Equality and diversity

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Introduction

Every organisation is made up of a variety of people who contribute in many ways, as trustees, volunteers and staff. Each person involved in the organisation will be different, they may be:

- Of different ages and generations, gender and ethnicity
- From different cultures, backgrounds and different nationalities
- Religious, whilst some are not
- Disabled or with additional support needs
- In relationships, or not
- Parents or carers
- Able to speak different languages
- Living in rented or owned accommodation, in the city, town or countryside



When people are different from each other we can either build connections and value their differences or treat them less favourably because of their **difference**. Treating people less favourably because of their personal characteristics is discrimination.

In Appendix 2 we set out the types of discrimination. Addressing discrimination and promoting equality and diversity does not only enable us to meet our legal and moral obligations as Voluntary sector organisations, but leads to increased morale, a greater sense of belonging and team work and better services that meet the needs of the diverse people we work with.

Equality and Diversity are words that people tend to use interchangeably – but they mean different things.

Definition

Equality: is about creating a fairer society where everyone can participate and meet their potential.

Diversity: is recognising and valuing all the ways in which we are different. It is about creating a culture and organisational practices that recognise, respect, value, and embrace all our differences, for everyone's benefit.

The Equality Act 2010 (including amendments from the worker protection (amendment of Equality Act 2010) act 2023)

The Equality Act 2010 (as amended by the Worker Protection Act 2023) includes a new duty on employers to take proactive, reasonable steps to prevent sexual harassment in the workplace. This change means organisations must demonstrate that they have policies, training, and procedures in place to reduce the risk of harassment occurring in the first place.

Equality is backed by legislation through the **Equality Act 2010**. The Act is designed to address unfair discrimination, harassment and victimisation.

It provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. The Act protects individuals from unfair treatment and promotes a fair and more equal society.

Under the Act, there are nine protected characteristics:

- Age
- Disability
- Gender reassignment – the process of transitioning from one gender to another. This includes individuals who are proposing to undergo, are undergoing or have undergone a process for the purpose of reassigning their gender.
- Marriage and civil partnership

- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation

The nine protected characteristics are described in more detail in Appendix 1.

Whilst diversity is not a protected characteristic under the **Equality Act 2010**, there are many benefits of having a diverse organisation. We live and work in a diverse society and it is important we strive for diversity in all aspects of our organisation.

It is important to reflect the communities we work in and work with. Difference goes beyond the nine protected characteristics and you might want to address these other areas in your policy and practice.

There may be aspects of your organisation that lack diversity and these areas may require prioritisation, positive action and encouragement to support more diversity.

What is inclusion?



Inclusion is a sense of belonging, feeling respected and valued for who you are. It is about feeling supported and being able to do your best.

Inclusion refers to an individual's experience within the workplace and in wider society, and the extent to which they feel valued and included.

Inclusion is about:

- Acknowledging people's rights
- Reducing barriers to participation
- Enabling people to get involved
- Adapting policies and practices to meet diverse needs
- Learning about and designing solutions to enable engagement
- Developing and sustaining relationships between the organisation, our community and our clients.

Equality, diversity and inclusion are different things and they need to be worked on together. Equality of opportunity will only exist when we recognise and value difference and actively work together for inclusion.

Why are equality and diversity important?

There is evidence to show that people in more equal societies live longer, have better mental health and do better in education regardless of their background. Where inequality is less, community life is stronger.

People in less equal communities are less likely to trust each other, less likely to participate in civic society and less likely to say they are happy.

If we want to build a better society, it is essential we act on reducing inequality and celebrating diversity. For many Voluntary sector organisations, Equality, Diversity and Inclusion are foundation stones of their existence and activities.

Equality and diversity policy

Remember, an Equality and Diversity Policy will only make a difference if it is supported by an up to date Action Plan.

Your Equality and Diversity Policy should spell out the values and practices you'll follow to address discrimination and promote equality and diversity across the organisation.

It is good practice for employers to have a policy to show their commitment to promote and sustain equality of opportunity and diversity for staff. In the Voluntary sector we must remember that volunteers play a vital role and should be covered by our equality and diversity practices.

Our policy may also state how we will design and deliver services and activities that are open to all and which promote full engagement by all beneficiaries.

Equal opportunity policies that are properly implemented can enhance the organisation and help avoid discrimination leading to potential harm to staff, beneficiaries, and volunteers, damage to our reputation and costs.

The aims of an equality and diversity policy and action plan



The aims of a policy and supporting action plan are to:

- Set the tone expected in the organisation
- Set out people's roles and responsibilities for eliminating discrimination, practicing equality and promoting diversity and inclusion
- Identify areas where greater diversity may be needed
- Provide a framework for discussing and agreeing change
- Provide opportunities for discussion, shared learning and improvements in practice
- Monitor progress towards a more inclusive organisation
- Identify learning and development needs for trustees, volunteers and staff.

