



# **Equality, Diversity & Inclusion Policy**

## **Policy Statement**

Cancer Active Recovery Support (C.A.R.S.) is committed to the principles of diversity, equality of opportunity and inclusion, and recognises the importance of adhering to these principles at all times. All that we do will reflect our approach to equality, diversity and inclusion in practice.

Diversity, equality and inclusion together form a positive approach to recognise that everyone is different and can make and bring their own unique contribution, experience, knowledge and skills to the charity. Cancer Active Recovery Support promotes dignity and respect for all, and an environment where individual differences and the contributions of all individuals are recognised and valued. Cancer Active Recovery Support will not unlawfully discriminate against any individuals including those with protected characteristics such as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex (gender) and sexual orientation in line with the Equality Act 2010.

This policy is written in accordance with all legal requirements, ACAS guidance and best practice.

### **1. Overview and Introduction**

We recognise that both the people who work on behalf of the Charity - and those who use our services are individuals with different needs which may impact on their ability to access many services in our community including our own services. In the case of service users this means that we may, therefore, set up and deliver projects that will work expressly with specific groups in order to increase their chances of accessing the services we provide.

We will, however, also work hard to ensure that all individuals who fit the criteria for involvement or access to our services truly have the opportunity to access and benefit from what Cancer Active Recovery Support can offer, and this policy sets out how we aim to do this.

### **2. Why this policy exists**

The Equality Act 2012 sets out the legislation around equality, including what is required of organisations in the UK.

The aim of this policy is to ensure that Cancer Active Recovery Support operates in line with this legislation and that no service user, trustee, secondee or volunteer is unfairly or unlawfully discriminated against in their dealings with Cancer Active Recovery Support.



### 3. Scope

This policy applies to all areas of Cancer Active Recovery Support's work and to all individuals, by which term we mean all Trustees, volunteers - including seconded staff, and anyone who is subcontracted to undertake specific duties. Wherever this policy includes everyone mentioned here unless specifically stated otherwise.

The principles set out in this policy will also be reflected in all Charity work. We will expect anyone we sub-contract or with whom we work in partnership to work in line with this policy or to demonstrate that they have their own appropriate equality policy and practices in place.

It is a condition that all individuals respect and act in accordance with this policy. Failure to do so will result in disciplinary procedures being instigated which could lead to dismissal.

All individuals will be required to read this policy on working with the Charity.

### 4. Roles and Responsibilities

- All individuals are responsible for familiarising themselves and acting in accordance with this policy. Individuals should inform the Charity Chair or a Trustee if they know or suspect that discrimination or harassment is occurring.
- Trustees will ensure that this policy is communicated to all concerned and will provide advice and guidance to individuals regarding their conduct along with sources of available support. Trustees are required to exercise leadership in this field by encouraging inclusion, discouraging prejudice and modelling appropriate behaviour. They must also take speedy and appropriate action to deal with any breaches of the policy, or behaviour that could lead to a breach of the policy. Any identified breaches of the policy should be dealt with immediately.
- The Trustees will ensure that this policy is implemented and operated in a reasonable and fair manner, provide advice and guidance to individuals and oversee provision of any letters and documents required.

### 5. Zero tolerance

Although treating anyone differently because they have one or more of the protected characteristics is illegal, the Act only specifies two types of discrimination that apply to all of the protected characteristics: direct discrimination and victimisation. Appendix 1 sets out which types of discrimination apply to which protected characteristics, and Appendix 2 sets out guidance for Trustees on dealing with issues around equality, diversity and inclusion.



Cancer Active Recovery Support has a zero-tolerance approach to any form of discrimination on the grounds of any of the protected characteristics, whether or not the Act applies the specific form of discrimination to a specific characteristic.

The sole exception to this is where a specific service may require us to recruit persons of one or other sex in order to safeguard the users of that specific service.

## 6. Monitoring

Cancer Active Recovery Support will maintain records of gender, ethnic origin, age and disability for those using the services where possible.

This information will be collected and stored in line with the Data Protection Act 2018 (GDPR) and will only be used to monitor compliance with the principles of diversity, inclusion and equality. The information will be analysed at regular intervals.

Where possible, and dependent on the type of service, we will also monitor the following characteristics for the people using our services:

- Age
- Disability
- Ethnicity
- Sex
- Sexual orientation

## 7. Review

This policy will be reviewed periodically – and in any case every two years. It will in any case be reviewed any time it is invoked and use suggests that changes or clarifications are needed.

Where review is necessary due to legislative change this will happen without delay.

The policy will additionally be updated according to legislative and good practice changes and changes in internal structures and role responsibilities as and when needed.

## 8. Dissemination

This policy will be available to all Trustees, volunteers, persons involved in the Charity Services.

The policy will be made available to current and prospective clients, suppliers, and others on request.



## **Appendix 1 - Protected characteristics and types of discrimination**

### Protected characteristics

The Equalities Act 2010 identifies 9 protected characteristics, i.e.:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

### Types of Discrimination

The Act also identifies 7 types of discrimination, i.e.:

- direct discrimination - treating one person less favourably than another person because of they have a protected characteristic,
- discrimination by association - treating one person less favourably than another because they associate with a person who has a protected characteristic,
- discrimination by perception - treating someone less favourably than others because those others think that person has a protected characteristic – it applies even if the person does not in fact have the perceived protected characteristic,
- indirect discrimination – this can occur if an employer has practices, rules or policies that apply to everyone but that create a disadvantage for people with a protected characteristic – but see the section below for further information on this,
- harassment – unwanted conduct specifically related to a protected characteristic which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual,
- harassment by a third party - when a person experiences harassment from someone outside of Cancer Active Recovery support, which may include service users, Clients or suppliers; this applies if Cancer Active Recovery support is aware of the harassment but takes no measures to stop it from happening.
- victimisation - when an individual is treated badly because they have made or supported a legitimate complaint or raised a legitimate grievance under the Act.



## Legitimate aim

Indirect discrimination may be justified in some cases where the Charity can show that it is reasonable and proportionate in achieving the organisation's aims, although this will not include an aim of cost reduction – in other words, the organisation cannot discriminate against anyone with a protected characteristic because not to do so would be too costly, or because to do so would save money. The organisation will need to demonstrate that indirect discrimination cannot be avoided without negatively impacting on its ability to manage its business.

## **Appendix 2 - Guidance for Trustees on dealing with issues around equality, diversity and inclusion**

Cancer Active Recovery Support is liable for acts of bullying, harassment or discrimination by its users, but individual's may also be held personally liable in the event of any legal proceedings being brought.

All persons involved with Cancer Active Recovery Support are expected to encourage and foster an environment for all that is free from all forms of unlawful discrimination, bullying and harassment, and to lead by example.

Trustees are expected to act swiftly if unacceptable behaviour occurs, and to take a zero-tolerance approach to such behaviour.

If a person raises a complaint under this policy:

- Find a confidential and quiet place to talk.
- Listen carefully and ensure you understand the full facts.
- Consult with a Trustee and about what to do next – this may include conducting a full investigation into the complaint.
- Ensure that the person raising the complaint is fully supported and knows where and how to access additional support if needed.
- While the matter is being investigated and as far as possible protect the individual(s) against whom the complaint has been made and do not share details of the complaint with anyone not directly involved in the investigation.