

# EQUALITY AND DIVERSITY POLICY

## Document History

<b>Date</b>	<b>Version</b>	<b>Description</b>	<b>Approved</b>	<b>Owner</b>
Aug 2018	1		Ben Haber	Head of Performance and Operations
Aug 2019	2	Annual review; update roles and procedure changes	Vicki Wright	COO
June 2020	3	Annual review and amalgamation of Equal Opportunities policy with Diversity and Inclusion policy	Vicki Wright	COO

## **1. Equality and Diversity Statement**

- 1.1 ThinkForward is committed to achieving a working environment which provides equality of opportunity and freedom from unlawful discrimination on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.
- 1.2 As an organisation we recognise the need for encouraging diversity and wholeheartedly support a policy of equality in all areas of our work and responsibilities.
- 1.3 ThinkForward is also committed to providing a service that does not discriminate against its beneficiaries or partners in any way, believing that all beneficiaries and partners are entitled to be treated with respect and dignity.
- 1.4 The purpose of this policy is to fulfil the commitments noted above, by providing guidelines that will ensure staff and beneficiaries operate/participate, in an environment that embraces equality and diversity across all of our activities.

## **2. Aims and Objectives of this Policy**

- 2.1 The following objectives were established to ensure the commitments noted in S.1 are reflected in ThinkForward's actions and work environment. The aims and objectives of the Equality and Diversity Policy are:
  - To encourage, promote and celebrate diversity in all our activities and services
  - To ensure no employee or job applicant receives less favourable facilities or treatment (either directly or indirectly) in recruitment or employment on grounds of the protected characteristics
  - To guarantee our staff will not discriminate (either directly or indirectly) in the provision of ThinkForward's goods and services on these grounds
  - To ensure compliance with legislation on discrimination and equality, including the:
    - Disabled Persons Employment Acts of 1944 and 1958
    - Sex Discrimination Act of 1975
    - Race Relations Act of 1976
    - Disability Discrimination Act of 1995
    - And the Equality Act of 2010
  - To promote equality in other areas not currently covered by legislation
  - To create environments free from harassment and discrimination
  - To confront and challenge discrimination where and whenever it arises whether it be between colleagues, or in any other area relating to ThinkForward's work

- To ensure employees are helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation
- Requirement to accept and implement this policy as a necessary requirement for any position (employed or voluntary) at ThinkForward

### 3. Key Definitions

3.1 **Equality** means ensuring that the charity’s policies, procedures and practices do not discriminate against the people within it or the beneficiaries of its services. It is about treating people fairly and equally regardless of who they are, their background or their lifestyle.

3.2 **Diversity** means ensuring that all people are valued as individuals and are able to maximise their potential and contribution to ThinkForward and its partners and beneficiaries. It recognises that people from different backgrounds can bring valuable alternative experiences, perspectives and approaches, which can make the way we work more efficient, more inclusive, and more innovative.

3.3 **Discrimination** is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation. These are known as ‘protected characteristics’, and any form of discrimination on the grounds of such characteristic are unlawful. Discrimination may be direct or indirect and includes discrimination by perception and association.

### 4. Types of Unlawful Discrimination

4.1 The following forms of discrimination are prohibited under this policy and are unlawful:

4.1.1 **Direct Discrimination** means an individual is dealt with less favourably on the grounds of race, colour, nationality, ethnic or national origin or sex. Also because of marital status or caring responsibility; sexual orientation; age; physical, sensory or learning disability; mental health; political or religious beliefs; class; HIV status; employment status; unrelated criminal convictions; union activities.

4.1.2 **Indirect Discrimination** means 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 it. For example, a requirement that job applicants must have British qualifications if that requirement is not justified by the position would indirectly discriminate against employees who did not attend school in Britain, as they are less likely to be able to fulfil this requirement.

