Approved by the Board: 22/11/23

Equity, Diversity and Inclusion Policy

Context

The Centre for ADHD and Autism Support (CAAS) is committed to encouraging equity, diversity and inclusion amongst our workforce, and within all our ways of working. This policy applies both internally, towards and for our staff and Trustees, and externally, encompassing our clients and all members of our community with whom we engage.

Definitions

Equity : The term equity refers to fairness and justice, and is distinguished from equality. Whereas equality means providing the same to all, equity means recognising that we do not all start from the same place and must acknowledge and make adjustments to balance out inherent imbalances. We believe that giving or receiving **equitable** treatment rather than equal treatment will result in a fairer outcome for society and individuals. We recognise that the process is ongoing, and will require us to identify and overcome intentional and unintentional barriers arising from bias or systemically inequal structures.

Diversity: Diversity is the differences that arise in colour, ethnicity, abilities, age, gender, beliefs, interests, socioeconomic status, marital or partnership status, sexual orientation, geographic, academic/professional backgrounds, opinions, backgrounds, thinking, experiences and many other characteristics. Diversity recognises that everyone is different in a variety of visible and non-visible ways, which may include, but are not limited to, differences protected by equalities law.

Inclusion: Inclusion is the practice of including people in a way that is fair for all, values everyone's differences, and empowers and enables each person to be themselves and achieve their full potential and thrive at work. An inclusive workplace culture is one in which everyone feels that they belong through feeling safe in being themselves, that their contribution matters, that the organisation's policies and practices are fair, and that a diverse range of people are supported to work together effectively.

Why does EDI matter?

Research shows that diverse workforces are beneficial for decision making, innovation and problem solving as people bring a diverse range of backgrounds and experiences with them. It is important to note that ensuring a 'tolerance of difference' and having a diverse workforce is not enough. People need to feel empowered, a sense of belonging, and feel safe to contribute their ideas and viewpoints in an organisation that feels truly inclusive, so that they – and the organisation overall – realise their full capabilities.

CAAS commitment to EDI.

CAAS has a deeply held and genuine commitment to EDI, and has included EDI considerations specifically within our strategic aims. This commitment includes, but is not limited to:

- Developing an inclusive internal culture, which has a diverse, equitable and inclusive workplace and community at its heart, that encourages individuals to develop and achieve their full potential and that ensures that everyone feels trusted and valued.
- Ensuring accessible recruitment approaches and promotion opportunities
- Treating all staff and individuals with whom we have contact fairly and responsibly
- Complying with the law, to ensure we do not unlawfully discriminate, both generally, and specifically in respect of the Equality Act 2010 protected characteristics
- Having a workplace that is free from harassment, victimisation and bullying.
- Promoting equality, diversity and inclusion through our policies, strategies, procedures and action plans, for everyone in our employment, be they temporary, permanent, part time or full time.

- Opposing and avoiding all forms of discrimination, including in pay & benefits, terms & conditions of employment, dealing with discipline, redundancy, parental leave, flexible working requests and selection processes

Statement of Values

Our charity aims to support, education and empower individuals with a diagnosis of ADHD and/or autism, their families and the community. We are committed to social justice, and our client base is amongst the most excluded and disadvantaged in our society. We are dedicated in enabling those we serve to have better access to services, and to feel an improved sense of belonging in their communities. We celebrate our clients as being diverse in race, culture, faith and other beliefs, sexuality, abilities, gender and age.

CAAS believes:

- In working towards a just and participatory society
- That all people have equal rights to work towards social justice and to participate in decision-making processes and local action
- That priority should be given to working with communities and groups whose full participation in society is limited by disadvantage or discrimination.
- That, where practicable, our staff should reflect the community within which we operate and serve

The Law

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 and maternity, race (which includes colour, nationality, and ethnic or national origins), sexual orientation and religion or belief.

Discrimination after employment may also be unlawful. For example, 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.

CAAS endeavours to go beyond the minimum requirements of the law, recognising for example other forms of discrimination that require action, as well as those recognised by the law. For example, we recognise discrimination exists in relation to other demographic factors, such as social class or gender identity, and that discrimination and unfair practices can be structural. We commit, wherever possible, to challenging all inequalities and striving to incorporate best practice into our work as we aim for full equity

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 (for example 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. For example, 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).

