

Equality Diversity & Inclusion Policy

Policy Level	Two
Policy Category	Equality, Diversity & Inclusion
Policy Authority	Senior Leadership Team
Lead Committee	Senior Leadership Team
Lead Director	Sue McCarthy
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1. Statement of Intent

YMCA Fairthorne Group (YMCA-FG) is committed to providing equality of opportunity for every individual who accesses or seeks to access our services, employment or volunteering opportunities.

YMCA-FG are committed to promoting equal opportunities in employment and creating a workplace culture in which diversity and inclusion is valued and everyone is treated with dignity and respect. As part of our zero-tolerance approach to discrimination in any form, our service users, employees and volunteers will receive equal treatment regardless of 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 (Protected Characteristics). We are also committed to providing equitable treatment to all those we deal with as an organisation, including all young people, their families, our customers and suppliers.

2. Policy Statement

The Equal Opportunities and Diversity Policy reflects both the mission and purpose of the YMCA FG and the spirit and intentions of employment legislation, which outlaws discrimination of the types set out in the Equality Act 2010 in relation to the protected characteristics (see Appendix B types of discrimination and examples). We recognise that we all bring into the workplace beliefs and expectations about how people behave and perform that can influence policies and our working practices. We aim to identify, assess and address any areas where those expectations, policies and practices offer advantages to some and where they disadvantage others.

This policy does not form part of any employee's contract of employment, and we may amend it at any time.

YMCA FG values diversity and welcomes interest from all areas of the community and recognises that people from different backgrounds bring fresh ideas and skills. We are committed to building and reinforcing a culture where people value each other and treat each other with dignity and respect.

This policy applies to all aspects of employment with us, including recruitment, pay and conditions, training and development, conduct at work, disciplinary and grievance procedures, and termination of employment.

For all employees and volunteers there is an expectation to respect our mission and uphold our values through the services we deliver.

We will continue to make the most of the potential staff and volunteers bring to the workplace by recognising, supporting and valuing diversity, inclusion and equality.

We will challenge discrimination of any kind, and have programmes in place to inform and educate staff and volunteers, develop their understanding of our policies and demonstrate how to put them into practice.

All children, young people, parents, carers, employees, visitors, contractors, students, trustees and volunteers attending YMCA FG are expected to commit themselves to provide an atmosphere free from all discrimination or less favourable treatment, irrespective of age, disability, gender, race, religion or belief, sex, sexual orientation, marriage and civil partnership or pregnancy and maternity (the protected characteristics set out in the Equality Act 2010 and existing legislation).

YMCA FG reserves the right to exclude from our premises, sites or services any person who is found to be in breach of this policy. Employees (and volunteers) breaching this policy will be dealt with using the organisation's disciplinary procedure.

3. Implementation

The YMCA FG will:

- Constantly improve our knowledge and understanding of issues of equality and diversity.
- Treat all employees and job applicants equally and fairly and not discriminate unjustifiably against them. This will, for example, include arrangements for recruitment and selection, terms and conditions of employment including pay, benefits, access to training and other career development opportunities, access to promotion or transfer, grievance and disciplinary processes, demotion, selection for redundancy, dress code, flexible working and work allocation, appraisal and performance review.
- Ensure that our employment related practices are free from any types of discrimination as defined in the Equality Act 2010, existing legislation and those in Appendix B.
- Ensure that entry into employment, promotion or transfer between posts (or equivalent for volunteers) is judged on personal merit and ability.

- Make efforts through reasonable adjustment, retraining or redeployment as appropriate to enable an employee who becomes disabled to remain in the service of the YMCA.
- YMCA Fairthorne Group will adhere to statutory regulations in terms of flexible working, maternity and paternity provisions and parental leave. In addition, we will develop working practices that enable staff to exercise more choice in work/life balance e.g. by facilitating job sharing, flexible working and actively reviewing individual development needs through regular supervision and appraisal.

4. Monitoring

We will ensure that we have up to date monitoring information for all applicants and staff by:

- Offering reasonable adjustments to disabled job applicants during recruitment processes to achieve greater equality of opportunity, accessibility and inclusion
- Carrying out equalities monitoring for prospective and existing staff and volunteers to include all protected characteristics where possible; adjusting to strategies, policies and procedures where possible to optimise accessibility and inclusion,
- Encouraging all new staff and volunteers' complete equalities information upon application.

5. Diversity and inclusion training

Managers will be given appropriate training in recognising and avoiding discrimination, harassment and victimisation, and promoting equality of opportunity and diversity in the areas of recruitment, development and promotion. The People Director has overall responsibility for equality training, for staff and managers as appropriate.

