

## Equality, Diversity and Inclusion Policy

### Introduction & Background

As an independent advocacy organisation, CAPS is committed to challenging discrimination and promoting equality and human rights. This is named in the [SIAA Principles & Standards](#) (Principle 3.3) and is central to all our work.

As well as promoting equality and inclusion on behalf of the people we work with, we are also committed to doing this within our workplace. CAPS is dedicated to encouraging a supportive and inclusive culture across the whole organisation.

Our aim is to create a workforce that is diverse, promotes inclusivity, and allows everyone to thrive, no matter their background or characteristics. We will ensure that all employees, job applicants and volunteers are given equal opportunity and actively support diversity and inclusion. We want to ensure that all our employees are valued and treated with dignity and respect, so that they feel able to give their best as a result.

The purpose of this policy is to reinforce our commitment to providing equality and fairness to all in our employment. The policy sets out how we will do this and applies to all staff and volunteers working with CAPS.

### What do we mean by equality, diversity and inclusion:

**Equality** means ensuring everyone has the same opportunities to fulfill their potential free from discrimination, and that individuals, or groups of individuals, are not treated less favourably because of their protected characteristics.

**Inclusion** means ensuring everyone feels comfortable to be themselves and feels the worth of their contribution.

**Diversity** means the recognition, respect and celebration of each other's differences.

## Protected Characteristics

Protected characteristics are specific attributes which are safeguarded against discrimination under the Equality Act 2010. CAPS will not provide less favourable facilities or treatment on the grounds of the protected characteristics named in the Act:

- age
- disability
- gender reassignment (NB: there is no requirement for someone to have obtained legal gender recognition or to have had any medical intervention to be protected. Non-binary people are also protected)
- marriage and civil partnership
- pregnancy and maternity
- race (including colour, nationality, and ethnic or national origin)
- religion or belief
- sex
- sexual orientation

## Unlawful discrimination

The Equality Act defines four main types of unlawful discrimination:

**Direct discrimination** - when someone treats you worse than someone else because of a protected characteristic

**Indirect discrimination** - when a policy or rule has a worse effect on you because of your protected characteristic

**Harassment** - this includes bullying or making jokes about you that are related to a protected characteristic

**Victimisation** - when you're treated badly for challenging unlawful discrimination

If you're disabled or pregnant, there are also extra types of discrimination you're protected from.

CAPS will oppose and avoid all forms of unlawful discrimination. This includes in areas of:

- pay and benefits
- terms and conditions of employment
- dealing with grievances and discipline
- dismissal
- redundancy
- leave for parents
- requests for flexible working

- selection for employment, promotion, training or other developmental opportunities

## Creating a fair and inclusive working environment

CAPS aims to create a workplace free of discrimination and prejudice, and one that allows everyone to bring their authentic selves to work. All employees, no matter whether they are part-time, full-time, or temporary, will be treated fairly and with respect.

We recognise that other characteristics that are not directly mentioned in the Equality Act also require protection from discrimination. As well as the protected characteristics listed above, CAPS will also not treat anyone less favourably based on their:

- caring responsibilities
- gender expression
- gender identity
- socio-economic background

All employees will be given equal opportunity in every aspect of their working role, for example:

When CAPS selects candidates for employment, promotion, training, or any other benefit, it will be on the basis of the individual's own capability and potential, alongside practical considerations like their availability. Their attitude and capability determine their suitability for the role; it will not be affected by any of the protected characteristics or additional factors above.

All employees will be given help and encouragement to develop their full potential in their role, and to utilise their unique talents. This will mean the skills and resources of our organisation will be fully utilised and doing this will maximise the benefit to CAPS as a whole.

## Disabled employees

CAPS is committed to working with disabled employees to ensure we can make **reasonable adjustments** so they are not substantially disadvantaged in doing their job. Please refer to the **Reasonable Adjustments Policy** (in draft) for more details.

## Training

All staff will undertake initial training on equality, diversity and inclusion issues.

Training plays a key role in making sure all staff understand their responsibilities under the Equalities Policy and Inclusivity Statement, and the procedures to follow and supports available if they experience an equalities issue.

We encourage and expect staff to participate in ongoing training as part of CAPS' commitment to proactively address and increase our knowledge about equalities, diversity and inclusion issues. These issues are a rapidly changing area of practice and training will ensure staff stay up to date and confident on new developments.

## If this policy is breached

Please speak to someone if you feel you have been discriminated against at work. In the first instance, if you feel able to, we encourage you to speak to your line manager or Service Manager for guidance and support. You do not need to be able to prove what happened, CAPS takes all reports seriously and will listen to you and make enquiries.

You can also speak to a trade union rep or Mental Health First Aider for guidance and support.

In addition, the following policies and procedures provide additional or alternative routes to redress:

- If you experience **harassment or victimisation** at work, including because of a protected characteristic, please follow the **Personal Harassment Policy** within the CAPS Employee Handbook.
- If you are being **directly or indirectly discriminated against** you can report a grievance by following CAPS' **Grievance Procedure** in the Employee Handbook.

CAPS takes these issues very seriously and breaches of this policy will lead to disciplinary proceedings and, if appropriate, disciplinary action up to and including dismissal.

Such acts will be dealt with as misconduct under our grievance and/or disciplinary procedures and any appropriate action will be taken. Particularly 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.

