

# Diversity and inclusion policy

## Policy overview

We encourage a supportive and inclusive culture. People from different backgrounds, cultures and experiences bring value to the workplace. We believe that diversity and inclusion bring benefits. We work better and improve services if we have a supportive environment. Everyone has visible and non-visible differences, By respecting these differences, colleagues, customers, communities and other stakeholders can feel valued.

This policy covers how we treat everyone when:

- carrying our functions
- whenever we plan policies
- when we provide or commission services
- when we recruit or fulfil our role as an employer

We oppose all forms of unlawful discrimination. We do not tolerate any form of intimidation, bullying or harassment. [Read the Harassment and Bullying Policy for more information.](#)

## Principles

We are committed with our workforce to:

- providing equality and fairness to all our employees and to those applying to work for us
- recognising and valuing individual differences and input of all team members
- avoiding stereotypical assumptions or bias, conscious or otherwise
- selecting candidates based on their aptitude and ability for:
  - employment
  - promotion
  - training
  - any other benefit
- promoting dignity and respect for every employee. We will identify and address issues affecting health, wellbeing and ability to perform well
- developing training programmes to meet employees' needs, learning styles and ability
- offering training programmes on diversity and inclusion
- promoting equality in the workplace. We recognise key life stages and events and take into account caring duties

- encouraging anyone who feels they have been subject to discrimination to raise their concerns so we can apply corrective measures
- regularly keeping in touch with employees who are 'not fit for work' during periods of sickness absence
- apart from in exceptional circumstances, keeping a job applicant's gender identity confidential. For further details, [read our recruitment policy](#).

We will not:

- tolerate intimidation, harassment, or bullying
- tolerate discrimination based on any protected characteristic listed in the Equality Act 2010. The protected characteristics are:
  - age
  - disability
  - gender reassignment
  - marriage and civil partnerships
  - pregnancy and maternity
  - race (which includes colour, nationality and ethnic or national origins)
  - religion or belief
  - sex
  - sexual orientation

We may bring disciplinary action against those who breach these principles.

Employees can be held personally liable for any act of unlawful discrimination. This can be as well as or instead of any council liability.

## Equality duty

By law, in carrying out our public functions, we must take positive steps to:

- eliminate discrimination, harassment and victimisation
- advance equality of opportunities
- foster good relations between those who share a protected characteristic and those who do not

We are required to publish information to demonstrate our compliance with the general equality duty. This includes information about those who share a protected characteristic who are:

- employees
- people affected by our policies or practices

To do this, we use an Equality Impact Analysis process.

This process will identify any impact on people with protected characteristics regarding:

- projects
- proposed service changes
- commissioning
- decommissioning
- policies

## Types of discrimination

### Direct discrimination

Where a person is treated less favourably than another because of a protected characteristic. For example, to not promote a pregnant employee because she is about to go on maternity leave. This would be direct discrimination on the protected characteristic of the employee's sex and maternity.

### Associative discrimination

Where someone is directly discriminated against or harassed for association with another person who has a protected characteristic.

### Perceptive discrimination

Where there is a perception that someone has a particular protected characteristic when they do not.

### Indirect discrimination

When there is a policy that applies in the same way for everybody but disadvantages someone with a protected characteristic and you are affected as part of that group. Those using the policy must show that there is a good reason for it. A policy can include a practice, a rule or an arrangement. It makes no difference whether anyone intended the policy to disadvantage someone or not.

### Justification of discrimination

Sometimes direct discrimination may be justified where there is an occupational requirement. The occupational requirement must be:

- crucial to the post
- a proportionate means of achieving a legitimate aim

Indirect discrimination may be justified if it is proportionate and has a legitimate aim.

There are strict conditions that these defences must meet. We would have the burden of proving the justification.

Managers must discuss with HR if they are considering these justifications. HR will advise on whether or not it is appropriate.

## Harassment

Unwanted conduct, related to one of the protected characteristics, that has the purpose or effect of:

- violating a person's dignity
- or, creating an intimidating, hostile, degrading, humiliating or offensive environment

Employees or the public can complain of behaviour that they find offensive even if it is not directed at them. The complainant need not have the relevant characteristic themselves.

Those who commit severe acts of harassment may be guilty of a criminal offence.

Bullying an individual related to a protected characteristic can be unlawful behaviour.

Bullying is offensive, intimidating, malicious or insulting behaviour. It is an abuse or misuse of power. It undermines, humiliates, denigrates or injures an individual or a group of employees.

