

# Mind Aberystwyth

## Equality and diversity policy

Approved by the Board 21 September 2020

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### 1. Introduction

1.1. Mind Aberystwyth is committed to providing a supportive and inclusive culture for:

all those who need and use our services

our volunteers

our staff and

other stakeholders.

We recognise the positive value of diversity, promoting equality and fairness, and challenging discrimination.

We welcome our legal duties not to discriminate as a service provider and an employer. We aim to go beyond the narrow scope of legislative compliance and follow best practice, making equality, diversity and inclusion a fundamental part of all our activities.

We recognise people with different backgrounds, skills, attitudes and experiences bring fresh ideas and perceptions, and we wish to encourage and harness these differences to make our services more relevant and accessible.

1.2. Mind Aberystwyth will not discriminate or tolerate discrimination on the grounds of race, colour, sex, gender identity (transgender), disability, nationality, national or ethnic origin, religion or belief, marital / partnership or

family status, caring responsibilities, sexual orientation, age, those identifying as non-binary, social class, educational background, employment status, working pattern, trade union membership or any other factor.

## 2. Scope

2.1. This policy relates to all aspects of work undertaken by Mind Aberystwyth including employment, recruitment and selection, meeting people's needs and service delivery, working with and supporting volunteers, suppliers, supporters and other associated third parties.

## 3. Legal obligations

3.1. In valuing diversity, Mind Aberystwyth is committed to go beyond the legal minimum requirement regarding equality. The Equality Act 2010 harmonises and strengthens and replaces most previous equality legislation. The following legislation is still relevant:

The Human Rights Act 1998.

The Work and Families Act 2006.

Employment Equal Treatment Framework Directive 2000 (as amended).

3.2. The Gender Recognition Act 2004 gives people who have changed their gender from the one they were assigned at birth, full recognition in their acquired sex in law for all purposes. A person's transgender status cannot lawfully be disclosed except in specific circumstances which are set out in s22(4) of this Act and Gender Recognition (Disclosure of Information) No. 2 Order.

3.3. When carrying out monitoring in accordance with this policy, we will comply with the General Data Protection Regulation (GDPR) and Data Protection Act 2018. In particular, as data controller (the employer in this instance) we will take into account the sensitivity and risk to individuals in respect of the use of their personal data and special category data. In light of the potential risks to individuals, we will consider in detail how we use diversity data, such as transgender status, in compliance with the GDPR and we will ensure that appropriate security controls are in place.

## 4. Meeting peoples' needs

4.1. We are committed to treating all people equally and fairly and to not discriminating unlawfully against them. We will also, wherever possible, take steps to promote equality of opportunity. We will ensure that people:

- won't struggle to access our services
- are treated fairly, with dignity and respect, and without discrimination
- will get the level of support they need
- know that we'll speak up for them

4.2. Mind Aberystwyth is committed to meeting the diverse needs of those who can benefit from our services. We will take steps to identify the needs of people in our community and develop policies and procedures accordingly. We aim to ensure that the services we provide are accessible to all. We will take into account, in particular, the needs of disabled people and people who

are unable to communicate effectively in English, including those who are Deaf, who use British Sign Language and who are hard of hearing. We will consider whether particular groups are predominant within our community and devise appropriate policies / procedures to meet their needs. Such groups include: men and women; those who identify as non-binary or who do not identify to binary genders, carers; older people; members of religious groups; ethnic groups or nationalities and lesbian, gay, bisexual, pansexual and transgender people.

## 5. Employment (paid staff)

- 5.1. General statement - As an employer, Mind Aberystwyth will treat all employees and job applicants equally and fairly and not unlawfully discriminate against them. This will, for example, include arrangements for recruitment and selection, terms and conditions of employment, access to training opportunities, access to promotions and transfers, grievance and disciplinary processes, selections for redundancy, references and any other employment related activities.
- 5.2. Recruitment and selection- We recognise the benefits of having a diverse workforce and will take steps to ensure that:
  - we endeavour to recruit from the widest pool of qualified candidates practicable
  - employment opportunities are open and accessible to all on the basis of their individual qualities and personal merit
  - where appropriate, positive action measures are taken to attract applicants from all sections of society and especially from those underrepresented in the workforce
  - selection criteria and processes do not unlawfully discriminate
  - where appropriate and necessary lawful exemption (genuine occupational requirements) will be used to recruit suitable staff to meet the special needs of particular groups
  - any third parties acting for Mind Aberystwyth in respect of employment are made aware of the requirements not to discriminate and to act accordingly.
- 5.3. Training and development - We will ensure that all employees are encouraged to achieve their full potential. Selection for all training and career development opportunities will be purely on the basis of merit. Appraisals of performance will be conducted objectively and on time.
- 5.4. Meeting individual needs - Mind Aberystwyth will do its utmost to meet the needs of individuals at work, for example:
  - Recognising caring and domestic responsibilities.
  - Working patterns - wherever possible training courses and meetings will be planned to allow attendance by staff working non-standard hours / working patterns.
  - Disability – reasonable adjustments will be made where necessary to remove barriers and enable disabled staff to carry out their roles.

