

## **Bristol Lesbian Gay Bisexual Forum** Equalities and Diversity Policy

### **Principles**

Bristol Lesbian Gay Bisexual Forum (Forum) wholeheartedly supports the principles of equal opportunities and diversity, which sit at the heart of what we do and forms part of our core values as a charity and an employer.

We value diversity and we recognise that talent and potential are distributed across the population. Not only are there moral and social reasons for promoting equality of opportunity, it is in the best interest of this organisation to recruit and develop the best people for our jobs from as wide and diverse a pool of talent as possible. We will therefore actively engage in encouraging diversity across all our activities

The Forum recognises that many people in our society experience discrimination. Discrimination is acting unfairly against a group or individual through for example exclusion, verbal comment, denigration, harassment, victimisation, a failure to appreciate needs or the assumption of such needs without consultation.

Discrimination can be direct or indirect (where there is a requirement or condition on all, but which has an adverse impact on a particular group and cannot be justified).

All forms of discrimination are unacceptable, regardless of whether there was any intention to discriminate or not. Employees have a duty to co-operate with the Forum to ensure that this policy is effective in ensuring equal opportunities and in preventing discrimination. Employees should draw the attention of their line manager to suspected discriminatory acts or practices or cases of bullying or harassment.

### **Statement of Intent**

The Forum aims to create an organisational culture that respects and values each others' differences, that promotes dignity, equality and diversity, and that encourages individuals to develop and maximise their true potential.

We aim to remove any barriers, bias or discrimination that prevent individuals or groups from realising their potential and contributing fully to our organisation's performance and to develop an organisational culture that positively values diversity. In seeking to achieve this we will also consider appropriate positive action to redress such barriers.

We are committed wherever practicable, to achieving and maintaining a workforce and membership that broadly reflects the local community in which we operate.

Every possible step will be taken to ensure that individuals are treated fairly in all aspects of their engagement with or employment at, the Forum.

Our aim is that the workforce will be truly representative of all sections of our society. Selection for employment or promotion or any other benefit will be on the basis of merit and ability only. Selection for training will be on the basis of job requirement only. Intimidation, harassment and bullying will not be tolerated and may lead to disciplinary action.

The Forum will challenge discrimination in its own policies. Our various documents and strategies will seek to exceed minimum requirements and meet good practice standards for an organisation of our type and size.

The Forum aims to provide equality and fairness for all members, job applicants, employees whether part-time, full-time, fixed term or temporary, volunteers and Management Committee members irrespective of class, gender, marital or civil partnership status, race, ethnic origin, colour, nationality, national origin, religion or belief, disability, sexual orientation<sup>1</sup>, gender reassignment or age.

## **Implementation**

The Management Committee is responsible for the policy's day-to-day implementation. Consultation will take place with staff and/or any recognised trade union on the implementation and development of this policy. The Forum will draw up an Action Plan detailing how it will deliver this policy and challenge discrimination in other policies.

It is the responsibility of the Management Committee to monitor effectiveness, and to review and develop the policy where necessary. Monitoring and review will take place annually.

Each employee, volunteer, consultant, trainer, facilitator or Management Committee member is responsible for their own compliance with this policy. Breaches of the Equal Opportunities Policy will be regarded as misconduct and could lead to disciplinary action against employees in accordance with the Forum's Disciplinary and Grievance Policy, appropriate action against a member of the Management

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<sup>1</sup> Excepting full membership, which is limited to those who identify as lesbian, gay or bisexual.

Committee, termination of contracts for services of consultants or trainers, or withdrawal of volunteer agreements.

Employees who feel they have been discriminated against should raise the matter with their line manager. Initially the employee and manager should aim to resolve the matter informally. It may be that discriminatory action is unwitting and easily resolved once the problem is clear.

If they are dissatisfied with the outcome, the complaint is very serious, or their line manager is the cause of the complaint, the employee should raise the matter, in writing, as a formal grievance under the Forum's Disciplinary and Grievance Policy.

