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**Gene People Equality Diversity and Inclusion Policy**

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Responsible staff member: CEO

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**Equality Diversity and Inclusion Policy Statement**

Gene People values diversity and is committed to supporting and promoting Equality, Diversity, and Inclusion (EDI). This includes tackling all forms of discrimination and inequality in both the workplace and the services the organisation provides.

Gene People has a commitment to diversity, which is about:

* Recognising and valuing difference
* Recognising and seeking to redress inequality and disadvantage
* Treating all in a fair, open, and honest manner
* Recognising the right of volunteers, employees, suppliers, supporters, and beneficiaries to be treated with dignity and respect

Gene People is committed to:

* Equality of opportunity
* Tackling discrimination and disadvantage
* Tackling harassment and intimidation
* Making its workforce and the organisation as a whole more representative of society and in particularly the genetic conditions community.

Encouraging other organisations, especially our Partnership Network members, to adopt similar policies on Equality, Diversity, and Inclusion. Gene People will not tolerate less favourable treatment on the grounds of sex, gender, gender reassignment, age, race, colour, nationality, ethnic or national origin, disability, marital/civil partnership status, sexual orientation, pregnancy or maternity, responsibility for dependents, trade union or political activities, criminal record, place of residence, religion, faith or other beliefs, health status or any other reason which cannot be shown to be justified. Gene People will never use cultural practices as a justification for, or to ignore an issue of, safeguarding.

Gene People believes that discrimination is wrong and should be actively opposed. Discrimination denies human dignity, a freedom for people to be themselves, and a place in a free society.

Gene People is primarily committed to the welfare of older people and to maintaining their individual dignity and their value to society. Gene People is also committed to a policy of Equality, Diversity, and Inclusion in service delivery and in employment practices and will not accept discrimination in its work with and for older people.

This commitment includes training managers and all other employees and volunteers about their rights and responsibilities under the equality policy. Responsibilities include staff and volunteers conducting themselves to help the organisation provide equal opportunities in employment, and prevent bullying, harassment, victimisation, and unlawful discrimination.

All staff and volunteers should understand they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation, and unlawful discrimination, in the course of their employment, against fellow employees, volunteers, beneficiaries, suppliers, supporters, and the public.

#### Definitions

#### Protected characteristics

Protected characteristics refer to the nine characteristics that are protected in the Equality Act (2010). The nine protected characteristics are: age, disability, gender reassignment, marriage/ civil partnership, pregnancy and maternity, race, religion and belief, sex, and sexual orientation.

#### Equality

Equality is about fairness, it is not about treating everyone in the same way, but it recognises that everyone’s needs are met in different ways. It is based on the legal obligation to comply with anti-discrimination legislation. Equality protects people from being discriminated against on the grounds of the protected characteristics.

#### Diversity

Diversity is about valuing all visible and non-visible differences and recognising and accepting that harnessing these differences creates an environment where everyone feels valued. A diverse approach aims to recognise value and manage differences to enable all employees to contribute and realise their full potential.

#### Inclusion

Inclusion is about positively striving to meet the needs of different people and taking deliberate action to create environments where everyone feels respected and able to achieve their full potential.

#### Positive action

Positive action means the steps that an employer can take to encourage people from specific groups with different needs or with a past track record of disadvantage or low participation to apply for jobs.

An employer can use positive action where they reasonably think (on the basis of some evidence) that:

* people who share a protected characteristic suffer a disadvantage connected to that characteristic
* people who share a protected characteristic have needs that are different from the needs of people who do not share it
* participation in an activity by people who share a protected characteristic is disproportionately low

Positive action can also be taken with regard to service delivery when the below three conditions are met:

You must reasonably think that a group of people who share a protected characteristic and who are, or who could be, using your services:

1. suffer a disadvantage linked to that characteristic
2. have a disproportionately low level of participation in this type of service or activity; or
3. need different things from this service from other groups

The intention of Positive Action is to:

* meet the group’s different needs
* enable or encourage the group to overcome or minimise that disadvantage; or
* enable or encourage the group to participate in that activity.

# Legal requirements

In valuing EDI, Gene People is committed to go beyond the legal minimum regarding equality and work towards best and exemplary practice. However, current equality legislation and associated codes of practice are taken into account, including, but not limited to the:

* Equality Act 2010
* Employment Rights Act 1996
* Part time working regulations 2000
* Rehabilitation of Offenders Act
* Equal Pay Act 1970
* Employment Equal Treatment Framework Directive 2000 (as amended).

The above legislation serves to protect individuals against all forms of discrimination because of a particular protected characteristic.

