

## Equality, Diversity and Inclusion Policy

### Document status

<b>Abstract</b>	This document outlines LGBCE's approach to encourage, manage and value diversity and our commitment to including and providing equality for all.
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<b>Owner</b>	Chief Executive Officer
<b>Author</b>	EDI Working Group
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<b>Equalities Screening</b>	Yes

### Related documents

<b>Related legislation</b>	<ul style="list-style-type: none"> <li>• <a href="#">Equality Act 2010</a></li> <li>• <a href="#">Equal Pay Act 1970</a></li> <li>• <a href="#">Health and Safety at work Act 1974</a></li> <li>• <a href="#">Employment Rights Act 1996</a> (as amended by the Employment Act 2002)</li> <li>• <a href="#">The Human Rights Act 1998</a></li> <li>• <a href="#">Part-time Workers Regulations 2000</a></li> <li>• <a href="#">Public Sector Equality Duty</a></li> </ul>
<b>Related policies/procedures</b>	<ul style="list-style-type: none"> <li>• <a href="#">Learning &amp; Development Policy</a></li> <li>• <a href="#">Recruitment Selection Policy</a> &amp; <a href="#">Managers Guide to Recruitment and Selection</a></li> <li>• <a href="#">Equal Pay Policy</a></li> <li>• <a href="#">Job Security Redundancy Policy</a></li> <li>• <a href="#">Maternity Paternity and Adoption Provisions</a></li> <li>• <a href="#">Healthy and Safety Policy</a></li> <li>• <a href="#">Disciplinary Policy and Procedure</a></li> <li>• <a href="#">Grievance Policy and Procedure</a></li> <li>• <a href="#">Whistleblowing Policy</a></li> </ul>

### Document revision

Version	Date	Revised by	Purpose of issue	Summary of changes
2.0	Sept 21		New policy	
2.1	Oct 23	AH	Policy review	Amendments

## Document distribution / approval

Title	Purpose
Equality, Diversity & Inclusion Working Group	Biennial review
Leadership Team	Biennial review
Audit & Risk Committee	Biennial review endorsement
Commission Board	N/A as no major changes
All staff and Commissioners	For Information (Mandatory read upon revision)

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## 1. Our Commitment to Equality, Diversity & Inclusion (EDI)

- *We believe that an inclusive culture enriches all we do.*
- *We value diversity and the benefits different perspectives and experiences bring to all our work*
- *We are committed to being inclusive in the way we work together and the way we engage with those contributing to our reviews*

Everyone involved in the Commission is responsible for EDI and has a responsibility to exhibit behaviours that promote our EDI values.

We are a disability confident employer and recruit, retain and support in their career development any individuals with protected characteristics under the Equality Act 2010 and make it straight forward to request reasonable adjustments.

## 2. Changes in External Environment

The Equality and Human Rights Commission publishes regular updates and has guidance on their website in relation to the Public Sector Equality Duty which is relevant to the Commission. This can be found at [Equality and Human Rights Commission](#)

## 3. Our objectives

Through our Public Sector Equality Duty, we are committed to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited by or under the Equality Act 2010.
- Advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Fostering good relations between persons who share a relevant protected characteristic and persons who do not share<sup>1</sup> it

We are committed to ensuring that all workers and job applicants are treated fairly in an environment which is free from any discrimination with regards to the nine protected characteristics outlined in the Equality Act 2010.

- age.
- disability.
- gender reassignment.
- marriage and civil partnership.
- pregnancy and maternity

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<sup>1</sup> Objectives from the Public Sector Equality Duty

- race (includes colour, nationality and ethnic origins).
- religion or belief.
- sex.
- sexual orientation.

## **4. Our Reviews**

We are committed to ensuring that equality, diversity and inclusion underpin the decisions taken for fair electoral and boundary arrangements for local authorities in England.

