

TITLE	EQUALITY, DIVERSITY AND INCLUSION POLICY
Version	7
<b>1. Background</b>	<p>Family Action is committed to encouraging diversity, promoting equal opportunities, and providing fair treatment in all that we do. We believe that people with different backgrounds, skills, attitudes and experiences bring fresh ideas and perspectives to the workplace. We seek to encourage and harness these differences in order to meet the changing needs of our employees, trustees, volunteers, service users, partners, funders and supporters.</p> <p>Family Action is a voluntary sector organisation which operates with significant direct funding from public sector bodies. As such, the Public Sector Equality Duty, and more specifically, the general equality duty, applies to Family Action.<sup>1</sup></p> <p>Family Action has a clear vision and mission which are supported by strong values. These values are reflected in all our work, as well as in our professional relationships by always:</p> <ul style="list-style-type: none"> <li>• Being people focused</li> <li>• Reflecting a 'can do' approach</li> <li>• Striving for excellence in everything we do</li> <li>• Having mutual respect for everyone we work with, work for and support as an organisation</li> </ul>
<b>2. Objectives</b>	<p>The objectives of this policy are to:</p> <ul style="list-style-type: none"> <li>• Outline Family Action's organisational responsibilities with regard to the Public Sector Equality Duty, the Equality Act 2010, and our employees, trustees, volunteers and service users.</li> <li>• Commit Family Action to working to prevent unlawful discrimination within the delivery of our organisational functions.</li> <li>• Commit Family Action to removing barriers to access and inclusion for our employees, trustees, volunteers and service users, and to enhancing the diversity of our own organisation, and of the wider sector in which we operate.</li> </ul>

<sup>1</sup> [https://www.equalityhumanrights.com/sites/default/files/psed\\_essential\\_guide\\_-\\_guidance\\_for\\_english\\_public\\_bodies.pdf](https://www.equalityhumanrights.com/sites/default/files/psed_essential_guide_-_guidance_for_english_public_bodies.pdf)

<p><b>3. Scope</b></p>	<p>This is a policy for everybody within Family Action, and applies to our employees, trustees, volunteers and service users, as well as any consultants, agency workers and partners with whom we work (our wider Family Action community).</p> <p>This policy has been developed through consultation with staff and with Family Action’s recognised unions (Unison and Unite). This policy is updated annually, in consultation with staff and our organisational Equality, Diversity and Inclusion Steering Group.</p>
<p><b>4. Policy</b></p>	<p><b>4.1 Relevant Definitions</b></p> <p>Family Action is committed to compliance with the <a href="#">Equality Act 2010</a> and all other relevant equality legislation within the United Kingdom. This policy builds upon our statutory commitment and enables us to ensure equality, diversity and inclusion are addressed proactively within the organisation.</p> <p><b>Definitions of Equality, Diversity and Inclusion</b></p> <p>The following are definitions which have been created by Family Action in order to implement this policy and approach our strategic work on equality, diversity and inclusion;</p> <p><b>Equality</b> is about eliminating discrimination and ensuring that individuals are treated fairly in relation to their needs. This does not mean treating everyone the same, but acknowledging that people have different needs, backgrounds and experiences which help to shape who they are, and which need to be championed and supported.</p> <p><b>Diversity</b> is the mix and makeup of different people, reflecting differences in gender, race, ethnicity, sexual orientation, age, ability, religious belief, gender expression and other characteristics. Diversity is about understanding that individuals have visible and non-visible differences which should be celebrated and valued.</p> <p><b>Inclusion</b> refers to active efforts to create and maintain spaces where all individuals feel welcomed, celebrated and supported. Inclusion means that all people feel that they have a voice and the agency to influence and create positive change in the organisation.</p> <p><b>Discrimination</b></p>

The Equality Act 2010 establishes nine protected characteristics. Discrimination, whether direct, indirect, by perception, or by association, against an individual or group of individuals on the basis of one of the nine protected characteristics is usually unlawful and prohibited by the Act. The Act does make provisions for Positive Action in some circumstances, which would be considered lawful discrimination.