This type of conduct is usually sustained.

## Victimisation

An individual is subject to a detriment when, for example, an employee is denied a promotion because they:

- made or supported a complaint
- raised a concern
- are suspected of submitting a complaint or concern

or

- a member of the public being denied our services because they:
  - made or supported a complaint
  - raised a concern or we suspect they have done so

It will not be victimisation if the person acted maliciously or made or supported a false complaint.

## Failure to make a reasonable adjustment

We are committed to supporting employees and the public accessing our services who have a disability by making reasonable adjustments.

By law, we must make reasonable adjustments. These ensure we do not disadvantage disabled people compared to those who are not disabled. They fall into three areas:

- changing practices, policies and procedures
  - physical feature, for example, a barrier

- providing extra equipment or getting someone to do something to assist you

Examples of reasonable adjustments include, but are not limited to:

- re-arranging seating or furniture in the office space
- provision of a reader, interpreter or signer
- additional or modified equipment, such as specialised seating or software
- flexibility in working practice, such as extra breaks or the ability to work from home

Where an employee requires an adjustment to their working arrangements, they should discuss this with their manager as soon as possible.

## Disability confident scheme

We are committed to the Disability Confident Scheme. We have also been accredited as a Disability Confident employer. As such, we agree to take action on the following commitments:

- ensure the recruitment process is inclusive and accessible
- communicate and promote vacancies
- offer an interview to disabled people if they meet the minimum criteria for the post
- anticipate and provide reasonable adjustments as required

For further information about the Disability Confident Scheme:

- [visit GOV.uk](#)
- [read our recruitment policy](#)
- [read our guide to supporting disabled employees in the workplace](#)

## Age friendly

We are committed to being an age friendly employer and have signed up to the national age-friendly employer pledge. As such, we agree to take action on the following commitments:

- be flexible about flexible working
- hire age positively
- ensure everyone has the health support they need
- encourage career development at all ages
- create an age positive culture

You can read further information about the age friendly employer pledge on the [Centre for Ageing Better website](#).

## Race, religion or belief

We will not tolerate racism of any form.

We have adopted a declaration condemning extremism and racist behaviour in all its forms. That declaration is incorporated in this policy.

We will not tolerate any discrimination based on a person's religion or belief, including philosophical beliefs.

A philosophical belief must:

- be genuinely held
- be a belief and not just an opinion or viewpoint based on the present state of information available
- be about a weighty and substantial aspect of human life and behaviour
- attain a certain level of cogency (clear, logical and convincing), seriousness, cohesion and importance, and
- be worthy of respect in a democratic society, not incompatible with human dignity and not in conflict with fundamental rights of others

Any behaviour or use of language which incites racism, targets or intimidates members of ethnic or religious communities, including jewish communities (antisemitism), muslim communities or any other protected group, is unacceptable conduct.

In understanding what antisemitism is, we apply the working definition provided by the International Holocaust Remembrance Alliance (IHRA). [Read the definition of antisemitism on the IHRA website.](#)

## Trans equality

We are committed to promoting a safe environment where people can be open about their identity. Individuals should be able to self-identify and to express their preferences.

Trans people have equal recruitment and employment opportunities. We will support employees through any transitioning process.

Employees who are seeking to transition are encouraged to discuss this openly with their manager. This will ensure they can put relevant support mechanisms in place.

### Definitions

'Trans' described people whose gender identity differs from their sex assigned at birth. They can be people who:

- are planning or have had medical help such as hormones or surgery
- are not planning any medical intervention
- may be intending to, in the process of, or have undergone gender reassignment
- are non-binary (not solely male or female). They:
  - may define themselves as both, neither or something different
  - may or may not have medical interventions to align their body with their non-binary gender identity

Rather than assume, it is best to ask someone how they wish to be addressed. We encourage trans people to be open with us. We can then arrange appropriate levels of support, education and training to be put in place.

We recognise that terminology regarding trans people is evolving. Employees may self-identify and managers and colleagues will respect this.