We are committed to ensuring that all reviews are carried out with the widest engagement possible and that no individual is discriminated against at any stage of the review process. All review consultation documents and reports are subject to an equality impact assessment to ensure there is no negative impact on any of the nine protected characteristics before they are presented to the Commission Board for discussion and agreement. Both we and local authorities have responsibilities under the Public Sector Equality Duty. We are committed to being mindful of this in our contact with local authorities throughout the review process including when engaging with local residents and briefing on the implementation phase.

## **5. Our People**

We are committed to ensuring that all staff, commissioners and job applicants are treated fairly in an environment which is free from any discrimination with regards to the nine protected characteristics as outlined by the Equality Act 2010.

We will foster an inclusive workplace culture which is free from discrimination, where people from all backgrounds can develop and reach their full potential.

Our people whether part time, full time or temporary will be treated fairly and with respect in accordance with legislation. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability and compliant with legislation. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation.

Through our People Strategy and recruitment processes, we aim to create opportunities and reduce barriers for everyone, particularly under-represented groups, to grow and maintain a diverse work force. We monitor equalities data after each recruitment exercise and make recommendations to Leadership Team on how we improve our potential candidate base and where we advertise to reach under-represented groups.

All our employment policies and processes are equality impact assessed to ensure there is no negative impact on any of our workers.

As part of the annual workforce survey, we will seek the views of our people on their experiences working for the Commission, in relation to equality, diversity and inclusion and take any areas of concern to the Leadership Team.

## **6. Equality Impact Assessments**

We undertake equality impact assessments as part of our review process and under the guidelines set out in Section 149 of the Equality Act 2010. We work to remove barriers to participation so people with protected characteristics can participate in the review process and that no adverse equality impacts will arise as a result of the outcome of the review.

We will embed our commitment to EDI in our relevant policies, procedures, working practices, strategies and publications.

## **7. Training and Development**

We will provide regular EDI training for staff and Commissioners and encourage both groups to be represented on the EDI Working Group.

## **8. Equality, Diversity & Inclusion Working Group**

The EDI Working Group will meet bi-monthly and will consist of at least two Equalities Champions, one of whom will be a Commissioner. The EDI Working Group will actively promote and raise awareness of Equality, Diversity and Inclusion at the Commission.

The EDI Working Group has responsibility for:

- promoting and raising awareness of equalities, diversity and inclusion issues across the Commission
- identifying and eliminating barriers (cultural, behavioural and procedural) for all types of people
- reviewing and maintaining organisation policies relating to equalities, diversity and inclusion
- providing guidance to employees and Commissioners on equalities, diversity and inclusion issues
- reviewing and maintaining the equalities screening procedures for electoral reviews and other Commission policies
- reviewing and maintaining appropriate communication practice in relation to reviews
- annually identify, organise and oversee training in equalities, diversity and inclusion for staff and Commissioners

## **9. Seeking a solution**

The Commission has a range of policies and procedures that deal with potential discriminatory behaviour at work including:

- Code of Conduct
- Grievance Policy
- Disciplinary Policy

These, and other Commission procedures, should be used when it is more appropriate (e.g. where someone is aggrieved about their personal position). The Director of Corporate Services or the HR and Office Manager can advise which would be the most appropriate policy or procedure according to the particular circumstances.

We encourage employees who feel they have been treated unequally or have suffered from or have witnessed harassment, bullying or discrimination to act.

If you are an employee or Commissioner, and you need support to raise an issue, you are encouraged to

- Speak to your Line Manager or
- Speak to the EDI Champion, Alison Evison (Alison.Evison@lgbce.org.uk)
- Speak to the Director of Corporate Services or the Office Manager/HR Lead
- Speak to any other appropriate person

If you are a member of the public or have a concern about Equality, Diversity or Inclusion in relation to an electoral review, our complaints policy contains a section on raising concerns relating to EDI or you can contact:

This includes the following contact details:

- Contact the Director of Corporate Services ([Kathryn Trower Kathryn.Trower@lgbce.org.uk](mailto:Kathryn.Trower@lgbce.org.uk))
- If you feel the issue has not been address through informal action, or you are not comfortable discussing the issue with any of the above, you can make a complaint. Here is a link to the Commission's [Complaints Policy & Procedure](#)

Actions may range from an informal discussion with the people involved, through to a formal complaint managed within the Commission's Grievance or Complaints policies and procedures.

