



Bookmark

Equality and Diversity Policy

Equality and Diversity Policy (Employees and Volunteers)

Bookmark ("the Charity") is committed to promoting equality of opportunity for all staff and role applicants. The Charity aims to create a working environment in which all individuals are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit.

The Charity does not discriminate against staff on the grounds of race (ethnic origin, skin colour, nationality, national origin), gender, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability (including past disabilities), religion or beliefs (including philosophical beliefs), age or sexual orientation. This Policy aims to ensure there are no unfair and discriminatory practices within Bookmark and to encourage full contribution from Bookmark's diverse community. Bookmark is committed to actively opposing all forms of discrimination.

The Charity will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities.

The principles of non-discrimination and equality of opportunity also apply to the way in which staff treat other staff members, visitors, donors, schools, suppliers, former staff members and children supported by the Charity.

All staff should act in accordance with this policy and treat colleagues with dignity at all times, and not discriminate against or harass other members of staff, regardless of their status. Your attention is drawn to Bookmark's separate [Anti-harassment and bullying policy](#).

Throughout this policy "staff" includes trustees, employees and volunteers.

1. Objectives of this policy

To ensure our staff are truly representative of the communities we serve. Bookmark aims to achieve genuine equality of opportunity in all aspects of its activities as an employer and in its engagement of volunteers.

To prevent all forms of unlawful discrimination in line with the Equality Act 2010. Equality law affects everyone responsible for running the Charity or who might do something on its behalf, including staff or volunteers.

To ensure that recruitment, promotion, training, development, assessment, benefits, pay, terms and conditions of employment, redundancy and dismissals are determined on the basis of capability, qualifications, experience, skills and productivity.

2. Designated Officer

Name: Graihagh Crawshaw
Position: Chief Executive Officer
Email: graihagh.crawshaw@bookmarkreading.org



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3. Definition of Discrimination

Discrimination is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances on the grounds of race (ethnic origin, skin colour, nationality, national origin), gender, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability (including past disabilities), religion or beliefs (including philosophical beliefs), age or sexual orientation.

Additionally, Bookmark will work to ensure there is no discrimination on the grounds of responsibility for dependants, socioeconomic background, political beliefs, offending background, and employment status.

4. Types of Discrimination

Direct discrimination

This occurs when a person or a policy intentionally treats a person less favourably than another on the grounds of race (ethnic origin, skin colour, nationality, national origin), gender, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability (including past disabilities), religion or beliefs (including philosophical beliefs), age or sexual orientation.

For example, rejecting an applicant on the grounds of their race because they would not "fit in" would be direct discrimination.

Indirect discrimination

Indirect discrimination occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage. For example, a requirement to work full time puts women at a particular disadvantage because they generally have greater childcare commitments than men. Such a requirement will need to be objectively justified.

Harassment

Harassment related to any of the protected characteristics is prohibited. Harassment occurs when a person is subjected to unwanted physical, verbal or non-verbal conduct that has the purpose or effect of violating their dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. Harassment is dealt with further in Bookmark's [Anti-harassment and Bullying Policy](#).

Harassment also includes treating someone less favourably because they have submitted or refused to submit to the above behaviour in the past.

A person may be harassed even if they were not the intended 'target'.

Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to a protected characteristic. Harassment is unacceptable even if it does not fall within these categories.

It is not intention which defines a particular type of harassment, but the effect it has.



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Victimisation

Victimisation is also prohibited. This is less favourable treatment of someone who has complained or given information about discrimination or harassment or supported someone else's complaint.

Bullying

Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority but can include both personal strength and the power to coerce through fear or intimidation.

Bullying can take the form of physical, verbal and non-verbal conduct. Bullying may include, by way of example:

- shouting at, being sarcastic towards, ridiculing or demeaning others;
- physical or psychological threats;
- overbearing and intimidating levels of supervision;
- inappropriate and/or derogatory remarks about someone's performance;
- abuse of authority or power by those in positions of seniority; or
- deliberately excluding someone from meetings or communications without good reason.

Legitimate, reasonable and constructive criticism of an employee's performance or behaviour, or reasonable instructions given to employees in the course of their employment, will not amount to bullying on their own.