- 4.1.3 **Victimisation** means an individual is treated less favourably because that person has asserted rights under the Sex Discrimination Act, the Race Relations Act or the Disability Discrimination Act or acted as a whistle-blower on such activity. People must be able to act against unlawful discrimination without fear of reprisals.
- 4.1.4 **Harassment** means repeated, non-reciprocated and unwelcome comments, looks, actions, suggestions or physical contact which is found objectionable and offensive and which might threaten an employee or participant 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.
- 4.1.5 **Associative Discrimination** means 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 (according to guidance from the Government and ACAS) pregnancy and maternity).
- 4.1.6 **Perceptive Discrimination** means an individual is directly discriminated against or harassed based on a perception that they have a protected characteristic when they do not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).
- 4.2 Striving to ensure that ThinkForward’s work environment is free of discrimination, harassment and victimisation and that everyone is treated with dignity and respect is a priority for this organisation. Any member of staff found to have intentionally participated in any of the discriminatory practices described above will face disciplinary action, including the prospect of dismissal from their role with ThinkForward.

## 5. Unlawful Reasons for Discrimination

- 5.1 **Sex:** It is discriminatory to treat a person less favourably on the grounds of sex, marital status, civil partnership, pregnancy or maternity, gender reassignment or transgender status. This applies to men, women and those undergoing or intending to undergo gender reassignment. For example, asking a woman during an interview if she is planning to have any (more) children constitutes discrimination on the ground of gender.
- 5.2 **Age:** It is discriminatory to treat a person less favourably because of their age. This applies to people of all ages. This does not currently apply to the calculation of redundancy payments.
- 5.3 **Disability:** It is discriminatory to treat a disabled person less favourably than a non-disabled person. Reasonable adjustments must be made to give the disabled

person as much access to any services and ability to be employed, trained, or promoted as a non-disabled person. Reasonable adjustments may include:

- Making adjustments to premises;
- Re-allocating some or all of a disabled employee's duties;
- Transferring a disabled employee to a role better suited to their disability;
- Relocating a disabled employee to a more suitable office;
- Giving a disabled employee time off work for medical treatment or rehabilitation;
- Providing training or mentoring for a disabled employee;
- Supplying or modifying equipment, instruction and training manuals for disabled employees; or
- Any other adjustments that ThinkForward considers reasonable and necessary provided such adjustments are within the financial means of the charity.

5.3.1 If an employee has a disability and feels that any such adjustments could be made by ThinkForward, they should contact the HR Manager.

5.4 **Race or Ethnic Origin:** It is discriminatory to treat a person less favourably because of their race, the colour of their skin, their nationality or their ethnic origin.

5.5 **Sexual Orientation:** It is discriminatory to treat a person less favourably because of their sexual orientation. For example, an employer cannot refuse to employ a person because s/he is homosexual, heterosexual or bisexual.

5.6 **Religion or Belief:** It is discriminatory to treat a person less favourably because of their religious beliefs or their religion or their lack of any religion or belief.

## 6. Equality and Diversity Action

6.1 ThinkForward will actively encourage diversity to maximise achievement, creativity and good practice and to bring benefit to individuals and communities. As an organisation, ThinkForward encourages all people it works with and for, to contribute to an environment in which people feel comfortable expressing how they feel and what they need, knowing they will be treated with respect and that their contribution will be valued.

6.1.1 The way we work, train and learn within ThinkForward reflects both the commitments noted in s.1 of this policy, and the objectives noted in s.2 of this policy, as well as the spirit and intentions of legislation that outlaws discrimination and promotes equality and diversity. ThinkForward will make reasonable adjustments to working practices, equipment and premises and offer, where appropriate, additional support to staff and volunteers to ensure

they are able to take a full and active part in the organisation's work.