Compliance with the law

CAAS will at all times comply with the latest legislation and case law in respect of EDI. Where there is any lack of clarity around compliance, we will seek guidance from our HR support service, from national advice bodies, and, if necessary, seek legal advice.

Staff should be aware that whilst an employer can be held liable in law for acts of discrimination committed by employees, individual employees can also be held personally liable in law for acts of discrimination that they commit, authorise, contribute to or condone.

Staff should therefore note that the following acts are unlawful and would constitute misconduct or gross misconduct liable to disciplinary action, which may include summary dismissal. This list is not exhaustive:

- Discriminating in the course of employment or prospective employment against fellow or future employees in job, transfer, or promotion applications
- Inducing or attempting to induce employees to practise unlawful discrimination
- Indulging in verbal or physical, sexual or racial harassment of a nature that is known, or should be known, to be offensive to the victim
- Victimising individuals who have made allegations or complaints of any discrimination or harassment or provided information about such discrimination or harassment.

CAAS will take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, customers, suppliers, visitors, the public and any others in the course of the organisation's work activities.

Such acts will be dealt with as misconduct under our grievance or disciplinary procedures, and appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice. Breaches by our suppliers could result in termination of contract for services.

Sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence

Positive Discrimination

Positive discrimination is the process of favouring prospective or existing employees from a protected characteristic group. This can often arise where a job applicant or employee is given preferential treatment because they possess a protected characteristic, or is recruited or promoted specifically because of that characteristic, regardless of individual merit. Positive discrimination is unlawful, and any staff found to have undertaken positive discrimination may be subject to disciplinary action.

Positive Action

Positive action allows additional help to be provided for groups of people who share a protected characteristic such as race, sex, or sexual orientation, in order to level the playing field. The law allows us to take proportionate action that aims to reduce disadvantage, meet different needs and increase participation. Example of positive action include

- setting equality targets (but not quotas which are unlawful)
- encouraging people from particular groups to apply for roles where they are under-represented
- training employees from under-represented groups who show potential in order to better prepare them for promotion
- hiring one candidate over another equally qualified one because the former has a certain protected characteristic that is underrepresented in the workforce

CAAS may use positive action to address imbalances that are apparent from monitoring data and from our experience and from our client's expedience.

CAAS Statement on Reasonable Adjustments.

Reasonable adjustments are modifications or accommodations made to the workplace (environment), work processes (task), or working conditions (individual) to provide employees with the necessary support to perform their roles effectively. These adjustments are designed to level the playing field and remove barriers that may prevent employees from reaching their full potential. They are intended to promote inclusivity, and to enable all staff to thrive.

Staff should be asked if there are any reasonable adjustments that could be made to enable them to thrive at CAAS when they join (as part of the induction process), during regular one2one meetings with line managers, and in the mid-year and annual appraisal process. Staff are welcomed to, and should feel comfortable to speak to their line manager or a member of SLT to request any accommodations outside of these processes.

Please refer to our full Reasonable Adjustment Guidance document for further information about reasonable adjustments.

EDI in action at CAAS

Creating an Inclusive Culture

CAAS aims to create an inclusive culture by:

- Working lawfully at all times, and beyond that to upholding standards of fairness in all aspects of our ways of working.
- Make all decisions concerning staff on the basis of merit (apart from any necessary and limited exemptions and exceptions allowed under the law).
- Communicating this policy to all employees, volunteers, business connections and job applicants by having it visible on our website.
- Dealing promptly with any complaints or grievances.
- Providing EDI-related training and development to all staff.

- Encouraging a continuous improvement approach to how we deliver EDI in practice, including reviewing the impact on EDI of other employment policies and practices.

We also ask all staff to identify opportunities to promote inclusion across their areas of work; this may include:

- Make an effort not to make assumptions or generalise.
- Ask people what they need and want.
- Be intolerant of intolerance.
- Apologise when you get things wrong and learn positively from mistakes.
- Ask for feedback routinely, and commit to acting on feedback to improve inclusivity.
- Be prepared to evolve with changing best practice.
- Be mindful that being inclusive doesn't mean treating everyone in the same way. It is crucial to consider how we should adapt our activities or materials to be relevant for the different people we are engaging with.

