



EQUALITY, DIVERSITY AND INCLUSION POLICY

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1. Equality, Diversity and Inclusion within Veterans Coastal Retreats

Overview

Veterans Coastal Retreats (VCR) is committed to encouraging equality, diversity and inclusion among our workforce, (which includes but is not limited to trustees, volunteers and appointed representatives/employees), and eliminating unlawful discrimination.

This policy applies also to sub-contractors. The charity will monitor the performance of contractors and/or third parties and take all necessary steps to ensure good performance and compliance with appropriate behaviours. However, if any issues become apparent with regards to diversity or equality in relation to any contractor or third party, these will be taken very seriously by the charity and raised in the strongest terms as appropriate with the contractor or third party

The aim is for our workforce and those with whom we work to feel respected and able to give their best, free from prejudice, and not discriminated against for any protected characteristic. VCR will thereby provide equality, fairness and respect for all who work with the organisation.

The charity - in providing our services and/or facilities - is also committed against unlawful discrimination of our beneficiaries or the public.

2. Definition of Equality and Diversity

Equality can be described as breaking down barriers, eliminating discrimination and ensuring equal opportunity and access for all groups both in employment and services; the basis of which is supported and protected by legislation.

Diversity can be described as celebrating differences and valuing everyone. Each person is an individual with visible and non-visible differences and by respecting this everyone can feel valued for their contributions which is beneficial not only for the individual but for the charity. Equality and Diversity are not inter-changeable but inter-dependent. There can be no equality of opportunity if difference is not valued and harnessed.

Definition of Disability

The Disability Discrimination Act 1995 defines a disabled person as someone with "a physical or mental impairment, which has a substantial and a long-term adverse effect on his ability to carry out normal day-to-day activities"

Training

The charity is committed to ensuring its staff and managers are aware of equality and diversity and aims to ensure that adequate training is provided so that managers are able to operate this policy

Diversity and equality forms an important part of training for all new and existing representatives of Veterans Coastal Retreats. Trustees are to ensure that all new entrants are made aware of the charity's Equality, Diversity and Inclusion Policy. The details of this policy will be proactively communicated and promoted across all current staff in addition to new starters.

Discrimination

Discrimination may take seven main forms and is defined in law along with the protective characteristics associated with each provision as listed below:

Direct discrimination

This occurs when someone is treated less favourably than another person because of a protected characteristic. Relevant protected characteristics include age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage & civil partnership, pregnancy and maternity. For example, a manager does not select a pregnant woman for promotion even though they meet all of the competencies because they are pregnant. This is probably direct discrimination and cannot be justified.

Associative discrimination

This occurs when someone discriminates against someone because they associate with another person who possesses a protected characteristic. Relevant protected characteristics include age, disability, gender reassignment, race, religion or belief, sex, sexual orientation. An example of this is when a manager does not give a job-applicant the role, even though they have met all of the competencies for the role, just because the applicant tells the employer they have a disabled partner. This is probably associative discrimination because of disability by association.

Discrimination by perception

This occurs when someone discriminates against an individual because they think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic. Relevant protected characteristics include age, disability, gender reassignment, race, religion or belief, sex, sexual orientation. An example of this is when a manager selects a person for redundancy because they incorrectly think they have a progressive condition (i.e. that they are a disabled person). This is probably discrimination by perception because they believe the individual is disabled.

Indirect discrimination

This occurs when a seemingly neutral provision, criterion or practice that applies to everyone places a group who share a characteristic e.g. type of disability at a particular disadvantage. Indirect discrimination may be justified if it can be shown that the provision, criterion or practice is a proportionate means of achieving a legitimate aim. An example of this is when an employer decides to apply a "no hats or headgear" rule to staff. If this rule is applied in exactly the same way to every member of staff, then staff who may cover their heads as part of their religion or cultural background (such as Sikhs, Jews, Muslims and Rastafarians) will not be able to meet this requirement of the dress code and may face disciplinary action as a result. Unless the employer can objectively justify using the rule, this will be indirect discrimination.

Dual Discrimination

This occurs when someone is treated less favourably because of a combination of two relevant protected characteristics. This means that it will be possible for an applicant to claim that they have been treated less favourably not just because of their race but also because of their gender. For example, because the individual is an Asian woman. Relevant protected characteristics include age, disability, gender reassignment, race, religion or belief, sex and sexual orientation.

Detriment arising from a disability

Detriment arising from a disability occurs when you treat a disabled person unfavourably because of something connected with their disability.

This type of discrimination is unlawful and where the employer or other person acting for the employer knows, or could reasonably be expected to know, that the person has a disability. This type of discrimination is only lawful if the action can be justified, and the employer can show that it is a proportionate means of achieving a legitimate aim. An example of this is when an employer imposes a "no beards" rule as a part of a dress code and tells staff they will be disciplined if they do not

comply. The employee is a disabled person who has a skin condition which makes shaving very painful. They have been treated unfavourably (threat of disciplinary action) because of something arising from their disability (their inability to shave). Unless the employer can objectively justify the requirement, this may be a detriment arising from a disability. It may also be a failure to make a reasonable adjustment.

