

## Hertfordshire Community Foundation

## Equality, Diversity and Inclusion Policy

**1. Policy**

**1.1** The Hertfordshire Community Foundation (HCF) is committed to tackling all forms of discrimination and inequality in both the workplace and the services the organisation provides. This policy sets out how it will promote equal opportunity and prevent all forms of unlawful or unfair discrimination, harassment and victimisation.

**2. General Information**

**2.1** The aim of the policy is to:

- Aim to towards the elimination of all forms of discrimination
- Create a positive culture throughout HCF, where diversity, inclusion and respect are core values and at the centre of all HCFs activities
- Ensure staff, volunteers and trustees are engaged with the development and implementation of this policy
- Encourage positive action to overcome disadvantage and discrimination
- Ensure the highest possible standards are achieved in the delivery of HCFs services to beneficiaries and in HCFs employment practices
- Ensure equity, diversity and inclusion is promoted through HCFs work, both internally and externally.

**2.2** HCF is committed to:

- Creating an inclusive environment in which individual differences and the contributions of HCFs employees, trustees and volunteers are recognised and valued
- Creating a working environment that promotes dignity and respect for all
- Implementing inclusive recruitment practices
- Ensuring development and progression opportunities are available to all
- Regularly reviewing service provision to ensure it is accessible, fair and appropriate to all groups within society
- Providing information and training to all employees, trustees and volunteers to ensure that they are fully aware of Equity, Diversity and Inclusion (EDI) issues and their responsibilities relating to these areas
- Ensuring that no person or group of people will suffer detrimentally in promotion or dismissal
- Ensuring workplace benefits are accessible to all
- Monitoring HCFs workforce so that HCF can work towards ensuring they reflect the communities they are serving
- Promoting the benefits of embracing EDI internally and externally
- Embedding EDI into HCFs policies, procedures and everyday practice
- Ensuring the importance of equity, diversity and inclusion is inclusive within the induction process

**2.3** HCF is committed to developing and maintaining a workplace culture of inclusivity

and respect. Any discriminatory behaviour demonstrated by employees, volunteers, service users or trustees will be appropriately challenged in a polite and constructive manner and where necessary further action will be taken.

### **3. Equal Opportunities**

**3.1** HCF is committed to equal opportunities in employment and its work activities. HCF will take every possible step to ensure that no person working for the organisation or seeking employment with UKCF, or anyone receiving HCFs support will receive less favourable treatment or will be disadvantaged by requirements or conditions that cannot be shown to be justifiable on the grounds of their age, disability (including mental health), sex, gender, gender reassignment, gender identity, race/ethnicity, faith/belief, sexual orientation, marital/civil partnership, socio economic status, family status or trade union membership.

**3.2** Selection criteria and procedures are reviewed regularly to ensure that individuals are selected and treated on the basis of their relevant merits and abilities.

**3.3** Where reasonably practical HCFs aim is that HCFs workforce will be representative of all sections of society. Everyone should feel respected and valued and able to achieve their full potential.

**3.4** HCF aims to ensure it values and represents the diversity of communities locally.

#### **3.4.1 Gender**

- Women and men are fully and properly represented and rewarded for their contribution at all levels of the organisation through:
  - challenging gender stereotypes
  - Supporting employees in balancing their life at work and at home

#### **3.4.2 Gender Identity/Gender transition**

- Employees who plan to undergo, are undergoing, or have undergone gender reassignment/transition are protected against all forms of discrimination and harassment. HCF will take positive steps to support a transgender person and ensure they are treated with dignity and respect in the workplace. This includes a transgender person who decides not to have any medical interventions.
- Employees will also not be discriminated against with regard to their gender expression.

#### **3.4.3 Marital/Civil Partnership Status**

- Employees are treated fairly and equally in the workplace, irrespective of their marital/civil partnership or family status.

#### **3.4.4 Race/Ethnicity**

- The ethnic and cultural diversity of HCFs communities is represented at all levels

of the organisation through:

- challenging racial/ethnic stereotypes.
- understanding, respecting and valuing racial/ethnic and cultural differences and perspectives.
- encouraging and enabling members of minority ethnic groups to volunteer or work for HCF at all levels.

#### **3.4.5** Disability

- The abilities of disabled people are recognised and valued at all levels of the organisation through:
  - focusing on what employees can do rather than what they cannot do.
  - challenging stereotypes about disabled people and in particular, not making assumptions about an individual's ability.
  - making appropriate reasonable adjustments in the workplace so that all employees can reach their full potential regardless of any disability.

