

BMECP Centre, 10A Fleet Street, Brighton, BN1 4ZE

# Equality, Diversity and Inclusion Policy

<b>Issued by:</b>	BMECP Board
<b>Version:</b>	2.0
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## Policy Revision History

It is important that this Equality, Diversity and Inclusion Policy reflects the current situation and business requirements at BMECP. At a minimum it should reviewed every 2 years.

<b>Version</b>	<b>Date Issued</b>	<b>Reason for Update</b>
1.0	August 2020	First Issue
2.0	31 December 2024	Policy review

## Policy Statement

BMECP is committed to the principles of diversity, equality of opportunity and inclusion, and recognises the importance of adhering to these principles at all times. All that we do will reflect our approach to equality, diversity and inclusion in practice.

Diversity, equality and inclusion together form a positive approach to recognise that everyone is different and can make and bring their own unique contribution, experience, knowledge and skills to the organisation. BMECP promotes dignity and respect for all, and an environment where individual differences and the contributions of all employees are recognised and valued. BMECP will not unlawfully discriminate against any individuals including those with protected characteristics such as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex (gender) and sexual orientation in line with the Equality Act 2010.

This policy is written in accordance with all legal requirements, ACAS guidance and best practice.

## 1. Overview and Introduction

We recognise that both the people who work for us – or who we may want to recruit to do so - and those who use our services are individuals with different needs which may impact on their ability to access many services in our community including our own services. In the case of service users this means that we may, therefore, set up and deliver projects that will work expressly with specific groups in order to increase their chances of accessing the services we provide.

We will, however, also work hard to ensure that all individuals who fit the criteria for employment or access to our services truly have the opportunity to access and benefit from what BMECP can offer, and this policy sets out how we aim to do this.

## 2. Why this policy exists

The [Equalities Act 2010](#) sets out the legislation around equality, including what is required of employers in the UK.

The aim of this policy is to ensure that BMECP operates in line with this legislation and that no service user, job applicant, employee, secondee or volunteer (including Trustees) is unfairly or unlawfully discriminated against in their dealings with BMECP.

### 3.Scope

This policy applies to all areas of BMECP's work and to all staff, by which term we mean all employees, volunteers - including trustees -, and anyone who is subcontracted to undertake specific duties. Wherever this policy refers to staff or employees it includes everyone mentioned here unless specifically stated otherwise.

The principles set out in this policy will also be reflected in all contracts and project plans. We will expect anyone we sub-contract or with whom we work in partnership to work in line with this policy or to demonstrate that they have their own appropriate equality policy and practices in place.

It is a condition of employment that all employees respect and act in accordance with this policy. Failure to do so will result in disciplinary procedures being instigated which could lead to dismissal.

All employees will be required to read this policy on joining the organisation.

### 4.Roles and Responsibilities

- **All staff** are responsible for familiarising themselves and acting in accordance with this policy. Employees should inform their manager if they know or suspect that discrimination or harassment is occurring.
- **Managers** will ensure that this policy is communicated to all staff and will provide advice and guidance to staff regarding their conduct along with sources of available support. Managers are required to exercise leadership in this field by encouraging inclusion, discouraging prejudice and modelling appropriate behaviour. They must also take speedy and appropriate action to deal with any breaches of the policy, or behaviour that could lead to a breach of the policy. Any identified breaches of the policy should be dealt with using the Disciplinary, Grievance or Dignity at Work policies. Managers are responsible for applying employment practices, policies and procedures fairly and consistently, and for highlighting and addressing any practices which could lead to discrimination.
- **The Human Resources team** will ensure that this policy is implemented and operated in a reasonable and fair manner, provide advice and guidance to individual members of staff and line managers and oversee provision of any letters and documents required.

## 5. Zero tolerance

Although treating anyone differently because they have one or more of the protected characteristics is illegal, the Act only specifies two types of discrimination that apply to all of the protected characteristics: direct discrimination and victimisation. Appendix 1 sets out which types of discrimination apply to which protected characteristics.