## 10. Glossary:

### 1. **Nine Protected characteristics** - as described by the Equality and Human Rights Commission

<https://www.equalityhumanrights.com/en/equality-act/protected-characteristics>

### 2. **Harassment**

Harassment is unwanted behaviour that you find offensive, where the other person's behaviour is because:

- you have a protected characteristic
- there is any connection with a protected characteristic (for example, you are treated as though you have a particular characteristic, even if the other person knows this isn't true)

Unwanted behaviour could include:

- spoken or written abuse
- offensive emails
- tweets or comments on websites and social media
- images and graffiti
- physical gestures
- facial expressions
- banter that is offensive to you

Anything that is unwelcome to you is unwanted. You don't need to have previously objected to it.

The unwanted behaviour must have the purpose or effect of violating your dignity, or creating a degrading, humiliating, hostile, intimidating or offensive environment for you.

To be unlawful, the treatment must have happened in one of the situations that are covered by the Equality Act. For example, in the workplace or when you are receiving goods or services.

### **3. Victimisation**

This is treating someone badly because they have done a 'protected act' or because an employer, service or other organisation believes that you have done or are going to do a protected act. The reason for the treatment does not need to be linked to a protected characteristic.

A protected act is:

- making a claim or complaint of discrimination (under the Equality Act)
- helping someone else to make a claim by giving evidence or information
- making an allegation that you or someone else has breached the Equality act
- doing anything else in connection with the Equality Act.

### **4. Direct Discrimination**

This is when you are treated worse than another person or other people because:

- you have a protected characteristic
- someone thinks you have that protected characteristic (known as discrimination by perception)
- you are connected to someone with that protected characteristic (known as discrimination by association)

Your circumstances must be similar enough to the circumstances of the person being treated better for a valid comparison to be made.

If you cannot point to another person who has been treated better, it is still direct discrimination if you can show that a person who did not have

your protected characteristic would have been treated better in similar circumstances.

To be unlawful, the treatment must have happened in one of the situations that are covered by the Equality Act. For example, in the workplace or when you are receiving goods or services.

It is possible to be discriminated against by someone who shares the same protected characteristic as you.

If you have been treated worse due to your age, this may be allowed if the organisation or employer can show that there was a good reason for the difference in treatment. This is known as objective justification. If you are treated worse due to any other protected characteristic, it is unlawful direct discrimination whether or not the organisation or employer has a reason for it.

## **5. Indirect discrimination**

Indirect discrimination happens when there is a policy that applies in the same way for everybody but disadvantages a group of people who share a protected characteristic, and you are disadvantaged as part of this group. If this happens, the person or organisation applying the policy must show that there is a good reason for it.

A 'policy' can include a practice, a rule or an arrangement.

It makes no difference whether anyone intended the policy to disadvantage you or not.

To prove that indirect discrimination is happening or has happened:

- there must be a policy which an organisation is applying equally to everyone (or to everyone in a group that includes you)
- the policy must disadvantage people with your protected characteristic when compared with people without it
- you must be able to show that it has disadvantaged you personally or that it will disadvantage you
- the organisation cannot show that there is a good reason for applying the policy despite the level of disadvantage to people with your protected characteristic.

If the organisation can show there is a good reason for its policy, it is not indirect discrimination. This is known as objective justification.

## **11. Appendix B – EDI Commissioner Champion role description**



# EDI Commissioner Champion role description

## Overall purpose of the EDI Commissioner Champion role

To support the Board by bringing a Commissioner's perspective to the development and implementation of Equality, Diversity and Inclusion policies, and to promote and embed the Commission's EDI values at all levels of the organisation.