- transitioning - the steps a trans person may take to live in a gender with which they identify. Each person's transition will be different. Not all trans people want medical intervention. Transitioning may involve telling friends and family, dressing differently or changing official documents.
- acquired gender - used in the Gender Recognition Act 2004 to describe a person's gender after transitioning.
- gender identity - a person's deeply felt experience of gender which may not be the same as the sex assigned to them at birth.
- gender expression - how a person chooses to outwardly express their gender. A person who does not conform to normal expectations of gender. They may not identify as trans.
- gender binary - the classification of sex and gender into two distinct and disconnected forms of male and female.
- non-binary person - a general term for a person who does not identify as solely male or female. They may identify as both, neither or something else.
- gender fluid - having a gender identity which varies over time.
- cross dresser - someone who chooses to wear clothes not normally associated with their assigned gender.
- transsexual person - legal and medical term for someone who lives (or wishes to live) permanently in the opposite gender to that assigned at birth.
- legal sex - the sex recorded on a person's birth certificate. This can be changed by applying to the Gender Recognition Panel.
- gender dysphoria - a medical term for serious distress because of a mismatch between a person's biological sex and gender identity. They have an overwhelming desire to live in a different gender to that assigned at birth.
- gender reassignment - the process of transitioning from one sex to another. It can include medical interventions as well as changing names, pronouns, dressing differently and living in their self-identified gender. It is a characteristic protected by the Equality Act 2010.
- gender recognition certificate - signifies full legal rights in the acquired gender. It allows a replacement birth certificate to be issued.

This list is not exhaustive.

## **Equality Act 2010**

Gender reassignment is one of the nine protected characteristics covered by the Equality Act 2010. The Act protects a person from discrimination, harassment and victimisation if they are involved with gender reassignment.

There is no requirement for the person to be under medical supervision. It is not necessary to have any medical diagnosis or treatment to gain this protection.

People are also protected if they are discriminated against because:

- they are wrongly perceived to be trans
- or, of their association with trans people or issues

## **Gender Recognition Act 2004**

The Gender Recognition Act 2004 allows trans people to apply for a gender recognition certificate (GRC). This will give trans people legal recognition in their acquired gender. It will enable them to get a new birth certificate.

The Act safeguards the privacy of an individual with a GRC. It defines gender recognition information as "protected information" except in certain specific circumstances (for example, to prevent or investigate crime). It is a criminal offence to disclose such information without the individual's consent.

Trans people are not required to apply for a GRC. It will not be a pre-condition for transitioning at work and requesting it could be considered harassment.

## **Supporting employees through transition**

We will provide support to an employee's transition. The type and level of support will take account of the individual's view on how they wish to proceed.

The manager will agree with the employee the support they require and develop an action plan. Help is also available from HR. An equality impact assessment will be completed to ensure that the needs of all groups are balanced when it comes to toilets or changing facilities.

For further details, read our [guide to transitioning at work](#).

## **Pension**

An employee will need to amend their pension records to reflect a gender change.

There may be some implications surrounding the GRC, marital status and nominations for benefits.

For further information, employees should contact [pensions@wypf.org.uk](mailto:pensions@wypf.org.uk).

## **Raising an issue**

An employee may use our [grievance policy and procedure](#) to make a complaint if they consider that they have:

- been unlawfully discriminated against based on any of the protected characteristics
- a complaint involving alleged bullying or harassment

Alternatively employees may raise issues in confidence with a senior officer in HR services [by email](#).

A member of the public may use our [complaints policy](#) for similar complaints.

## Employee support

We have some employee networks in place. In addition, there are management groups that review and consider matters about diversity and inclusion. These groups include but are not limited to:

- LGBT staff
- disability staff engagement group
- black and minority ethnic staff network
- corporate diversity steering group
- people strategy engagement group

All employees are encouraged to engage with the employee networks and activities during working time. This includes attending monthly meetings and taking part in events.

For support and guidance, employees may also use our:

- counselling and wellbeing hub
- employee assistance programme for support and guidance
- personal support passport to discuss their circumstances with their manager

Some external organisations exist to provide advice, guidance and support:

- Equality and Human Rights Commission (EHRC) - statutory body with responsibility for protecting, enforcing and promoting equality across all protected characteristics.
- The Gender Trust - recognised as an authoritative centre for professional people who encounter gender identity-related issues in the course of their work.
- The Beaumont Society - a support network that promotes a better understanding of the conditions of trans, transvestism and gender dysphoria.
- Gender Identify Research and Education Society - initiates, promotes and supports research, particularly to address the needs of people who have a strong and ongoing desire to live and be accepted in the gender in which they identify.
- Stonewall - a charity that works with organisations to support LGBT staff by offering inclusive, equal and inspiring working environments.