The nine protected characteristics established through the Act are:

- Age
- Disability
- Gender reassignment
- Marriage or civil partnership
- Pregnancy and maternity
- Race (including colour, nationality and ethnic or national origins)
- Religion or belief
- Sex
- Sexual orientation

The Act also establishes multiple forms of discrimination which can be perpetrated against an individual. This includes:

- Direct discrimination
- Indirect discrimination
- Discrimination by association
- Discrimination by perception
- Harassment
- Failure to make reasonable adjustments

**Appendix 1 provides further information on the different types of discrimination outlined by the Equality Act 2010.**

Family Action’s Anti-Harassment, Bullying, Sexual Harassment and Victimisation Policy provides further information on harassment, sexual harassment and victimisation, which are also outlined by the Act.

#### **4.2 Organisational Responsibility for Equality, Diversity and Inclusion**

Family Action is required to comply with the Equality Act 2010 and any other relevant equalities legislation in the United Kingdom. This includes a requirement, established through the general equality duty, for us to be able to demonstrate that we give due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

The Board of Trustees has overall responsibility for ensuring that Family Action meets the requirements of the general equality duty, and that we are working to embed and develop on our organisational commitments to equality, diversity and inclusion, and any relevant organisational objectives which we set for ourselves.

Responsibility for strategic oversight of Family Action's commitments and objectives lies with the Executive Group. A member of the Executive Group will hold the role of Executive Lead for Equality, Diversity and Inclusion, and will be responsible for overseeing the internal governance framework for delivering strategic work on equality, diversity and inclusion, and for the escalation of any risks to the organisation.

In outlining the responsibilities of employees, volunteers and managers throughout this policy, the organisation commits to providing effective training in order to support all groups to undertake their responsibilities.

#### **4.3 Individual Responsibilities as an Employee or Volunteer**

Employees and volunteers have a responsibility to ensure that their decision-making and behaviours do not amount to unlawful discrimination. Employees and volunteers also have a responsibility to play their part in creating a positive and inclusive environment for all members of the Family Action community, including our service users.

Employees and volunteers must:

- Complete all equality, diversity and inclusion training required of their grade or role-type, within specified timeframes.
- Follow the correct procedure for reporting any suspected acts of discrimination, both towards themselves or towards others, as outlined in either the [Grievance Policy](#) or the [Whistleblowing Policy](#), as appropriate.

- Follow the procedures outlined in the [Anti-Bullying and Harassment Policy](#) if they choose to report any harassment, bullying or sexual harassment to the organisation.
- Ensure that they treat all others with dignity and respect, including those within the Family Action community and those who are external to the organisation.
- Demonstrate behaviours which are consistent with the organisation's commitments to equality, diversity and inclusion.
- Cooperate with any investigation into potential discrimination.

Employees and volunteers should:

- Encourage others to comply with the requirements of this policy and to treat all others with dignity and respect.
- Familiarise themselves with the organisation's strategic work on equality, diversity and inclusion, and play an active role in developing, supporting and implementing this work.
- Provide feedback to the organisation, and hold the organisation to account, both where this is actively sought and through their own initiative, in order to enable the organisation to be well informed of its progress against the commitments made in this policy, and to continue to improve.

#### 4.4 Individual Responsibilities as a Manager

In addition to the responsibilities listed above, managers have a number of additional responsibilities in order to protect against discrimination and promote equality, diversity and inclusion.

Managers must:

- Implement this policy (and related policies as outlined at the end of this document) as part of their day-to-day management of their employees and volunteers, including through creating an environment where employees and volunteers can fulfil their responsibilities within this policy as outlined above, and in the management and delivery of any services, projects or programmes which they have responsibility for.
- Create and maintain a culture within their area(s) of responsibility which champions equality, diversity and inclusion and allows for continuous challenge and growth.
- Ensure that employees and volunteers who they are responsible for are aware of this policy, their particular responsibilities, and that they act in accordance with this

