

Equality and Diversity Policy

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Version	Type of change	Date	Revisions from previous version
V1	Updated to New Template	Dec 2018	New template format
V2	Minor Updates	Nov 2021	Minor changes made and links to policies added

EQUALITY IMPACT STATEMENT

As part of its development, this policy and its impact on equality have been reviewed in line with The Disabilities Trust's Equality and Diversity Policy. The purpose of the assessment is to minimise and if possible, remove any disproportionate impact on service users and people employed by The Disabilities Trust on the grounds of race, sex, disability, age, sexual orientation or religious belief.

If you have identified a potential discriminatory impact of this procedural document, please refer it to the Director of Governance and Quality, together with any suggestions as to the action required to avoid and/or reduce this impact.

For advice in respect of answering the above questions, please contact the Director Of Peoples Services via email at: CSSHR@thedtgroup.org

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1 Introduction

At the Disabilities Trust we aim to be an employer of choice and to ensure that we are an organisation that is equal and fair to everyone; where diversity is valued and encouraged; people are included; and where everyone is treated with respect and dignity. This policy and procedure aim to encourage people to achieve this.

We all have a responsibility to embrace and support the development of an inclusive, equal, and diverse workforce and workplace and should continue to challenge behaviours and attitudes that prevent us from achieving this. The Disabilities Trust recognises that it is essential to provide equal opportunities to everyone without discrimination and that being inclusive enables people from different backgrounds and with differing experiences to bring valuable insight to the workplace. This policy sets out the Trust's position on equality and diversity in all aspects of employment and provides guidance and encouragement to staff at all levels to act fairly and to prevent discrimination on the grounds of a protected characteristic.

2 Purpose

This policy is applicable to the behaviour and conduct of employees, workers, and volunteers during the course of their duties for the Trust and applies both on and off site. All individuals engaged with the Trust should consider the consequences of their actions in relation to this policy and be aware that their conduct may impact the reputation and standing of the Trust professionally.

All staff 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 the people we support, colleagues, customers, suppliers and the public.

The overarching aims are:

- To provide equality, fairness, and respect for all in our employment or working for or with us
- To create an inclusive organisation where everyone is valued
- That all employees, workers, and volunteers have the right to be free from harassment and bullying of any description, or any other form of unwanted behaviour
- To provide an equal chance to all to contribute and to achieve their potential, irrespective of any defining feature that could give rise to unfair discrimination on the grounds of their gender reassignment, race (including colour, nationality and ethnic or national origin), marriage and civil partnership, disability, age, sex, sexual orientation, religion or belief, pregnancy and maternity is disadvantaged by conditions or requirements that cannot be shown to be justifiable, to oppose and avoid all forms of unlawful discrimination. This includes in pay and benefits, terms, and conditions of employment, dealing with grievance, discipline, dismissal, redundancy, leave for parents, requests for flexible working and selection for employment, promotion, training or other developmental opportunities

The Trust has a separate [Harassment and Bullying Statement](#) and should anyone feel that they are being harassed or bullied, the Trust's [Grievance Policy and Procedure](#) will be used to address such concerns.

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This policy applies to all services and departments in The Disabilities Trust.

This policy also applies to:

- All Disabilities Trust employees, workers/suppliers of services including registered, unregistered, bank, temporary, locum staff, and self-employed contractors
- All students, volunteers and those on secondments or other flexible working arrangements.
- Job applicants

This policy is for guidance only and may be amended from time to time

All individuals have a duty to behave appropriately and to follow this policy and procedure; non-compliance is likely to result in disciplinary action being taken in accordance with this [Disciplinary policy and procedure](#).

The following key principles outline the Trust's approach to Equality, Diversity, and Inclusion:

- The Trust will ensure that no job applicant, staff member or volunteer receives less favourable treatment on the grounds of any protected characteristic or is disadvantaged by conditions or requirements that cannot be shown to be justifiable.
- The Trust is committed to the positive promotion of inclusion and equality of opportunity in all aspects of employment.
- The Trust will apply the principles of this policy to the advertisement of jobs, recruitment and selection, promotion, learning and development, conditions of work, pay and benefits, discipline, and selection for redundancy.
- Appropriate training will be provided to all employees around equality, diversity, and inclusion.
- Appropriate training will be provided within available resources to enable all employees, workers, and volunteers to perform their jobs effectively and to develop their careers. Opportunities for learning and development will be organised to take account of different working patterns as well as service requirements and promoted in a way to ensure equity of access wherever possible.

3 Responsibilities

3.1 Commitment to Equality & Diversity

Equality and Diversity is embedded in the Trust's values and employment practices. As such, every employee, worker, and volunteer are expected to assist the Trust to meet its commitment to provide equal opportunities in employment and volunteer opportunities and to avoid unlawful discrimination. Employees/workers/volunteers can be held personally liable as well as or instead of the Trust for any act of unlawful discrimination. Please note, employees/workers/volunteers who commit serious acts of harassment may be guilty of a criminal offence.