Bullying is dealt with further in Bookmark's [Anti-harassment and Bullying Policy](#).

5. Unlawful Reasons for Discrimination

Gender

It is not permissible to treat a person less favourably on the grounds of gender, sex, marital status, civil partnership, pregnancy or maternity, gender reassignment or transgender status. This applies to men, women and those undergoing or intending to undergo gender reassignment. Sexual harassment of men and women can be found to constitute sex discrimination.

For example, asking a woman during an interview if she is planning to have any (more) children constitutes discrimination on the ground of gender.

Age

It is not permissible to treat a person less favourably because of their age. This applies to people of all ages. This does not currently apply to the calculation of redundancy payments.

Disability

It is not permissible to treat a disabled person less favourably than a non-disabled person.

Reasonable adjustments must be made to give the disabled person as much access to any services and ability to be employed, trained, or promoted as a non-disabled person.



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Race

It is not permissible to treat a person less favourably because of their race, the colour of their skin, their nationality, their national origin or their ethnic origin.

Sexual orientation

It is not permissible to treat a person less favourably because of their sexual orientation. For example, an employer cannot refuse to employ a person because they are homosexual, heterosexual or bisexual.

Religion or Belief

It is not permissible to treat a person less favourably because of their religious beliefs or their religion or their lack of any religion or belief.

6. Recruitment and Selection

The Charity aims to ensure that no role applicant suffers discrimination because of any of the protected characteristics above. The Charity's recruitment procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities. Role selection criteria are regularly reviewed to ensure that they are relevant to the role and are not disproportionate.

Role advertisements should avoid stereotyping or using wording that may discourage particular groups from applying.

The Charity takes steps to ensure that its vacancies are advertised to a diverse labour market.

Applicants should not be asked about health or disability before a role offer is made. There are limited exceptions which should only be used with prior approval of the Chief Executive Officer. For example:

- questions necessary to establish if an applicant can perform an intrinsic part of the role (subject to any reasonable adjustments);
- questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment;
- positive action to recruit disabled persons;
- equal opportunities monitoring (which will not form part of the decision-making process).

Applicants should not be asked about past or current pregnancy or future intentions related to pregnancy. Applicants should not be asked about matters concerning age, race, religion or belief, sexual orientation, or gender reassignment without the approval of the Chief Executive Officer (who should first consider whether such matters are relevant and may lawfully be taken into account).

The Charity is required by law to ensure that all employees are entitled to work in the UK.

Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective staff, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation.



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The list of acceptable documents is available from the Chief Executive Officer or the UK Border Agency.

To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in its organisation, the Charity may monitor applicants' ethnic group, gender, disability, sexual orientation, religion and age as part of the recruitment procedure. Provision of this information is voluntary, and it will not adversely affect an individual's chances of recruitment or any other decision related to their employment. The information will be removed from applications before shortlisting and kept in an anonymised format solely for the purposes stated in this policy. Analysing data collected helps the Charity take appropriate steps to avoid discrimination and improve equality and diversity.

Positive action and recruitment

Under the Equality Act 2010, positive action in recruitment and promotion applies as of 6 April 2011. 'Positive action' means the steps that the Charity can take to encourage people from groups with different needs or with a past record of disadvantage or low participation, to apply for positions within the Charity.

If the Charity chooses to utilise positive action in recruitment, this will not be used to treat people with a protected characteristic more favourably, it will be used only in tie-break situations, when there are two candidates of equal merit applying for the same position.

Staff Training, promotion and conditions of service

Staff training needs will be identified through regular staff appraisals. All staff will be given appropriate access to training to enable them to progress within the organisation and all promotion decisions will be made on the basis of merit.

The Charity's conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all staff who should have access to them and that there are no unlawful obstacles to accessing them.

Termination of employment

The Charity will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

The Charity will also ensure that disciplinary procedures and volunteer problem-solving procedures are applied without discrimination.

Fixed-term employees

The Charity monitors its use of fixed-term employees and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. The Charity will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

Part-time work



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The Charity monitors the conditions of service of part-time employees and their progression to ensure that they are being offered appropriate access to benefits and training and promotion opportunities. The Charity will ensure requests to alter working hours are dealt with appropriately under its [Flexible Working Policy](#).