	<p>policy, and any other related policies outlined at the end of this document.</p> <ul style="list-style-type: none"> <li>• As well as completing any required equality, diversity and inclusion training, also ensure that the employees and volunteers who they are responsible for have completed all of their required training within the specified timeframes.</li> <li>• Appropriately encourage whistleblowing and the escalation of any concerns or risks, including ensuring staff are aware of the <a href="#">Grievance Policy</a>, and the <a href="#">Whistleblowing Policy</a> and the protection Family Action can offer.</li> <li>• Address any breaches of this policy or issues which undermine the organisation's commitments to equality, diversity and inclusion, through appropriate performance management.</li> <li>• Cooperate with any investigation into potential discrimination.</li> <li>• Report any identified or suspected breaches of this policy through the most appropriate procedure (e.g. as a grievance) or raise the matter directly with the point of contact specified in this policy, and to otherwise keep such matters confidential outside of making any formal reports.</li> <li>• Ensure that they have consulted with Human Resources before taking any decision to utilise the positive action provision of the Equality Act 2010, as outlined in this policy.</li> </ul> <p>Managers should:</p> <ul style="list-style-type: none"> <li>• Seek out feedback from a diverse range of employees, volunteers and service users on ways in which they can improve access and inclusion within any team, service, project or programme which they have responsibility for.</li> <li>• Identify any learning and development requirements, or requirements for new processes, which would support the embedding of equality, diversity and inclusion within their area(s) of responsibility.</li> <li>• Consider the potential or likely effect of their management and decision-making on all groups, and in particular, those groups who hold a protected characteristic as outlined in this policy.</li> </ul> <p><b>4.5 Delivery of Services to Service Users</b></p> <p>Family Action commits to taking reasonably practicable actions to improve and maintain the accessibility and the inclusivity of the services we provide to our service users. In doing so, Family Action commits to actively and regularly seeking feedback from service users about their experience of our service provision, and</p>
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	<p>engaging a diverse and representative range of service users in co-production and co-design activities wherever possible.</p> <p>Family Action will take proactive steps to ensure that the principles of equality, diversity and inclusion are embedded within service design and delivery. This may include flexibility and the application of reasonable adjustments in order to enable a particular service user or group of service users to engage with a service.</p> <p>Steps that Family Action could take may include:</p> <ul style="list-style-type: none"> <li>• Developing specific tailored services targeted at particular groups and communities.</li> <li>• Promoting our services through a range of sources and in a range of languages and formats, taking steps to ensure that our website and materials are accessible.</li> <li>• Ensuring that our facilities, or facilities and premises in which we operate, are accessible or that reasonable adjustments can be made where required to enable a service user to access them.</li> <li>• Ensuring we engage a diverse range of employees and volunteers, who can speak a range of languages and, where possible, have lived experiences of the services they are delivering. Where helpful, we will engage with external expertise to enable a service user to access our services.</li> </ul> <p><b>4.6 Equality, Diversity and Inclusion for Employees and Volunteers</b></p> <p>Family Action will take all reasonable and practicable steps to ensure that we are continuing to create and maintain an environment for our employees and volunteers which is free from discrimination and which actively embodies the principles of equality, diversity and inclusion.</p> <p>To achieve this aim Family Action commits to at least the following:</p> <ul style="list-style-type: none"> <li>• Fully supporting all employees and volunteers through offering reasonable adjustments where needed and seeking medical advice from an Occupational Health specialist where necessary (see 4.8 in this policy).</li> <li>• Offering flexible working where possible and the option of a job share where appropriate in order to meet staff needs (see the <a href="#">Flexible Working Policy</a>).</li> <li>• Ensuring staff and volunteers are given adequate time to sign-up for training in order to support those with additional needs.</li> </ul>
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- Actively seeking and acting on employee and volunteer feedback, through surveys, questionnaires, focus groups and ad-hoc requests for feedback. All feedback opportunities will be accessible to all unless it is explicitly stated otherwise, and will allow adequate time for individuals to provide their response.
- Where relevant, applying an equality analysis framework or equality impact assessment in substantial decision-making processes across the organisation.

#### 4.7 Positive Action

Family Action understands the positive action provision within the Equality Act 2010, and that this allows employers and service providers to take action “that may involve treating one group more favourably where there is a proportionate way to help members of that group overcome a disadvantage or participate more fully, or in order to meet needs they have that are different from the population as a whole.”<sup>2</sup>

The principles of positive action can be applied to the recruitment or promotion of employees or volunteers, or to service provision.