6.2 ThinkForward will work to ensure equality in its work environment and provision of services. No young person, job applicant, employee, volunteer, partner school, or stakeholder should receive favourable treatment on the grounds of race, colour, nationality, ethnic or national origin, sex, marital status, caring responsibility, sexual orientation, age, physical, sensory or learning disability, mental health, political views, religious beliefs, social class, HIV status, employment status, unrelated criminal convictions or union activities. Nor will such person be disadvantaged by conditions or requirements which cannot be shown to be justifiable. This principle applies to recruitment, promotion, training, benefits, procedures and all terms and conditions of employment. According to these principles ThinkForward undertakes to adopt the following procedures:

## **7. Equality and Diversity Action: Recruitment**

7.1 Recruitment, promotion, and other selection exercises such as redundancy selection must be conducted on the basis of merit, against objective criteria that avoid discrimination. ThinkForward's recruitment processes must also operate in a manner that encourages the diversification of our workforce. The following recruitment guidelines are followed to ensure ThinkForward's selection exercises are non-discriminatory and embrace diversity among our staff:

7.1.1 Job applicants must not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.

7.1.2 Job applicants should not be asked about health or disability before a job offer is made. There are limited exceptions which should only be used with the approval of the Human Resources Manager. For example:

- Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
- Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.
- Positive action to recruit disabled persons.
- Equal opportunities monitoring (which will not form part of the selection or decision-making process).

- 7.1.3 Prior to shortlisting, all applications should be anonymised by removing information relating to protected characteristics, such as age, gender, or disabilities, in order to mitigate unconscious bias in the selection process.
- 7.1.4 Vacancies should be made accessible for a diverse labour market through actions such as advertising on disability-friendly employment websites and providing application materials in accessible formats on request.
- 7.1.5 As a registered Disability Confident employer, ThinkForward's recruitment processes should reflect our commitment to increasing the diversity of our workforce and reducing the barriers that many people with disabilities face when seeking employment. As such, it is this organisation's positive action policy that applicants who **both** meet the selection criteria for an advertised role and declare themselves as having a disability on their application should be offered an interview for the position. Reasonable adjustments should be made to ensure such individuals are able to attend the interview.
- 7.2 To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our organisation, we monitor applicants' ethnic group, gender, disability, sexual orientation, religion and age as part of the recruitment procedure. Provision of this information is voluntary, and it will not adversely affect an individual's chances of recruitment or any other decision related to their employment. The information is removed from applications before shortlisting and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity.

## 8. Equality and Diversity Action: Induction and Training

- 8.1 In order to prevent employees or participants from being harassed, unlawfully discriminated against, bullied and/or victimised at work, ThinkForward will:
- 8.1.1 Bring our Equality and Diversity Policy to the attention of all new employees/participants;
- 8.1.2 Provide Equality and Diversity training during their probation period.
- 8.2 On an ongoing basis for staff, ThinkForward will:
- 8.2.1 Provide all employees with the training and development opportunities that they need to carry out their job effectively;

- 8.2.2 Ensure all staff involved in the recruitment process receive Disability Awareness & unconscious bias in Recruitment training
- 8.2.3 Identify training needs through regular appraisals. Employees will be given access to training (depending on cost and business need) to enable them to progress within the organisation.
- 8.2.4 Promote or otherwise reward employees based on merit and performance.

## **9. Equality and Diversity Action: For ThinkForward Employees**

- 9.1 Every person is entitled to be respected and have a working relationship with ThinkForward which is free of harassment, bullying, or actions which are likely to cause offence for whatever reason.
  - 9.1.1 No employee or programme/project participant shall harass, abuse, bully or intimidate another employee, participant or visitor on any grounds.
- 9.2 In order to accommodate diverse needs amongst its staff, ThinkForward will:
  - 9.2.1 Offer opportunities for flexible working patterns, wherever operationally feasible, to help employees to combine a career with their domestic responsibilities.
  - 9.2.2 Provide all reasonable assistance to employees who are or who become disabled, making reasonable adjustments wherever possible to provide continued employment. We will ensure an appropriate risk assessment is carried out and that appropriate specialist advice is obtained when necessary.