We will provide you with regular training to ensure that everyone is aware of and understands the contents of this policy and the Anti-harassment and Bullying Policy. Following the training, you will be required to confirm that you have read, understand and will comply with this policy and the Anti-harassment and Bullying Policy. We will also provide equality and diversity training every 12 months.

6. Discrimination

You must not unlawfully discriminate against or harass other people, including current and former staff, job applicants, clients, customers, suppliers and visitors. This applies in the workplace, outside the workplace (when 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.

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

- Direct discrimination: treating someone less favorably 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-harassment and Bullying Policy.
- Victimisation: retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment. This includes where someone mistakenly believes that the person victimised has done so.
- 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.

Recruitment and selection

Recruitment, promotion and other selection exercises such as redundancy selection will be conducted based on merit, against objective criteria that avoid discrimination. When recruiting or promoting, we will aim to take steps to improve the diversity of our workforce and provide equality of opportunity. Shortlisting and interviewing should be done by more than one person where possible. Our recruitment procedures will be reviewed regularly to ensure that individuals are objectively assessed based on their relevant merits and abilities.

Vacancies should generally be advertised to a diverse section of the labour market. Advertisements should avoid stereotyping or using wording that may discourage particular groups from applying. They should include a short policy statement on equal opportunities and the employer's commitment to diversity, equity and inclusion in the workplace and state that a copy of this policy will be made available on request.

Job applicants should 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 should not be asked about health or disability before a job offer is made, except in the very limited circumstances allowed by law: for example, checking 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.

We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to

produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the HR Department or UK Visas and Immigration.

7. Disabilities

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can consider what reasonable adjustments or support may be appropriate.

8. 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.

9. Grievance Policy and Procedure

The Grievance Policy can be used to investigate and deal with instances of discriminatory conduct under any of the protected characteristics (Appendix A) or within the boundaries of any of the types of discrimination described (Appendix B). YMCA FG is committed to ensuring that any employee, volunteer or service user feels able to raise such grievances without fear of reprisal (See *YMCA FG's Grievance Procedure*).

10. Disciplinary Policy and Procedure

All allegations of discrimination will be treated seriously. Any employees found to be unlawfully discriminating will face disciplinary action. In serious cases, such behaviour may be deemed to constitute gross misconduct and may result in summary dismissal (See *YMCA FG's Disciplinary Procedure*).

Employees must not be victimised or retaliated against for complaining about discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under our Disciplinary Procedure.

11. Responsibilities

The People Director is the designated Equal Opportunities Officer for YMCA FG and has responsibility for the oversight of this policy and is responsible for annually reviewing and updating this Policy. It is however, the responsibility of every individual employee, volunteer, to comply with both the spirit and legal requirements of the policy and to report incidents of discrimination to their Line Manager, HR or a Senior Manager.

12. Communicating this Policy

At individual and group inductions, this policy is brought to the attention of all new staff and volunteers. It is referenced in the YMCA FG Staff Handbook, which staff are required to read by way of commitment to the policy.

Equalities training will be made available as appropriate to all existing staff, new staff and volunteers as part of our induction process. Further training in specific areas will be provided where a need is identified.

Equal Opportunities and Diversity will be a regular agenda item at staff, management and Board meetings where updates on policies, working practices and new legislation will be given.

13. Review

This policy will be reviewed annually, and/or when the emergence of related legislation requires an additional review. Monitoring information will also be taken to the Senior Management Team for analysis, and recommendations for action plan, if necessary. Staff will be consulted by way of internal platforms to gain feedback on how effectively our policy meets the needs of our staff and other service users.

Appendix A – Protected Characteristics under equalities legislation

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race (including colour, nationality, national origin, ethnic origin)
- Religion or Belief (or Political Opinion)
- Sex
- Sexual Orientation

Appendix B - Types of Discrimination

- **Direct Discrimination** – when someone is treated less favourably than another person because of a protected characteristic. For example, rejecting a job applicant because of their religious views or because they might be gay.
- **Associative Discrimination** – direct discrimination against someone because they associate with another person who possesses a protected characteristic.
- **Discrimination by Perception** – direct discrimination against someone because others think they possess a particular protected characteristic.
- **Indirect Discrimination** – can occur when a criterion, practice, or provision that applies to everyone, particularly disadvantages people who share a protected characteristic, 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.
- **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.

- **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-harassment and Bullying, Prevention and Intervention Policy.
- **Victimisation** – retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment.

For further information on any of these types of discrimination speak to HR or view the following guides:

- <https://www.gov.uk/guidance/equality-act-2010-guidance>
- <http://www.acas.org.uk/index.aspx?articleid=3017>