The Equality Act 2010 states that the organisation must reasonably believe that:

- People who share a protected characteristic experience a disadvantage compared to those who do not share the same protected characteristic, or
- Participation in an activity (e.g. use of a service, or representation at a particular job grade) by people who share a protected characteristic is disproportionately low, compared to those who do not share this protected characteristic.

The organisation must also reasonably believe that the actions we intend to take will meet the needs of the target group(s) or enable people from the group(s) to overcome or minimise any disadvantage they experience in order to more fully participate or be represented. The organisation must reasonably believe that our action is appropriate and proportionate to the original aim.

The Equality Act 2010 also explicitly makes it not unlawful to treat a disabled person more favourably than a person who is not

disabled. As such, Family Action offer an automatic interview scheme for people with a disability who meet the essential criteria on a person specification.

Examples of positive action could include:

- Placing job adverts to target particular groups, to increase the number of applicants from that group.
- Including statements in job adverts to encourage applications from under-represented groups, such as 'we particularly welcome Black applicants'.
- Offering training or internships to help certain groups access opportunities or progress at work.
- Offering shadowing or mentoring to particular groups.
- Hosting an open day specifically for under-represented groups to encourage them to get into a particular field.
- Favouring the job candidate from an under-represented group, where two candidates are 'as qualified as' each other.

Human Resources can provide advice and guidance on the application of the positive action provision and must always be consulted prior to any decision to utilise this provision.

#### **4.8 Reasonable Adjustments for those with Disabilities**

Family Action fully commits to making reasonable adjustments to its policies, procedures and practices where these are required by an employee, trustee, volunteer, service user or any other member of the broader Family Action community (which includes job applicants and prospective employees in this instance) who requires an adjustment to be made because they meet the terms of the Equality Act 2010 definition of disability, which is as follows:

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

In this definition, 'substantial' is understood to mean more than minor or trivial, and in relation to a daily task, and 'long-term' means lasting 12 months or more.

A reasonable adjustment could include removing physical barriers, providing extra support or flexibility, providing equipment or changing something about a particular environment, in order to increase the accessibility and inclusivity for a disabled person, or a group of disabled people.

In order to make a reasonable adjustment, the organisation must be made aware, or should reasonably be expected to be aware, that an individual might require an adjustment to be made to assist the individual to avoid the disadvantage that they face by virtue of their disability.

A reasonable adjustment must be reasonable, which includes considerations of cost, impact and effectiveness, time taken to implement the adjustment and the broader implications of the adjustment on others. Family Action will take practicable steps to implement adjustments which are reasonable and will work with an employee to identify reasonable adjustments to enable them to undertake their role.

Family Action has a process in place for requesting and implementing reasonable adjustments for employees or volunteers, which is included as an appendix to this policy. Human Resources and Facilities are able to offer advice and guidance on the application of this process.

#### **4.9 Equality, Diversity and Inclusion in Recruitment**

Family Action is committed to recruiting and retaining a diverse workforce which is representative of the wider population and of the communities we serve through our work.

The organisation will continually review its recruitment practices and standards to ensure that these are accessible and inclusive. In doing so, the organisation will seek feedback from a diverse range of applicants, employees and managers to understand different experiences of the recruitment process and to respond accordingly.

The organisation will seek external expertise and advice and work to ensure that our recruitment practices are in line with established best practice, such as through the Disability Confident scheme, for example.

#### **4.10 Ensuring This Policy Is Upheld**

It is the responsibility of all employees, trustees and volunteers to ensure that this policy is upheld. Where an employee, trustee, or volunteer becomes aware of a breach of this policy, they should discuss this with their manager or supervisor as soon as is practicable, and report this through the most appropriate process. Where a satisfactory response is not received from the manager