## **10. Equality and Diversity Action: For ThinkForward's Young People and Participants**

- 10.1 Every employee and participant is entitled to expect equality of opportunity in all aspects of their employment / programme or project participation including its terms and conditions. ThinkForward will ensure that its services are non-discriminatory, enabling equality of access to, and opportunity within, its provision and meets the requirements of both funding organisations and relevant legislation.

## 11. Responsibilities Under this Policy

**11.1 Responsibilities of Management:** ThinkForward will ensure that all line managers understand and maintain their responsibilities and those of their team under this policy. Responsibility for ensuring the effective implementation and operation of the arrangements will rest with the Managing Director. Managers will ensure that they and their staff operate within this policy and arrangements, and that all reasonable and practical steps are taken to avoid discrimination.

11.1.1 Each line manager will ensure that:

- All their staff are aware of the policy and the arrangements, and the reasons for the policy;
- Grievances concerning discrimination are dealt with properly, fairly and as quickly as possible;
- Proper records are maintained.

11.1.2 The Finance Manager will be responsible for monitoring the operation of the policy in respect of employees and job applicants.

**11.2 Responsibilities of Employees:** Responsibility for ensuring that there is no unlawful discrimination rests with all staff and the attitudes of staff are crucial to the successful operation of fair employment practices.

11.2.1 In particular, all members of staff should:

- Comply with the policy and arrangements;
- Not discriminate in their day to day activities or induce others to do so;
- Not victimise, harass or intimidate other staff or groups who have, or are perceived to have one of the protected characteristics.
- Ensure no individual is discriminated against or harassed because of their association with another individual who has a protected characteristic.
- Inform their manager or HR Manager if they become aware of any discriminatory practice.
- All staff should help to promote the Policy in the workplace and in all aspects of service delivery and to work towards eliminating discrimination.

- All staff have a duty to report instances of discrimination to their manager at the earliest opportunity so that appropriate action can be taken to remedy the situation.

**11.2.2 Responsibilities Regarding Third Party Harassment:** Third-party harassment occurs where a Charity employee is harassed, and the harassment is related to a protected characteristic, by third parties such as clients or customers. ThinkForward will not tolerate such actions against its staff, and the employee concerned should inform their line manager at once that this has occurred. ThinkForward will fully investigate and take all reasonable steps to ensure such harassment does not happen again.

## **12. Breaches of this Policy**

12.1 ThinkForward will not tolerate acts that breach this policy and all such breaches or alleged breaches will be taken seriously, be fully investigated and may be subject to disciplinary action where appropriate.

12.2 If an employee believes that they have suffered discrimination, or have witnessed discrimination taking place, they can raise the matter through our Grievance Procedure, found in our Grievance Policy. Grievances will be treated in confidence and investigated as appropriate.

12.3 If a stakeholder or participant in a ThinkForward programme believes they have suffered discrimination, or have witnessed discrimination taking place, they can raise the matter through our Complaints Procedure, found in our Complaints and Whistleblowing Policy. A summary of our Complaints and Whistleblowing Policy is shared with participants when they enter our programmes.

12.4 Any action or behaviour found to be in breach of this Policy will be regarded as misconduct or gross misconduct in accordance with ThinkForward's Disciplinary Policy.

12.5 There must be no victimisation or retaliation against staff who raise a complaint about discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under our Disciplinary Policy.

## **13. Equality and Diversity Improvements**

13.1 The effectiveness of this policy and associated arrangements will be reviewed regularly under the direct supervision of the CEO. All aspects of ThinkForward

operations will be reviewed regularly and any discriminatory elements removed.

13.2 In addition, ThinkForward is committed to implementing the systems by the end of 2020 that will improve our approach to equality and diversity in our organisation. These systems will be designed to:

- Maintain and review data to demonstrate that this policy has been applied to staff recruitment, training and promotion opportunities and produce, maintain and review an Equality and Diversity Action Plan.
- Maintain and review data to demonstrate that this policy has been applied to participant recruitment, training and positive outcome opportunities, in line with contractual requirements. All data, its collation, processing, storage and dissemination, must always be kept secure.