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 and respond to the needs of the community we serve.

We will take positive action to improve diversity. We explicitly state in our recruitment material that we welcome and encourage job applications from people of all backgrounds, including applications from Black, Asian and Ethnic Minority communities, people who identify as having a disability, and LGB+, Trans and non-binary candidates.

We will take steps to ensure objective shortlisting and we will ask interviewees whether any adjustments are needed in order to effectively participate in the selection process.

Anyone involved with recruitment or promotion will be trained in best practice and given guidance on how to avoid discrimination.

We will use our induction, supervision, and performance processes to ensure all staff have the skills and knowledge to support good EDI practice, and to understand and enact the values this policy imbues.

Service Provision

We strive to act inclusively to all clients using or seeking to use the services we provide.

We will tailor the ways in which we work to be more accessible (for example, offering text and remote support). We will ensure our communication is inclusive, and that our website, imagery and social posts are tailored to include diverse pictures and inclusive, accessible language.

We will ensure that the venues we use for meetings, workshiops and trainings are accessible and adapted to a diverse group of clients and staff.

We will undertake direct action in order to reach a wider, more diverse range of clients, for example by attending outreach events, building relationships with local community groups and using diverse imagery and inclusive language in our external communications.

Pay and benefits

CAAS has a pay policy that sets out our commitment to fairness and objective processes in salary setting, to ensure pay is based solely on the requirements of the role, not on the person performing the role.

Training
Training and fairness of access to training has a key role in promoting equality, diversity and inclusion. We will help and encourage staff to develop and achieve their full potential, so that their talents and resources are effectively utilised and they are able to succeed.

Appropriate training is provided to staff and managers to increase awareness of EDI, through our external mandatory training provider and in our induction pack. We assess if staff feel valued, and have a sense of belonging, in our annual staff survey and managers plan changes and training according to the feedback given.

EDI is the responsibility of everyone in the organisation, as everyone will have interactions with others where inclusivity and accessibility are a priority, so all staff will be given the support and training they need to work appropriately in this context.

Other policies
Our policies on family leave, agile working and flexible working are specifically designed to support our EDI commitments, and all policies explicitly consider and make a statement on EDI within them.

Our employment practices and procedures will be reviewed regularly to ensure fairness, full compliance with the law and to ensure the intentions of this policy are considered.

Harassment or bullying of any person having dealings with CAAS, whether or not they are an employee, is unacceptable conduct. We are committed to dealing effectively with harassment and bullying.

Your rights and responsibilities

Staff rights and responsibilities
For this policy to be effective it must be followed by all staff. All employees have a personal responsibility to treat people fairly, value and respect others and ensure that no one is harassed, victimised or bullied in the workplace. Employees should promote a work environment in which people have the confidence to report, in good faith, incidents which are discriminatory or personally offensive.

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. We will take your concerns seriously, we will investigate, and we will provide a written response to you within 1 month.

If you believe you have been unfairly discriminated against, you should refer to our Grievance procedure and Bullying and Harassment policy. Any breach of this EDI policy will be subject to disciplinary action.

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 another senior member of staff 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 acts of harassment may be guilty of a criminal offence.

Line Manager's responsibilities
If you are a line manager, you should:

- Promote equity, diversity and inclusion in the workplace and actively recognise and appropriately challenge discrimination in others who you manage.

- Respect the needs of others.
- Not tolerate and indeed actively challenge discrimination in any form, from any employee or a third party who can affect an employee in their work.
- Take seriously and deal promptly with any complaints, grievances or disciplinary offences related to discrimination.
- Ensure you follow our procedures in respect of recruitment, induction, ways of working etc which are designed to ensure best practice within EDI.
- Ensure that nobody is victimised or treated less favourably due to involvement in a complaint of unfair discrimination or harassment.

Monitoring and Review

The Board is responsible for approving this policy. The CEO is responsible for managing this policy and overseeing its implementation. Every member of staff should take personal responsibility for conforming to it.

This policy will be reviewed as needed, and at least every three years.