

## **Sydenham Garden Equity, Diversity and Inclusion Policy**

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Next Review Date: July 2026

### **1. Equity, Diversity and Inclusion Policy Statement**

Sydenham Garden values diversity. We embrace the different perspectives that each of us bring. We work to create an inclusive environment where everyone is appreciated for being authentic and bringing their whole selves to Sydenham Garden, regardless of race, gender, age, religion, identity and experience.

Sydenham Garden recognises that diversity among trustees, volunteers, co-workers (the name we give our service users) and employees brings positive benefits to the organisation's work and is committed to challenging all forms of discrimination and unfair disadvantage in every aspect of its work and working practices. We are committed to becoming truly anti-racist in everything we do, ensuring all our employees, volunteers and co-workers are treated equitably.

We value the diversity of our organisation and the community we serve, and we are committed to achieving and maintaining a staff team, board of trustees, volunteer team and service user community that broadly reflects the local community in which we operate. All trustees, managers, employees and volunteers are committed to treating everyone fairly, challenging inequalities and promoting opportunities for all.

### **2. Policy Aims**

- Sydenham Garden is committed to the elimination of unlawful and unfair discrimination and values the difference that a diverse workforce brings to the organisation.
- Sydenham Garden is an inclusive place to work where people have a sense of belonging and inclusion when participating in our projects and initiatives.
- Sydenham Garden will not discriminate because of age, disability, gender reassignment and identity, marriage and civil partnership, pregnancy and maternity (and paternity and other caring responsibilities), race (which includes colour, nationality and ethnic or national origins), religion or belief, sex or sexual orientation. We will not discriminate because of any other irrelevant factor, eg. social status in society (ie. social class) and will build a culture that values inclusiveness, meritocracy, openness, fairness and transparency. Further information about protected characteristics can be found in appendix 1.
- Sydenham Garden recognises that these areas intersect and form our identity, together with other characteristics, such as socio-economic status and geographical location.

- By being a responsible employer and service provider, we will be proactive in applying a range of measures to break down stereotypes that exist around all the forenamed protected characteristics and identities, thus help create a workforce and operating environment that's representative of, inclusive of, and responsive to its constituency and beneficiaries. We aim to create opportunities and reduce barriers for everyone, particularly under-represented groups.
- All employees are responsible for the promotion and advancement of this policy. Behaviours, actions or words that transgress the policy will not be tolerated and will be managed in line with our disciplinary policy.
- We are committed to educating ourselves about the existence of micro-inequities. These are sometimes subtle behaviours that cumulatively result in discrimination, exclusion, demotivation and signify the presence of unconscious bias.
- We will avoid stereotypical and potentially offensive language and terminology. Stereotypes have the potential to lead to unjustified discrimination and so should be carefully examined and if necessary, challenged.
- We promote equality, good relations and inclusion aligned to the Equality Act 2010.
- The policy will be reviewed on a regular basis (every three years) in addition to reflecting changes in the law, demographics and internal business requirements.

### **3. Legislative Background**

We adhere to the conditions of all legislation in force including:

Equality Act 2010

Civil Partnership Act 2004

The Sex Discrimination (Gender Reassignment) Regulations 1999

Gender Recognition Act 2004

Protection from Harassment Act 1997

Rehabilitation of Offenders Act 1974

Work and Families Act 2006

### **4. Responsibilities**

- Every employee, volunteer and board member is required to assist the organisation to meet its commitment to Equity, Diversity and Inclusion and avoid unlawful discrimination. All will be expected to actively demonstrate their understanding, and support of the policy through their actions with and on behalf of the Charity.
- 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, volunteers, co-workers or partners are disciplinary offences and will be dealt with under the organisation's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

- Failure to follow this policy may result in termination of contracts for services of consultants, facilitators or trainers, withdrawal of volunteer agreements or withdrawal of a co-worker placement.
- Co-workers are expected to comply with this policy. This policy also extends to individuals entering into contractual or partnership relationships with Sydenham Garden.
- It is the responsibility of the Board of Trustees to monitor effectiveness, and to review and develop the policy where necessary.