Make sure to build equality and diversity into your other employment and operational policies. Areas for consideration are:

- **Recruitment** – a common source of discrimination and therefore recruitment policies should be linked to equality practices
- **Pay, benefits and terms and conditions** – make sure you review pay, benefits and conditions periodically to ensure they support equality and diversity
- **Grievance and disciplinary procedures** – these are the two most direct management tools for dealing with discrimination, bullying and harassment. Check that your disciplinary procedures outline the organisation's response to harassment, bullying and discrimination
- **Trustees and the board** – it is important that the board demonstrate their commitment to equality and diversity. Review the make up of your board to ensure it is reflective of the community you work in
- **Learning and development** – this is where the organisation can pro-actively contribute to equality and diversity and support change
- **Volunteering** – the scope of legal obligations towards volunteers can be unclear, but it is commonly accepted good practice to integrate volunteers into the equality and diversity policy
- **Redundancy and dismissal** – it is important to check procedures are not discriminatory
- **Managing change** – make sure you review whether proposed changes are likely to have a negative disproportionate effect on some groups of beneficiaries above others
- **Service design and delivery** – are services accessible to all beneficiaries? Are adaptations needed to improve participation? Are there service gaps you could fill? What do different groups of beneficiaries think about your services? When designing, delivering and monitoring services, be sure to consider equality and diversity aspects. Equality and diversity should not be an add-on, but an integral part of how we consult on, plan, design and deliver our work

We are committed to aligning our approach to the welsh government's strategic equality plan 2024–2028. this includes taking an intersectional approach to tackling systemic inequality, embedding inclusive leadership, and improving equality data collection across our services.

Equality and diversity in the workplace

Organisations and individuals have a responsibility to understand and practice the principles of equality and diversity.

Equality and diversity are issues that impact upon all of us.

Diversity in the workplace benefits individuals, their teams and the whole organisation. By valuing everyone for the skills, abilities and experience they bring to the organisation, everyone benefits. The organisation will have the best people in the right roles and everyone will be able engage fully, contribute well and reach their potential.

We recognise the right to request flexible working from day one of employment, in line with the Employment Relations (Flexible Working) Act 2023, and are committed to assessing all requests fairly.

We can promote equality and diversity in the work place by:

- Treating everyone fairly through our policies, procedures and systems
- Creating a culture that is inclusive and welcoming to everyone
- Role modelling expected behaviour
- Making sure everyone is given the chance to develop to their full potential
- Ensuring there is equal access to opportunities *e.g. learning and development and promotion*
- Ensuring we communicate well and give everyone opportunities to fully engage
- Providing training for staff, volunteers and beneficiaries to be able to identify and challenge inequality and promote equality and diversity
- Providing venues, spaces and materials which are accessible and inclusive
- Enforcing the equality and diversity policy
- Monitoring progress against our equality and diversity action plan and reporting progress to the Board
- Updating the action plan annually

Equality and diversity action plan

To demonstrate your commitment to embracing equality and tackling discrimination it is helpful to have an annual action plan.

Themes in the action plan could include:

- Governance
- Understanding beneficiaries' needs
- Shaping and changing services
- Employment
- Volunteering
- Building, facilities and resources
- Systems and processes
- Funding
- Monitoring and evaluation

SMART Objectives

An important part of the action plan is to include SMART objectives with clear outcomes so that people know what is expected of them and so we can review and monitor progress.

Objectives should be SMART:

Specific, measurable, achievable, relevant and timebound

You can make objectives measurable by including:

- A number or percentage – *e.g. increase beneficiary client numbers by 20%*
- A measure of quality – *e.g. excellent, accessible, participative, co-produced, accurate*
- An indication of the results of work or what it will lead to *e.g. "enable participation in all meetings leading to improved equality and diversity in service design."* If you use this type of measure, then it is important you can describe what 'improved' looks like

Public sector equality duty

For example, a local authority wants to change its local bus service. It carries out a consultation of those people who use public transport and finds that very few women use buses at night because they are worried about harassment. The local authority decides to work with the police, the bus company and residents to find ways to address this problem and make the bus service more inclusive.

The Equality Act requires public bodies (like local councils, hospitals, and publicly-funded service providers) to consider how their decisions and policies affect people with different protected characteristics. The public body also should have evidence to show how it has done this.

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It is worth remembering that if you are funded by a public body, they may require you to follow the same Equality Duty. In Wales, the Socio-economic Duty (2021) applies to certain public bodies and organisations delivering public services. Funded charities may be expected to demonstrate how their decisions help reduce inequalities linked to socio-economic disadvantage. Even when not legally bound by the duty, it is good practice to assess how your policies and services support fairness, particularly in recruitment, service access and community engagement.

Resources

What is the Equality Act?

Equality and human rights commission

https://www.equalityhumanrights.com/en/equality-act-2010/what- equality-act

Equality and Human Rights Commission – promoting and upholding equality and human rights ideals and laws across England, Scotland and Wales.

CIPD

The chartered institute of personnel and development

https://www.cipd.co.uk

The Chartered Institute of Personnel and Development (CIPD) is the world's largest Chartered HR and development professional body. While membership based, they provide good online HR resources including a number of standard HR policies.

