

Workforce Equal Opportunities and Diversity Policy

Employees, Volunteers, Contractors, Secondees & Board Members

Introduction

This policy sets out New Anglia's commitment to equality and diversity in the workplace and across its panels, committees, programmes and on its Board of Directors. A separate policy exists to explain and promote New Anglia's commitment to equality and diversity in the work it does in the New Anglia LEP area and the programmes it runs.

Equality is enabling opportunity, access, participation and contribution on a fair and equal footing, creating a level playing field and ensuring that different groups are not disadvantaged or discriminated against when accessing employment, volunteering or participating in New Anglia programmes, panels and on its Board of Directors. Diversity is about the individual, understanding that each of us is different and making sure we respect and celebrate the variety of backgrounds, perspectives, values, and beliefs.

The LEP actively encourages the employment, promotion and training of employees and potential employees from all sectors of the community and values the different skills, ideas and opinions that a diverse workforce can offer.

Policy Aims

This policy aims to:

- set out the LEP's approach to equal opportunities and the avoidance of discrimination in the workplace
- support the elimination of unlawful discrimination in employment and the workplace
- promote equality of opportunity and diversity in employment and the LEP workplace
- ensure that those working or volunteering with the LEP are clear about the LEP's commitment to equal opportunities and diversity
- explain the relevant procedures the LEP will implement in relation to equal opportunities management.

Our Policy

New Anglia LEP is committed to promoting equal opportunities and diversity in employment and in the extended workplace which it operates. It aims to ensure and where possible advance equal treatment of employees and applicants for jobs, offices and voluntary positions on its panels, boards and programmes. Equality and diversity considerations will underpin recruitment and selection, promotion, pay and benefits and training and development.

The Equality Act 2010 makes it unlawful to discriminate against people because of any of the nine 'protected characteristics'. This extends to direct or indirect discrimination and harassment because of:

- age
- disability (including mental health)
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race (including ethnic origin, colour, nationality or national origin)
- religion or belief (including philosophical belief)
- sex
- sexual orientation

All employees, officers, volunteers, secondees and contractors of the LEP must not unlawfully discriminate against or harass other people in the course of their work for the LEP, including current and former employees, job applicants and officers.

All employees and officers at all levels are encouraged to act fairly and appropriately and prevent and report unlawful discrimination and harassment.

Our Procedures

Recruitment and Promotion

The LEP will aim to ensure that advertisements for posts give sufficiently clear and accurate information to enable potential applicants to assess their own suitability for the post. Job descriptions and specifications for posts will include requirements that are necessary and justifiable for the effective performance of the job.

The LEP reserves the right to recognise merit and reward individuals with promotion in a fair manner. All employees will be considered on their merits (with reasonable adjustments made where required) for career development and promotion with equal opportunities for all.

Information about vacant posts will be as widely disseminated as is practicable in order to encourage a diverse response and reach as many sectors of the community as is possible. Vacancies will also be circulated internally.

Candidate selection will be conducted against defined criteria and will focus on the applicant's suitability for the job. Where it is necessary to ask questions relating to personal circumstances, these will be related purely to job requirements and asked of all candidates.

No questions in relation to health will be asked of the applicant prior to a job offer being made. However, candidates and employees are encouraged to be clear when they require help or assistance or adjustments to be made to enable them to interview or be assessed fairly for a post or a promotion and also expressly make clear what help or adjustments they might need to carry out any of the requirements of a post or position. The LEP will endeavour to comply with its legal obligations under the disability discrimination provisions of the Equality Act and welcomes applicants with disabilities.

Employment

The LEP will not unlawfully discriminate because of any protected characteristics in the allocation of duties between employees employed at any level with comparable job descriptions.

The LEP will put in place any reasonably practicable measures and/or adjustments within the workplace for those employees who become disabled during employment or for disabled appointees. Staff who become disabled are encouraged to inform the LEP about their condition so appropriate support can be given. All employees are encouraged to discuss their career prospects, training needs and any reasonable adjustments required on a regular basis with their manager.