The Forum will ensure that all new employees, volunteers, and Management Committee members will receive induction on the policy and any related action plan(s) and that consultants, trainers and facilitators will be fully informed.

Appropriate training and guidance will be provided to develop equality and diversity. Adequate resources will be made available to fulfil the aims of this policy in line with the size and type of our organisation. The policy will be widely promoted, and copies will be freely available and stored in the Forum's offices.

## **Appendix 1                      Making diversity work**

Equality and diversity is actively considered in all the work we do. In this way, we ensure that we are aware of possible discrimination so we can actively work to counter this at both board and staff levels. We will therefore monitor progress towards achieving the principles stated in this policy and evaluate its impact across all our activities

All members of staff, including the board, are individually responsible:

- ◆ For ensuring they treat their colleagues and service users with respect.
- ◆ For valuing the richness of experience and perspective the diversity of staff, members and trustees bring to the Forum.

### **Actions**

We will implement and adhere to these actions and principles in all areas of our operation:

#### **1. As a membership body**

**1.1** We will take on a leadership role within our remit(s) to promote equality and diversity, working with organisations to develop action plans to raise awareness and participation, and further engage people facing barriers, discrimination and exclusion.

#### **2. As an employer of paid and unpaid individuals**

**2.1** In recruiting and selecting staff, volunteers and board members we will act to implement this policy, recruiting to reflect the diversity of communities.

**2.2** We will provide training for staff, volunteers and management committee to promote a thorough understanding of, and respect for, equality and diversity.

**2.3** We will advertise all vacancies broadly and proactively, and endeavour to reach under-represented groups, as applicable.

**2.4** Selection criteria will be reviewed at each vacancy to ensure they only include essential skills for the job.

**2.5** We will work to be as flexible in supporting the needs of staff, volunteers and board members as far as is feasible for an organisation of our size and type, e.g. career breaks, flexible working, provision of training.

**2.6** We will actively support staff, volunteer and board development in learning about diversity and equal opportunities.

**2.7** We will not accept discrimination against or harassment of staff, volunteers or board members. This may be dealt with as an individual complaint, disciplinary matter or grievance and as an organisational culture issue.

### **3. As an organisation**

**3.1** All members of staff, including the board and volunteers, will work towards ensuring non-discrimination in all aspects of our work.

**3.2** We will work to ensure diversity issues are understood and are actively, and appropriately, responded to by members and partner agencies.

**3.3** In planning events, seminars and conferences, we will ensure the programme reflects the concerns of relevant diverse communities with an interest in the topic(s), and will act to remove barriers to participation.

### **4. As a representative body in shaping policy**

**4.1** We will actively campaign for, and promote, models of good practice across our networks and relevant sectors.

**4.2** We will not tolerate any attempts to use our campaigns to oppress other equalities communities.

### **5. As a deliverer of projects and programmes**

**5.1** We will seek out agencies with specific knowledge and skills of the barriers, discrimination and inequality faced by excluded groups, and will work in partnership with those agencies to test and promote new means of combating discrimination and inequality.

**5.2** We will actively seek to identify areas of particular discrimination and develop strategies, projects or programmes of work to address the causes and/or issues arising, as appropriate.



## **Appendix 2                      The Relevant Acts**

### **➤ Race Relations Act 1976, 2000 Amendment and 2003 Amendment Regulations**

- It's unlawful to discriminate against someone on the grounds of race, colour, nationality – including citizenship – or ethnic origins in employment, education, housing and the provision of goods, facilities and services.
- The 2000 Amendment placed enforceable duties on public bodies to promote equality.
- The penalties for race discrimination can be high since there is no limit on compensation and there is no length of service requirement in bringing a claim.

### **➤ Equal Pay Act 1970**

- It's unlawful to discriminate between women and men in contracts of employment, including pay and other benefits.