We consider equality to mean treating people alike according to their needs, eliminating discrimination and ensuring equal opportunities and access for everyone.

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We consider diversity to mean acknowledging that there are visible and non-visible differences between people and that everyone should be respected equally and have their contributions valued.

Equality and diversity are not inter-changeable but are inter-dependent.

4 Procedure

4.1 Recruitment & Selection

All recruitment and selection will be carried out in line with the Trust's Recruitment & Selection Policy and Procedure.

- Advertisements for vacant posts will give sufficiently clear and accurate information to enable potential applicants to assess their own suitability for the post.
 - Information regarding vacancies will be provided in such a manner that does not restrict its audience in terms of a protected characteristic or part-time or fixed term contract status.
 - Recruitment literature will not imply a preference for one group of applicants unless there is a genuine occupational requirement which limits the post to this particular group, in which case this will be clearly stated.
 - Substantive vacancies will be circulated internally, and all job descriptions and person specifications will be limited to those requirements that are objective and necessary for the effective performance of the job.
 - The selection of candidates/applicants will be in accordance with a thorough process conducted against defined criteria and will deal only with the candidates/applicant's suitability for the job. Where it is necessary to ask questions relating to personal circumstances, these will be related purely to job requirements.
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- A job applicant's gender identity status is irrelevant to the recruitment process, except in the rare circumstances where a genuine occupational requirement applies to the job. The Trust will not ask questions about gender identity status and job applicants are not required to volunteer information about it unless a genuine occupational requirement makes this relevant.
 - A job applicant with a gender recognition certificate is not required to disclose their gender history. If a Disclosure from the Disclosure Barring Service (DBS)/Disclosure Scotland or Protecting Vulnerable Groups (PVG) is required as part of the recruitment process, applicants must disclose any previous names and/or gender to the DBS/Disclosure Scotland. Transgender applicants may make use of the special application procedure established by the DBS/Disclosure Scotland so that their previous name is not disclosed to the Trust.

4.2 Employment and Career Development

The Trust will not discriminate based on a protected characteristic in the allocation of duties between employees, workers or volunteers at any level with comparable job descriptions. All individuals will be assessed based on their skills and abilities for career development and promotion with equal opportunities for all.

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4.3 Working Arrangements

The Trust will consider any possible indirect discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done. The Trust has a duty to consider such flexible working requests and may refuse these on grounds of legitimate business reasons. For more information, please refer to the Trust's [Flexible Working Policy and Procedure](#)

4.4 Learning and Development

Employees will be provided with appropriate learning and development opportunities regardless of any protected characteristics. All employees are encouraged to discuss their career prospects and learning needs with their Line Manager in the first instance and as appropriate with the Trust's Learning and Development team.

4.5 Disability

The abilities of disabled people are recognised and valued by the Trust. Anyone who has a disability or becomes disabled in the course of their employment, should inform their manager. Discussions will then take place regarding any reasonable adjustments which could be considered, which would assist the staff member to undertake the duties/responsibilities of the post. For more information, please refer to the Trust's [Attendance Management Policy and Procedure](#).

4.6 Age

Staff will be given the same opportunities in terms of promotion, training, and development irrespective of their age in accordance with the requirements of the job and based on their skills and abilities. Pay and benefits offered by the Trust are not based on a staff member's age, however loyalty is rewarded by increasing certain benefits in accordance with length of service e.g., occupational sick pay entitlement.

4.7 Transgender Employees/ Workers

In circumstances where an individual wishes to transition gender, the Trust will offer support on an individual basis. The employee, worker or volunteer is required to advise their manager that they wish to transition, and they will be supported throughout the process. The People Services Department will provide any relevant guidance/support to the staff member and their line manager.

5 Grievance

Any employee, worker or volunteer may use the grievance procedure to raise concerns about discriminatory conduct. If the matter relates to any form of harassment or bullying, the individual may wish to raise this with their manager in the first instance who may assess the situation and seek to resolve it on an informal basis before escalating it formally. The Trust's dedicated Whistleblowing Line can also be used to raise concerns of this nature, should the individual feel unable to raise this in any other manner. The Trust will take any complaint seriously and will seek to resolve any grievance raised. For more information, please refer to the Trust's [Grievance Policy and Procedure](#).

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6 Disciplinary Action

Acts of discrimination, harassment, bullying or victimisation against workers, volunteers, people who use or services or those coming into contact with the Trust are disciplinary offences and will be dealt with under the Trust's Disciplinary Procedure. Such acts may constitute gross misconduct and could lead to summary dismissal i.e., without pay in lieu of notice. See the Trust's [Disciplinary Policy and Procedure](#).

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