Requests for part-time work or other types of flexible working can and should be made without fear and part-time and fixed-term staff shall be treated no less favourably than comparable full-time or permanent members of the workforce.

Pregnant employees or those on maternity leave or returning from maternity leave will not be subject to unlawful discrimination. Reference should be made to the LEP Maternity Policy and other 'family friendly' policies for information about the rights and responsibilities related to pregnant employees and parents.

This policy does not form part of any employee's contract of employment and it may be amended at any time.

Board and Sub-Committees

New Anglia is committed to ensuring a diverse representation on our Board and Sub-Committees and panels which reflects the local business community. Selection for the Board and any Sub-Committee or panel will be in line with our Assurance Framework and Articles of Association.

The LEP is expected by Government to ensure that at least a **third of its main Board members are female by 2020 and that there is equal representation by 2023**. The LEP has no formal control over the appointment of its public sector Board members who sit as a result of democratic elections as leaders of various councils or in their capacity as leaders of further or higher education institutions. However, the LEP is committed to endeavouring to do all it reasonably and legally is able to do to meet Government expectations in this regard.

Board member vacancies are advertised widely and Board members are appointed on the basis of their skills, knowledge (including sector knowledge and representation) and their ability.

Sub-Committee member selection and panel membership is based on the skills, knowledge and experience required for the relevant role/post.

Visitors and Suppliers

Employees must not discriminate against any of visitors or suppliers. Equally, the LEP expects visitors and suppliers not to discriminate against employees and the LEP will take appropriate action against any visitor or supplier found to have done so.

Employee Rights and Responsibilities

Employees have the right not to experience unlawful discrimination in the workplace. They have a responsibility to understand this policy and help the LEP implement it.

All employees have a duty not to discriminate against each other and not to help anyone else do so. Staff who are uncomfortable with another employee's behaviour are encouraged, where they feel able to, to ask them to stop and explain that they are uncomfortable with the behaviour.

All staff, volunteers, secondees and contractors are encouraged to report any concerns relating to unlawful discrimination in accordance with this policy.

All managers should lead by example and set an appropriate standard of behaviour.

When Discrimination Arises – reporting concerns

If an employee, officer, secondee, volunteer or contractor believes they may have been discriminated against or harassed, they should advise the LEP without delay. They can speak informally or write to their line manager (where there is one) or with HR or the Chief Operating Officer as appropriate.

If an employee wishes to make a more formal complaint of discrimination or harassment they are encouraged to raise the matter in writing through the *Grievance Policy*.

Employees who make allegations of discrimination or harassment in good faith will not be victimised or treated less favourably as a result. However, false allegations of a breach of this policy which are found to have been made in bad faith may be dealt with under the *Disciplinary Policy*.

Dealing with allegations of unlawful discrimination

Allegations of potential breaches of this policy will be treated seriously. The LEP will conduct a reasonable and proportionate investigation into allegations of discrimination and harassment. Confidentiality will be respected so far as possible but those alleged to be responsible for any discriminatory or harassing behaviour will usually need to be given the opportunity to reply to any allegations and for due process to be followed before decisions can be made.

If, after investigation, it is decided an employee is found on balance to have acted in an unlawfully discriminatory manner they may be subject to disciplinary action up to and including dismissal. This applies to the most senior levels of management as well as to all other employees.

Contractors, volunteers and officers who are determined after reasonable investigation to have breached this policy or acted in a discriminatory way may be informed that their services are no longer required and may be asked to step down from any board, sub-committee or panel or other position they hold within the LEP sphere of influence.

Secondees can expect their employer to be informed of any allegations of concern which will then be dealt with by the employer accordingly.

Records of equal opportunities matters will be retained and kept confidential so far as possible save that statistics which cannot be attributed to any named individual will be shared with the Board and others where appropriate including to monitor the LEP's progress on promoting and sustaining equal opportunities and diversity.

