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Equality Statement

One YMCA ('the Charity') supports people across Hertfordshire, Bedfordshire, and Buckinghamshire through a range of crucial services across multiple communities.

Individuals with different cultures, perspectives and experiences are at the heart of the way we work. We want to recruit, develop, and retain the most talented people, regardless of their background and make the most use of their talents.

Our values guide everything we do:

- *We champion **RESPECT** so everyone can belong,*
- *We show **COMPASSION** so everyone can contribute, and*
- *We inspire **GROWTH** so everyone can thrive.*

We recognise that being a diverse and inclusive employer helps us fulfil our responsibilities to make a difference to our service users.

This policy does not form part of your contract of employment, and we reserve the right to amend, update or withdraw it at any time.

Scope

This policy applies to the whole of the One YMCA group including the Early Childhood Partnership, Signpost CIO, and other subsidiaries. Reference to One YMCA ('the Charity,' 'we,' 'us,' and 'our') refers to the parent company and all our subsidiaries.

This policy explains how we will comply with our responsibilities and obligations under the Equality Act 2010 and replaces all previous Equal Opportunities and Diversity policies and applies to all our staff and volunteers ('Our People').

It should be read and used in conjunction with our other people related policies and procedures:

- Grievance and disciplinary procedures
- Whistleblowing, Anti-Bullying & Anti-Harassment, Safeguarding and Code of Conduct Policies
- Performance management
- Recruitment

Respect for all

Equality, equity, diversity, inclusion and belonging (EDIB) affect every area of our work and all members of the community, service users, customers, suppliers, volunteers, and staff have the right to be treated with fairness, dignity, and equality regardless of their backgrounds. You must

therefore promote equality, equity, diversity, inclusion and belonging by not discriminating unlawfully against any person and by treating them with respect, and by ensuring that any behaviour which could be likely to cause offence in this area is reported through line management channels or via the appropriate company policy.

The Charity is committed to ensuring that everyone can work in an environment without fear of harassment, bullying or intimidation and you must ensure that your behaviour whether intentional or unintentional, does not constitute harassment. The Charity will act against inappropriate behaviour which shows a lack of respect for others, or which leads to people feeling threatened. Please see our policy on *Anti Bullying and Harassment* for more information.

You must not victimise another member of staff who has, or intends to report, or is suspected of an act of impropriety or other misconduct under the Charity's Whistleblowing Policy or other policies.

Our Commitment

We are committed to promoting equality and diversity and promoting a culture that actively values difference and recognises that people from different backgrounds and experiences can bring valuable insights to the workplace and enhance the way we work.

We aim to be an inclusive organisation, committed to providing equal opportunities throughout employment or through volunteering with us, including in the recruitment, training, and development of our people, and to pro-actively tackle and eliminate discrimination.

All individuals will be treated fairly and with respect. Selection for employment, promotion training or any other benefit will be since aptitude and ability. All individuals will be helped and encouraged to develop their full potential and the talents and resources of everyone will be fully utilised to maximise the efficiency of the Charity.

Professional behaviour

Our people are entitled to work and volunteer in an environment that promotes equality and respect for all. We will not tolerate any acts of unlawful or unfair discrimination (including harassment) committed against a fellow employee, volunteer, contractor, job applicant, service user, or visitor because of a protected characteristic.

The nine protected characteristics are:

- Age
- Disability

- Gender, gender identity or gender reassignment status
- Marriage and civil partnership
- Pregnancy or maternity
- Race, including colour, nationality and ethnic or national origin.
- Religion or belief
- Sexual orientation
- Sex

Furthermore, the Charity is committed to:

- Providing an inclusive service to its communities by serving and respecting all people regardless of their gender, marital status, race, ethnic origin, age, sexual orientation, or physical and mental capability.
- Creating and environment in which individual differences and the contributions of all colleagues, potential colleagues, partner organisations, volunteers and service users are recognised and valued.
- Everyone being entitled to a working environment that promotes dignity and respect for all. No form of intimidation, bullying or harassment will be tolerated.
- Making available training, development and progression opportunities to all people covered by this Policy.
- Publishing its gender pay information in accordance with prevailing legislation and reviewing the position on a periodic basis at the Governance and People Committee.
- Regularly reviewing all employment practices and procedures to ensure fairness.
- Monitoring and reviewing the Equality, Equity, Diversity, Inclusion and Belonging Policy on an annual basis.
- Regarding breaches of the Equality, Diversity and Inclusion Policy as potential misconduct which could lead to disciplinary proceedings.
- Ensuring staff and colleagues taking special care and responsibility when involved in the recruitment selection process, training and development and grievance and disciplinary proceedings.
- Highlighting to all individuals who are covered by this Policy that they are personally responsible for adhering to the Equality, Equity, Diversity, Inclusion and Belonging Policy and not to discriminate.
- Taking seriously and concerns raised by colleagues, volunteers or service users and partner organisations.
- Gathering personal information on diversity to enable the Charity to ensure the Policy and any action plans are working and allow accurate analysis and comparison to take place.
- Appointment of designated Trustees and Executive Directors as Equality, Diversity, and Inclusion Sponsors to oversee the application of this Policy, holding all our People to account and to foster a truly inclusive culture.