Under Equality legislation, it is unlawful to:

* discriminate directly against anyone and treat them less favourably than others on the grounds of the protected characteristics of: age, disability (including discrimination arising from a disability and failure to make reasonable adjustments), trans identity, marriage and civil partnership, pregnancy and maternity, race, religion, and belief (including lack of belief), sex and sexual orientation. This also includes discrimination based on perception of the person e.g., a belief that someone is gay or a belief that someone is disabled even if this is not actually true.
* discriminate against someone for reasons relating to their association with a person on the grounds of the protected characteristics of age, disability, trans identity, race, religion or belief, sex, and sexual orientation.
* discriminate indirectly against anyone by applying a criterion, provision or practice which disadvantages people with a protected characteristic (age, disability, trans identity, marriage and civil partnership, race, religion, and belief (including lack of belief), sex and sexual orientation) unless the person applying the provision can justify it as a proportionate means of achieving a legitimate aim.
* subject someone to harassment for reasons relating to age, disability, trans identity, race, religion, and belief (including lack of belief), sex and sexual orientation. This includes behaviour that an individual finds offensive on these grounds even if the behaviour is not directed at the individual. It is unlawful to treat a person less favourably because they either submit to, or reject, sexual harassment or harassment related to their sex.
* victimise someone because they have made, or intend to make, a complaint or allegation or have given or intend to give evidence in relation to a complaint of discrimination in line with the Equality Act.

**Responsibilities**

All staff, volunteers and trustees must adhere to this policy. The Chair of the Board of Trustees and CEO are accountable for ensuring the policy is implemented.

#### Role of all employees, volunteers, and trustees

* act in ways that respect and value the diversity of others.
* not discriminate unfairly against service users or other members of the organisation.
* challenge and report any behaviour towards a colleague or service user that could be interpreted as discriminatory.
* understand what is expected of them in terms of their performance, their behaviour, and their conduct towards others.
* set a positive example at all times.
* complete appropriate mandatory EDI learning.

#### Role of line managers

Every line manager has a responsibility to:

* set a positive example by ensuring that their actions and behaviours promote EDI.
* stop inappropriate behaviour as soon as they become aware of it.
* support and implement action that Gene People takes to improve diversity, inclusion, and equal opportunities, where that action has been agreed as national policy or as a specific local initiative.
* encourage employees to maximise their contribution to the work of Gene People and support them to reach their full potential.
* provide appropriate learning opportunities to staff and volunteers in order to put the EDI policy into practice.
* ensure that mandatory EDI learning is completed by all staff and volunteers
* encourage all staff and volunteers to complete their EDI monitoring data
* ensure staff and volunteers are aware of and carry out their responsibilities under the law and this policy.

# Practices

# Recruitment and Selection

Gene People will ensure that recruitment practices fulfil the requirement of the EDI Policy.

Vacancies should generally be advertised to a diverse section of the labour market, including those for trustee positions. Advertisements should avoid stereotyping or using wording that may discourage particular groups from applying. All posts will have a job description and person specification, which will contain essential and desirable skills, qualifications, and experience. Person specifications will only contain details which are required. All recruitment adverts will carry the statement “Gene People promotes equality, diversity and inclusion, and is an anti-racist charity. A copy of our Equality, Diversity and Inclusion Policy is available on our website or by request”.

Job applicants should 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.

Shortlisting should be done by more than one person if possible. The format for interview will be agreed before it takes place and will remain constant for all interviews for the position.

Every effort will be made to make provision for staff and volunteers with a disability through reasonable adaptations.

Posts which are deemed suitable will be advertised as available for job share. Job shares may also be available to staff in suitable posts on request, and providing that a suitable job sharer may be recruited.

All staff and trustees involved in recruitment and selection will be aware of this policy and adhere to it at all times. All applicants for posts will be treated strictly on merit, against objective criteria that avoid discrimination. As an exception, posts targeted at specific groups of people will be exempted, as allowed by legislation.

All application forms will include an optional and detachable section for equality and diversity monitoring, which will not be used as part of the selection process. The information will be individually confidential and used for assessing recruitment and advertising practices periodically.

An appointed person will be responsible for vetting, in confidence, applicants for sensitive posts; this may include Disclosure and Barring Service (DBS) checks. Reasons for the decision to appoint, or not, will be noted and kept for at least six months.

# Part-time and fixed-term work

Part-time and fixed-term employees should be treated the same as comparable full-time or permanent employees and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified.

# Disabilities

If an employee is disabled or becomes disabled, they are encouraged to talk about their condition so that reasonable adjustments or support may be considered as appropriate.