Diverse Cymru

https://www.diversecymru.org.uk

Diverse Cymru is a unique Welsh charity committed to supporting people faced with inequality and discrimination because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation

The Equality Trust

https://www.equalitytrust.org.uk

The Equality Trust works to improve the quality of life in the UK by reducing economic and social inequality.

Race Council Cymru

https://racecouncilcymru.org.uk

Race Council Cymru works to promote race equality, art, heritage and cultural activities for black and minority ethnic communities across Wales. Race Council Cymru (RCC) was established in 2010 as an overarching umbrella body with the mission to bring together key organisations within Wales to cooperate on promoting integration, championing justice and race equality in institutions and society.

Race Alliance Wales

Ethnic Minorities and Youth Support Team Wales

http://www.eyst.org.uk/bame-map.php

Race Alliance Wales is a newly established network of individuals and organisations working to promote race equality in Wales. It is a self- directed, collaborative initiative with no formal lead organisation and a rotating chair.

Disability Wales

http://www.disabilitywales.org/

Disability Wales/Anabledd Cymru is the national association of disabled peoples organisations in Wales striving to achieve the rights and equality of all disabled people.

Stonewall Cymru

https://www.stonewallcymru.org.uk

Stonewall Cymru's mission is to achieve legal equality and social justice for lesbian, gay, bi and trans people in Wales.

Age Cymru

Age UK

https://www.ageuk.org.uk/cymru

Age Cymru aims to provide life-enhancing services and vital support to people in later life. "We and our local partners deliver a range of services across the UK."

Employing people

UK Government

https://www.gov.uk/browse/employing-people

A UK government website with a wide variety of advice notes on aspects of employment law including contracts; dismissal; health and safety; pensions; recruitment and benefits. There is no tailored individual advice line.

Disclaimer



Third Sector Support Wales is a network of support organisations for the whole of the third sector in Wales.

It consists of the 19 local and regional support bodies across Wales, the County Voluntary Councils (CVCs) and the national support body, Wales Council for Voluntary Action (WCVA).

For further information contact

https://thirdsectorsupport.wales/contact/

The information provided in this sheet is intended for guidance only. It is not a substitute for professional advice and we cannot accept any responsibility for loss occasioned as a result of any person acting or refraining from acting upon it.

Appendix 1

Equality Act 2010

The nine protected characteristics in detail:

Age

This refers to a person belonging to a particular age (for example, 70 years old) or range of ages (for example, 18-30 year olds).

Disability

A person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day- to-day activities.

Gender reassignment

The process of transitioning from one gender to another.

Marriage and civil partnership

Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.

Pregnancy and maternity

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the context of employment. Protection against maternity discrimination is for 18 months after giving birth, or the adoption date, provided the employee has taken at least 6 weeks of maternity / adoption / shared parental leave – this includes treating a woman less favourably because she is breastfeeding.

Race

It refers to a group of people defined by their race, colour, nationality (including citizenship), and ethnic or national origins.

Religion and belief

This includes religious and philosophical beliefs, including lack of belief (for example, atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Sex

A man or a woman.

Sexual orientation

Whether a person's sexual attraction is towards their own sex, the opposite sex, or to both sexes.

Appendix 2

What is Discrimination?

There are four main types of discrimination.

Direct discrimination

This means treating one person less favourably than another person because of a protected characteristic. For example, if a promotion opportunity arises at work, and the employer believes that older people have less capability as they get older and so rules out talking to the older staff about the opportunity, that would be direct discrimination.

Indirect discrimination

This can happen when an organisation puts a rule or a policy or a way of doing things in place which has a negative impact on someone with a protected characteristic more than others, and is not justified. For example, the organisation plans to review its strategy and decides to hold consultation events with clients in the evening. Many of the female clients complain that they cannot attend these meetings because of childcare responsibilities. It would be indirect discrimination if the organisation proceeded with this method of consultation because women generally have a greater childcare commitment than men, unless it could be justified.

Harassment

This means people cannot treat you in a way that violates your dignity, or creates a hostile, degrading, humiliating or offensive environment. It includes sexual harassment and other unwanted conduct related to a protected characteristic. For example, if a young man who uses a wheelchair visits your community café with his friends and a volunteer in the café makes derogatory comments about him, which upset and offend him, that could be harassment on the grounds of disability and age.

Victimisation

This means people cannot treat people unfairly if they are taking action under the Equality Act (e.g. making a complaint of discrimination), or if they are supporting someone else who is doing so. For example, it would be considered victimisation if an employee makes a complaint of sexual harassment at work and is dismissed because of it.

The effects of stereotyping

It is important to avoid stereotyping; each person is unique and different. So when we are looking to recruit for a job role we should choose the best candidate based on their ability and how well they match the skills, knowledge, experience and qualifications listed in the person specification. Jumping to conclusions based on stereotypes can lead to poorly formed perceptions and decisions.