

EQUALITY & DIVERSITY POLICY

Title: Equality and Diversity Policy
Last review date: November 2022
Next review date: November 2023
Owner: Jamie Feaver
Distribution: Charity wide

Definition(s):

- E&D - Equality and Diversity
- RRA - Race Relations Act
- POVA - Protection of Vulnerable Adults
- CP - Child Protection
- DDA - Disability Discrimination Act
- MCA - Mental Capacity Act

PURPOSE

Purpose and Intended Outcomes of the Policy

This policy has been produced to ensure members of staff, students, volunteers, contractors, and visitors are aware of the duties placed upon the charity by equality legislation and regulations. It is a comprehensive policy to explain the background, law, and our intentions together with our commitment to equality and diversity.

Link to Mission / Statement of Purpose

This policy reflects the values of the Tim Henman Foundation, a “youth charity with the mission of transforming the lives of vulnerable and disadvantaged young people by improving mental as well as physical health and creating sporting and educational opportunities together with our partners”.

Guiding Principles and Reasons for the Policy

The Equality and Diversity policy is based on human rights core principles, dignity, fairness, equality, respect and autonomy.

These principles are relevant to daily life and protect individual's freedom to control their life, effectively take part in decisions made by public authorities which impact upon rights and get fair and equal services from the service at The Tim Henman Foundation.

These principles help people to flourish and fulfil their potential through:

- being safe and protected from harm
- being treated fairly and with dignity
- living the life they choose
- taking an active part in community and wider society

- being given an equal and appropriate opportunity to realise their potential

Policy

The Tim Henman Foundation is committed to providing an environment in which all students and employees are treated equally, are able to realise their full potential and in which discrimination is not tolerated.

We are committed to promoting equality of opportunity regardless of characteristics defined by the Equality Act 2010 and any other criteria which is relevant to a person's learning or employment within the organisation.

The Tim Henman Foundation has developed policies and procedures to promote inclusion, challenge discrimination and value and celebrate the diversity of its staff, students, volunteers and visitors.

We aim to promote equality and tackle any form of discrimination and actively promote harmonious relations, support people to express their views and challenge where appropriate in all areas of life within the trust. We seek to remove any barriers to access, participation, progression, attainment and achievement and the best possible quality of life. We take seriously our contribution towards community cohesion.

At The Tim Henman Foundation we will treat everyone who works within / on behalf of the organisation, students, trainees, volunteers and visitors with respect and dignity and establish a culture where diversity is valued. We aim to establish a constructive and positive working and learning environment, free from harassment, discrimination and victimisation. We will celebrate and value diversity in human experience and circumstances.

This policy will apply to all current and potential employees, students, volunteers, contractors and visitors to the organisation. Contractors are required to indicate that they subscribe to this policy or have to produce an equivalent policy of their own.

Age

Adults, young people and children within the organisation should benefit from life at The Tim Henman Foundation and we are committed to the provision of a variety of strategies and practices that recognise age and take into account individual circumstances and needs.

The Tim Henman Foundation is committed to challenging stereotyping and marginalisation based on age. We recognise that people of all ages can make a positive contribution to THF based on their own experiences and skills. We will provide work and training opportunities for students up to 25 years of age and staff regardless of age, ensuring that literature reflects positive images of people of all ages and the curriculum provides the opportunity for every student to reach their full potential.

Convictions

The Charity complies with The Rehabilitation of Offenders Act 1974 in respect of employment and student admissions and seeks to ensure that, where appropriate, unrelated criminal convictions do not interfere with individuals' life at the organisation. However there are circumstances which are exempt from the Act and students and staff will be provided with the appropriate guidance accordingly.

When employing staff The Tim Henman Foundation will endeavour not to discriminate. However some convictions will be relevant when making appointments.

Disability

The Tim Henman Foundation is committed to promoting access to people with disabilities. A further commitment is to work towards supporting and enabling students and staff with physical disabilities, sensory impairments, learning difficulties, special psychological needs and medical conditions which may have an impact on day-to-day activities, to take part in all aspects of the organisation's academic, care, working and social programmes. An easy read copy of the policy is available to support those who need it.

Gender

The Charity is committed to ensuring that both female and male staff and students are given equal access to all areas of school/college and residential life; appropriate non-sexist language is used and stereotypical views are challenged. The Tim Henman Foundation will not enquire about a person's marital Status.

Gender Reassignment

The Tim Henman Foundation is committed to upholding equal rights of transgendered people and will support anyone in the organisation who intends to, is undergoing or has undergone gender reassignment.

Race

The Tim Henman Foundation values cultural diversity and aims to recognise and counter racism and cultural stereotyping in all its forms. The organisation recognises that institutional racism can affect the quality of the lives of students, staff, contractors and visitors. The Trust undertakes to examine its structures to ensure that they are offering equality of opportunity to all staff and students whatever their ethnic origin or heritage. We will encourage an ethos of understanding and respect for all cultures.

Religion and Belief

The Tim Henman Foundation respects the right of individuals to hold their own religious and philosophical beliefs.