7. Disability and Reasonable Adjustments

Staff

Staff who are disabled or become disabled are encouraged to tell the Charity about their condition so that the Charity can provide support as appropriate. Staff have the right not to disclose a disability. However, if they require reasonable adjustments, they will need to make Bookmark aware of this.

Bookmark will treat any disclosures confidentially and will seek permission from the member of staff before sharing this with another individual for example, to make support possible.

Staff have the right to make a declaration of a disability/long term medical condition to Bookmark without fear of discrimination or other unfavourable treatment.

Where a disclosure is made or where a disability is obvious, a risk assessment will be carried out.

The Charity has a duty to make reasonable adjustments, that are within the financial means of the Charity, to facilitate the employment or deployment of a disabled person. These may include:

- making adjustments to premises;
- re-allocating some or all of the duties of a disabled member of staff;
- transferring a disabled member of staff to a role better suited to their disability;
- relocating a disabled member of staff to a more suitable office;
- giving a disabled employee time off work for medical treatment or rehabilitation;
- providing training or mentoring for a disabled employee;
- supplying or modifying equipment, instruction and training manuals for disabled members of staff; or
- any other adjustments that the Charity considers reasonable and necessary.

If a member of staff has a disability and feels that any such adjustments could be made by the Charity, they should contact a member of the Senior Leadership Team, who may wish to consult with you and your medical adviser(s) about possible adjustments. The Charity will consider the matter carefully and try to accommodate your needs within reason. If the Charity considers a particular adjustment would not be reasonable, the Charity will explain its reasons and try to find an alternative solution where possible.

The Charity will monitor the physical features of its premises to consider whether they place disabled workers, role applicants or service users at a substantial disadvantage compared to other staff. Where reasonable, the Charity will take steps to improve access for disabled staff and service users.

Candidates



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Bookmark will not require candidates to disclose a disability during the recruitment process. For equality & diversity monitoring purposes, this data may be collected anonymously at the recruitment stage, but this is optional and will not be used in any way by the recruiting managers.

Candidates will be asked if they require any reasonable adjustments in order to participate in the process, for example, access requirements, application form in a different format etc.

Recruitment decisions will not be influenced by any disability that the candidate chooses to disclose, and Bookmark will not ask for any details other than those the candidate provides.

Candidates are encouraged to share a disability if it would endanger themselves or others in the workplace.

8. Personnel responsible for implementing the policy

The Board of Trustees has overall responsibility for the effective operation of this policy but has delegated day-to-day responsibility for its operation to the SLT.

All staff of the Charity are required to act in a way that does not subject any other member of staff or beneficiaries to direct or indirect discrimination, harassment or victimisation on the grounds of their race, gender, pregnancy or maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

The co-operation of all staff is essential for the success of this Policy.

Employees may be held independently and individually liable for their discriminatory acts by the Charity and in some circumstances an Employment Tribunal may order them to pay compensation to the person who has suffered as a result of discriminatory acts.

9. Dealing with breaches of this policy

Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Staff who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations which are found to have been made in bad faith will, however, be dealt with under the Charity's [Disciplinary Procedure](#) (employees) or the [Volunteer Problem-Solving Policy](#) (volunteers).

Any employee who is found to have committed an act of discrimination or harassment will be subject to action under the Charity's [Disciplinary Procedure](#). Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. Any volunteer who is found to have committed an act of discrimination or harassment will be subject to action in accordance with the [Volunteer Problem-Solving Policy](#). The Charity takes a strict approach to serious breaches of this policy.

Individuals have the right to deal with unwelcome behaviour:

- independently;
- with informal and confidential support;
- by following the formal procedure below.

Informal Procedure



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If a member of staff feels that they have suffered direct or indirect discrimination they are encouraged to attempt to raise and solve the issue informally before commencing the formal procedures detailed below.

Informal steps that may be taken include talking to their line manager (employees) or the Volunteers Team (volunteers) about the issue or talking directly to any individual who the member of staff feels is responsible for the discrimination. This can be done verbally or by letter and can be with the accompaniment of a colleague or trade union representative.

Where the informal procedure is used, both parties should keep a written record of the meeting including what was discussed and any proposed action.