- Religious practices – time off and suitable facilities for prayer will be provided wherever possible. Requests for annual leave to celebrate religious festivals will be accommodated wherever possible.

## 6. Volunteers

6.1. General statement - Volunteers contribute significantly to the diversity of the organisation. They can expect to be treated fairly, with dignity and respect, and without discrimination. They are likewise expected to treat others fairly, with dignity and respect, and without discrimination. Due to the restrictions imposed by employment law, volunteers are not entitled to the same rights and protections as employees.

## 7. Implementing the policy

7.1. The CEO is responsible for implementing this equality and diversity policy in Mind Aberystwyth

7.2. All staff, managers, volunteers and trustees will be given a copy of an equality and diversity policy as part of their induction.

7.2.1. All staff - At all levels of the organisation staff are expected to have read and understood this policy, to ensure they behave in accordance with its principles and requirements, to encourage the same level of behaviour in colleagues and to immediately report any breaches witnessed, whenever it is reasonable for them to do so.

7.2.2. All managers - Managers are responsible for promoting this policy and ensuring it is understood and complied with by all staff in their area, dealing with breaches and complaints (whether reported or not) seriously, speedily, sensitively and confidentially and contributing ideas for the advancement of diversity principles within the organisation. Managers are expected to be proactive in identifying circumstances in which elements of the policy can benefit individual members of staff and encourage and support staff in making use of such benefits.

7.3. Conduct and general standards of behaviour

All staff are expected to conduct themselves in a professional and considerate manner at all times. Mind Aberystwyth will not tolerate behaviour such as:

- making threats
- physical violence
- shouting
- swearing at others
- persistent rudeness
- isolating, ignoring or refusing to work with certain people
- telling offensive jokes or name calling
- displaying offensive material such as pornography or sexist / racist cartoons, or the distribution of such material via email / text message or any other format.

- any other forms of harassment or victimisation.

The items in the list above of unacceptable behaviours are considered to be disciplinary offences within Mind Aberystwyth and can lead to disciplinary action being taken.

For more details about disciplinary and grievance matters see Employee Handbook. Mind Aberystwyth does, however, encourage staff to resolve misunderstandings and problems informally wherever possible, depending on the circumstances.

However, whether dealt with informally or formally, it is important for staff who may have caused offence to understand that it is no defence to say that they did not intend to do so, or to blame individuals for being over sensitive.

It is the impact of the behaviour, rather than the intent, that counts, and that should shape the solution found both to the immediate problem and to take steps to prevent further similar problems in the future.

#### 7.4. Complaints of discrimination

Mind Aberystwyth will treat all complaints seriously of unlawful discrimination on any forbidden grounds made by employees, volunteers, or other third parties associated with us and will take action when and where appropriate.

All complaints will be investigated in accordance with the organisation's grievance, complaints or disciplinary procedure, as appropriate and the complainant will be informed of the outcome in line with these procedures.

We will also monitor the number and outcomes of complaints of discrimination made by staff, volunteers and other third parties associated with us.

## 8. Monitoring

8.1. Mind Aberystwyth will monitor and record diversity information about staff and volunteers, including trustees, on the basis of age, gender, ethnicity and disability.

8.2. Where it is possible to do so, and where doing so will not cause offence or discomfort to those whom it is intended to protect, we will monitor the sexual orientation and religion or belief of staff and volunteers to ensure that they are not being discriminated against in terms of the opportunities or benefits available to them.

We will regard diversity monitoring data as being confidential and appropriately restrict access to this information. Diversity monitoring data will be used exclusively for the purposes of diversity monitoring and will have no bearing on opportunities or benefits.

## 9. Review

9.1. The Trustee Board will have oversight of this policy and will receive regular reports and monitor the effectiveness of this policy at regular intervals. Where under-representation of particular groups is identified, the Board will consider appropriate remedial action such as the setting of targets and/or positive action measures provided for in the Equality Act 2010.