Individuals are expected to respect the views and beliefs of others. The expression of intolerant beliefs and opinions that infringe the rights of others is not acceptable.

Sexual Orientation

The Tim Henman Foundation is committed to welcoming individuals of all sexual orientations, both employees and students. The Trust will respond sensitively and supportively whenever individuals raise the issue of their sexuality. The Trust will be proactive in promoting a safe and positive environment where people feel able to choose whether or not to be open about their sexuality and know that their choice will be respected.

Pregnancy and maternity

The Act lists pregnancy and maternity as a protected characteristic. The Tim Henman Foundation is committed to the principle that women should, so far as is possible, not be disadvantaged by their pregnancy or maternity. The Tim Henman Foundation will consider and apply “different treatment” if it is necessary to ensure the health and safety legislation where these laws are designed to protect women who are pregnant or who have recently given birth or to guard against risks specific to women.

Marriage and Civil Partnerships

At The Tim Henman Foundation we value all people. We recognise and respect marriage and civil partnerships.

Membership of Representative Professional Bodies

The Tim Henman Foundation will not discriminate against staff who belong or do not belong to a professional body and we will adhere to the concept of anti-discriminatory practice and freedom of speech.

Risk Assessment

Individual people within The Tim Henman Foundation and the organisation as a whole are in breach of the law, if they fail to act within the policy.

Positive Action

In certain circumstances the law allows Positive Action as a way of overcoming inequality. Positive Action allows the organisation to:

- Provide facilities and services, in training education and welfare to meet the special needs of people from particular equality groups
- Target services at particular equality target groups that are underrepresented
- Encourage applications from particular equality target groups that are under represented
- Positive action strategies are intended to be temporary measures only. They must be kept under regular review and cannot be used once the under representation no longer exists.
- The Trust will ensure that when using positive action as a strategy it falls within the law

Breaches of policy

- Acts of discrimination, harassment, abuse or victimisation will be treated as a serious disciplinary offence.
- Disciplinary action could include dismissal in the case of staff
- Staff and students/advocates of students who feel they are being discriminated against should seek resolution through the Harassment Complaints procedure.
- Staff or students who feel that they have experienced discrimination from members of the public will receive support from the charity and the charity will take appropriate action against the individual.
- Prospective students/their advocates who consider that they have been unfairly treated with respect to their application or are dissatisfied with some aspect of the recruitment and selection procedure should write giving details to the Principal/Chief Executive. All complaints will be investigated and the prospective student informed of any action taken.
- Applicants for employment who feel that they have been unfairly treated with regard to their application or are dissatisfied with some aspect of the recruitment and selection procedure should write giving details to the Director of Human Resources. All complaints will be investigated and the applicant informed of any action taken in line with the trust's complaints procedure.

ROLES AND RESPONSIBILITIES

Trustees of the Charity and CEO are responsible for:

- Having ultimate responsibility to ensure that the organisation complies with Equality legislation and the codes of practice supporting it.
- Ensuring that the Equality and Diversity policy is followed and this will be achieved through the consideration of an annual report.

- Ensuring that the organisation's strategic plan includes a commitment to equality.
- Ensuring that equality training is part of the organisation's strategic plan.
- Being aware of the organisation's statutory duties in relation to equality legislation as an employer and service provider.
- Receiving and responding to the monitoring information on equality target groups provide information in appropriate, accessible formats;
- Be involved in dealing with serious breaches of the policy;
- Be proactive in recruiting high-quality applicants from under-represented groups.
- Overseeing the continuing application and development of the Equality and Diversity Policy.
- Monitoring the performance of the organisation in terms of Equality, Diversity and Inclusion
- Preparing, monitoring and reviewing the Equality Action Plan.
- Advising on the formulation of policies, procedures and resources.
- Giving a consistent high profile lead on equality issues and promoting equality both internally and externally.
- Working with the Trustees and CEO to ensure that the Equality and Diversity Policy and Action Plan are implemented effectively.
- Ensuring that appropriate action is taken against individuals on site and working on behalf of the charity who do not act in accordance with the policy.

Partners, Contractors and Service Providers

- All partners, contractors and service providers will be responsible for adhering to any equality guidelines in agreements or contracts.
- The Charity is committed to ensuring that those organisations with which it works and employs will demonstrate their commitment to equality and diversity and have policies and procedures in place to achieve this.

This policy is implemented within the context of the following legislation:

- Equality Act 2010
- Equal Pay Act 1970
- Health & Safety at Work Act 1974
- The Rehabilitation of Offenders Act 1974
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Disability Discrimination Act 1995/2005

- Employment Rights Act 1996
- Protection for Harassment Act 1997
- Human Rights Act 1998
- Race Relations (Amendment) Act (2000)
- Racial and Religious Hatred Act (2006)
- Employment Act 2002
- Sexual Orientation (employment regulations) 2003
- Gender Recognition Act 2004
- The Children and Families Act 2014
- Age Discrimination (employment regulations) 2006
- Religious Belief (employment regulations) 2003
- Gender Equality Duty 2007
- Mental Capacity Act Including Deprivation of Liberty Safeguards 2005
- Data Protection Act 1998
- Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges 2016