## **5. Definitions**

- Equality can be described as breaking down barriers, eliminating discrimination and ensuring equal opportunity and access for all people both in employment, and to goods and services; the basis of which is supported and protected by legislation. It is about treating people fairly, impartially and without bias and creating conditions in the workplace and wider society that encourage and value diversity and promote dignity and inclusion. This involves trying to redress past imbalances and respond in culturally sensitive ways, through a differentiated approach, a sense of belonging where necessary and appropriate.
- Equity recognises that treating everyone equally has shortcomings, and equality of treatment does not bring equal outcomes and equal opportunities for all. Why? Because unfortunately the playing field is not level and some of us start from an advantaged position in life. An equity approach emphasises that everyone should not be treated the same, but according to their own needs. Ultimately societies and workplaces need to reflect on and recognise what those barriers are and remove them, so that true equality is restored.
- Diversity can be described as celebrating differences and valuing everyone. Each person is an individual with visible and non-visible differences and by respecting this everyone can feel valued for their contributions which is beneficial not only for the individual but for Sydenham Garden. Diversity is simply the combination of ingredients that make us unique. As such, this doesn't just include the nine protected characteristics listed above, but also our personality type, our learning and communication styles, our socio-economic background, our nationality, and any significant lived experience.
- Inclusion is when people feel valued, accepted with a sense of belonging in their team and in the wider organisation, without having to conform and enabling individuals to bring their authentic self to work, thrive and succeed.
- Equity, Diversity and Inclusion are not inter-changeable but inter-dependent. There can be no equality of opportunity if difference is not valued and harnessed and if people are not included.

## **6. Types of unlawful discrimination**

### **6.1 Direct discrimination**

- Direct discrimination is where a person is treated less favourably than another because of a protected characteristic. An example of direct discrimination would be refusing to employ a woman because she is pregnant.
- In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim (for example, women support workers in women's refuges; ministers of religion).

## **6.2 Indirect discrimination**

- Indirect discrimination is when there is a practice, policy or rule which applies to everyone in the same way, but it has a worse effect on individuals who have a relevant protected characteristic and it cannot be shown to be a proportionate means of achieving a legitimate aim (although it does not explicitly include pregnancy and maternity, which is covered by direct sex discrimination).

## **6.3 Harassment**

- Harassment is unwanted behaviour that you find offensive, where the other person's behaviour is because:
  - you have a protected characteristic.
  - there is any connection with a protected characteristic (for example, you are treated as though you have a particular characteristic, even if the other person knows this isn't true).

Unwanted behaviour could include:

- spoken or written abuse
  - offensive emails
  - tweets or comments on websites and social media
  - images and graffiti
  - physical gestures
  - facial expressions
  - banter that is offensive to you
- Anything that is unwelcome to you is unwanted. You don't need to have previously objected to it and it does not matter whether or not this effect was intended by the person responsible for the conduct.
- The unwanted behaviour must have the purpose or effect of violating your dignity, or creating a degrading, humiliating, hostile, intimidating or offensive environment for you.

## **6.4 Victimisation**

- This is treating someone less favourably because they have done a 'protected act', or because an employer, service provider or other organisation believes that you have done or are going to do a protected act. The reason for the treatment does not need to be linked to a protected characteristic.

- A protected act is:
  - making a claim or complaint of discrimination (under the Equality Act)
  - helping someone else to make a claim by giving evidence or information
  - making an allegation that you or someone else has breached the Equality Act
  - doing anything else in connection with the Equality Act

## **6.5 Associative discrimination**

- Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and pregnancy and maternity).

## **6.6 Perceptive discrimination**

- Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).

## **7. Duty to make reasonable adjustments**

- Where a disabled person is at a substantial disadvantage compared with people who are not disabled, there is a duty to take reasonable steps to remove that disadvantage by:
  - changing provisions, criteria or practices
  - changing or removing a physical feature or providing a reasonable alternative way to avoid that feature
  - providing auxiliary aids
- An adjustment should, as far as possible, remove or reduce any disadvantage faced by a disabled worker or service user.
- Whether an adjustment is reasonable depends on all the circumstances including:
  - how effective the change will be in avoiding the disadvantage you would otherwise experience because of your disability
  - how practical it is for the organisation to make it
  - the cost
  - the organisation's resources and size
  - whether financial support is available to help the organisation make it
  - The test of what is reasonable is ultimately objective and not simply a matter of what you may personally think is reasonable. 3

## **8. Dignity at Work**

- Sydenham Garden is committed to creating a work environment free of harassment and bullying, where everyone is treated with dignity and respect.
- Some harassment is unlawful discrimination and serious harassment may be a criminal offence.

