**Equality, Diversity and Inclusion Policy**

Gwent Wildlife Trust is fully committed to encouraging equality, diversity and inclusion for all and eliminating unlawful and unfair discrimination. The aim is for our employees, Trustees and volunteers to be truly representative of all sections of society and for everyone to feel respected and able to give their best. Gwent Wildlife Trust values the differences that diversity brings to the organisation.

This policy is intended to assist Gwent Wildlife Trust in putting this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination. Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in employment. This policy is applicable to all employees, volunteers, Trustees, communities, suppliers and contractors, whether permanent or temporary. This policy applies to all processes relating to employment and training and to any dealings with stakeholders and the public.

The purpose of the policy is to:

* Provide equality, fairness and respect for all in our employment whether temporary, part-time or full-time
* Not unlawfully discriminate because of the Equality Act 2010 protected characteristics
* Oppose and avoid all forms of unlawful discrimination. This includes in pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working and selection for employment, promotion, training or other development opportunities.

It is expected that when staff are representing Gwent Wildlife Trust in an external capacity, and as part of their role, that they will endeavor to ensure that equality and diversity principles are adhered to.

Gwent Wildlife Trust commits to:

* Encourage equality, diversity and inclusion in the workplace as they are good practice and make good business sense
* Create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued.

This commitment includes training line managers and all other employees about their rights and responsibilities under the equality and diversity policy. Responsibilities include staff conducting themselves to help Gwent Wildlife Trust provide equal opportunities in employment and prevent bullying, harassment, victimisation and unlawful discrimination.

All employees should understand that they as well as their employer, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, volunteers, trustees, other stakeholders and the public.

* Take seriously complaints of bullying and harassment, victimisation and unlawful discrimination, by fellow employees, volunteers, Trustees, other stakeholders and the public, in the course of Gwent Wildlife Trust activities. Such acts will be dealt with as misconduct under the Gwent Wildlife Trust disciplinary procedure and appropriate action will be taken. Particular serious complaints could amount to gross misconduct and lead to dismissal without notice.

Sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic, is a criminal offence.

* Make opportunities for training, development and progress available staff who will be helped and encouraged to develop to their full potential so their talents and resources can be fully utilised to maximise the efficiency of Gwent Wildlife Trust
* Review employment practices and procedures when necessary to ensure fairness and also update them to take account of the changes in law
* Monitor the workforce regarding information such as age, sex, ethnic background, sexual orientation, religion or belief and disability in encouraging equality, diversity and inclusion and in meeting the aims and commitments set out in this policy.

**The law**

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as ‘protected characteristics’.

Discrimination after employment may also be unlawful, such as refusing to give a reference for a reason related to one of the protected characteristics.

Employees should not discriminate against or harass a member of the public in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

**Types of unlawful discrimination**

**Direct discrimination** is where a person is treated less favourably than another because of a protected characteristic. An example of direct discrimination would be refusing to employ a person because they are pregnant. In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

**Indirect discrimination** is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic (although it does not explicitly include pregnancy and maternity, which is covered by indirect sex discrimination) such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

**Harassment** is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person’s dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

**Associative discrimination** is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and pregnancy and maternity).

**Perceptive discrimination** is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).

**Victimisation** occurs where an employee is subjected to a detriment, (such as being denied a training opportunity or a promotion) because they made or supported a complaint, or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint. There is no longer a need for a complainant to compare their treatment with someone who has not made or supported a complaint under the Equality Act 2010. For example, if a blind employee raises a grievance that the employer is not complying with its duty to make reasonable adjustments, and is then systematically excluded from all meetings; such behaviour could amount to victimisation.

**Failure to make reasonable adjustments** is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

**How do I complain if I feel I have been discriminated against?**

If an employee considers that they may have been unlawfully discriminated against, they may use Gwent Wildlife Trust’s grievance procedure to make a complaint. If the complaint involves bullying or harassment, the grievance procedure is modified as set out in the Personal Harassment Policy and Procedure. Gwent Wildlife Trust will take any complaint seriously and will seek to resolve any grievance that it upholds. Employees will not be penalised for raising a grievance, even if the grievance is not upheld, unless the complaint is both untrue and made in bad faith.

Use of Gwent Wildlife Trust’s grievance procedure does not affect your right to make a complaint to an employment tribunal. Complaints to an employment tribunal must be made within three months beginning with the act of discrimination that is being highlighted for complaint.

**Monitoring and review**

This policy will be monitored periodically by Gwent Wildlife Trust to judge its effectiveness, and it will be updated in accordance with changes in the law. In particular, Gwent Wildlife Trust will monitor the ethnic and gender composition of the existing workforce and of applicants for vacancies (including promotion), and the number of people with disabilities within these groups, and will review its equal opportunities policy in accordance with the results shown by the monitoring. If changes are required, Gwent Wildlife Trust will implement them.

Information provided by applicants and employees for monitoring purposes will be used only for these purposes, and will be dealt with in accordance with the Data Protection Act 1998.

Details of Gwent Wildlife Trusts grievance and disciplinary procedure can be found in the Gwent Wildlife Trust Employee Handbook. This includes whom an employee should raise a grievance with – usually their line manager.