

1. The Law

The Equality Act 2010 protects people from discrimination in the workplace and in wider society. It is unlawful to discriminate directly or indirectly in recruitment or employment because of a 'protected characteristic'. The Equality Act defines the protected characteristics as being age, disability, sex, gender reassignment, marriage and civil partnership; pregnancy, maternity, race (which includes colour, nationality, and ethnic or national origins), sexual orientation, religion or belief.

Discrimination *after* employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

It is also unlawful to discriminate against or harass a member of the public or service user in the provision of services or goods or to fail to make reasonable adjustments.

Charities must comply with the Public Sector Equality Duty (April 2011) if they carry out certain public functions and services on behalf of public authorities such as local authorities, in order to remove or reduce disadvantages suffered by people because of a protected characteristic.

2. Statement of intent

Money Advice Plus (MAP) recognises that there are inequalities in our society and that many groups are discriminated against, either directly or indirectly. MAP is committed to providing Equality Diversity and Inclusion in employment and service provision and tackling inequalities, in accordance with the **Act**. MAP will strive to ensure that:

- services are relevant for everyone, particularly people facing discrimination and inequality of opportunity due to the characteristics listed in 3
- the organisation and its services provided are open to all and that we will take reasonable steps so that the profile of our personnel and the clients we assist reflects the communities we seek to serve
- services are adapted appropriately to meet needs
- there is equality of opportunity for all service users, staff, trustees and volunteers
- all service users, staff, trustees and volunteers are treated with dignity and respect

- the organisation is free of harassment and bullying. We have a separate anti-harassment and bullying policy, which deals with these issues.

Trustees, staff and volunteers are expected to actively implement this policy and are notified of this requirement during the induction process.

3. Policy

It is the policy of MAP to ensure, to the best of its ability, that no service user, present or future employee, trustee, volunteer, visitor, or job applicant receives less favourable treatment or lack of opportunity on grounds of their

1. age
2. disability
3. gender reassignment
4. marriage and/or civil partnership
5. pregnancy and maternity
6. race
7. religion or belief
8. sex
9. sexual orientation

(These are the 9 protected characteristics identified in the Act)

And in addition, on grounds of

- colour,
- ethnic or national origin,
- social background,
- language,
- political or other opinion or belief,
- trade union membership,
- legitimate trade union activity,
- medical condition or disability*,
- gender identity or expression

nor is disadvantaged by any requirement which cannot be shown to be justified.

* *This does not affect the employer's rights to change the working arrangements of employees who are not meeting the requirements of their job.*

The Act protects people from discrimination in the following additional circumstances:

- when you use public services like healthcare (for example, visiting your doctor or local hospital) or education (for example, at your school or college)
- when you use businesses and other organisations that provide services and goods (like shops, restaurants, and cinemas)
- when you use transport
- when you join a club or association (for example, your local tennis club)

- when you have contact with public bodies like your local council or government departments

We will offer to assist service users, staff, trustees and volunteers if it comes to our attention that they have been discriminated against in these circumstances and they wish to take action. Examples of assistance may be referring or signposting to an appropriate organisation or providing or referring to suitable information.

Following the principles of the Public Sector Equality Duty, when planning and carrying out any activity, MAP will have regard to

- meeting the needs of people with protected characteristics
- encouraging participation from people with protected characteristics

and will take any action necessary:

- to challenge discrimination in all its practices
- to promote Equality Diversity and Inclusion to all disadvantaged groups

MAP's Equality Diversity and Inclusion Policy is integral to all policies and in particular is a reference point for all personnel policies and procedures and service provision policies and procedures.

MAPS Equality Diversity and Inclusion Policy is implemented following our Equality Diversity and Inclusion procedure, which details how we monitor and evaluate and how we deal with complaints.

3.1 Recruitment

Our recruitment practices aim to attract applicants with the knowledge, skills and experience required for the job role, irrespective of an applicant's background. A diverse staff team supports us to better understand the needs of a diverse range of stakeholders. We may therefore take positive action to improve our diversity amongst our volunteers, trustees or staff. We will also take steps to anonymise applications before shortlisting and we will ask interviewees whether any adjustments are needed to participate in the selection process. These are examples of how we aim for equality within recruitment.

3.2 Equality Diversity and Inclusion in Employment

We will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

Person specifications will avoid any unnecessary requirements (those unrelated to effective performance) that may otherwise have deterred applicants. We will base decisions on

objective criteria. We will make reasonable adjustments in recruitment as well as in day-to-day employment.

