

Diversity and Equal Opportunities Policy

This policy was reviewed: **May 2020**.

This policy will be reviewed: **April 2021**.

Who is this policy for: **All employees and assessors**.

This policy is owned by: **Chief Executive**.

Summary of the policy

We are committed to a work environment where everyone is treated with dignity and respect and where we value the differences that a diverse workforce brings to the organisation. This increases the range of skills and talents within Assessment Services and makes us a stronger organisation.

Key points

- Assessment Services believes everyone should have equal chances in life no matter what their ability, ethnicity, gender, beliefs, circumstances or life experiences.
- We want to make sure that our services are available to everyone.
- We value difference and want to recruit and retain diverse workforce.
- We will comply with all relevant equality legislation and challenge discriminatory practice.

This policy does not form part of an employee's contract of employment with Assessment Services Ltd and may be subject to change.

The policy

Assessment Services Ltd policy statement

We believe that our vision and mission can only be achieved if we make full use of the talents and resources of all our employees and stakeholders. We want to be a diverse organisation, where individual differences are recognised and valued and where discriminatory attitudes or practices are challenged.

Diversity means the broad range of visible and non-visible differences that characterise people. Some of these characteristics include race, age, first language, ethnic or national origin, religion/community background, belief, gender or gender re-assignment, disability, appearance, sexual orientation, pregnancy, marital or civil partnership status, responsibility for dependants and HIV status.

In carrying out this Policy, we will:

- Comply with the relevant equality legislation and challenge discriminatory practice.
- Make every effort to attract people from all groups to work for Assessment Services Ltd.

- Regularly review our policies to ensure that they do not have an adverse impact on any of the people mentioned above, or those with “protected characteristics” under current equality legislation in England, Wales and Northern Ireland.
- Take seriously and investigate urgently any alleged discrimination or harassment by a Assessment Services employee, a user of Assessment Services services or any other third party working in partnership with Assessment Services.
- Ensure that our services are relevant and accessible to all those who use them or want to use them.
- Provide advice and support to our employees about promoting a work environment which is inclusive and trusting and where good employee relations are promoted.
- Regularly review and evaluate this Policy.

Arrangements for meeting our policy objectives

The primary ongoing responsibility for monitoring diversity and equal opportunities activities will rest with the Chief Executive and the Senior Management Team.

We will consider the views and needs of employees and the people we support from different backgrounds. We will:

- Look at how we could communicate more effectively (formally and informally).
- Encourage the involvement of employees and people who use our services in planning and decision-making.

Employment and volunteering policies

Our HR policies and procedures are designed to treat individuals solely according to their ability to meet job requirements.

This will ensure that in all aspects of employment – such as recruitment, training, appraisal, promotion and termination of employment, employees are treated as unique individuals.

In implementing our employment, recruitment and training policies we will:

- Monitor recruitment procedures, employment and volunteering practices to ensure that our procedures are fair and that applicants are considered solely on the basis of merit and ability.
- Develop and implement action plans to address any inequalities, which become apparent from our monitoring.
- Aim to attract and select the best employees and volunteers from all sections of the community through the application of valid, reliable and fair recruitment and selection methods.
- Ensure that all employees are effectively inducted into Assessment Services and know the relevant policies, procedures and standards of expected behaviour.
- Ensure that employees and volunteers are encouraged to achieve their full capacity and potential.
- Promote conditions where innovation, teamwork and participation can flourish.
- Ensure that work environments are not intimidating, hostile, degrading, humiliating or offensive.

Arrangements for publicising our policy

We will make available a summary of our Diversity and Equal Opportunities Policy to all job applicants, existing employees, prospective volunteers and the people we support.

Assessment Services Diversity and Equal Opportunities Policy will be available in large print format on request.

Failure to adhere to the policy

- We will do our utmost to protect employees and the people we support from discriminatory behaviour by any individual or group within the organisation.
- Discriminatory behaviour on the part of employees will be dealt with under the disciplinary procedure.
- If we find that non-contracted workers are behaving in a discriminatory manner, we will cease to use their services.
- Allegations of discriminatory behaviour by members or volunteers will be dealt with by the complaints procedure or other appropriate procedure.
- Allegations of discriminatory behaviour on the part of the people we support will be dealt with initially by advice and counseling. The ultimate sanction is exclusion of the person we support from the service.

Support and advice for employees and volunteers

Assessment Services will provide support and advice for employees to raise issues of concern.

Responsibilities of all members, employees and volunteers

All employees, volunteers and non-contracted workers are expected to support and work within Assessment Services Diversity and Equal Opportunities Policy.

The Senior Management Team will:

- Ensure that Assessment Services complies with relevant equality legislation.
- Ensure that the policy and its related action plans are implemented monitored and regularly reviewed.
- Take responsibility for setting our diversity strategy and for monitoring its implementation.

Assessment Services will:

- Take action to promote a workplace where people are valued and have dignity.
- Promote anti-discriminatory practice.
- Take responsibility for the application of this policy within their work area.
- Keep up to date with equality legislation and good practice by attending training and information opportunities.

All employees will:

- Contribute to a working environment where all are treated with dignity and respect.
- Not harass, abuse or intimidate other employees, potential employees, the people we support, visitors or others with whom they may have contact in the course of their work.

Appendix A

A summary of The Equality Act 2010

The Equality Act came into force on 1st October 2010 and applies to all employees working in England and Wales, but not those in Northern Ireland. Equality/anti discrimination laws in place prior to October 2010 such as the Sex Discrimination Act, Race Relations Act, Disability Discrimination Act and Equal Pay Act still apply to employees in Northern Ireland.

The Equality Act

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

Staff should not discriminate against or harass a member of the public in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

Types of unlawful discrimination

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic. An example of direct discrimination would be refusing to employ a woman because she is pregnant.

In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic (although it does not explicitly include pregnancy and maternity, which is covered by indirect sex discrimination) such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that 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 this effect was intended by the person responsible for the conduct.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and pregnancy and maternity).

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).

Third-party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity), by third parties such as clients or customers. For an employer to be liable:

- the harassment must have occurred on at least two previous occasions (although not necessarily by the same harasser or suffering the same type of harassment);
- it must be aware that the previous harassment has taken place; and
- it must have failed to take reasonable steps to prevent harassment from happening again.

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he or she is suspected of doing so. However, an employee is not protected from victimisation if he or she acted maliciously or made or supported an untrue complaint.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.