#### **3.4.6** Age

- Age diversity within the workforce is promoted and valued through:
  - challenging age stereotyping, recognising that new ideas and fresh approaches can come from anyone irrespective of their age.
  - recognising the benefits of a mixed-age workforce.

#### **3.4.7** Religion or Belief

- Employees are treated fairly in the workplace irrespective of their religious beliefs, faith or lack of belief. Employees are also expected to recognise the individual freedom of belief and right to protection from intolerance and persecution of other individuals and groups.

Note: The expression of beliefs and opinions should not contravene HCFs values or its capability to carry out its work.

#### **3.4.8** Sexual Orientation

- People are treated fairly in the workplace irrespective of their sexual orientation through:
  - respecting the rights of everyone irrespective of whether or not they are open about their sexual orientation.
  - respecting different life choices even if they conflict with one's own religious or cultural beliefs.
  - challenging negative stereotypical views.
  - celebrating and welcoming significant lesbian, gay and bisexual (LGB) events in the same way as similar events of importance to heterosexual people.

#### **3.4.9** Pregnancy and Maternity

- People should be treated fairly in the workplace throughout their maternity period and supported appropriately through pregnancy

## 4. Legal Requirements

**4.1** In valuing EDI, HCF is committed to go beyond the legal minimum regarding equality. However, current equality legislation and associated codes of practice are taken into account, including, but not limited to the:

- Equality Act 2010
- Employment Rights Act 1996
- Part time working regulations 2000
- Rehabilitation of Offenders Act
- Equal Pay Act 1970
- Employment Equal Treatment Framework Directive 2000 (as amended)

Note: The above legislation serves to protect individuals against all forms of discrimination because of a particular protected characteristic.

## 5. Definitions

### 5.1 Protected Characteristics

- Protected characteristics refer to groups that are protected under the Equality Act. These are best described as certain attributes that people possess, which the law considers should be safeguarded. There are nine protected characteristics upon which discrimination is unlawful. These are: sex, age, disability, pregnancy and maternity, race, sexual orientation, religion/belief, marriage/civil partnership, and gender reassignment

### 5.2 Positive Action

- Positive action means the steps that an employer can take to encourage people from groups with different needs or with a past track record of disadvantage or low participation to apply for jobs
- An employer can use positive action where they reasonably think (on the basis of some evidence) that:
  - people who share a protected characteristic suffer a disadvantage connected to that characteristic
  - people who share a protected characteristic have needs that are different from the needs of people who do not share it
  - Participation in an activity by people who share a protected characteristic is disproportionately low
- An employer can use positive action where they reasonably think (on the basis of some evidence) that:
  - Positive action can be taken with regard to supporting beneficiaries when the below three conditions are met:
    - The employee must reasonably think that a group of people who share a protected characteristic and who are, or who could be, using their services:
      1. suffer a disadvantage linked to that characteristic
      2. have a disproportionately low level of participation in this type of service or activity:

3. or need different things from this service from other groups.

- The intention of Positive Action is to:
  - meet the group's different needs
  - enable or encourage the group to overcome or minimise that disadvantage, or
  - enable or encourage the group to participate in that activity.

### **5.3 Equality**

- Equality is about fairness, it is not about treating everyone in the same way, but it recognises that their needs are met in different ways. It is based on the legal obligation to comply with anti-discrimination legislation. Equality protects people from being discriminated against on the grounds of group membership (gender, ethnicity, disability, sexual orientation, religion, belief, gender identity, age).

### **5.4 Equity**

- Equity is about acting fairly and giving more to those who need more.

### **5.5 Diversity**

- Diversity is about valuing all visible and non-visible differences and recognising and accepting that harnessing these differences creates an environment where everyone feels valued. A diverse approach aims to recognise value and manage differences to enable all employees to contribute and realise their full potential.

### **5.6 Inclusion**

- Inclusion involves taking action to remove barriers to participation. It also involves eliminating discrimination and promoting equality.

## **6. Breaches of Policy**

**6.1** All complaints of discrimination will be sensitively investigated and, if proven, will result in appropriate action for the perpetrator. Any employee or volunteers found to be in breach of this policy could be subject to disciplinary action and/or their continued engagement with UKCF should be questioned.

## **7. Responsibilities**

**7.1** All Trustees, staff, volunteers must adhere to this policy. The CEO and the Chair of the Board of Trustees are accountable for ensuring the policy is implemented.