## Discrimination by advocacy partners or group members

We do not tolerate harassment or discrimination against our staff members by advocacy partners or group members and this should be made clear to people when we start working with them. If you feel you have been discriminated against by an advocacy partner or group member, you should speak to your line manager or Service Manager in the first instance.

There is no 'one size fits all' response to such incidents and how we respond will take into account what has happened, the person's situation and the worker's views on what should happen next. However, usually, the starting point would be for a

manager to speak with the person to go over the incident and explain to them that what has happened is not acceptable. Repeated or severe incidents can lead to withdrawal of service and advocacy partners will be informed of this.

Other measures will be discussed and agreed with the advocacy worker concerned, depending on what is possible according to the situation and area of our work.

In our Individual Advocacy work, these measures may include offering to change allocated worker where this is feasible, however it is important to note this is an offer we make to the advocacy worker and is to allow them a choice about what would make them feel comfortable and safe at work. It is not done for the convenience of the advocacy partner.

**We would generally refuse requests for changes of worker by advocacy partners where we have reasons to believe these have been made for discriminatory reasons**, unless there are safety concerns or the worker concerned prefers this approach.

We use the **Risk Assessment in Individual Advocacy** procedure to assess all kinds of risks to staff and put measures in place to work with people which will minimise these risks and keep everyone safe.

Our Collective Advocacy groups have group agreements which will make clear that the group will not tolerate discrimination within the group. This enables the worker to make sure the environment is inclusive for all, staff and group members.

If you are unhappy with the response that has been provided and you cannot resolve this informally, you can report this as a grievance by following CAPS' **Grievance Procedure** in the Employee Handbook.

## Support for staff

Support is available for members of staff who have experienced discrimination. Please speak to your line manager in the first instance so they can support you. In addition to line management structures, other support is available such as the Employee Assistance Programme (EAP). A list of support structures available to staff for all issues is available [on Sharepoint](#).

## Summary of CAPS' Commitments

CAPS will:

1. Encourage equality, diversity and inclusion in the workplace and create an environment in which the individual differences and the contributions of all team members are recognised and valued.
2. 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 managers and all other employees about their rights and responsibilities under the Equalities Policy. All staff and volunteers have a responsibility under the Equalities Policy to assist CAPS to provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination. They should tell their line manager or Service Manager if they suspect a worker, volunteer or Management Committee member of unlawfully discriminating against someone else. All staff and volunteers should understand that they, as well as CAPS, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination in their work with us, against colleagues and people we work with.

3. Encourage anyone who feels they have been subject to discrimination to raise their concerns, so we can address them. CAPS will take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, advocacy partners or anyone else in relation to our work.
4. Encourage and support staff and volunteers to recognise and challenge unlawful discrimination arising against people who use our advocacy services or CAPS staff or volunteers.
5. Depending on funding, make opportunities for training, development and progress available to all staff and volunteers, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to benefit CAPS.
6. Make decisions concerning staff based only on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act).
7. Review employment practices and procedures when necessary to ensure fairness, and also update them and the policy to take account of changes in the law.
8. Monitor how the equality, diversity and inclusion policy, and any supporting action plan, are working in practice, reviewing them annually, and considering and taking action to address any issues.
9. Make sure that any work done by, or for CAPS, complies with this policy including improvements and new initiatives
10. Make sure that our independent advocacy service is as accessible to as many groups of people as possible and actively promote advocacy to people who are eligible to access our services and are not doing so.

## Related Policies

Several other CAPS policies are related to equalities issues and contain additional detail on specific aspects of CAPS' working environment and commitments to our staff and volunteers.

CAPS' **Inclusivity Statement** sets out our stance on creating an inclusive environment for our advocacy partners, the treatment advocacy partners can expect from CAPS and how we expect them to treat CAPS' staff.

If you experience discrimination at work, the **Personal Harassment Policy**, **Grievance Policy** and **Disciplinary Policies** should be referred to depending on the situation. These are contained within the **Employee Handbook**.

The **Risk Assessment in Individual Advocacy** policy is the procedure to follow to put safety measures in place for working with an individual where risk of discriminatory behaviour is known about. This can include measures up to and including withdrawal of service.

The following policies within the **Employee Handbook** contain useful information for employees in specific situations:

- **Maternity Policy** for employees who are pregnant
- **Partner Policy** for employees who are partners to a pregnant person
- **Menopause Policy** for employees experiencing menopause

Disabled employees or volunteers should refer to the **Reasonable Adjustments Policy** (in draft) for more information on how to request reasonable adjustments under the disability discrimination provisions of the Equality Act (2010).

Reasonable Adjustments in the Equality Act are legal provisions made specifically for disabled employees. CAPS recognises that many other life situations may also lead to the need to discuss changes at work. These can be requested by following the procedure outlined in the **Flexible Working Policy**.

The **Recruitment Policy** sets out in more detail how we work to eliminate discrimination and bias from our recruitment processes and ensure a fair and inclusive process for job applicants.

## Review

This policy will be reviewed annually to ensure that it is kept up to date and to continuously promote and raise awareness of equalities issues within CAPS.

*Adopted by CAPS Management Committee at their meeting on 30<sup>th</sup> October 2024*