



## Equality and Diversity Policy

### 1. Purpose

**1.1** To ensure that all members of staff can work in an environment to the best of their skills and abilities without the threat of discrimination or harassment.

**1.2** My Life Legacy is committed to ensuring that all members of staff and job applicants receive equal treatment regardless of any protected characteristics (age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation).

**1.3** This policy applies to all aspects of employment with My Life Legacy. For the avoidance of doubt this includes recruitment, pay and conditions, training, appraisals, promotion, conduct at work, disciplinary and grievance procedures and termination of employment.

**1.4** To support My Life Legacy in meeting the following Key Lines of Enquiry:

Key Question	Key Line of Enquiry (KLOE)
SAFE	S1: How are people protected from bullying, harassment, avoidable harm and abuse that may breach their human rights?
WELL-LED	W2: How does the service demonstrate good management and leadership?

**1.5** To meet the legal requirements of the regulated activities that My Life Legacy is registered to provide:

- Equality Act 2010
- Equality Act 2010: Chapter 1 (Protected Characteristics) Chapter 2 (Prohibited Conduct) and Chapter 3 (Services and Public Functions)

### 2. Scope

**2.1** The following roles may be affected by this policy:

- All staff

**2.2** The following Service Users may be affected by this policy:

- All service users / customers

**2.3** The following stakeholders may be affected by this policy:

- Family
- Commissioners

### 3. Objectives

**3.1** To set out My Life Legacy's zero-tolerance approach to the perpetrators of discrimination in the workplace.



**3.2** To ensure that My Life Legacy has an open and transparent approach to all aspects of employment, free from discrimination.

**3.3** To ensure that all members of staff can thrive in an inclusive environment.

#### 4. Policy

**4.1** My Life Legacy takes a zero-tolerance approach to any discrimination, harassment and/or victimisation which one member of staff may perpetrate against another and/or against any other person including but not limited to former employees, job applicants, clients, customers, suppliers and visitors.

**4.2** Equally, this policy not only applies in the workplace but also outside of it when the member of staff is dealing with customers, suppliers or other work-related contacts or when wearing a work uniform and on work-related trips or events including social events.

**4.3** The following forms of discrimination are prohibited under this policy and are unlawful:

- **Direct discrimination:** treating someone less favourably because of a Protected Characteristic. For example, rejecting a job applicant because of their religious views or because they might be gay
- **Indirect discrimination:** a provision, criterion or practice that applies to everyone but adversely affects people with a particular Protected Characteristic more than others and is not justified. For example, requiring a job to be done full-time rather than part-time would adversely affect women because they generally have greater childcare commitments than men. Such a requirement would be discriminatory unless it can be justified
- **Harassment:** this includes sexual harassment and other unwanted conduct related to a Protected Characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our Anti-Bullying and Harassment Policies
- **Victimisation:** retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment
- **Disability discrimination:** this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability

#### 5. Procedure

**5.1** My Life Legacy will provide appropriate training on Equal Opportunities. My Life Legacy is committed to following the European Human Rights Commission Employment Statutory Code of Practice and has appointed an appropriate Senior Manager to have responsibility for Equal Opportunities training.

##### 5.2 Recruitment and Selection

Any selection exercises including recruitment, promotion and redundancy selection, amongst others, will be carried out about objective criteria which specifically avoid any issues of discrimination.

Similarly, where possible My Life Legacy will ensure that such exercises are carried out by more than one person.

Any vacancies will be advertised to as wide and diverse an audience as possible. Such advertisements will not discourage any individual or group from applying.



Job applicants will not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.

Job applicants will not be asked about health or disability before a job offer is made, except in the very limited circumstances allowed by law: for example, to check that the applicant could perform an intrinsic part of the job (taking account of any reasonable adjustments), or to see if any adjustments might be needed at interview because of a disability. Where necessary, job offers can be made conditional on a satisfactory medical check. Health or disability questions may be included in equal opportunities monitoring forms, which must not be used for selection or decision-making purposes.

### **5.3 Disabilities**

If a member of staff is disabled or becomes disabled, My Life Legacy encourages them to tell their manager about their condition so that My Life Legacy can consider what reasonable adjustments or support may be appropriate.

### **5.4 Part-time and Fixed-term Work**

Part-time and fixed-term employees should be treated the same as comparable full-time or permanent employees and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified.

### **5.5 Disciplinary Procedure**

Any member of staff found to be in breach of this policy will be subject to disciplinary action.

Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.

### **5.6 Grievance Procedure**

If a member of staff believes that they have suffered discrimination, then they should raise these issues through My Life Legacy's Grievance Policy and/or Anti-Bullying and Harassment Policies.

**5.7** A member of staff will not be bullied or victimised for raising issues under this policy. However, if a complaint is made in bad faith and/or is knowingly false the member of staff may be subject to My Life Legacy's Discipline Policy and Procedure.

## **6. Definitions**

### **6.1 Protected Characteristics**

- Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation

### **6.2 Disability**

- A physical or mental impairment which has a substantial and long-term adverse effect on an individual's ability to carry out normal day-to-day activities. The effect must have lasted for 12 months or be likely to last 12 months. An effect that is likely to recur is treated as continuing for this purpose