

THIS POLICY APPLIES TO GROUNDWORK WEST MIDLANDS AND ITS TRADING SUBSIDIARIES

EQUALITY, DIVERSITY AND INCLUSION POLICY AND PROCEDURE

HR POLICY N° 1

1. POLICY STATEMENT

- 1.1 The Board and Directors of Groundwork West Midlands (GWWM) are committed to equality of opportunity, valuing diversity and creating a work environment that is inclusive. It will ensure discrimination, harassment or victimisation is not tolerated.
- 1.2 GWWM embraces equality, diversity and inclusion throughout the Organisation and is committed to promoting for all workers, job applicants, service users, stakeholders, contractors and partners.
- 1.3 To that end the purpose of this policy is to provide equality and fairness for all without discrimination on grounds of age, disability, sex, sexual orientation, marriage and civil partnership, pregnancy and maternity, gender re-assignment, race, religion and belief. We oppose all forms of unlawful and unfair discrimination.
- 1.4 All workers, whether part-time, full-time, sessional or temporary, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be based on aptitude and ability. All workers will be helped and encouraged to develop their full potential, and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation.
- 1.5 The Board and senior management are committed to the delivery of this policy.
- 1.6 Our commitment:
 - To create and an environment in which individual differences and the contributions of all our staff and service users are recognised and valued
 - Every worker is entitled to a working environment that promotes dignity, respect and inclusion for all. No form of intimidation, bullying or harassment will be tolerated.
 - Training, development and progression opportunities are available to all staff.
 - Mental health well-being is promoted and people who experience mental health problems are supported
 - Equality in the workplace is good management practice and makes sound business sense.
 - Our employment practices and procedures will be reviewed regularly to ensure fairness.
 - Breaches of our equality and diversity policy will be regarded as misconduct and could lead to disciplinary proceedings.

The policy will be monitored and reviewed on a rolling 3-year basis or in line with legislative changes.

2. SCOPE

This policy applies to all GWWM trustees, workers, volunteers and any other person or organisation employed by GWWM to work or deliver services on their behalf.

2.1 Service Users

We aim to provide quality services to all sections of the community. No person attempting to access a service shall be unlawfully discriminated against because of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality and ethnic or national origin), religion or belief, sex (gender), and sexual orientation.

3. LEGISLATION

3.1 GWWM's Equality and Diversity Policy has been developed and revised in accordance with the Equality Act 2010.

3.2 Implications of the Legislation

Both GWWM and individual workers may be liable to legal proceedings if found to be in contravention of the Equality Act 2010. GWWM will take all reasonably practicable steps to prevent acts of discrimination, by carrying out their responsibilities outlined in Sections 6 and 7 of this policy.

3.3 Codes of Practice

Codes of Practice have been issued by the Equality and Human Rights Commission which set out the practices which employers should adopt to ensure equal opportunities at work. The Codes do not have statutory provisions, but lay down well-defined operating practices for employers, which if not followed, may result in action through Employment Tribunals. In such a case, the Tribunal will have regard to the extent to which an employer had followed the guidelines contained in the Codes of Practice.

4. PROTECTED CHARACTERISTICS

4.1 There are nine protected characteristics under the Equality Act 2010 which are:

- Sex
- Disability
- Race
- Religion or belief
- Sexual Orientation
- Age Discrimination
- Pregnancy and Maternity
- Gender re-assignment
- Marriage and Civil Partnership

5. THE NATURE OF DISCRIMINATION

This policy refers to several forms of discrimination, as follows: -

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic (stated above).

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic.

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 at work; or creating an intimidating, hostile, degrading, humiliating or offensive work environment.

Further details/examples of the types of harassment can be found in Groundwork West Midlands's Anti-Harassment & Bullying Policy and Procedure.

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).

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

Victimisation occurs where a worker 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 he or she is suspected of doing so.

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.

