

Realise Futures CIC

# **Equality, Diversity and Inclusion Policy and Guidance**

Realise Futures CIC

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## Document Control

### COMP001 – Equality, Diversity and Inclusion Policy

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This policy is reviewed every 3 years.

Legislation is reviewed annually as part of Realise Futures Quality Framework audit.

## **Contents**

<b>1. Introduction</b> .....	<b>4</b>
<b>2. Principles</b> .....	<b>4</b>
<b>3. Scope</b> .....	<b>5</b>
<b>4. Responsibility for this Policy</b> .....	<b>5</b>
<b>5. Organisation Commitment</b> .....	<b>6</b>
<b>6. Complaints and Compliments</b> .....	<b>7</b>
<b>7. Monitoring</b> .....	<b>7</b>
<b>8. APPENDIX 1</b> .....	<b>8</b>
<b>9. APPENDIX 2</b> .....	<b>11</b>

## Assurance Statement

This policy aims to ensure that Realise Futures CIC accepts and embraces peoples' differences, recognising individuals' ability and that it creates an environment that underpins the principles of the Human Rights Act 1998 – fairness, respect, equality, dignity and autonomy for all and the protected characteristics of the Equality Act (2010).

Equality, Diversity and Inclusion ensures fair treatment and opportunity for all. It aims to eradicate prejudice and discrimination on the basis of an individual or group of individual's protected characteristics.

## 1. Introduction

This policy sets out the ways in which Realise Futures will promote equality and diversity in all its work.

We value the diversity of people and aim to embed the five principles of the Human Rights Act across all of our services and in all of our work:

- Fairness
- Respect
- Equality
- Dignity
- Autonomy

It is an important policy for everyone who works for Realise Futures, for all customers, clients and for all the organisations who we work in partnership with both in the public sector and commercially.

In this policy:

A **customer** is a person who purchases a product or service from us.

A **client** is a person or organisation e.g., commissioners.

## 2. Principles

We value and celebrate the contribution which diversity brings to the organisation.

We acknowledge the significant impact of discrimination and oppression on people's lives and are committed to ensuring that we support them in "making the most of their lives".

We will not tolerate unfair discriminatory behaviour or any bullying or harassment.

We will challenge discriminatory attitudes.

Colleagues, customers and clients of Realise Futures will not receive less favourable treatment based on their age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity, caring responsibility or flexible working in employment, recruitment, training and development or access to services.

**Appendix 1** lists the definitions of Equal Opportunities, Diversity, Direct/Indirect discrimination, Victimisation, Harassment and Positive Action and the Protected Characteristics (Equality Act 2010).

### **3. Scope**

This policy covers all departments within Realise Futures; Learning, Coaching & Advice, Employment, RF Works and Central. It extends to all protected characteristics (age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity).

This policy supersedes any documents or guidance that has either not been reviewed or had an equality impact assessment on equality, diversity and human rights and should be used to inform future decision-making.

This policy applies to;

- All employees of Realise Futures, including those seconded to Realise Futures
- Volunteers in the organisation
- Customers and clients
- Contractors and sub-contractors
- Visitors to the organisation

### **4. Responsibility for this Policy**

Overall responsibility for overseeing this policy rests with the Realise Futures Board.

The lead Director for Equality, Diversity and Inclusion is the Managing Director.

The Board of Directors is responsible for ensuring that Realise Futures complies with equalities legislation and promotes equality of opportunity across the organisation.

The Board of Directors will ensure that allegations of discrimination (direct or indirect), bullying, harassment or grievances are investigated and dealt with

appropriately following Realise Futures' relevant policy guidance which can be found on the HR system:

- HR002 Code of Conduct Policy and guidance
- HR006 Grievance, Harassment and Bullying Policy and guidance
- HR009 Capability, Disciplinary, Hearings and Appeals Policy and guidance
- COMP010 Complaints Policy and guidance
- HS001 Health and Safety Policy and guidance

## **5. Organisation Commitment**

All employees have an individual responsibility to promote the policy and ensure a personal involvement in its application.

The organisation commits to:

- Encourage equality, diversity and inclusion in the workplace as they are good practices and make business sense.
- Create 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 colleagues are recognised and valued.
- Train managers and all other employees about their rights and responsibilities under the equality, diversity and inclusion policy. Responsibilities include colleagues conducting themselves to help the organisation provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination.
- Ensure all colleagues understand they, as well as their employer, 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
- Make opportunities for training, development and progress available to all colleagues, 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 organisation. Specific Equality, Diversity and Inclusion training for new colleagues will be part of their induction training
- Ensure that decisions concerning colleagues are based on merit (apart from any necessary and limited exemptions and exceptions allowed under the Equality Act).
- Review employment practices and procedures when necessary to ensure fairness, and update them and the policy to take account of changes in the

law.