If the member of staff feels unable to deal with the issue informally, or if informal steps have failed to solve the problem, they should raise the matter according to the formal procedure detailed below.

Formal Procedure

Written Statement

Formal complaints should be detailed in writing and submitted to the Designated Officer without unreasonable delay. The formal complaint should contain the actions or policy that the member of staff believes is discriminatory and all relevant facts surrounding the action or policy, including any relevant dates, names and witnesses. The member of staff should indicate what they feel the Charity should do and any other suggestions or information that they believe will assist in resolving the issue.

Where the complaint concerns the Designated Officer, it should be submitted instead to a member of the Board of Trustees.

Formal Meeting

The staff member will then be invited to a formal meeting with their line manager (employee) or the Volunteers Team (volunteer) to discuss the complaint. The formal meeting will be held without unreasonable delay, and usually no longer than 5 working days after submission of the complaint in writing.

The meeting must not take place if the appropriate manager has not had a reasonable opportunity to consider their response to the information.

The appropriate manager should establish the facts by collecting documents, identifying any relevant people to interview and taking statements before memories start to fade. Any requests for anonymity and confidentiality should be taken seriously.

The member of staff may, following a reasonable request, be accompanied by a colleague, a suitably certified trade union representative or an official employed by a trade union. The companion may not, however, answer questions on behalf of the staff member.

The staff member's chosen companion will be able to address the meeting to put or sum up the staff member's case as well as confer with the staff member during the meeting. They may not, however, answer questions on the staff member's behalf, address the meeting if the staff member does not wish them to do so or prevent the Charity from explaining their case.

The appropriate manager, member of staff and their companion shall make every effort to attend the meeting.



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If possible, the member of staff should explain how they think the matter could be resolved.

If a full investigation of the matter is required, then the meeting should be adjourned to a later date before a decision is taken about how to deal with the staff member's complaint.

Outcome of the meeting

Following the meeting and investigation, and without unreasonable delay the appropriate manager shall set out in writing the action they intend to be taken in order to resolve the complaint (if appropriate).

The Charity shall also inform the member of staff in writing of their right to appeal if they are not satisfied with the action taken.

Any action taken shall be monitored and reviewed, as appropriate, to ensure it effectively deals with the issue.

Appeal

If the staff member is dissatisfied with the decision, they have the right to raise an appeal by submitting a written request to the Designated Officer, which should include the grounds for appeal. The appeal request must be submitted within 5 working days of the staff member receiving the confirmation as to the outcome of the formal meeting.

The Charity will invite the staff member to another meeting to discuss their appeal, to be held within a reasonable time of receiving the request for an appeal, at a time and place which shall be notified to the staff member in advance. The appeal will be dealt with impartially and, wherever possible, will be chaired by a manager who has not previously been involved in the case and is of increased seniority to the one who dealt with the original complaint.

The staff member has right to be accompanied at the appeal meeting. The outcome of the appeal meeting shall be communicated to the staff member in writing within 5 working days. Decisions made at this point are final and the formal procedure is concluded.

Records and Confidentiality

The Charity shall be responsible for taking notes of the proceedings of each meeting during the complaint procedure. Copies of meeting notes will be provided to the staff member.

All complaints will be handled with as high a degree of confidentiality as is practicable, with special consideration for the often sensitive nature of complaints falling under this Policy.

Confidential records of the complaint will be kept in accordance with the Charity's [Data Protection Policies](#).

10. Advice and Support on Discrimination

Staff may contact the following organisations for advice and support:

Equality and Human Rights Commission

Helpline Telephone Number:
Phone: 0808 800 0082
Textphone: 0808 800 0084



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Website: www.equalityhumanrights.com

Citizens Advice Bureau

Website: www.citizensadvice.org.uk

Community Legal Services Direct

Telephone: 0845 345 4 345

Website: www.clsdirect.uk

11. The Extent of the Policy

The Charity seeks to apply this Policy in the recruitment, selection, training, appraisal, development and promotion of all staff.

The Charity offers services in a fashion that complies with the spirit of this Policy.

This Policy does not form a part of any employment contract with any employee and its contents are not to be regarded by any person as implied, collateral or express terms to any contract made with the Charity.

The Charity reserves the right to amend and update this Policy at any time.