
Equality and Diversity Policy

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1 Introduction

- 1.1.1 At Brainkind we aim to be an employer of choice and to ensure that we are an organisation that is equal and fair to everyone; where diversity is valued and encouraged; people are included; and where everyone is treated with respect and dignity. This policy and procedure aim to encourage people to achieve this.
- 1.1.2 This policy is applicable to the behaviour and conduct of employees, workers, and volunteers during the course of their duties for Brainkind and applies both on and off site. All individuals engaged with Brainkind should consider the consequences of their actions in relation to this policy and be aware that their conduct may impact the reputation and standing of Brainkind professionally.

2 Purpose

- 2.1.1 This policy is applicable to the behaviour and conduct of employees, workers, and volunteers during the course of their duties for Brainkind and applies both on and off site. All individuals engaged with Brainkind should consider the consequences of their actions in relation to this policy and be aware that their conduct may impact the reputation and standing of the Brainkind professionally.
- 2.1.2 The overarching aims are:
- To provide equality, fairness, and respect for all in our employment or working for or with us
 - To create an inclusive organisation where everyone is valued
 - That all employees, workers, and volunteers have the right to be free from harassment and bullying of any description, or any other form of unwanted behaviour
 - To provide an equal chance to all to contribute and to achieve their potential, irrespective of any defining feature that could give rise to unfair discrimination on the grounds of their gender reassignment, race (including colour, nationality and ethnic or national origin), marriage and civil partnership, disability, age, sex, sexual orientation, religion or belief, pregnancy and maternity is disadvantaged by conditions or requirements that cannot be shown to be justifiable, to oppose and avoid all forms of unlawful discrimination. This includes in pay and benefits, terms, and conditions of employment, dealing with grievance, discipline, dismissal, redundancy, leave for parents, requests for flexible working and selection for employment, promotion, training or other developmental opportunities



- 2.1.3 Brainkind has a separate [Harassment and Bullying Statement](#) and should anyone feel that they are being harassed or bullied, Brainkind's [Grievance Policy and Procedure](#) will be used to address such concerns.
- 2.1.4 This policy applies to all services and departments in Brainkind.
- 2.1.5 This policy also applies to:
- All Brainkind employees, workers/suppliers of services including registered, unregistered, bank, temporary, locum staff, and self-employed contractor
 - All students, volunteers and those on secondments or other flexible working arrangements
 - Job applicants
- 2.1.6 This policy is for guidance only and may be amended from time to time.
- 2.1.7 All individuals have a duty to behave appropriately and to follow this policy and procedure; non-compliance is likely to result in disciplinary action being taken in accordance with this [Disciplinary policy and procedure](#).
- 2.1.8 The following key principles outline the Brainkind's approach to Equality, Diversity, and Inclusion:
- The Brainkind will ensure that no job applicant, staff member or volunteer receives less favourable treatment on the grounds of any protected characteristic or is disadvantaged by conditions or requirements that cannot be shown to be justifiable
 - The Brainkind is committed to the positive promotion of inclusion and equality of opportunity in all aspects of employment.
 - The Brainkind will apply the principles of this policy to the advertisement of jobs, recruitment and selection, promotion, learning and development, conditions of work, pay and benefits, discipline, and selection for redundancy.
 - Appropriate training will be provided to all employees around equality, diversity, and inclusion.
 - Appropriate training will be provided within available resources to enable all employees, workers, and volunteers to perform their jobs effectively and to develop their careers. Opportunities for learning and development will be organised to take account of different working patterns as well as service requirements and promoted in a way to ensure equity of access wherever possible.



3 Responsibilities

3.1 Commitment to Equality & Diversity

- 3.1.1 Equality and Diversity is embedded in the Brainkind's values and employment practices. As such, every employee, worker, and volunteer are expected to assist the Brainkind to meet its commitment to provide equal opportunities in employment and volunteer opportunities and to avoid unlawful discrimination. Employees/workers/volunteers can be held personally liable as well as or instead of the Brainkind for any act of unlawful discrimination. Please note, employees/workers/volunteers who commit serious acts of harassment may be guilty of a criminal offence.
- 3.1.2 We consider equality to mean treating people alike according to their needs, eliminating discrimination and ensuring equal opportunities and access for everyone.