- Take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, customers, suppliers, visitors, the public and any others in the course of the organisation's work activities.

Such acts will be dealt with as misconduct under the organisation's grievance and/or disciplinary procedures, and appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice.

Further, sexual harassment may amount to both an employment rights matter and a criminal matter, such as 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. Complaints and Compliments

Realise Futures welcomes any compliments, complaints and feedback on equality and diversity issues.

Any issues or themes in relation to equality and human rights will be brought to the attention of the appropriate member of the Senior Management Team and where necessary to the Realise Futures Board.

Please refer to:

COMP010 Compliments and Complaints Policy and guidance  
COMP004 Whistleblowing Policy and guidance  
HR006 Grievance, Harassment and Bullying Policy and guidance

## 7. Monitoring

To ensure that this policy is being achieved, Realise Futures will continue to monitor and report annually as part of the company Quality Framework data about employees, job applicants, training and clients in respect of their race, ethnicity, nationality, disability, gender, age, sexual orientation and religion and belief. See **Appendix 2** for types of data and examples.

The data will be used to inform Realise Futures in planning and delivering a culturally competent service. It will ensure colleagues and clients feel supported and empowered to access opportunities and services equally.

Responsibility for data collection:

- Service Delivery – Operations Manager/RF Works Manager
- Recruitment and selection – HR
- Disciplinary and grievance – HR

- Complaints – Business Systems Director
- Training and development – HR

Realise Futures will carry out compliance audits annually as part of the RF Quality Framework audit schedule. All colleagues have a responsibility to assist with these compliance audits.

Any breach of this policy will result in disciplinary action.

## 8. APPENDIX 1

### DEFINITIONS

**Equal opportunities** ensure that policies, procedures and practices within Realise Futures do not discriminate against their colleagues, customers, clients and the wider community (*please note these groups of individuals will be referred to as 'people' throughout these definitions*) it represents. It is about treating people fairly and equally regardless of who they are, their background, their religion or belief or their lifestyle.

**Diversity** ensures that all people are valued as individuals and are able to maximise their potential and contribution to Realise Futures and the community. It recognises, appreciates, respects and values the differences people from different backgrounds and denominations bring and create an innovative organisation.

#### **Direct discrimination:**

Unlawful: occurs when an individual is dealt with less favourably on the grounds of their age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity.

Unfair: some kinds of definition may not be prohibited by law but are nonetheless unfair and cannot be justified and are covered by this policy for example; class, political beliefs or employment status.

Some forms of discrimination may be unlawful or unfair depending on the circumstances. An example can include discrimination towards someone with caring responsibilities or criminal convictions.

**Indirect discrimination** occurs when a requirement or condition, which although it applies equally to persons of all groups, is such that only a considerably smaller proportion of a particular group can comply with or are affected by it. Examples: a rule about clothing that disproportionately disadvantages a racial group or requiring applicants to have only British qualifications may not be justified.

**Discrimination by association:** Associative discrimination now applies for all practical purposes to all the discrimination strands. It did apply already to



race, religion or belief and sexual orientation and has been extended to cover age, disability, gender reassignment and sex. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

An example of associative discrimination might be a non-disabled employee who is discriminated against because of an action she needs to take to care for a disabled dependant. This incorporates the European Court of Justice's July 2008 ruling in the Coleman v Attridge Law case, where Sharon Coleman, a legal secretary, lodged a claim after alleging she was subject to harassment and discrimination after asking for time off to care for her disabled son.

The Act extends disability discrimination to '**Discrimination ARISING from disability**'. The clause states that it is discrimination to treat a disabled person in a particular way which, because of his or her disability, amounts to treating him or her badly and the treatment cannot be shown to be justified. For this type of discrimination to occur, the employer or other person must know, or could reasonably be expected to know, that the disabled person has a disability. Also, the person who treats the disabled person in that way may still be liable for discrimination under this provision, whether or not the duty to make reasonable adjustments has been complied with.

The protection by association could have implications in relation to requests for time off or flexible working, parking permits for student parents with disabled children, etc.

