

<b>Equality, Diversity &amp; Inclusion Policy</b>	<b>P-05</b>  This Policy should be read in conjunction with P-06 Neuro-affirmation Policy
<b>Version</b>	<b>V01</b>
<b>Date of Origin</b>	<b>01/07/2024</b>
<b>Responsible person</b>	<b>Director – Tristan Kluibenschadl</b>
<b>Review Date -</b>	<b>01/07/2026</b>
<b>Amendments</b>	

## **Our commitment**

We are committed to providing equal opportunities in employment and to preventing any form of unlawful discrimination, harassment and victimisation among our staff employees and volunteers. This Policy also outlines the expectations with regards to those who support, work for or collaborate with of Stak.life CIC in any capacity.

Everyone has the right to be supported and to express their authentic selves, and this principle extends to our service users and suppliers. This policy serves as a practical guide to uphold our commitment.

## **1. The law and types of discrimination**

1.1 It is unlawful to discriminate directly or indirectly in recruitment or employment because of a 'protected characteristic'. The Equality Act defines the protected characteristics as being age, disability, sex, gender reassignment, marriage and civil partnership pregnancy, maternity, race (which includes colour, nationality, and ethnic or national origins), sexual orientation, religion or belief.

1.2 Discrimination after employment may also be unlawful. For example, refusing to give a reference for a reason related to one of the protected characteristics. It is also unlawful to discriminate against or harass a member of the public or service user in the provision of services or goods or to fail to make reasonable adjustments.

1.3 Direct discrimination is where a person is treated less favourably than another because of a protected characteristic. However, discrimination may be lawful if there is an occupational requirement which is core to a job role and a proportionate means of achieving a legitimate aim.

1.4 Indirect discrimination means putting in place, a rule or policy or way of doing things that has a worse impact on someone with a protected characteristic than someone without one, when this cannot be objectively justified.

1.5 Harassment is where there is unwanted behaviour related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity) which has the purpose or effect of violating someone's dignity or which

creates a hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct. Persistent harassment is a criminal offence and people who commit it can be prosecuted.

1.6 Hate crime is when you're the victim of an incident where you were targeted because of your race, religion, disability, sexual orientation or gender identity. It can be quite hard to work out when something is a hate crime rather than harassment. Or when it's both harassment and hate crime. Hate crimes are criminal offences and people who commit them can be prosecuted.

1.7 Associative discrimination is where the individual treated less favourably does not have a protected characteristic but is discriminated against because of their association with someone who does (for example the parent of a disabled child).

1.8 Perceptive discrimination is where the individual discriminated against or harassed does not have a protected characteristic, but they are perceived to have a protected characteristic.

1.9 Third-party harassment occurs where an employee is harassed by third parties such as service users, due to a protected characteristic.

1.10 Victimisation is treating someone unfavourably because they have taken some form of action relating to the Equality Act. For example, because they have 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.

1.11 Failure to make reasonable adjustments is where a rule or policy or way of doing things has a worse impact on someone with a protected characteristic compared with someone who does not have that protected characteristic and the employer has failed to make a reasonable adjustment. This duty is anticipatory. Whilst the Equality Act refers to reasonable adjustments with regards to disability, it may also be discriminatory to ignore making reasonable adjustments for people with other protected characteristics (for example, to enable someone to respect a religious belief, providing gender neutral toilets, making adjustments for a woman experiencing severe menopausal symptoms etc).

## **2. Reasonable adjustments**

2.1 A 'reasonable adjustment' is a change to remove or reduce the effect of:

- an employee's disability so they can do their job
- a job applicant's disability when applying for a job

2.2 What is reasonable will depend on the circumstances of each case, but adjustments could be to:

- The workplace (making changes to overcome barriers created by the physical workplace)
- The ways things are done (where the disabled job worker is put at a substantial disadvantage by a provision, criterion or practice).
- Providing extra equipment or getting someone to assist the employee or job applicant

2.3 When deciding whether an adjustment is reasonable we will consider:

- How effective the change will be in avoiding the disadvantage the employee would otherwise experience
- Its practicality
- The cost
- Our resources and size
- The availability of financial support.
- You cannot be asked to pay for the cost of reasonable adjustments.

The overall aim will be, as far as possible, to remove or reduce any substantial disadvantage faced by a staff member or job applicant which would not be faced by a non-disabled person. You cannot be asked to pay for the cost of reasonable adjustments.

## **3. Recruitment and Retention**

3.1 Our recruitment practices aim to attract and acquire diverse talent to reflect the populations we serve. We wish to recruit the best applicants with the knowledge, skills and experience required for the job role, irrespective of an applicant's background. A diverse staff team supports us to better understand the needs of a diverse range of people. We will therefore,

- Take positive action to improve our diversity amongst our volunteers or staff. We may also take steps to anonymise applications before shortlisting and we will ask interviewees whether any adjustments are needed to participate in the selection process. These are examples of how we aim for equality within recruitment.
- Do our utmost to retain diverse talent by creating an inclusive environment.



Design and deliver equal opportunities services that are accessible and inclusive for people with diverse needs. Design inclusion into policies and practices from the outset.



#### **4. Equal opportunities in employment**

4.1 We will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy. Person specifications will avoid any unnecessary requirements (those unrelated to effective performance) that may otherwise have deterred applicants.

4.2 We will base decisions on objective criteria. We will make reasonable adjustments in recruitment as well as in day-to-day employment.

#### **5. Service users, suppliers and others**

5.1 We will not discriminate unlawfully against service users using or seeking to use the services we provide.

5.2 If you are bullied or harassed by a service user, suppliers, contractor, visitor or others, or if you witness someone else being bullied or harassed, you are asked to report this to your manager who will take appropriate action.

#### **6. Training**

6.1 We will provide information and guidance to those involved in recruitment or other decision making where equal opportunities issues are likely to arise to help them understand their responsibilities and to avoid the risk of discrimination.

#### **7. Your responsibilities**

7.1 All staff are responsible for supporting the organisation in meeting its commitment and avoiding unlawful discrimination. If you experience a level of discomfort or disagreement with something that happens when you are at work, you are encouraged to bring it to the attention of a director or someone in authority or on the iTrust application.

7.2 It is possible that others are not aware or have not considered the impact of their actions, have not understood our policy, or possibly our practices need to be updated.

7.3 If you believe that you have been discriminated against, bullied or are being harassed or victimised or if you witness such behaviours, you should report this to your line manager one of the directors or using the iTrust application below. You can report it on the application anonymously if you so wish



7.4 We will take any complaint seriously and 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.

7.5 Employees can be held personally liable as well as, or instead of, the organisation for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

7.5 Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with as disciplinary matters. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

## **8. Monitoring and review**

8.1 This policy will be monitored periodically to judge its effectiveness and will be updated in accordance with changes in the law.

8.1 Any information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the data protection legislation and privacy policy.

## **9. Other relevant STAK.life policies and procedures**

- Safeguarding Vulnerable Adults Policy
- Safeguarding Children and Young persons
- Health and Safety Policy
- Neuro- Affirmation Policy
- Privacy Policy

Any comments or questions regarding our Equal Opportunity Policy please email [Stak.lifeoffice@gmail.com](mailto:Stak.lifeoffice@gmail.com)

End