Race at Work Charter

We aim to adhere to the seven commitments of the Race at Work Charter, which are to:

1. Appoint an Executive Sponsor for race.
2. Capture ethnicity data and publicise progress.
3. Commit at board level zero tolerance of harassment and bullying.
4. Make EDIB the responsibility of all leaders and managers.
5. Take action that supports Black, Asian, Mixed Race and other ethnically diverse employee career progression.
6. Support race inclusion allies in the workplace
7. Include Black, Asian, Mixed Race and other ethnically diverse-led enterprise owners in supply chains.

Trustee and Executive Team sponsors oversee the implementation of this policy across the protected characteristics.

Application of this Policy

This Policy applies to all conduct in the workplace and also to conduct outside of the workplace that is related to your work (e.g. at meetings, social events and social interactions with colleagues). It also applies to conduct which may impact on our reputation (e.g. the expression of views on social media contrary to the commitments expressed in this Policy that could be linked to the Charity).

Specific areas of this application include (and which are not exclusive):

Recruitment

We are committed to ensuring that we recruit, retain, and treat staff in a manner which is fair and equitable. Selection for employment with us will be based on aptitude and ability.

We are committed to fair and transparent recruitment and selection processes including providing all unsuccessful applicants at the interview stage with an opportunity to receive verbal feedback. Further detail is set out in the Recruitment Policy. Where possible, we will capture applicants' diversity demographics as part of our recruitment processes to promote the elimination of unlawful discrimination.

Training and Development

You may also be required to participate in training and development activities to encourage the promotion of the principles of this Policy. Opportunities for training will be provided in a clear and transparent way, and all people will be encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation.

Promotion and Performance Management

All promotion decisions will be made based on merit and will not be influenced by any of the protected characteristics listed above. Promotion opportunities will be monitored to ensure equality of opportunity at all levels. Where appropriate, steps will be taken to remove unnecessary or unjustifiable barriers to promotion. Decisions taken on performance management will only be based on ability or performance.

During Employment

We are committed to ensuring that all our staff and volunteers are treated with dignity and respect. We include a statement on our commitment to equal opportunities within all our job advertisements and job descriptions.

The benefits, terms and conditions of employment and facilities available will be reviewed on a regular basis to ensure that access is not restricted by unlawful means and to provide appropriate conditions to meet the needs of disadvantaged or under-represented groups.

Wherever possible, we will monitor the makeup of the workforce regarding information such as sex, age, ethnic background, sexual orientation, religion or belief and disability, to encourage equality, diversity, and inclusion, and in meeting the aims and commitments set out in this Policy.

Legal Obligations

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy & maternity, race (which includes colour, nationality and ethnic or national origins) sexual orientation, religion, or belief, or because someone is married or in a civil partnership. These are known as “protected characteristics.”

Discrimination after employment may also be unlawful, e.g., refusing to give a reference for a reason related to one of the protected characteristics.

Genuine Occupational Requirement

In very limited circumstances and where an employer can demonstrate that someone with a particular protected characteristic is central to a particular job, then it is possible to insist that only someone who has that protected characteristic is suitable for the job.

This is called a ‘Genuine Occupational Requirement.’ There is no definitive list of situations where a Genuine Occupational Requirement will exist.

Everyone who undertakes work with and / or on behalf of the Charity is expected to respect the One YMCA's Christian ethos and to uphold our values.

Types of unlawful discrimination

Direct discrimination

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic. An example of direct discrimination would be refusing to employ someone because they are pregnant.