BMECP has a zero-tolerance approach to any form of discrimination on the grounds of any of the protected characteristics, whether or not the Act applies the specific form of discrimination to a specific characteristic.

The sole exception to this is where a specific service may require us to recruit candidates of one or other sex in order to safeguard the users or staff of that specific service; for example, a service for very vulnerable young women may require that we recruit only female workers to work with that particular group, or – conversely – a service for young men displaying harmful sexual behaviour may recruit only male workers to work with that group.

Where this is the case the service model for that service will explicitly set out why recruitment for workers in that service will be focused specifically on one sex over another and this will be reflected in the recruitment process.

## 6. Monitoring

BMECP will maintain records of gender, ethnic origin, age and disability for all employees and for internal and external job applicants.

This information will be collected and stored in line with the Data Protection Act 2018 (GDPR) and will only be used to monitor compliance with the principles of diversity, inclusion and equality. The information will be analysed at regular intervals by Human Resources.

Where possible, and dependent on the type of service, we will also monitor the following characteristics for the people using our services:

- Age
- Disability
- Ethnicity
- Sex
- Sexual orientation

## **7. Related policies and procedures**

The following policies and procedures may need to be consulted in conjunction with this policy as applicable:

- Complaints Policy and Procedure
- Confidentiality Policy
- Equal Opportunities Policy
- Policy for Disclosing Major Concerns at Work

## **8. Review**

This policy will be reviewed periodically – and in any case every two years - by Human Resources. It will in any case be reviewed any time it is invoked, and use suggests that changes or clarifications are needed.

Where review is necessary due to legislative change this will happen without delay.

The policy will additionally be updated according to legislative and good practice changes and changes in internal structures and role responsibilities as and when needed.

## **8. Dissemination**

This policy will be available to all new staff, volunteers, including trustees.

During induction the policy will be signed off as having been read and understood.

The policy will be made available to current and prospective partners, suppliers, funders and others on request.

## Procedures

### 1. Behaviours

BMECP is committed to achieving an inclusive and diverse workforce and to providing equal opportunity and access for all. In applying this policy, we seek to 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 staff are recognised and valued.

The organisation's employment practices, policies and procedures seek to ensure that no employee or potential employee receives less favourable treatment on the grounds of gender, race, colour, ethnic or national origin, sexual orientation, marital status, religion or belief, age, trade union membership, disability, offending background, domestic circumstances, social and employment status, HIV status, gender reassignment, political affiliation<sup>2</sup> or any other personal characteristic.

BMECP seeks to actively promote best practice in diversity and inclusion across the organisation in areas such as pay and benefits, terms and conditions of employment, dealing with grievances and disciplinary issues, dismissal, redundancy, leave for parents, requests for flexible working and selection for employment, promotion, training or other developmental opportunities.

Both employer and employee 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.

Employees must conduct themselves in a manner which is in accordance with BMECP's relevant policies.

### 2. Policy into Practice

BMECP will:

- Promote our equality and diversity aims with our staff, partners and other stakeholders.
- Ensure that staff are aware of their responsibilities in implementing this policy.
- Offer training for staff to enable them to understand and implement this policy.
- Expect compliance with and commitment to this policy and take action if any individual is found not to be complying.
- Take appropriate action to deal with discrimination, harassment and victimisation by or against a member of staff.
- Carry out recruitment, selection and promotion in accordance with this policy.

- Ensure that our commitment to equality is plainly communicated in all policies and procedures and clear in our practices.
- Comply with all relevant legislation including The Equality Act 2010.

### **3. Recruitment and Employment**

#### *3.1. Recruitment*

BMECP will:

- Operate fair and inclusive recruitment and employment practices to achieve our operational needs, including use of the 2 Tick scheme for disabled applicants.
- Work to achieve equality of opportunity in all areas of employment.
- Seek to maintain a diverse workforce that reflects the diversity of the communities we serve.

