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**Equality and Diversity Policy**

# Policy Statement

Pentreath Ltd 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. This Policy aims to remove unfair and discriminatory practices within the Company and to encourage full contribution from its diverse community. The Company is committed to actively opposing all forms of discrimination.

The Company also aims to provide a service that does not discriminate against its clients in the means by which they can access the services provided by the Company. The Company believes that all employees, volunteers and clients are entitled to be treated with respect and dignity.

The Company aims to encourage, value and manage diversity and has a commitment to providing equality for all and we wish to attain a workforce that is representative of the communities from which it is drawn to secure the widest pool of talent possible.

# Objectives of this Policy

To prevent, reduce and stop all forms of unlawful discrimination in line with the Equality Act 2010.

To ensure that recruitment, promotion, training, development, assessment, benefits, pay, terms and conditions of employment, redundancy and dismissals are determined on the basis of capability, qualifications, experience, skills and productivity.

To promote diversity of the workforce, to respond to changing demographics and working patterns.

All employees, whether part-time, full-time or temporary, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. All employees will be 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.

Our commitment:

* To create an environment in which individual differences and the contributions of all our staff are recognised and valued.
* Every employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated. If this occurs it will be dealt with in a timely manner.
* Training, development and progression opportunities are available to all staff.
* Equality in the workplace is good management practice and makes sound business sense.
* We will regularly review all our employment practices and procedures to ensure fairness.

The policy will be monitored and reviewed annually.

# Designated Officer

# Name: Dean Harvey

# Position: Community Development Worker

# Contact number: 01726 862727 / 07515 580002

# Definition of Discrimination

Discrimination is unequal or differential treatment which leads to one person being treated more orless 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. Discrimination may be direct or indirect.

# Types of Discrimination

## Direct Discrimination

This occurs when a person or a policy intentionally treats a person less favourably than another on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

## Indirect Discrimination

This is the application of a policy, criterion or practice which the employer applies to all employees but which is such that:

* It is it detrimental to a considerably larger proportion of people from the group that the person the employer is applying it to represents;
* The employer cannot justify the need for the application of the policy on a neutral basis; and
* The person to whom the employer is applying it suffers detriment from the application of the policy.

Example: A requirement that all employees must be 6ft tall if that requirement is not justified by the position would indirectly discriminate against employees with an oriental ethnic origin, as they are less likely to be able to fulfil this requirement.

Discrimination by Association

This occurs when a person is treated less favourably because they are linked or associated with a protected characteristic. The person 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.

Discrimination by Perception

Discrimination by perception happens when a person is discriminated against because they are thought to have a particular protected characteristic when in fact they do not. If you discriminate against people because you think they are transgender or gay, for example, then they will be protected even if they do not have these protected characteristics.

## Harassment

This occurs when a person is subjected to unwanted conduct that has the purpose or effect of violating their dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

## Victimisation

This occurs when a person is treated less favourably because they have bought or intend to bring proceedings or they have given or intend to give evidence.

# Unlawful Reasons for Discrimination

## Age

A person belonging to a particular group is protected. Age group means persons of the same age or persons of a range of ages.

**Disability**

This defines who is to be regarded as having the protected characteristic of disability. The provisions are similar to the Disability Discrimination Act 1995, so the Bill provides that a person has a disability if he has a physical or mental impairment that has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities.

The Company has a duty to make reasonable adjustments to facilitate the employment of a disabled person. These 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 the Company considers reasonable and necessary provided such adjustments are within the financial means of the Company.

If an employee has a disability and feels that any such adjustments could be made by the Company, they should contact Human Resources.

**Gender reassignment**

A person has this protected characteristic if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person’s sex by changing physiological or other attributes of sex. The Bill provides that all transgender people are included. These provisions are similar to those in the Sex Discrimination Act 1975, except that there is no longer a need for the person to be under medical supervision in order to come within the definition.

**Marriage and civil partnership**

This applies to those that are married or in a civil partnership, so just living together is not enough.

**Pregnancy and maternity**

Traditionally discrimination against women who are pregnant or have recently given birth has amounted to sex discrimination.

**Race**

This includes colour, nationality and ethnic or national origin. Those who have any of these characteristics can be described as a ‘racial group’ and such a group can consist of more than one racial group.

**Religion or belief**

Religion means any religion or lack of religion; belief means any philosophical belief or lack of such belief. The guidance states that atheism or humanism would be included but not beliefs in communism, Darwinism, fascism, socialism or ‘adherence to a particular football team’.

**Sex**

People having the protected characteristic of sex are men or women; men share this characteristic with other men and women with other women.

**Sexual orientation**

This is similar to the Employment Equality (Sexual Orientation) Regulations 2003, so sexual orientation means a sexual orientation towards people of the same sex, the opposite sex, or of either sex.

# Responsibility for the Implementation of this Policy

All employees, trustees, subcontractors and agents of the Company are required to act in a way that does not subject any other employees, trustees or clients to direct or indirect discrimination, harassment or victimisation on the grounds of their race, sex, pregnancy or maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

The co-operation of all employees is essential for the success of this Policy. Senior employees are expected to follow this Policy and to try to ensure that all employees, trustees, subcontractors and agents do the same.

Employees may be held independently and individually liable for their discriminatory acts by the Company and in some circumstances an Employment Tribunal may order them to pay compensation to the person who has suffered as a result of discriminatory acts.

The Company takes responsibility for achieving the objectives of this Policy, and endeavours to ensure compliance with relevant Legislation and Codes of Practice.

# Acting on Discriminatory Behaviour

Breaches of our Equality & Diversity policy will be regarded as misconduct and could lead to disciplinary proceedings.

In the event that an employee is the subject or perpetrator of, or witness to, discriminatory behaviour, please refer to the Disciplinary, Grievance Procedure and Whistle-blowing Policies.

# Advice and Support on Discrimination

Employees may contact their staff representative or the Equality & Diversity Officer if they are the victim or the witness of discrimination.

# The Extent of the Policy

The Company seeks to apply this Policy in the recruitment, selection, training, appraisal, development and promotion of all employees. The Company offers services in a fashion that complies with the spirit of this Policy.

This Policy does not form a part of any employment contract with any employee and its contents are not to be regarded by any person as implied, collateral or express terms to any contract made with the Company.

The Company reserves the right to amend and update this Policy at any time.