Responsibilities

The Board of the New Anglia LEP has overall accountability for the effective operation of this policy and for ensuring the LEP fulfils its role in addressing diversity issues by promotion of this policy and delivering equality of opportunity. The Chief Operating Officer of the LEP is the lead officer responsible for the day to day operation and implementation of this policy.

Every individual working for the LEP has a responsibility for their own behaviour and ensuring that they participate in the promotion of equality and diversity within the organisation.

Monitoring and Reporting

The Board will receive an annual report detailing the LEP's progress on promoting and sustaining equal opportunities and diversity over the past year and will agree an action plan for how this can be further improved over the next year.

Appendix 1

Definitions/explanations of what constitutes unlawful discrimination;

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic.

Indirect discrimination occurs where a policy, provision, rule or practice at work applies to everyone but has a disproportionate impact on people with a protected characteristic which cannot be justified as a proportionate means of achieving a legitimate aim.

Harassment is unlawful if it is unwanted conduct of a sexual nature or related to another protected characteristic which has the purpose or effect of violating dignity or creating a hostile, intimidating, degrading, humiliating or offensive environment.

Victimisation is retaliation or bad treatment because the person has performed a protected act. A protected act includes bringing proceedings under the Equality Act, giving evidence in connection with such proceedings and making an allegation that a person has contravened the Equality Act.

Associative discrimination is discrimination against a person because they have an association with someone with a particular protected characteristic.

Perceptive discrimination is discrimination against a person because the discriminator thinks the person possesses a protected characteristic, even if they do not in fact do so.

Discrimination arising from a disability is where a person with a disability is treated unfavourably because of something arising in consequence of the person's disability.

The duty to make reasonable adjustments arises when a provision criterion or practice of an employer puts a disabled person at a substantial disadvantage in comparison to persons who are not so disabled. Such adjustments or steps are aimed at avoiding that disadvantage.

Equal Opportunities and Diversity STATEMENT Relating to the activities of the New Anglia LEP

Diversity and equality issues impact everyone in the New Anglia area and we are committed to promoting and supporting equality and diversity in the services provided and the work undertaken by the LEP. Accordingly, equality and diversity are important considerations in all of our activities.

The New Anglia LEP aims to drive inclusive business growth in partnership with businesses, local authority partners and education institutions. In doing so New Anglia LEP will endeavour not to do anything that constitutes discrimination, harassment or victimisation in exercising its functions.

Equality is enabling opportunity, access, participation and contribution on a fair and equal footing, creating a level playing field and ensuring that different groups are not disadvantaged when accessing employment, volunteering or participating in public life in the New Anglia area. Diversity is about the individual, understanding that each of us is different and making sure we respect and celebrate the variety of backgrounds, perspectives, values, and beliefs.

New Anglia and its Board will engage with its stakeholders and endeavour to be as inclusive and transparent in its communications as possible and will actively work to ensure that our service provision is appropriately accessible to all constituencies in the LEP area.

We will also endeavour to meet our obligations under the Public Services Social Value Act 2012, which requires people who commission, or buy, public services to consider securing added economic, social, environmental and well-being benefits for their local area. We will work with our partners to ensure that project development, commissioning and tendering procedures support the principles of advancing equality of opportunity between people in our target groups and advancing the elimination of unlawful discrimination, harassment and victimization.

The LEP is expected by Government to ensure that at least a third of its main Board members are female **by 2020 and that there is equal representation by 2023**. The LEP has no formal control over the appointment of its public sector Board members who sit as a result of democratic elections as leaders of various councils or in their capacity as leaders of further or higher education institutions. However, the LEP is committed to endeavouring to do all it reasonably and legally is able to do to meet Government expectations in this regard. Board member vacancies are advertised widely and Board members are appointed on the basis of their skills, knowledge (including sector knowledge and representation) and their ability.

Any person who feels they have been discriminated against or wishes to report any concerns in relation to equality, diversity or discrimination in respect of the LEP and its services, functions or activities should write to the Chief Operating Officer, Rosanne Wijnberg; email: rosanne.wijnberg@newanglia.co.uk.