#### *3.2. Terms and Conditions of Employment*

We will not apply unjustifiable requirements in our terms of employment or working practices. Care will be taken to ensure that BMECP's policies and procedures do not include elements which will or could unfairly or adversely impact on individuals or certain groups of staff or service users.

#### *3.3. Promotion, training and development*

Selection for promotion will only be based on ability or demonstrated potential to do the job. All employees will be encouraged to take advantage of available, relevant and suitable training and development opportunities.

Where possible internal courses will be developed to meet specific training needs in relation to diversity and inclusion, and appropriate training events will be provided for all employees involved in selection for recruitment or delivering training.

The responsibilities of the employer and employee for diversity, inclusion and equality will be positively incorporated into employee training at all levels from induction courses to Senior Management workshops.

#### *3.4. Working environment*

All efforts will be made to make adjustments wherever reasonably practicable for disabled staff, applicants for posts or any staff member making a reasonable request.

BMECP aims to have a working environment and culture where everyone feels comfortable and treated with dignity and respect.

#### *3.5. Challenging policy, practice and individuals*

BMECP is committed to respectful forms of challenge and healthy conflict resolution. We actively encourage staff to challenge each other when they are feeling uncomfortable and expect them to do so if they notice that this policy is being breached. We will provide

information so that staff can access appropriate support to deal with equality, diversity and inclusion issues which they cannot resolve themselves.

## **4. Our services**

BMECP is committed to equality of opportunity within the criteria for our services. Where services specifically exclude specific groups of people, we will clearly set out the reasons why this is so.

### *4.1. Access to services*

We will, wherever possible, make reasonable adjustments to how we deliver services according to individual circumstances. We aim to ensure that no individual or group applying to use our services will be treated less favourably than any other person or group of persons for any reason that cannot be justified.

### *4.2. Access to information*

Where possible – given limited financial resources - information will be made available in suitable formats, such as large print or recorded, where needed to meet a service user's needs. We will also use the services of a professional interpreter service to work with people who do not have English as their first language.

## **5. Equality impact assessments**

In order to support the organisation to achieve the aims of this policy, BMECP will over the next year introduce Equality Impact Assessments (EIAs) where applicable in relation to HR and organisational policies whenever there is a new policy or a change to an existing policy. EIAs will also be introduced in relation to the development of new services and service models and as part of bids for contract funding.

Additionally, any proposed changes to policies, procedures and services will be discussed with Service Managers and the Staff Forum representatives to ensure the impact on any group is taken in to account.



## Appendix 1 - Protected characteristics and types of discrimination

### *Protected characteristics*

The Equalities Act 2010 identifies 9 protected characteristics, i.e.:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

### *Types of Discrimination*

The Act also identifies 7 types of discrimination, i.e.:

- direct discrimination - treating one person less favourably than another person because of they **have** a protected characteristic;
- discrimination by association - treating one person less favourably than another because they **associate with** a person who has a protected characteristic;
- discrimination by perception - treating someone less favourably than others because those others think that person has a protected characteristic – it applies even if the person does not in fact have the perceived protected characteristic;
- indirect discrimination – this can occur if an employer has practices, rules or policies that apply to everyone but that create a disadvantage for people with a protected characteristic – but see the section below for further information on this;
- harassment – unwanted conduct specifically related to a protected characteristic which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual;
- harassment by a third party - when an employee experiences harassment from someone who is not employed by BMECP, which may include service users, funders or suppliers; this applies if BMECP is aware of the harassment but takes no measures to stop it from happening.
- victimisation - when an employee is treated badly because they have made or supported a legitimate complaint or raised a legitimate grievance under the Act.

*Legitimate aim*

Indirect discrimination may be justified in some cases where the employer can show that it is reasonable and proportionate in achieving the organisation's aims, although this will not include an aim of cost reduction – in other words, the organisation cannot discriminate against anyone with a protected characteristic because not to do so would be too costly, or because to do so would save money. The organisation will need to demonstrate that the indirect discrimination cannot be avoided without negatively impacting on its ability to manage its business. Appendix 2 includes an example of