Further clarity on these forms of discrimination can be provided by the HR Department.

The procedure for reporting and dealing with complaints of discrimination or bullying is detailed in Groundwork's Anti-Harassment & Bullying Policy and Procedure. A complaints procedure is available for service users

6. RESPONSIBILITIES UNDER THE EQUALITY AND DIVERSITY POLICY

- 6.1 Whilst we all have a collective responsibility to ensure this policy is successfully adopted, there are specific responsibilities within this:
- 6.2 **The Board** - fully endorses this policy and holds ultimate responsibility for reviewing and achieving its aims. The Board recognises its role in being responsible and accountable for

the development of equality, diversity and inclusion awareness in Groundwork and, as such, will lead by example.

- 6.3 **Directors and Managers** - are responsible for implementing and enforcing this policy and ensuring that their teams and workers are aware of their responsibilities. Directors/Managers should promote, respect and encourage each worker to reach their full potential and deal appropriately with any breach of this policy. They will ensure all workers are trained and made aware of their responsibilities under this policy.

In relation to our service users, we will provide services which are flexible and responsive to the changing needs of the community and regularly review and monitor service delivery and levels of customer service.

6.4 **Human Resources**

This policy is owned by the HR Department, who is responsible for its effective implementation and regular review. The HR Department will continuously review all related policies, monitor employment practices and provide relevant advice, training and support to managers in championing diversity across the organisation.

6.5 **Workers**

All workers of GWWM, at every level, have an individual responsibility for ensuring equality of opportunity and adherence to this policy.

This can be achieved by respecting the right to work in an environment free from prejudice and discrimination, exhibiting the correct behaviours and challenging colleagues and service users who fall short of these expectations.

In particular, individual workers must:

- a) comply with the policy and their responsibilities in relation to GWWM colleagues, customers, partners, suppliers and service users
- b) adhere to and give support to any measures introduced to ensure equal opportunity
- c) not themselves discriminate, e.g., as supervisors or managers responsible for selection decisions in recruitment, promotion, transfer, training, etc.
- d) not themselves discriminate in the application of any of GWWM policies
- e) not themselves discriminate in applying conditions of employment
- f) not induce, or attempt to induce, other workers, unions, management, service users' partnership organisations, (e.g. secondment partners, recruitment agencies) to practice discrimination
- g) not victimise or attempt to victimise individuals on the grounds that they have made complaints or provided information on discrimination
- h) not harass, abuse or intimidate other workers and service users, e.g. in attempts to discourage them from continuing their employment or removing themselves from a programme
- i) notify Line Managers of any concerns with regard to the conduct of other staff or service users

7. **MONITORING AND REVIEW**

GWWM will continuously review this policy, together with all employment policies and practices and service user feedback to maintain our focus on equality of opportunity and promotion of diversity.

To ensure that this policy and other procedures are operating effectively, the HR Department will continue to monitor and measure the equality records of applications for employment and GWWM employees, benchmark GWWM performance as a Company and ensure that any patterns or trends are identified and resolved. In addition, GWWM statistical data will be compared against census statistics for the region.

To achieve the aims and commitments of this policy, the HR Department will ensure that regular monitoring will take place. This will be in the form of:

- Half yearly statistics, broken down into diversity categories, to be reviewed by the Board. Where necessary, targets and performance objectives will be set for specific areas in need of improvement, along with the necessary support and training.
- HR Department's monitoring of HR information systems, to ensure the application and effectiveness of this policy.
- Raising any issues or trends regarding diversity with the Board and Directors.

RELATED POLICIES AND PROCEDURES

Anti-Harassment & Bullying Policy and Procedure
Disciplinary Policy and Procedure
Grievance Policy and Procedure
Complaints procedure

LEGISLATION

Equality Act 2010
Human Rights Act 1998, 2000, 2004

Approved by: Chief Executive GWWM, January 2025

Updated by: Office Manager, GWWM, January 2025

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