

**EQUALITY  
AND  
DIVERSITY  
POLICY**

<b>DOCUMENT CONTROL</b>	
<b>POLICY NAME:</b>	Equality and Diversity Policy
<b>DEPARTMENT:</b>	Finance & Resources (HR)
<b>TELEPHONE NUMBER:</b>	029 2056 6132
<b>INITIAL POLICY LAUNCH:</b>	
<b>DATE OF EQUALITY IMPACT ASSESSMENT:</b>	September 2019
<b>REVISION HISTORY</b>	
<b>DATE:</b>	<b>REVISED BY:</b>
November 2019 – EAP Contact Information Added	Stefanie McKeown – Senior HR Manager
<b>DOCUMENT APPROVAL</b>	
<b>THIS POLICY HAS RECEIVED APPROVAL FROM:</b>	<b>DATE OF APPROVAL:</b>
Senior Leadership Team	November 2019
Board of Trustees	

## **1. POLICY STATEMENT**

Tempo is committed to promoting equality and diversity and promoting a culture that actively values difference and recognises that people from different backgrounds and experiences can bring valuable insights to the workplace and enhance the way we work. Tempo aims to be an inclusive organisation, where diversity is valued, respected and built upon, with the ability to recruit and retain a diverse workforce that reflects the communities we work with.

Tempo is also committed to compliance with relevant equality legislation, the Equality Act 2010, Codes of Practice and relevant best practice guidance. This policy pursues and builds on the statutory position to ensure effective policies and practice of promoting equality.

Tempo aims to pro-actively tackle discrimination or disadvantage and aims to ensure that no individual or group is directly or indirectly discriminated against for any reason with regard to employment or accessing its services.

Issues regarding harassment and bullying are covered in the Dignity at Work Policy. For issues regarding Recruitment refer to the Recruitment & Selection Policy and Procedure.

Tempo recognises that this policy can only be effective if it is promoted by all those within the organisation. Each employee has a personal responsibility for the implementation of this policy.

This policy does not form part of any contract of employment and it may be amended at any time. It covers all individuals working at Tempo at all levels and grades, including the Board, senior managers, officers, directors, employees, trainees, interns, apprentices, homeworkers, part-time and fixed-term employees, contractors, casual and agency staff and volunteers (collectively referred to as staff in this policy).

## **2. THE DEFINITION OF EQUALITY AND DIVERSITY**

Equality can be described as breaking down barriers, eliminating discrimination and ensuring equal opportunity and access for all groups both in employment, and to goods and services; the basis of which is supported and protected by legislation.

Diversity can be described as celebrating differences and valuing everyone. Each person is an individual with visible and non-visible differences and by respecting this everyone can feel valued for their contributions which is beneficial not only for the individual but for Tempo.

Equality and Diversity are not inter-changeable but inter-dependent. There can be no equality of opportunity if difference is not valued and harnessed and taken account of.

## **3. SCOPE**

Tempo recognises that discrimination can take many forms and may be founded on prejudices including gender, marital status, sexual orientation, gender reassignment, race, colour, nationality, ethnic origin, disability, long term medical conditions, age, religion, social class and responsibility for dependants.

The purpose of this policy is to set down a framework which is based on best practice and discrimination legislation to enable the organisation to work towards equality of opportunity in both employment practice and provision of policy recommendations which are informed by, and take into account, the views, needs and rights of all sections of society.

The policy aims to clarify where the onus of responsibility lies for equal opportunities within the organisation, with particular emphasis on individual responsibility. It also clarifies the arrangements for its implementation including expressing a commitment to regular reviews, monitoring and effective communication of its requirements both within and outside Tempo.

#### **4. RESPONSIBILITY FOR THIS POLICY**

Questions relating to this policy should be addressed to Human Resources, although the ultimate responsibility for achieving the policy's objectives and for ensuring compliance with the relevant legislation as well as the various Codes of Practice lies with the Chief Executive.

The equal opportunities and associated policies and procedures will be reviewed on a regular basis by Human Resources to ensure that they are developed in response to changes in the law and best practice and are applied consistently across the organisation.

Tempo will ensure that individuals are informed of their rights and responsibilities with regard to equal opportunities. Tempo is committed to communicating the policy in the most appropriate way to all employees, trustees, interns and those who may work in partnership with it.

#### **5. LEGAL POSITION**

The Equality Act 2010 (the Act) replaced previous anti-discrimination laws to make the law easier for people to understand and comply with. The act covers nine protected characteristics, which cannot be used as a reason to treat people unfairly. Every person has one or more of the protected characteristics, so the Act protects everyone against unfair treatment. The protected characteristics are:

- a) Age
- b) Disability
- c) Gender Reassignment
- d) Marriage and Civil Partnership
- e) Pregnancy and Maternity
- f) Race
- g) Religion or Belief
- h) Sex
- i) Sexual Orientation

The Act sets out the different ways in which it is unlawful to treat someone, such as direct and indirect discrimination, harassment, victimisation and failing to make a reasonable adjustment for a disabled person.