- Bullying is offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power that is meant to undermine, humiliate or injure the person on the receiving end. Examples of bullying would include picking on someone or setting them up to fail or making threats or comments about someone's job security without good reason.
- Harassment is unwanted conduct related to relevant protected characteristics.

## **9. Dealing with issues**

- If you think you are being bullied or harassed, you may be able to sort out matters informally. The person may not know that their behaviour is unwelcome or upsetting. You may feel able to approach the person yourself, or with the help of a trusted person at Sydenham Garden. You should tell the person what behaviour you find offensive and unwelcome and say that you would like it to stop immediately.
- If an informal approach does not resolve matters, or you think the situation is too serious to be dealt with informally, employees can make a formal complaint by using Sydenham Garden's Grievance procedure and volunteers, co-workers and other stakeholders can make a formal complaint using Sydenham Garden's Complaints policy.
- All complaints will be investigated promptly and, if appropriate, disciplinary proceedings will be brought against the alleged harasser.
- Employees will not be penalised for raising a grievance and you have a right not to be victimised for making a complaint in good faith, even if the complaint is not upheld. However, making a complaint that you know to be untrue or made in bad faith may lead to disciplinary action being taken against you.

## **10. Equality**

### **10.1 Equal opportunities in employment**

- Sydenham Garden will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.
- Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary (where there are legitimate or unavoidable business reasons to do so).
- Sydenham Garden will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the organisation considers it has good reasons, unrelated to any protected characteristic, for doing so. Sydenham Garden will comply with its obligations in relation to statutory requests for contract variations.

The organisation will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

- Sydenham Garden will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process and review the policy as necessary.
- 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 Act 1998.

## **10.2 Service users, Volunteers, Venue hirers, Suppliers and other people not employed by the organisation**

- Sydenham Garden will not discriminate unlawfully against service users using or seeking to use goods, facilities or services provided by the organisation.
- Sydenham Garden will not discriminate unlawfully against venue hirers or suppliers seeking to work with the organisation.
- Employees should report any bullying or harassment by service users, volunteers, suppliers, visitors or others to their manager who will take appropriate action.

## **10.3 Training**

- Sydenham Garden will regularly provide training for all staff and volunteers in equality, conscious equity and anti-racism,
- Sydenham Garden will provide training to all existing and new employees, volunteers and trustees to help them understand their rights and responsibilities under this policy and what they can do to help create a working environment free of bullying and harassment. Sydenham Garden will provide additional training to managers to enable them to deal more effectively with complaints of bullying and harassment and to those identified as requiring additional training due to their own behaviour and beliefs.

## **11. Diversity**

### **11.1 Diversity Strategy**

- Although the Equity, Diversity & Inclusion Policy is a fundamental part of the Sydenham Garden's diversity strategy, it will be brought to life only if it is reinforced by a focused and structured diversity plan. In order to do this Sydenham Garden is committed to the following processes highlighted below:

### **11.2 Leadership**

Sydenham Garden will:

- set diversity objectives
- identify a senior level champion for leading the diversity and inclusion strategy

### **11.3 Audit**

Sydenham Garden will:

- regularly review and update policies and procedures, practice of policy and perception of policy and process
- regularly obtain co-worker, staff, volunteer, trustee board metrics and compare them with the demographic profile of the community we serve

### **11.3 Policy development**

Sydenham Garden will:

- benchmark existing policy statements from other organisations and advisory groups
- develop human resources and other policies as appropriate

### **11.4 Training and education**

Sydenham Garden will:

- regularly conduct training needs analysis relating to the understanding and management of diversity
- consult key stakeholders on the organisational learning requirements
- integrate diversity into mainstream training and development programmes
- integrate diversity competencies into development programmes and assessment and selection processes

### **11.5 Programmes to tackle health inequity and promote diversity**

Sydenham Garden will:

- regularly audit programmes to promote addressing health inequity
- integrate diversity objectives into all programmes
- conduct dedicated activities to celebrate and promote diversity

### **11.6 Outreach**

Sydenham Garden will:

- regularly audit outreach activities to review to what extent we are reaching diverse communities
- build relationships with a diverse range of organisations, groups and communities
- seek to learn from and about diverse communities

## **12. Monitoring and Review of this policy**

This policy will be reviewed by the Trustee Board in line with our policy review schedule every two years.