**7.2** Role of Line Managers

**7.2.1** Every line manager has a responsibility to:

- Set a positive example by ensuring that their actions and behaviours promote EDI
- Stop inappropriate behaviour as soon as they become aware of it
- Support and implement action that HCF takes to improve diversity, inclusion and equal opportunities, where that action has been agreed as national policy
- Encourage employees to maximise their contribution to the work of HCF and support them

to reach their full potential

- Provide appropriate learning opportunities to staff and volunteers in order to put the EDI policy into practice
- Ensure staff and volunteers are aware of and carry out their responsibilities under the law and this policy.

### 7.3 Role of Employees

#### 7.3.1 Every employee has a responsibility to:

- Act in ways that respect and value the diversity of others
- Challenge and report any behaviour that could be interpreted as discriminatory
- Understand what is expected of them in terms of their performance, their behaviour and their conduct towards others
- Set a positive example at all times
- Listen to and respect others and discourage discriminatory speculations
- Set a positive example by ensuring that their actions and behaviours promote EDI
- Challenge any behaviour that could be interpreted as unfair discrimination.

### 7.4 Role of Volunteers

#### 7.4.1 Every volunteer has a duty to:

- Act in ways that respect and value the diversity of others
- Attend appropriate training provided by HCF regarding EDI issues
- Not discriminate unfairly against service users when giving help and support, or other members of the organisation
- Challenge any behaviour that could be interpreted as unfair discrimination
- Listen to and respect others and discourage discriminatory speculations and behaviour.

### 7.5 Role of Trustees

#### 7.5.1 Every trustee has a duty to:

- Act in ways that respect and value the diversity of others
- Attend appropriate training provided by HCF regarding EDI issues
- Challenge any behaviour that could be interpreted as unfair discrimination
- Listen to and respect others and discourage discriminatory speculations and behaviour.

7.6 This policy will be communicated widely within the organisation to all employees, volunteers and trustees and placed on the website

## 8. Status of this policy

This policy and procedure is not a contractual term of employment. It is intended to act as a general framework only. It may be varied in any way and at any time where HCF reasonably deems this to be necessary.

## Appendix

### 1 Types of Discrimination

#### 1.1 Direct Discrimination

- This occurs where someone is treated less favourably directly because of:
  - a protected characteristic they possess, and/or
  - a protected characteristic of someone they are associated with, such as a friend, family member or colleague – this is direct discrimination by association; and/or
  - a protected characteristic they are thought to have, regardless of whether this perception by others is actually correct or not – this is direct discrimination by perception.

#### 1.2 Indirect Discrimination

- This occurs when a policy, rule or procedure applies to everyone but has a disproportionate impact on people with a protected characteristic. It is usually less obvious than direct discrimination and can often be unintentional.

#### 1.3 Associative Discrimination.

- This means treating someone less favourably than another person because they are associated with a person who has a protected characteristic.

#### 1.4 Perceptive Discrimination

- This means direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person doesn't actually possess that characteristic.

#### 1.5 Harassment

- Harassment is defined as 'unwanted conduct' and must be related to a relevant protected characteristic or be 'of a sexual nature'. It must also have the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

##### 1.5.1 Generally, harassment:

- Includes bullying, nicknames, threats, jokes, 'banter', gossip, inappropriate questions, excluding an employee, insults or unwanted physical contact
- Can be verbal, written or physical
- Is based on the victim's perception of the unwanted behaviour rather than that of the harasser, and whether it is reasonable for the victim to feel that way can also apply to an employee who is harassed because they are perceived to have a protected characteristic, whether they actually have it or not
- Can also apply to an employee who is harassed because they are associated with someone with a protected characteristic
- Can also apply to an employee who witnesses harassment because of a protected characteristic and which has a negative impact on their dignity at work or the working environment, irrespective of whether they share the protected characteristic of the employee who is being harassed.

**1.6** Victimisation**1.6.1** Victimisation is when an employee is treated less favourably than others for:

- Making an allegation of discrimination, and/or
- Supporting a complaint of discrimination, and/or
- Giving evidence relating to a complaint about discrimination, and/or
- Raising a grievance concerning equality or discrimination, and/or
- Doing anything else for the purposes of (or in connection to) the Equality Act.

**1.6.2** Victimisation may also occur because an employee is suspected of doing one or more of these things.**1.6.3** An employee is protected under the Equality Act if they make, or support, an allegation of victimisation in good faith – even if the information or evidence they give proves to be inaccurate.**1.6.4** However, an employee is not protected if they give, or support, information or evidence in bad faith – in other words maliciously.

By: Governance Committee

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