3.3 Service Users, Suppliers and Others

We will not discriminate unlawfully against service users using or seeking to use the services we provide.

If you are bullied or harassed by a service user, suppliers, contractor, visitor or others, or if you witness someone else being bullied or harassed, you are asked to report this to your manager who will take appropriate action.

3.4 Training

We will provide information and guidance to those involved in recruitment or other decision making where Equality Diversity and Inclusion issues are likely to arise to help them understand their responsibilities and to avoid the risk of discrimination.

4. Responsibilities

All staff are responsible for supporting the organisation in meeting its commitment and avoiding unlawful discrimination. If you experience a level of discomfort or disagreement with something that happens when you are at work, you are encouraged to bring it to the attention of a manager or someone in authority. It is possible that others are not aware or have not considered the impact of their actions, have not understood our policy, or possibly our practices need to be updated.

If you believe that you have been discriminated against, including bullying and harassment, you should report this to your line manager or the Chief Executive under the grievance procedure. We take any complaint seriously and you will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

If you witness what you believe to be discrimination you should report this to your line manager or the Chief Executive as soon as possible.

Employees can be held personally liable as well as, or instead of, the organisation for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence. Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under our disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

5. Types of Unlawful Discrimination

- **Direct discrimination** is where a person is treated less favourably than another because of a protected characteristic. However discrimination may be lawful if there

is an occupational requirement which is core to a job role and a proportionate means of achieving a legitimate aim.

- **Indirect discrimination** means putting in place, a rule or policy or way of doing things that has a worse impact on someone with a protected characteristic than someone without one, when this cannot be objectively justified.
- **Harassment** is where there is unwanted behaviour related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity) which has the purpose or effect of violating someone's dignity or which creates a hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.
- **Associative discrimination** is where the individual treated less favourably does not have a protected characteristic but is discriminated against because of their association with someone who does e.g. the parent of a disabled child.
- **Perceptive discrimination** is where the individual discriminated against or harassed does not have a protected characteristic but they are perceived to have a protected characteristic.
- **Third-party harassment** occurs where an employee is harassed by third parties such as service users, due to a protected characteristic.
- **Victimisation** is treating someone unfavourably because they have taken some form of action relating to the Equality Act i.e. because they have supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint.
- **Failure to make reasonable adjustments** is where a rule or policy or way of doing things has a worse impact on someone with a protected characteristic compared with someone who does not have that protected characteristic and the employer has failed to make a reasonable adjustment. Whilst the Equality Act refers to reasonable adjustments with regards to disability, it may also be discriminatory to ignore making reasonable adjustments for people with other protected characteristics (for example to enable someone to respect a religious belief, providing gender neutral toilets, making adjustments for a woman experiencing severe menopausal symptoms etc). Any reasonable adjustment will take into account the impact on other protected groups.

6. Reasonable adjustments

A 'reasonable adjustment' is a change to remove or reduce the effect of

- an employee's disability so they can do their job
- a job applicant's disability when applying for a job

What is reasonable will depend on the circumstances of each case, but adjustments could be to:

- the workplace (making changes to overcome barriers created by the physical workplace)
- the ways things are done (where the disabled job worker is put at a substantial disadvantage by a provision, criterion or practice).
- Providing extra equipment or getting someone to assist the employee or job applicant

When deciding whether an adjustment is reasonable we will consider:

- how effective the change will be in avoiding the disadvantage the employee would otherwise experience
- its practicality
- the cost
- our resources and size
- the availability of financial support.

The overall aim will be, as far as possible, to remove or reduce any substantial disadvantage faced by a staff member or job applicant which would not be faced by a non-disabled person.

7. Monitoring and Review

The Board of Trustees will review this policy annually to judge its effectiveness, taking into account current best practice and will be updated in accordance with changes in the law, referring to reputable sources such as

<https://www.ncvo.org.uk/>

<https://www.equalityhumanrights.com/en/advice-and-guidance>.

<https://www.acas.org.uk/index.aspx?articleid=1363>

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

We will report to the Board of Trustees on any actions or activities undertaken to improve equality of opportunity. Any information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the Data Protection legislation.

Ownership:	Chief Exec
Date Issued:	13 th May 2021
Governance Forum responsible	Board of Trustees
Version:	V5

Document history:	V1, V2- V4 changes
Distribution	email
Review Date of policy:	May 2022
Review frequency	1 year
Reason for frequency	MAPSDAP, other funders, good practice