In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect discrimination

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic (although it does not explicitly include pregnancy and maternity, which is covered by indirect sex discrimination) such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Bullying and Harassment

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating, or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Sexual harassment is conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating, or offensive environment; and less favourable treatment related to sex or gender reassignment that occurs because of a rejection of, or submission to, sexual conduct.

Bullying is conduct that is offensive, intimidating, malicious, insulting, or an abuse or misuse of power, and usually persistent, that has the effect of undermining, humiliating, or injuring the recipient.

Bullying can be physical, verbal, or non-verbal conduct. It is not necessarily face to face and can be done by email, phone calls, online or on social media. Bullying may occur at work or outside work.

If bullying relates to a person's protected characteristic, it may also constitute harassment and, therefore, will be unlawful.

Please refer to our *Anti-Bullying and Harassment policy* for further information on our procedure for reporting bullying and/or harassment.

Associative discrimination

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and (according to guidance from the Government and ACAS) pregnancy and maternity).

Perceptive discrimination

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).

Third-party harassment

Third-party harassment occurs where a colleague is harassed and the harassment is related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity) by third parties such as clients or customers. For an employer to be liable:

- the harassment must have occurred on at least two previous occasions (although not necessarily by the same harasser or suffering the same type of harassment);
- it must be aware that the previous harassment has taken place; and
- it must have failed to take reasonable steps to prevent harassment from happening again.

Victimisation

Victimisation occurs where a colleague is subjected to a detriment, such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, a colleague is not protected from victimisation if they acted maliciously or made or supported an untrue complaint. There is no longer a need for a complainant to compare their treatment with someone who has not made or supported a complaint under the Equality Act 2010.

Discrimination arising from disability:

Treating someone unfavourably because of something connected with that person's disability and where such treatment is not justified.

Failing to make reasonable adjustments:

We are legally obliged to make reasonable adjustments to ensure that aspects of employment, or our premises, do not put a disabled person at a substantial disadvantage.

Examples of reasonable adjustments might include:

- allocating some of the disabled person's duties to a colleague.
- changing their working hours or place of work.
- adjusting procedures for assessing job candidates; and
- modifying disciplinary and grievance procedures.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

Preventing Unconscious Bias

Discrimination is not always obvious and can be subtle and unconscious. This stems from a person's general assumptions about the abilities, interests and characteristics of a particular group that influences how they treat those people (known as "unconscious bias"). Such assumptions or prejudices may cause them to apply requirements or conditions that put those groups at a disadvantage.

Examples include:

- steering employees into types of work based on stereotypical assumptions without considering the particular attributes and abilities of individuals.
- recruiting or promoting individuals into particular roles because of assumptions about the reactions or preferences of other employees or clients; and
- using different standards for different groups of employees to judge performance.

Every decision-maker should challenge themselves, and other members of the recruitment selection panel, to make sure that any stereotypes, unconscious bias, or prejudice do not play any part in recruitment decisions.

Equality during Employment

We will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline, and selection for redundancy.

Any decision we make relating to a person's promotion or career development shall be free from discrimination.

We shall ensure that selection criteria and processes for internal recruitment and promotion are reviewed on a regular basis so that there is no discriminatory impact on a certain group.

Customer and Suppliers

The Charity will not discriminate unlawfully against customers/service users using or seeking to use goods, facilities or services provided by the Charity.

Colleagues should report any bullying or harassment by customers, suppliers, visitors, service users or others to their manager who will take appropriate action.

Disability inclusion

Recruiting people with a disability

We will ask applicants at the outset if they require any reasonable adjustments to be made to the recruitment process. These may include:

- ensuring easy access to the premises for an interview
- providing an alternative to a telephone interview for a deaf candidate
- or extra time to complete written assessments for those candidates with learning disabilities.

If you are involved in the interview process, you must not ask job applicants about their health or disability except with prior approval the HR Team. Such approval is given only in exceptional circumstances and where there are specific legal grounds for doing so.

Talking about disability

We understand that some people find it hard to discuss their disabilities and that disability can be invisible.

Psychological safety, where people feel able to speak up about their experiences without fear of negative consequences, is paramount to ensuring disability inclusion.

However, this is only possible if we treat people with dignity, trust and respect and we expect everyone to uphold these values.

We do not tolerate ableist language in our organisation. Ableist language is language that is negative, inappropriate, or offensive towards people with a disability and may take the form of jokes or "banter". Such language is inappropriate and potentially offensive and could result in formal action being taken against you under our Disciplinary procedure.