	<p>or supervisor, or where an individual does not feel able to raise this with their manager or supervisor for any reason, an individual should raise their concerns with a more senior manager. Advice can be sought on this by contacting the point of contact identified below.</p> <p><b>4.11 Point of Contact</b>          Employees, trustees, volunteers and service users, as well as any wider members of the Family Action community, are encouraged to contact the Equality, Diversity and Inclusion Manager to discuss any concerns, questions or feedback relating to this policy. They can do so by contacting <a href="mailto:equality.diversity@family-action.org.uk">equality.diversity@family-action.org.uk</a>. Employees may also wish to discuss any relevant matters with their union representatives.</p> <p>Employees are reminded that confidential independent advice and counselling is available for free through Premier EAP (our Employee Assistance Programme). This is open 24 hours a day, 7 days a week, and can be used by any employee or their relatives on a range of issues including. Their number is 0800 1116 394, and they can arrange face-to-face counselling if you would prefer.</p> <p><b>4.12 Non-Compliance With This Policy</b>          Family Action will not tolerate behaviour which breaches the terms of this policy and will regard any breaches as misconduct. Serious offences, for example harassment, bullying or victimisation, will be treated as gross misconduct and may lead to disciplinary action including dismissal from employment without notice.</p>
<p><b>5. Timescales</b></p>	<p>With immediate effect</p>
<p><b>6.Supporting Appendices</b></p>	<p><b>Appendix 1:</b> Types of Discrimination  <b>Appendix 2:</b> Reasonable Adjustments Process</p>
<p><b>7. Linked Policies</b></p>	<p><a href="#">Anti-Harassment, Bullying, Sexual Harassment and Victimisation Policy</a>  <a href="#">Safer Recruitment Policy</a>  <a href="#">Employee Code of Conduct</a>  <a href="#">Supervision Policy</a>  <a href="#">Flexible Working Policy</a>  <a href="#">Grievance Policy</a>  <a href="#">Discipline at Work – Conduct Policy</a></p>

	<a href="#">Complaints Policy</a> <a href="#">Whistleblowing Policy</a> <a href="#">Health &amp; Wellbeing Policy</a> <a href="#">Basic Leave Policy</a>
<b>8. Legislation</b>	Equality Act 2010
<b>9. Policy Lead</b>	EDI Manager
<b>10. Approval at EG</b>	5 July 2022
<b>11. Review Date</b>	31 July 2023
<b>12. Effective Date</b>	7 July 2022

## **Appendix 1: Types of Discrimination**

### **Direct Discrimination**

Occurs when a person is treated less favourably than another because of a protected characteristic. It can be an act or an omission of an act.

Example: An applicant without a disability being selected for a role, despite scoring lower in the selection process than an applicant with a disability.

### **Indirect Discrimination**

Occurs when a provision, criterion or procedure is applied that is to the detriment of people who have a relevant protected characteristic, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Example: An employer insisting that all employees must be cleanly shaven. This may indirectly discriminate against some religious groups.

### **Discrimination by Association**

Occurs when an individual is treated less favourably because they are linked or associated with a protected characteristic. The individual does not have the protected characteristic but they are treated less favourably than others because of a protected characteristic of a friend, spouse, partner, parent or another person with whom they are associated.

Example: A child is refused a place at her local playground because the management committee knows that her younger brother has cerebral palsy. They operate a policy of automatically offering places to siblings and they are concerned that looking after her brother would take too much time.

### **Discrimination by Perception**

Occurs when an individual is discriminated against because they are thought to have a particular protected characteristic when in fact they do not.

Example: An individual makes homophobic remarks against a colleague who is heterosexual because they have wrongly assumed them to be gay or bisexual based on stereotypes.

### **Failure to make reasonable adjustments**

Occurs where a physical feature, provision, criterion or procedure puts an individual who is disabled at a substantial disadvantage compared with someone who is not disabled, and the employer has failed to make any reasonable adjustments which might have enabled the individual to overcome that disadvantage.

Example: An employer decides not to install a ramp at the entrance to a building where this would have allowed an employee who uses a wheelchair to access the building with ease.

**Harassment**

Occurs when unwanted conduct, related to one of the protected characteristic has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not the effect was intentional.

Example: An employee refusing to call a colleague who is transgender, non-binary or gender-diverse by their correct pronoun after being asked to do so, and making inappropriate jokes or comments about their gender identity.

**Third-Party Harassment**

Occurs when an employee receives harassment from a third-party (such as a service user or a contractor), which is related to a protected characteristic.

Example: If an external trainer refers to an older employee with an inappropriate nickname based on their perceived age.

## Appendix 2: Family Action Reasonable Adjustments Process