## **Appendix 1: Descriptor of protected characteristics**

### **Age**

We believe it is positive to have a workforce of different generations and ages and to encourage the contributions of children, young people and adults of different ages, across the range of our work. We require staff, partners and suppliers to ensure that there is no unjustified age discrimination in work related activities to promote generational and age diversity as appropriate and practicable. In the UK there is no default retirement age. This contributes to ensuring ageing does not lead to reduced opportunities and supports us to employ colleagues regardless of their age. This promotes inclusion and the learning that comes from working with people of different ages.

### **Disability**

We are committed to addressing unjustified discrimination against disabled people and to promoting the inclusion of disabled people in public life. We recognise disability as a broad concept that includes physical, cognitive and mental health issues and long-standing and fluctuating health conditions. We acknowledge that people are often not disabled through their own individual impairments or relative ability, but through common social attitudes and physical and attitudinal barriers which result in marginalisation and lack of access to full human rights. We aspire to address this by consciously identifying and removing such barriers, making reasonable adjustments and promoting the social model of disability.

### **Gender**

We are committed to tackling gender discrimination. Our focus is on promoting equality and eradicating unjustified discrimination in relation to women and girls who worldwide frequently experience social and economic disadvantage, negative attitudes, alienation, abuse and violence. We also seek to address inequalities experienced by men and boys and seek ways to ensure that they are not disadvantaged by or excluded from the work that we do. We recognise that people are subjected to discrimination based on their gender reassignment, or perceived gender reassignment, or because they are transgender or hold another gender identity which may include gender fluidity. Consistent with the respect we have for everyone's right to live in their preferred gender identity, we will make relevant guidance available to attune people to the challenges faced by transgender and intersex people. We aim to offer appropriate support, within the workplace and in the course of our activities to enable everyone to be recognised as they wish e.g. the optional inclusion and use of preferred pronouns.

### **Race/Ethnicity and Culture**

We recognise that racial discrimination is a complex phenomenon which can be based on grounds of race, nationality, religion, culture and/or colour and other physical markers linked to ethnic belonging. We believe that our work is enriched by the different ethnic/racial, cultural groups and travelling communities we engage with and

that cultural relations has an important role to play in mutual understanding and exchange. We recognise however that conflict based on ethnic, cultural and other factors, including asylum seeker and refugee status, continues to exist and undermines inclusion. We require all staff, partners and suppliers to ensure no unjustified discrimination on grounds of race/ethnicity occurs and to promote positive and equitable relations between different races/ethnicities and cultures.

## **Religion and Belief**

We value and respect the religions/beliefs held by staff and external contacts working in and with Sydenham Garden and in the communities in which we operate, including those of no religion or belief. We try to ensure that needs and preferences are met. Where there are existing work requirements which may conflict with particular cultural and religious needs, we carefully consider whether it is reasonably practical to vary or adapt these to enable needs to be met. Requests for the accumulation of annual leave or unpaid leave in order to undertake pilgrimage, or to take unpaid leave for other Holy Days of Obligation such as Eid, Yom Kippur, Diwali or Guru Nanak require constructive consideration. Increasing religious literacy will contribute to improved cultural relations.

## **Sexual Orientation**

We are committed to supporting lesbian, gay, bisexual and heterosexual people to feel included and valued. We believe all colleagues have the right to be themselves at work without having to be concerned about sharing aspects of who they are. Whilst we respect the right of individuals to be open, or otherwise, about their sexual identity we recognise that sexual minorities can face especial challenges and be fearful of doing so in the workplace and beyond due to homophobia and heterosexism, as well as persecution. We are committed to tackling discrimination and harassment against lesbian, gay, bisexual staff and to supporting their inclusion. We support everyone working with, or for Sydenham Garden to understand that negative messages or stereotypes on the basis of actual or perceived sexual orientation are unacceptable and inconsistent with our commitment to equality, diversity and inclusion. We are aware that some cultures are particularly hostile towards lesbian, gay and bisexual people and we seek to offer a supportive environment to all colleagues and customers regardless of their sexual identity.

## **Socio Economic Background**

We recognise that people face discrimination, marginalisation and reduced opportunities because of their socio-economic background. Employment, education and the quality housing, access to opportunities and services is determined by socio-economic background. We are committed to providing opportunities for people from socially disadvantaged backgrounds to be employed and also to participate in our programmes, events, classes and activities wherever possible.