Victimisation

This occurs when an employee is treated unfavourably, disadvantaged or subjected to a detriment because they have made or supported a complaint of discrimination or raised a grievance under the Equality Act, this policy or the Dignity and Respect at Work policy or because they are suspected of doing so. (However, an employee is not protected from victimisation if they have maliciously made or supported an untrue complaint). An example, of this is when an employee requests to work flexibly and their manager refuses their request because they supported a colleague in a complaint of discrimination. For associated information, see the VCR Bullying and Harassment Policy.

Third party harassment

This occurs when an employee is harassed by someone who does not work for the employing organisation such as a customer, visitors, client, contractor or visitors from another organisation. The employer will become legally responsible if they know an employee has been harassed on two or more occasions by someone and it may also be different individuals each time and fails to take reasonable steps to protect the employee from further harassment.

3. The Protected Characteristics

These are described below along with some examples:

a. **Age** - e.g. insults or jokes about a person's age, life expectancy (e.g. by giving them an offensive birthday card).

b. **Disability** - e.g. jokes or insults about a disability or perceived disability, ignoring, mocking ridiculing or denying opportunities.

c. **Gender reassignment** - e.g. transgender jokes, name calling, refusal to call someone by their chosen name or pronoun, humiliation, comments about toilet or changing room use, exclusion.

d. **Race** - e.g. expressions of racist language, jokes or banter, views or stereotypes, display or racist materials or exclusion/refusing to work with someone because of their race. It can also include offensive remarks about dress, culture or customs which have the effect or ridiculing or undermining and individual, fostering hatred and/or prejudice towards individuals of particular ethnic groups.

e. **Religion or belief** - e.g. jokes or insults about items of clothing, religious objects, religious beliefs or rituals. It can also include harassment of people with no religious belief.

f. **Sex** - e.g. unwanted conduct by either sex that is sexual in nature. It can include conduct ranging from the invasion of personal space and/or inappropriate touching to serious assault. It can include intrusive questions or remarks about a person's sex life, comments or ridicule about appearance or

dress, unwanted sexual advances, sexually explicit remarks or innuendoes and/or pressure for sexual favours, displays or distribution of pornographic or sexually suggestive material. It can also include the use of demeaning, gender-specific terminology.

g. **Sexual orientation** – e.g. Harassment related to sexual orientation can include homophobic remarks, jokes, banter or gossip, offensive comments relating to a person's sexuality, threats to disclose a person's sexuality to others or offensive behaviour/abuse relating to HIV status. It most frequently affects individuals who are gay, lesbian or bisexual, but can sometimes be directed at heterosexuals too.

4. Responsibility

All staff has a responsibility to guard against any form of discrimination and avoid any action which goes against the spirit of this policy. Staff at all levels must ensure that there is no discrimination in any of their decisions or behaviour. This includes the provision that all staff must:

- Report any suspected discriminatory acts or practices
- Not induce or attempt to induce others to practice unlawful discrimination
- Co-operate with any measures introduced to ensure equality of opportunity
- Not victimise anyone as a result of them having complained about, reported or provided evidence of discrimination
- Do not harass, abuse or intimidate others.

However, whilst all staff have a collective responsibility to ensure this policy is successfully implemented, there are also specific responsibilities within this.

The Board of Trustees

These individuals have the responsibility of providing leadership on the equality and diversity strategy and policy as well as acting as overall champions to ensure the policy is implemented. This is enforced by communicating the policy and facilitating training and development initiatives on equality and diversity.

It is also the responsibility of the trustees to support managers in investigating issues relating to potential discrimination, including those matters concerning members of the general public associated with events organised by Veterans Coastal Retreats.

Staff

All employees, volunteers and sub-contractors have the responsibility of implementing the policy in their day-to-day work and their dealings with colleagues, beneficiaries and event participants. It is an individual responsibility to ensure their own behaviour is appropriate to the policy and that they treat people with respect and dignity. All staff must notify their line manager of any concerns with regard to the conduct of other employees, service users, the public or third parties.

Non-Compliance

Non- Compliance with the Equality, Diversity and Inclusion Policy will not be tolerated at any level. Any behaviour from staff or individual's on charity's events which breaches the policy will be regarded as misconduct, with the exception for serious offences such as discrimination on protected grounds. Serious offences including harassment, bullying, or victimisation will be treated as gross misconduct and may lead to disciplinary action including dismissal from employment without notice.

5. What to do if a breach of this policy is experienced/witnessed?

In the event any person experiences or witnesses a breach of this policy by a representative of Veterans Coastal Retreats, the breach should be reported at the earliest opportunity using the Grievance Procedures and/or Whistleblowing/Complaints form. The matter will then be investigated appropriately.

Additional information can be found at:

<https://www.gov.uk/guidance/equality-act-2010-guidance>

<http://www.legislation.gov.uk/ukpga/2010/15/section/149>