### **➤ Sex Discrimination Act 1975, 1986 Amendment and Employment Equality (Sex Discrimination) Regulations 2005**

- It's unlawful to discriminate against someone on the grounds of sex or marital status in employment, education, housing and the provision of goods, facilities and services.
- Less favourable treatment of women on the grounds of pregnancy or maternity leave is also defined as a form of discrimination.
- Sex based harassment - i.e. harassment based purely on the victim's sex; harassment of a sexual nature - i.e. physical activity of a sexual nature or non-physical activity of a sexual nature such as offensive jokes or vulgar comments; sexual harassment on grounds of gender reassignment status; and harassment on grounds of rejection of harassment or submission to harassment are expressly prohibited.
- The penalties for sex discrimination can be high since there is no limit on compensation and there is no length of service requirement in bringing a claim.

### **➤ Employment Equality (Sexual Orientation) Regulations 2003**

- It's unlawful to discriminate against someone on the grounds of their sexual orientation, whether lesbian, gay, heterosexual or bisexual in employment or vocational training.
- Discrimination relating to perceived sexual orientation is also unlawful.

- The penalties for sexual orientation discrimination can be high since there is no limit on compensation and there is no length of service requirement in bringing a claim.

➤ **Sex Discrimination (Gender Reassignment) Regulations and Gender Recognition Act 2004**

- It's unlawful to discriminate against someone on the grounds that they have undergone, are undergoing or intend to undergo gender reassignment in employment and vocational training.
- A person who has undergone gender reassignment also has the right not to be discriminated against as a person of their acquired gender.

➤ **Disability Discrimination Acts 1995 and 2005**

- It's unlawful for any employer or service provider, regardless of size, to discriminate against someone on the grounds of their disability.
- Employers and service providers have a duty to make reasonable adjustments to enable a Disabled person to work or use a service.
- The penalties for disability discrimination can be high since there is no limit on compensation and there is no length of service requirement in bringing a claim.
- A disability is defined as a physical or mental impairment which has a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities. Since December 2005, this will also include people with cancer, HIV and multiple sclerosis.

➤ **Employment Equality (Religion or Belief) Regulations 2003**

- It's unlawful to discriminate against someone on the grounds of their religion, religious belief or similar philosophical belief in employment and vocational training.
- Religious harassment is defined as a form of discrimination.

➤ **Employment Equality (Age) Regulations 2006**

- From October 2006 it will be unlawful to discriminate against someone on the grounds of age.
- Harassment and victimisation on the grounds of age are expressly prohibited.

➤ **Rehabilitation of Offenders Act 1974**

- Ex-offenders have certain employment rights if their convictions become 'spent', including not having to declare spent convictions and protecting them against dismissal or exclusion (with certain exceptions such as for those working with children).

- **Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000**
  - The regulations aims to ensure that part-time workers are not treated less favourably than comparable full-time workers, including having the same rates of pay and pro rata holiday entitlement.
  
- **Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002**
  - The regulations aims to ensure that employees on fixed-term contracts are treated no less favourably than comparable permanent employees, including having the same terms and conditions of employment.

### **Appendix 3 Definitions of Discrimination**

**Direct Discrimination** is when you treat someone less favourably than others for unlawful means, for example not employing someone because of their gender or disability.

**Indirect Discrimination** is when an employer has a policy, practice or procedure that applies to everyone but might disadvantage a particular group, and which cannot be justified in relation to the job.

**Harassment** is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive working environment.

**Victimisation** is when you treat someone less favourably or discriminate against them because they have pursued or intend to pursue their rights relating to alleged discrimination.

**Positive discrimination** is unlawful.

**Positive action** to address imbalances in the workforce is allowed in particular circumstances. Examples would include setting equality targets (but *not* quotas which are unlawful); encouraging people from particular groups to apply where they are under-represented; training for promotion or skill training for employees from under-represented groups who show potential.