# Training and Development

The Board of Trustees, staff and volunteers need to recognise and fulfil their personal role in making Gene People a genuinely inviting and inclusive organisation. Gene People will ensure that all staff and volunteers know about the Equality and Diversity policy and their responsibilities within it, by including it within Induction Training, and ensuring it has a high profile within our internal communications and practices.

Additional role specific training will be undertaken to ensure understanding of and commitment to Equality & Diversity policies and procedures as appropriate.

# Recording and Monitoring of Service Provision

Gene People will monitor and review the take up of the service with records being kept of actions and decisions by trustees, staff, and volunteers. Monitoring will be carried out on the basis of ethnic background, gender, age, place of residence, sexual orientation, and disability.

Provision of individual monitoring data will be supplied on a voluntary basis, using agreed categories.

**Breaches of this policy**

Gene People takes seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, volunteers, beneficiaries, suppliers, supporters, the public and any others in the course of the organisation’s work activities.

We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Procedure and Code of Conduct. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal without notice.

If an employee believes that they have suffered discrimination the matter can be raised through Gene People’s Grievance Procedure or Bullying and Harassment Policy. Complaints will be treated in confidence and investigated as appropriate.

Employees must not be victimised or retaliated against for complaining about discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under our Disciplinary Procedure.

# Appendix 1: Types of discrimination

#### Direct discrimination

This occurs where someone is treated less favourably directly because of:

* a protected characteristic they possess; and/or
* a protected characteristic of someone they are associated with, such as a friend, family member or colleague – this is direct discrimination by association; and/or
* a protected characteristic they are thought to have, regardless of whether this perception by others is actually correct or not – this is direct discrimination by perception

#### Indirect discrimination

This occurs when a policy, rule or procedure applies to everyone but has a disproportionate impact on people with a protected characteristic. It is usually less obvious than direct discrimination and can often be unintentional.

#### Associative discrimination

This means treating someone less favourably than another person because they are associated with a person who has a protected characteristic.

#### Perceptive discrimination

This means direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person doesn’t actually possess that characteristic.

#### Harassment

Harassment is defined as ‘unwanted conduct’ and must be related to a relevant protected characteristic or be ‘of a sexual nature’. It must also have the purpose or effect or violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

Generally, harassment:

* includes bullying, nicknames, threats, jokes, ‘banter’, gossip, inappropriate questions, excluding an employee, insults, or unwanted physical contact
* can be verbal, written, or physical
* is based on the victim’s perception of the unwanted behaviour rather than that of the harasser, and whether it is reasonable for the victim to feel that way
* can also apply to a person who is harassed because they are perceived to have a protected characteristic, whether they actually have it or not
* can also apply to a person who is harassed because they are associated with someone with a protected characteristic
* can also apply to a person who witnesses harassment because of a protected characteristic, and which has a negative impact on their dignity at work or the working environment, irrespective of whether they share the protected characteristic of the person who is being harassed.

#### Victimisation

Victimisation is when a person is treated less favourably than others for:

* making an allegation of discrimination, and/or
* supporting a complaint of discrimination, and/or
* giving evidence relating to a complaint about discrimination, and/or
* raising a grievance concerning equality or discrimination, and/or
* doing anything else for the purposes of (or in connection to) the Equality Act.

Victimisation may also occur because a person is suspected of doing one or more of these things.

A person is protected under the Equality Act if they make, or support, an allegation of victimisation in good faith – even if the information or evidence they give proves to be inaccurate. However, a person is not protected if they give, or support, information, or evidence in bad faith – in other words maliciously.

The Equality Act generally applies all of these types of discrimination to each of the protected characteristics but there are a few exceptions:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Direct** | **Indirect** | **Harassment** | **Victimisation** |
| **Age** | Y | Y | Y | Y |
| **Disability** | Y | Y | Y | Y |
| **Gender**  **Reassignment** | Y | Y | Y | Y |
| **Marriage and Civil Partnership** | Y\* | Y | X | Y |
| **Pregnancy and Maternity** | Y\* | X | X | Y |
| **Race** | Y | Y | Y | Y |
| **Religion or**  **Belief** | Y | Y | Y | Y |
| **Sex** | Y | Y | Y | Y |
| **Sexual**  **Orientation** | Y | Y | Y | Y |

\* Not by association or perception

**Appendix 2: Supporting information**

<https://www.gov.uk/government/publications/equality-act-guidance-for-charities/equality-act-guidance-for-charities>

<https://www.equalityhumanrights.com/en/advice-and-guidance>

<https://breaking-down-barriers.org.uk>

<https://www.acas.org.uk/improving-equality-diversity-and-inclusion>