## Main responsibilities

- Have an understanding of how EDI affects the Commission, its staff, commissioners and wider stakeholders.
- Be a role model, widely recognised as a supporter and champion of EDI at the Commission.
- Promote and raise awareness of EDI issues across the Commission and, in particular, at Board level.
- Be a point of contact for staff and Commissioners on EDI issues.
- Ensure EDI is an integral part of internal and external organisational strategy and policies.
- Provide a communication channel for all who work with and for the Commission on EDI issues.
- Identify and promote removal of barriers (cultural, behavioural and procedural) for all people in all LGBCE activities.
- Be empowered to address any negative stereotypes or bias within the organisation and take actions to tackle inappropriate behaviours and actions.
- Facilitate organisational change in response to EDI issues.
- Contribute to the annual report to Commission Board on the work of the EDI Working Group.
- Keep up to date with the wider EDI agenda and share as appropriate with the EDI Working Group
- Liaise with other EDI Champions and experts for support and to share best practice.
- Attend EDI training and awareness events as required.
- Be a member of, and liaise with, the EDI Working Group providing a Commissioner perspective on actions in relation to equality, diversity and inclusion.

## Personal Specification

- Energetic and passionate about equality, diversity and inclusion.
- Ability to listen and understand sensitive situations, demonstrating empathy for diverse people and receptive to the sensitivities relating to protected characteristics.
- Objective
- Interest in developing strong influencing skills, to face people with different opinions.
- High degree of self-awareness and personal integrity.
- Tenacious and resolute in the commitment to EDI to find new ways to overcome barriers.
- Be receptive to developing skills.
- Appreciation of the value a Commissioner perspective can bring to the EDI Working Group.

## 12. Appendix C – EDI Champion role description

### EDI Champion role description

#### Overall purpose of the EDI Champion role

To promote and embed the Commission's Equality, Diversity and Inclusion values at all levels of the organisation.

#### Main responsibilities

- Have an understanding of how EDI affects the Commission, its staff, Commissioners and wider stakeholders.
- Be a role model, widely recognised as a supporter and champion of EDI at the Commission.
- Promote and raise awareness of EDI issues across the Commission.
- Be a point of contact for staff and Commissioners on EDI issues.
- Ensure EDI is an integral part of organisational strategy and policies and undertake equality impact assessments on policies and projects as required.
- Provide a communication channel for all who work with and for the Commission on EDI issues.
- Identify and promote removal of barriers (cultural, behavioural and procedural) for all types of people.
- Be empowered to address any negative stereotypes or bias within the organisation and take actions to tackle inappropriate behaviours and actions.
- Facilitate organisational change in response to EDI issues.
- Contribute to the annual report to Commission Board on the work of the EDI Working Group.
- Keep up to date with the wider equality and inclusion agenda and share as appropriate with the EDI Working Group
- Liaise with other EDI Champions and experts for support and to share best practice.
- Attend EDI training and awareness events as required.
- Be a member of and liaise with the EDI Working Group on actions in relation to equality, diversity and inclusion.

#### Personal Specification

- Energetic and passionate about fairness, equality and inclusion.
- Ability to listen and understand sensitive situations, demonstrating empathy for diverse people and receptive to the sensitivities relating to protected characteristics.
- Objective
- Interest in developing strong influencing skills, to face people with different opinions.
- High degree of self-awareness and personal integrity.
- Tenacious and resolute in the commitment to EDI to find new ways to overcome barriers.
- Be receptive to developing skills such as chairing the EDI working group meetings

### 13. Appendix D – EDI statement for inclusion in HR policies

#### **Our Commitment to Equality, Diversity & Inclusion**

The Commission believe that an inclusive culture enriches all we do.

- *We value diversity and the benefits different perspectives and experiences bring to all our work*
- *We are committed to a team that is inclusive in the way we work together and the way we engage with those contributing to our reviews*

We are a disability confident employer and recruit, retain and support in their career development any individuals with protected characteristics under the Equality Act 2010 and make it straight forward to request reasonable adjustments.

Everyone involved in the Commission is responsible for EDI and has a responsibility to exhibit behaviours that promote our EDI values.

We will foster an inclusive workplace culture which is free from discrimination with regards to the nine protected characteristics as outlined by the Equality Act 2010.di

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity
- race (includes colour, nationality and ethnic origins);
- religion or belief;
- sex;
- sexual orientation;