



LAURUS

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TRUST

Equality, Diversity and Inclusion Policy

Policy Title and Summary	Equality, Diversity and Inclusion Policy
Author	S Carty
Last Review Date	September 2023
Next Review Date	September 2026
Reviewed By	N/A
Date and Responsibility of next update/review	The Equality, Diversity and Inclusion Policy will be monitored and reviewed every 3 years
Trade Union Consultation	06/07/2021
Ratification Date	03/02/2021
Audience	All employees
Related Documents	Bullying and Harassment Policy Employee Discipline Policy Grievance Policy Recruitment Policy Whistleblowing Policy Code of Conduct Appraisal Policy Capability Policy Pay Policy
Legal Framework	Data Protection Act 2018 Equality Act 2010 General Data Protection Regulation (2016/679 EU) Protection from Harassment Act 1997
Glossary	<u>Equality</u> Equality is about ensuring that all individuals have equal opportunities to utilise their talents and are not treated unfairly. <u>Diversity</u> Promoting diversity is about recognising that everyone is different and creating a working environment that values each individual.

Inclusion

Inclusion is about positively striving to meet the needs of different people and taking deliberate action to create environments where everyone feels respected and able to achieve their full potential.

Protected Characteristic

In accordance with the Equality Act 2010, the following characteristics are protected: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race (including colour, nationality and ethnic or national origin); religion or belief; sex and sexual orientation. If a person is treated unfairly because of a protected characteristic, it may be unlawful discrimination.

Direct Discrimination

Direct discrimination happens when someone is treated less favourably than someone else because of a protected characteristic. For example, it would be direct discrimination if an Estates job was only open to male applicants.

Indirect Discrimination

Indirect discrimination is when a policy, practice or rule disadvantages one group of people more than another. For example, saying that applicants for a job must be clean shaven puts members of some religious groups at a disadvantage. Indirect discrimination is unlawful, whether or not it is done deliberately. Having such policy, practice or rule is only allowed if it is for a genuine business reason and there is no other less discriminatory way of achieving it.

Discrimination by association

Discrimination by association could occur when someone is treated unfavourably as a result of an association with someone that has a protected characteristic, for example, their parent, child, partner, carer or close friend.

Discrimination by Perception

	<p>Discrimination by perception is when someone is treated unfairly because it is thought that they have a certain protected characteristic, whether or not it's true.</p> <p><u>Victimisation</u> Victimisation means treating somebody less favourably than others because they tried to make, or have made, a complaint about discrimination or have supported someone else who has been discriminated against. For example, preventing someone from going on a training course, taking unfair disciplinary action, or exclusion from company social events.</p> <p><u>Positive action</u> Positive action is encouraging or offering support to an under-represented group, which is allowed under discrimination laws.</p> <p><u>Vicarious Liability</u> Under discrimination legislation, discriminatory acts done by an employee in the course of employment can be treated as having been done by the employer. This can include work related social events.</p> <p><u>Reasonable Adjustments</u> A reasonable adjustment is a change to remove or reduce the effect of an employee's disability so they can do their job or a job applicant's disability when applying for a job.</p>
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Introduction

Equality, diversity and inclusion within the Laurus Trust is about respecting difference. The Trust is committed to encouraging equality, diversity and inclusion among our employees, and eliminating unlawful discrimination. We will treat staff, job applicants, contractors, suppliers and visitors fairly, equally and with respect, and value the diverse skills and talent that different individuals can bring to the Trust.

The aim is for our employees to be truly representative of all sections of society. Training and developing managers and staff, as well as actively putting this policy and procedure into practice, will create a culture which is equal as well as diverse.

The Laurus Trust is committed to equality and diversity principles in operating this procedure. At all stages, the application of this policy will be carried out in accordance with the Trust's duty and commitment to encouraging equality, diversity and inclusion among our employees, and eliminating unlawful discrimination.

When applying this policy, the Trust will not unlawfully discriminate because of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (which includes colour, nationality and ethnic or national origin), religion or belief, sex and sexual orientation.

Equality, diversity and inclusion data will be handled carefully and in accordance with the Data Protection Act 1998 and The General Data Protection Regulation to ensure that sensitive details remain confidential.

Scope

1. This policy applies to:
 - All Laurus Trust staff including fixed term employees, casual employees and volunteers;
 - All candidates that have applied for roles within the Trust;
 - All contractors, suppliers and visitors to the Trust.
2. This policy covers all areas of employment including recruitment, promotion, transfers, training, pay and benefits, access to facilities and services, disciplinary and grievance procedures and to any decisions on employment being brought to an end.

Principles

1. The Trust is fully committed to the elimination of unlawful and unfair discrimination and values the differences that a diverse workforce brings.
2. The protection from discrimination is given whether the cause is real or perceived. Perception is where a person is discriminated against for a characteristic they do not actually have, even though others believe they do.

