias or prejudice do not play any part in recruitment decisions.

**Career development**

Any decision we make relating to a person's promotion or career development must be free from discrimination.

We ensure that selection criteria and recruitment and promotion processes are reviewed regularly so that there is no discriminatory impact on a certain group.

**Disability inclusion**

**Recruiting people with a disability**

We will consider disability before a recruitment campaign so that advertising, application forms and assessments, interview arrangements, job descriptions and employee specifications, and selection criteria are appropriate and inclusive.

We will ask applicants at the outset if they require any reasonable adjustments to be made to the recruitment process. These may include ensuring easy access to the premises for an interview/adapting psychometric tests/replacing psychometric tests with an alternative option/providing an alternative to a telephone interview for a deaf candidate/providing a suitable chair for an interview with a candidate suffering from back problems/list.

**Talking about disability**

We understand that some people find it hard to discuss their disabilities and that disabilities can be invisible.

Psychological safety, where people can speak up about their experiences without fear of negative consequences, is paramount to ensuring disability inclusion.

However, this is only possible if we treat people with dignity, trust and respect and expect everyone to uphold these values.

We do not tolerate ableist language in our organisation. Ableist language is negative, inappropriate or offensive towards people with a disability and may take the form of jokes or "banter". If you adopt such language, we will take action against you, including (for those to whom it applies) under our [Disciplinary/Resolution procedure](https://www.xperthr.co.uk/policies-and-procedures/disciplinary-procedure/16170/).

**Reasonable adjustments**

If you have a disability, you do not have to tell us. However, we encourage you to let us know so that we can support you by making reasonable adjustments to our premises, aspects of your role, or our working practices.

If you are experiencing difficulties at work because of your disability, please contact [your line manager/the HR team] to discuss potential reasonable adjustments that may alleviate or minimise such difficulties. We may need to discuss your needs with you and your medical adviser to help us get the right support.

If you are returning from a long-term disability-related absence, we have a return-to-work discussion with you.

**[Support]**

If you have a disability or care for someone with a disability and need emotional support or help with practical issues, please contact our [employee assistance programme] for free, confidential advice. Details of how to access this service are on [state where and how].

**Training**

If you are involved with making decisions about a person's employment, you must attend appropriate equality, diversity and inclusion training.

We expect all our people to proactively support our equality, diversity and inclusion initiatives by attending events and workshops organised by us to educate themselves on the challenges faced by others and how to help alleviate these in the workplace.