Reasonable adjustments

If you have a disability, you do not have to tell us. However, we would encourage you to let us know so that we can support you, for example by making reasonable adjustments to our premises or to aspects of your role, or to our working practices.

If you are experiencing difficulties at work because of your disability, please contact your line manager or the HR team to discuss potential reasonable adjustments that may alleviate or minimise such difficulties. We may need to discuss your needs with you and your medical adviser to help us get the right support in place.

For colleagues who are returning from long-term disability-related absence, we have a return-to-work support programme in place. For further information, please contact the HR team.

Support

If you have a disability, or you care for someone with a disability, and need emotional support or help with practical issues, please contact the HR Team in confidence.

Accessibility

If you experience accessibility issues due to your disability, for example because of aspects of our premises or because you do not have adaptive equipment to help you perform your role, please contact your line manager or the HR Team to discuss your needs.

Training

The Charity will provide training in equal opportunities to managers and others likely to be involved in decision making where equal opportunities issues are likely to arise.

We expect all our colleagues to proactively support our EDIB initiatives by attending events and workshops to educate themselves on the challenges faced by others and how to help alleviate these in the workplace.

Responsibilities

Everyone covered under the scope of this Policy is required to assist the Charity to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination.

Colleagues and partner organisations can be held personally liable as well as, or instead of, the Charity for any act of unlawful discrimination. Colleagues and partner organisations who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation by employees against colleagues, customers or service users are disciplinary offences and will be dealt with under the Charity's Disciplinary Procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could render the employee liable to dismissal without notice.

For all other persons covered under the scope of this Policy, acts of discrimination, harassment, bulling or victimisation against colleagues, customers or service users could lead to suspension or termination of any relevant contract, sub-contractor agreement with the person.

We expect you to treat your colleagues and third parties (including customers, suppliers, contractors, agency staff and volunteers) fairly and with dignity, trust, and respect. Sometimes, this may mean allowing for different views and viewpoints and making space for others to contribute.

By embedding such values and constructively challenging inappropriate comments or ways of working, you can help us achieve and maintain a truly inclusive workplace culture.
Any dealings that you have with colleagues, or third parties must be free from any form of discrimination, harassment, victimisation or bullying.

If any of our colleagues is found to have committed, authorised, or condoned an act of discrimination, harassment, victimisation or bullying, we will take action against them including (for those to whom it applies) under our Disciplinary procedure.

You should be aware that you can be personally liable for discrimination and harassment.

Making a complaint

If you consider that you may have been unlawfully discriminated against you may use the *Grievance Procedure* to make a complaint.

For complaints of bullying and/or harassment including sexual harassment you may use the Anti-Bullying and Anti-Harassment Complaints procedure.

Alternatively, you may use the Whistleblowing policy and procedure where the disclosure is in the public interest.

We will take any complaint seriously and will seek to resolve any grievance that it upholds.

You will not be penalised for raising a complaint or grievance, even if your complaint/grievance is not upheld, unless your complaint is both untrue and made in bad faith.

Record Keeping

We will keep all EDIB records confidential.

We will only ask for information relating to sensitive personal information such as race and ethnic background, gender, gender re-assignment, medical or ill-health records in line with our Data Protection Policy.

Sanctions where the Policy has been Breached

A breach of any of the provisions of this Policy could constitute a disciplinary offence and will may dealt with in accordance with the Disciplinary Procedure. Dependent on the gravity of the offence, it may be treated as gross misconduct and could render the employee liable to summary dismissal.

All other persons covered under the scope who breach of this Policy could lead to the suspension or termination of any relevant agreement, contract, sub-contract, or other agreement with partner organisations.

Monitoring Compliance

Our Chief Executive, Executive Management Team, Audit & Risk Committee, HR Team and Trustees have responsibility for ensuring compliance with this policy and shall review its contents on a regular basis. They will be responsible for monitoring its effectiveness and will provide regular reports in this regard to the Trustee Board who has overall responsibility for ensuring this Policy complies with One YMCA's legal and ethical obligations.

We will analyse diversity and inclusion data (in compliance with our data protection obligations) on an ongoing basis to assess the impact of this policy and our equality, diversity, and inclusion strategy.

Further Advice

Further information and advice can be obtained from the Human Resources department.

Data protection

When an individual wishes to make a complaint in relation to the EDIB policy, we will process any personal data collected in accordance with our data protection policy. Data collected from the point at which the individual reports the complaint is held securely and accessed by, and disclosed to, individuals only for the purpose of dealing with the complaint.