3. Discrimination is also extended to staff who are associated with an individual who has one of the protected characteristics (for example, where a member of staff has a child or partner who is disabled).
4. Additionally, the Trust will not treat staff less favourably on account of other factors, such as working part-time, being on a fixed-term contract or being a trade union member.
5. The Trust will oppose and avoid all forms of unlawful discrimination. This includes in pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities.
6. Staff have the right not to be treated less favourably (victimised) because they have complained that they have suffered discrimination or supported another member of staff in their complaint.
7. The Trust may choose to take positive action to address any under-representation of a particular group.
8. Reasonable adjustments may be made to assist staff who require alterations to their working environment, hours, equipment or role for reasons covered by this policy. Examples could include a member of staff who makes us aware that they have a disability.

Roles

1. **Human Resources** are responsible for ensuring this policy is implemented consistently across the organisation and to provide advice and guidance on its interpretation.
2. **Line Managers** are responsible for the day-to-day operation of the procedure and ensuring that it is adhered to, raising awareness of its purpose and benefits.
3. **Employees** are expected to display the values of this policy. All staff should understand they, as well as the Trust, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination in the course of their employment against fellow employees, customers, suppliers and the public.

The Trust's Commitment

1. The Trust commits to:
 - Encouraging equality, diversity and inclusion in the workplace, as they are good practice and make good business sense.
 - Creating a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued.
2. This commitment includes informing managers and all other employees about their rights and responsibilities under this policy. Responsibilities include staff conducting themselves to help the Trust to provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination.
3. In accordance with the Bullying and Harassment Policy, the Trust will take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, contractors, suppliers, visitors, the public and any others in the course of the Trust's work activities.
4. If any member of staff is found to have breached this policy, corrective action will be taken which may include training. Particularly serious complaints could amount to gross misconduct and will be dealt with under the Employee Discipline Policy, which could result in a disciplinary sanction up to and including dismissal.

5. Sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.
6. The Trust will make opportunities available to all staff, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the Trust.
7. Decisions concerning staff will be based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act).
8. The Trust will review employment practices and procedures when necessary to ensure fairness, and also update them and the policy to take account of changes in the law.
9. The Trust will monitor the make-up of the workforce regarding information such as age, sex, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality, diversity and inclusion, and in meeting the aims and commitments set out in this policy.
10. Monitoring will also include assessing how this policy, and any supporting action plan, are working in practice, reviewing them annually, and considering and taking action to address any issues.

Recruitment and Selection

1. In accordance with the Trust's Recruitment Policy, the Trust will adhere to recruitment and selection principles which demonstrate fairness, consistency and transparency when assessing candidates. Appointments will be objective and based on candidate knowledge, experience, and skill.
2. All stages of the recruitment and selection process will be fully compliant with the Equality Act 2010. Shortlisting, interviewing and selection will always be carried out without regard to gender, transgender status, sexual orientation, marital or civil partnership status, race, nationality, ethnic or national origins, religion or belief, age, pregnancy or maternity leave or trade union membership.
3. The Trust will consult this policy when appointing Trustees and Governors, ensuring that appointments are objective and based on candidate knowledge, experience, and skill.
4. The Trust is proud to be a Disability Confident employer and will endeavour to consider and implement any reasonable adjustments to the recruitment process to ensure that no candidate is disadvantaged because of their disability.
5. When conducting recruitment interviews, the Laurus Trust will ensure that the questions put to candidates are not in any way discriminatory or unnecessarily intrusive. The interview will focus on the needs of the job and skills needed to perform it effectively.
6. The Trust will take action to redress any gender, racial or other imbalance by monitoring the recruitment and progress of all staff, collecting and collating equalities information and data and publishing this as required, and acting on any inequality revealed by the data.

Performance Management

1. This policy applies to performance management, succession planning and development opportunities.
2. All staff are encouraged to consider how equality, diversity and inclusion can add value to their work and will have a related deliverable and/or development objective, where appropriate.
3. Evaluation, reporting and moderation of performance should be based solely on evidence, not on stereotypes or assumptions about staff.

Equality and Pay

1. The Trust has a commitment to a pay system that is transparent and based on objective criteria.
2. Equal pay, free from gender or other unjustified bias, for the same or broadly similar work (that is, for work that rates as equivalent and for work of equal value), operates within the Trust and we remain committed to regular equal pay audits.
3. The Trust is also committed to transparency and fairness in the allocation of other allowances.

Complaints

1. Any employee wishing to raise an informal or formal complaint regarding alleged discrimination and/or victimisation should do so via the Bullying and Harassment Policy.

EQUALITY IMPACT STATEMENT

<p>Names and titles of people involved with this assessment</p> <p>Title of Policy –</p>	<p>Rachel Robinson - Director of Inclusion</p> <p>Equality Diversity and Inclusion Policy</p>
<p>Impact assessment carried out with regard to identified characteristics</p>	<p>Race <input checked="" type="checkbox"/></p> <p>Disability <input checked="" type="checkbox"/></p> <p>Gender <input checked="" type="checkbox"/></p> <p>Age <input checked="" type="checkbox"/></p> <p>Religion & belief <input checked="" type="checkbox"/></p> <p>Sexual orientation <input checked="" type="checkbox"/></p> <p>SEND <input checked="" type="checkbox"/></p>
<p>Summary of any issues/proposed changes</p>	<p>n/a</p>
<p>Date</p>	<p>05.10.23</p>
<p>Date of next review</p>	<p>October 2024</p>