## 6. DISCRIMINATION, HARASSMENT AND VICTIMISATION

**Discrimination** is usually defined in two categories:

- 1) **Direct discrimination:** describes when an individual is directly treated less favourably due to their gender, race, disability, religion etc., for example, paying a woman less than a man for the same duties, or making racist comments to an ethnic minority employee.
- 2) **Indirect discrimination:** describes the situation where unjustifiable requirements are applied to a job or to accessibility of a service, causing a disproportionate effect on a particular group of people, and where the application of that requirement(s) causes detriment to that group. For example, a requirement that all employees work full time or that staff are forbidden to wear headgear whilst at work might create a disproportionate effect on women and some ethnic minorities respectively.

**Harassment:** may be an act of discrimination and can be defined as unacceptable and unwanted behaviour or conduct by one person or group which another person or group finds intimidating, upsetting, embarrassing, humiliating, threatening or offensive.

**Victimisation:** constitutes an act of persecution against the recipient(s) of discrimination or harassment on their having made a claim against another person or group.

There are other actions which are illegal under the equal opportunities legislation; examples include:

- a) Instructing another person — or applying pressure on them — to discriminate;
- b) Knowingly assisting somebody else when they carry out a discriminatory act;
- c) Discriminating against somebody believed to have a protected characteristic, whether or not they actually do, or because they associate with a third party who does.

Tempo finds all such acts intolerable. It aims to ensure a supportive culture whereby all staff and volunteers feel confident about bringing a claim of discrimination or harassment without fear of reprisal or discrimination. Any member of staff who is subject to harassment, bullying or discrimination is encouraged to refer to Tempo's Dignity at Work Policy. This provides details of the steps that can be taken to deal with such an issue. In addition, staff are reminded that they can obtain external, confidential help if they so wish by contacting the Employee Assistance Programme via My Tempo on 0800 015 7287 or by visiting the online portal at [www.colleaguesupport.co.uk](http://www.colleaguesupport.co.uk) (remembering to enter code 72160 as the username and password) , and/or Human Resources.

## 7. RECRUITMENT AND SELECTION

Tempo recognises the need for fair and consistent recruitment and selection practices which ensure that no job applicant, employee or volunteer is placed at a disadvantage by conditions or requirements that cannot be justified on the basis of the needs of a particular role.

Tempo's Recruitment & Selection Policy and Procedure provides further information.

## **8. TRAINING, DEVELOPMENT AND PROMOTION**

Tempo is committed to ensuring equality of opportunity in the development of its staff in order to facilitate the achievement of its aims and objectives. This includes access to training and development activities and opportunities for career progression. To this end, Tempo will ensure that all staff are aware of the training, development and promotion opportunities open to them and that clear selection criteria to ensure fair and consistent access to such opportunities across the organisation. Where vacancies may be filled by internal promotion or transfer, they will be published to all eligible employees in such a way that they do not restrict applications from any staff on the basis of age, disability, gender, marital status, race, religion, sex, sexual orientation or domestic obligation. Such internal promotion procedures are subject to Tempo's Recruitment & Selection Policy and Procedure.

Tempo will adopt a flexible approach to arranging training and development activities and will endeavour to ensure that practical issues affecting accessibility, such as location, disability requirements, caring responsibilities and cultural concerns, are taken into consideration.

Should an employee become disabled during the course of their employment with Tempo, Tempo will always explore the potential to make reasonable adjustments to the employee's job specification or working environment in order to accommodate their needs. Tempo is committed to being a flexible employer in the context of what is required to deliver the role successfully and not to impose any unnecessary restrictions. Further information is available in Tempo's Reasonable Adjustments Scheme.

## **9. MONITORING**

The composition and movement of employees at different levels will be regularly monitored to ensure equality of opportunity at all levels with the organisation. Where appropriate, steps will be taken to remove any unnecessary or unjustifiable barriers and to provide facilities and conditions of service to meet the special needs of disadvantaged or under-represented groups.

Monitoring will be carried out bi-annually of ethnicity, racial origin, gender, disability and age for employees to ensure all processes are not discriminating directly or indirectly. Tempo asks all employees to fill in an equal opportunity form to provide information to assist in monitoring this.

## **10. RESPONSIBILITIES**

All staff have a responsibility to guard against any form of discrimination and avoid any action which goes against the spirit of this policy.

The senior leadership team has a responsibility to effectively communicate the equal opportunities policy throughout the organisation. They must ensure the fair and consistent treatment of staff concerning all aspects of employment both within their own areas and more broadly across the organisation. They are required to ensure that equality of opportunity is considered in all aspects of Tempo's work, both at a strategic

level and within projects.

All staff are responsible for adhering to and familiarising themselves with the principles of the policy and for drawing to the attention of their line manager any acts or practices of discrimination. If you are not sure what we consider acceptable and unacceptable, you should seek clarification from your line manager.

## **11. NON-COMPLIANCE WITH POLICY**

Tempo will not tolerate any behaviour from staff which breaches our equality and diversity policy. Any such breaches will be regarded as misconduct except for serious offences such as discrimination on protected grounds; serious offences including harassment, bullying, or victimisation will be treated as gross misconduct and may lead to disciplinary action including dismissal from employment without notice.