Equality, diversity and inclusion policy

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Audience	All employees including agency workers, board members, contactors and volunteers	**Approval date:**	October 2024
Date effective from:	October 2024	**Review date:**	October 2027

1. Aim

CIH is actively committed to promoting and embedding a culture of equality, diversity and inclusion and eliminating any discrimination.

CIH has agreed a set of objectives and commitments that reflect our strategy for embedding an equal, diverse and inclusive culture in the organisation.

CIH is an organisation which values differences where individuals can be their authentic selves. The aim is for our organisation to be truly representative of all sections of the society and communities in which we serve and operate and for each member of our staff and other stakeholders to feel respected and valued.

Our members are at the heart of everything we do and CIH is also committed against any unlawful discrimination in all aspects of the services we provide.

2. Definitions

While the terms equality, diversity and inclusion often go hand in hand, they are not one and the same.

- **Equality** is the fair and unbiased treatment of others. This ensures equal opportunity and access for all groups which are protected by legislation.
- **Diversity** refers to the presence of people who, as a group, have a wide range of characteristics, seen and unseen, which they were born with or have acquired. These differences can go beyond the protected groups set out in legislation.
- **Inclusion** goes further and is where people's differences are valued and used to enable everyone to thrive at work. An inclusive working environment is one in which everyone feels that they belong without having to conform, that their contribution matters, and they are able to perform to their full potential, no matter their background, identity or circumstances. An inclusive workplace has fair policies and practices in place and enables a diverse range of people to work together effectively.

These terms are interdependent and go hand in hand in promoting a culture that is actively equal, diverse and inclusive.

3. Principles

The Board is committed to taking a clear and active lead in its commitment to achieving equality of opportunity, diversity and inclusion, providing an inclusive and supportive working environment. Our workplace must remain free from discrimination, harassment, bullying or victimisation.

CIH is committed to meeting its obligations and duties under the Equality Act 2010 and to promoting equal opportunities both in the provision of services and in our employment practices. The Equality Act 2010 protects people with 'protected characteristics' from discrimination. The protected characteristics as defined in the Equality Act 2010 are as follows:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race (including colour, nationality, and ethnic or national origin)
- religion or belief
- sex
- sexual orientation

Types of unlawful discrimination are outlined in more detail in Appendix 1.

CIH also understands that diversity and risks of discrimination go beyond the protected characteristics set out in the Equality Act 2010 and that it has a moral duty to address discrimination as an employer, membership body, and as a provider of services. We are committed to championing diversity in its widest sense and challenging discrimination based on a variety of social and cultural characteristics such as the protected characteristics above, but also including:

- Socio-economic background
- Class
- Appearance
- Language
- Accents
- Education
- Learning styles
- Political affiliation

All workforce related policies, practices and procedures reflect our values and commitments to equality, diversity and inclusion and our aims to recruit and retain a diverse and inclusive workforce reflecting the communities we serve.

CIH will not tolerate any forms of unlawful discrimination, harassment, victimisation or bullying (Appendix 1 – Types of unlawful discrimination). Please refer to the Dignity at Work Policy for further details.

4. Responsibilities

All employees, including agency workers, board members, contractors and volunteers of CIH are expected to pay due regard to this policy and are responsible for ensuring compliance with it when undertaking their jobs or representing CIH. We all have a responsibility to champion our values of equality, diversity and inclusion.

Acts of discrimination or harassment by employees, including agency workers, board members, contractors or volunteers of CIH will result in a full investigation, in line with the Disciplinary policy and Grievance procedure for employees and the Code of conduct for volunteers. Harassment will often be considered gross misconduct, which can lead to dismissal without notice. Failure to comply with this policy will be treated seriously.

Any external contractors, sub-contractors, agents or third parties providing services to, for or on behalf of CIH are responsible for complying with this policy and we shall take action against any actions or behaviours of non-compliance as appropriate.

5. Training

To ensure we create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, we commit to a regular programme of training.

The programme includes both mandatory online training and bespoke training to meet specific organisation objectives for managers and all other employees about their rights and responsibilities under the equality, diversity and inclusion policy. Responsibilities include colleagues conducting themselves to help the organisation provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination. Contractors and volunteers will also be provided training as appropriate.

All colleagues should understand that 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, members, board members, customers, suppliers and the public.

6. Monitoring

CIH will monitor the make-up of the Board and the workforce in relation to the protected characteristics, and in meeting the aims and commitments set out in the equality, diversity and inclusion policy.

CIH will monitor the make-up of the membership in relation to the protected characteristics, to review how CIH is representing all its members.

CIH will regularly review and monitor progress against its equality, diversity and inclusion commitments and objectives in order to ensure it is meeting organisational, legal, regulatory and best practice requirements.

All data and information collected will be used to track progress and monitor performance on our equality, diversity and inclusion objectives and commitments.

7. Reporting a grievance

If you consider that you may have been unlawfully discriminated against, you may use CIH's Grievance procedure to make a complaint. If your complaint involves bullying or harassment, the grievance procedure is modified as set out in the Dignity at work policy.

CIH will take any complaint seriously and seek to resolve any grievance that it upholds and take prompt and strong action where necessary. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

Sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. The Worker Protection Act 2024 – an amendment to the Equalities Act 2010 strengthens existing protections against sexual harassment. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.

Use of CIH's grievance procedure does not affect your right to make a complaint to an employment tribunal. Complaints to an employment tribunal must normally be made within three months beginning with the act of discrimination complained of.

8. Review

This policy will be reviewed every 3 years in line with the schedule.

Appendix 1 – Types of unlawful 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 a woman because she is 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, for example, employing only female staff in a refuge for women fleeing domestic abuse.

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.

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.

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 pregnancy and maternity). For example, if someone has a disabled child, then making decisions based on that person's connection with the child would be associative discrimination on the grounds of disability.

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity). For example, calling a man homophobic names because of a 'standing joke' that he is gay when he is known not to be gay is on the grounds of the perception that he is gay, and therefore is discrimination on the grounds of sexual orientation.

Victimisation occurs where an employee 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, an employee 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. For example, if a blind employee raises a grievance that the employer is not complying with its duty to make reasonable adjustments, and is then systematically excluded from all meetings, despite having no comparator, such behaviour could amount to victimisation.

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.