4 Procedure

4.1 Recruitment & Selection

- 4.1.1 All recruitment and selection will be carried out in line with the Brainkind's Recruitment & Selection Policy and Procedure.
- Advertisements for vacant posts will give sufficiently clear and accurate information to enable potential applicants to assess their own suitability for the post.
 - Information regarding vacancies will be provided in such a manner that does not restrict its audience in terms of a protected characteristic or part-time or fixed term contract status.
 - Recruitment literature will not imply a preference for one group of applicants unless there is a genuine occupational requirement which limits the post to this particular group, in which case this will be clearly stated.
 - Substantive vacancies will be circulated internally, and all job descriptions and person specifications will be limited to those requirements that are objective and necessary for the effective performance of the job.
 - The selection of candidates/applicants will be in accordance with a thorough process conducted against defined criteria and will deal only



with the candidates/applicant's suitability for the job. Where it is necessary to ask questions relating to personal circumstances, these will be related purely to job requirements.

- A job applicant's gender identity status is irrelevant to the recruitment process, except in the rare circumstances where a genuine occupational requirement applies to the job. Brainkind will not ask questions about gender identity status and job applicants are not required to volunteer information about it unless a genuine occupational requirement makes this relevant.
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4.2 Employment and Career Development

- 4.2.1 Brainkind will not discriminate based on a protected characteristic in the allocation of duties between employees, workers or volunteers at any level with comparable job descriptions. All individuals will be assessed based on their skills and abilities for career development and promotion with equal opportunities for all.

4.3 Working arrangements

- 4.3.1 Brainkind will consider any possible indirect discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done. Brainkind has a duty to consider such flexible working requests and may refuse these on grounds of legitimate business reasons. For more information, please refer to the Brainkind's [Flexible Working Policy and Procedure](#).

4.4 Learning and Development

- 4.4.1 Employees will be provided with appropriate learning and development opportunities regardless of any protected characteristics. All employees are encouraged to discuss their career prospects and learning needs with their Line Manager in the first instance and as appropriate with the Brainkind's Learning and Development team.



4.5 Disability

- 4.5.1 The abilities of disabled people are recognised and valued by the Brainkind. Anyone who has a disability or becomes disabled in the course of their employment, should inform their manager. Discussions will then take place regarding any reasonable adjustments which could be considered, which would assist the staff member to undertake the duties/responsibilities of the post. For more information, please refer to the Brainkind's [Attendance Management Policy and Procedure](#).

4.6 Age

- 4.6.1 Staff will be given the same opportunities in terms of promotion, training, and development irrespective of their age in accordance with the requirements of the job and based on their skills and abilities. Pay and benefits offered by Brainkind are not based on a staff member's age, however loyalty is rewarded by increasing certain benefits in accordance with length of service e.g., occupational sick pay entitlement.

4.7 Transgender Employees/ Workers

- 4.7.1 In circumstances where an individual wishes to transition gender, Brainkind will offer support on an individual basis. The employee, worker or volunteer is required to advise their manager that they wish to transition, and they will be supported throughout the process. The People Services Department will provide any relevant guidance/support to the staff member and their line manager.

4.8 Grievance

- 4.8.1 Any employee, worker or volunteer may use the grievance procedure to raise concerns about discriminatory conduct. If the matter relates to any form of harassment or bullying, the individual may wish to raise this with their manager in the first instance who may assess the situation and seek to resolve it on an informal basis before escalating it formally. The Brainkind's dedicated Whistleblowing Line can also be used to raise concerns of this nature, should the individual feel unable to raise this in any other manner. Brainkind will take any complaint seriously and will seek to resolve any grievance raised. For more information, please refer to the Brainkind's [Grievance Policy and Procedure](#).



4.9 Disciplinary Action

- 4.9.1 Acts of discrimination, harassment, bullying or victimisation against workers, volunteers, people who use or services or those coming into contact with Brainkind are disciplinary offences and will be dealt with under the Brainkind's Disciplinary Procedure. Such acts may constitute gross misconduct and could lead to summary dismissal i.e., without pay in lieu of notice. See the Brainkind's [Disciplinary Policy and Procedure](#).