**Perception discrimination** applies for all practical purposes to all the discrimination strands. This already applies to age, race, religion or belief and sexual orientation and has been extended to cover disability, gender reassignment and sex. This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

**Victimisation** occurs when an individual is treated less favourably because that person has asserted rights under the various equality legislations or acted as a whistleblower on such activity. People must be able to act against unlawful discrimination without fear of reprisals.

**Harassment** means repeated, unreciprocated and unwelcome comments, looks, actions, suggestions or physical contact which is found objectionable and offensive, and which might threaten an employee or client or create an intimidating or uncomfortable environment. Harassment can be sexual, racial, directed against people with disabilities or indeed related to any characteristic exhibited by the individual. (See HR006 Grievance, Harassment and Bullying Policy and Guidance).

**Positive action** refers to measures taken to assist employees, clients and customers who have been under-represented in specific areas, to reach a level of workplace knowledge and competencies that is comparable to 'representative' employees. These measures would normally take the form of

additional training. 'Positive discrimination' at the point of selection for work is not unlawful.

**Protected characteristics:**

**Age:** refers to a person belonging to a particular age or range of ages e.g., 32 or 18-24 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 that person's ability to carry out normal day-to-day activities.

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

**Marriage or civil partnership:** 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 couples can also have their relationships legally recognised as 'civil partnerships'.

**Pregnancy and maternity:** Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period before the birth and is linked to maternity leave in the employment context. In the non-work 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 characteristics of Race. It refers to a group of people defined by their race, colour, nationality (including citizenship), ethnic or national origins.

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

## 9. APPENDIX 2

### TYPES OF DATA REALISE FUTURES WILL MONITOR AND AUDIT ANNUALLY AS PART OF QUALITY FRAMEWORK

Area Monitored	Staff	Client
Ethnicity	<p>Does Realise Futures (RF) ensure and promote equality of opportunity?</p> <p>How does the % of RF black and minority ethnic (BME) staff balance with Suffolk's overall population?</p> <p>What % of applicants is from BME communities?</p> <p>What % of BME staff are accessing training?</p> <p>How and if BME staff progress in their career development?</p> <p>What % of our disciplinary and complaints are in relation to BME staff?</p> <p>What % of our disciplinary and complaints are from BME staff?</p> <p>Does the BME staff support group feel empowered to voice their needs?</p>	<p>What % of BME clients are accessing RF services?</p> <p>Are their communication and cultural needs being met?</p> <p>How do people rate our services in respect of being culturally competent and meeting our duty?</p> <p>What % of complaints/compliments are from BME clients?</p> <p>Cultural and/or religious needs may be identified by knowing the individual's ethnicity, which can support their recovery and mental wellbeing.</p>
Disability	<p>Does RF ensure and promote equality of opportunity?</p> <p>What % of applicants and staff has a disability?</p> <p>How do applicants and staff rate RF in respect of 'reasonable adjustments' e.g. hearing loop; wheel chair access; mental ill health?</p> <p>Do staff feel supported in accessing training and having their needs met?</p> <p>How does RF promote equality of opportunity and meeting the legal duty?</p>	<p>Are reasonable adjustments being made to meet individual's needs, e.g. hearing loop.</p> <p>Is RF inclusive of people with a disability and does it ensure their participation and involvement?</p>

Gender/ Gender Reassignment	Does RF ensure and promote equality of opportunity for men, women and trans gender/sexual people in employment, training and development, access to promotion etc.?	Do services respect gender specification needs? How do people using our services rate our provisions?
Sexual orientation	Does RF ensure and promote equality of opportunity for lesbian, gay and bi-sexual and Transgender, Queer/Questioning (LGBTQ) staff?	Do people using RF services feel respected and empowered? Is RF inclusive of LGBTQ clients? How is RF raising awareness?
Age	Does RF ensure and promote equality of opportunity? Do staff at the top and bottom spectrum of employment age feel respected and treated with dignity?  Ensuring that all RF staff are not discriminated with regards to their age See HR010 Vacancy Authorisation and Safe Recruitment Policy	RF is developing an 'age inclusive' service, hence the importance of monitoring the age range accessing services Do people of ALL ages feel their dignity is respected and treated fairly? Does RF ensure and promote equality of opportunity in accessing services?
Religion and belief	What provisions are available for staff of different faiths? With the diversity of staff, do they feel respected and empowered in raising cultural awareness?	Do clients feel that their faith/spiritual needs are being met? Are there dates/times that would not be appropriate to meet, e.g. prayer or festivals? Do clients feel that RF staff have an understanding and respect their needs in relation to their mental wellbeing?
Legislation Review Audit	What is the latest legislation on ED&I? Is this policy still fit for purpose?	