

Policy Name:	<i>Equality, Diversity and Inclusion Policy</i>
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Who it applies to:	Employees, Contractors, Volunteers, Directors, Board Members, Trustees, Members, and/or other Workers or Associated Persons.
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Equality, Diversity and Inclusion Policy

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Introduction

This Policy forms part of the Chartered Institute of Legal Executives’ (CILEX) internal control and Corporate Governance arrangements. CILEX means here the Chartered Institute of Legal Executives and its subsidiaries.

The CILEX Board is committed to ensuring that effective policies operate throughout CILEX.

This Policy is non-contractual and is intended as a statement of current CILEX Policy and its commitment to operate a fair procedure, considering statutory and other guidelines. CILEX, therefore reserves the right to amend this Policy and Procedure, as necessary to meet any changing requirements.

This Policy details CILEX’s response to Equality, Diversity and Inclusion. The Policy documents the roles, responsibilities and it outlines the main reporting procedures.

Purpose and Scope of the Policy

CILEX is committed to promoting Equality, Diversity and Inclusion and a culture that actively values difference and recognises that people from different backgrounds, culture and life experiences can bring valuable insights to the workplace and enhance the work of CILEX.

CILEX promotes Equality, Diversity and Inclusion for people with protected characteristics. The protected characteristics are classified in the Equality Act 2010 as:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex (Gender)
- Sexual orientation.

This Policy applies to all Employees, Contractors, Volunteers, Directors, Board Members, Trustees, Members, and/or other Workers or Associated Persons. CILEX is committed to Equality, Diversity and Inclusion.

Definitions

Equality, Diversity and Inclusion (EDI)

The principles of Equality, Diversity and Inclusion (EDI) are to eradicate prejudice and discrimination on the basis of an individual's or group of individuals' protected characteristics:

- Equality is about ensuring everybody has an equal opportunity and no one is treated unfairly or discriminated against, because of their characteristics.
- Diversity is about taking account of the differences between people and groups of people and placing a positive value on those differences.
- Inclusion refers to an individual's experience within the workplace or in wider society and the extent to which they feel valued or included. It is about allowing equal access to services and resources.

Discrimination

The protected characteristics set out in the Equality Act 2010 and which can relate to forms of discrimination are: Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex/Gender and Sexual Orientation.

Types of Discrimination:

Direct Discrimination: Treating someone with a protected characteristic less favourably than others.

Indirect Discrimination: Putting rules or arrangements in place that apply to everyone, but that put someone with a protected characteristic at an unfair disadvantage. Indirect discrimination can be

justified, if the employer can prove a business case for the rule or arrangement (objective justification). This is if it is possible to show that the organisation acted reasonably in managing the business, i.e., that it is 'a proportionate means of achieving a legitimate aim'. A legitimate aim might be any lawful decision made in running the organisation, but if there is a discriminatory effect, the sole aim of reducing costs is likely to be unlawful.

Associative Discrimination: Discrimination against a person, because they have an association with someone, who has a protected characteristic.

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

Harassment is "unwanted conduct related to a relevant 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 applies to all protected characteristics, except for marriage and civil partnership. Employees can complain of behaviour that they find offensive, even if it is not directed at them and the complainant need not possess the relevant protected characteristic themselves. Employees are also protected from harassment, because of perception and association. Harassment by others applies to age, disability, gender reassignment, race, religion or belief, maternity and pregnancy, sex and sexual orientation. Pregnancy and Maternity are different from the other protected characteristics in terms of how the law treats them. For employers, the Equality Act 2010 creates a potential liability for harassment of employees by people, who are not employees of CILEX, such as members or students. We may be liable, when we are aware that harassment has taken place and have not taken reasonable steps to prevent it from happening again.

Victimisation occurs, when an employee is treated badly, because they have made or supported a complaint or raised a grievance under the Equality Act 2010 or because they are suspected of doing so. An employee is not protected from victimisation, if they have maliciously made or supported an untrue complaint. A complainant will not need to compare their treatment with that of a person, who has not made or supported a claim under the Equality Act 2010.

Responsibilities

All Employees are required to know and adhere to the principles set out in this Policy, as well as working to prevent, detect and report any forms of discrimination.

Managers are responsible for leading by example on Equality, Diversity and Inclusion matters and in adhering to this Policy.

The HR Department is responsible for ensuring that all the employees are trained in Equality, Diversity and Inclusion matters and for monitoring employment practices.

The HR Department jointly with the Health and Safety Advisor¹ will ensure that reasonable adjustments to accommodate colleagues with protected characteristics are in place. They will also monitor and continue developing work life balance initiatives to meet the needs of our employees within operational requirements.

¹ The person responsible for the day to day management of Health and Safety is the Director of Business Transformation.

The Health and Safety Advisor will ensure that the collaborative spaces, where CILEX's employees work occasionally have all the necessary arrangements in place for disabled employees. The Health and Safety Advisor will also ensure that the reasonable adjustments are in place for any meetings taking place by Teams Calls, such as the Live Transcription feature.

It is the responsibility of the **Corporate Compliance and HR Departments** to ensure the completion of Equality Impact Assessments (EIA), in relation to Policies, Procedures, Statements, Practices, Functions, Guidelines and Services. EIAs should also be published alongside funding activities, such as calls and events. For further information, please see the Equality Impact Assessment Policy and Procedure.

It is the responsibility of the **Corporate Compliance Manager** to ensure that this Policy is adhered to and reviewed annually. The Policy will be revised, as necessary to take account of stakeholder feedback, recommendations from the regulatory authorities, changes in legislation or other relevant factors.

Questions or concerns relating to this Policy should be addressed to the Group Privacy Officer (Email: privacyofficer@cilex.org.uk).

Legal Obligations

This Policy complies with the Equality Act 2010 and the Equal Pay Act 1970 (including the Equal Pay Amendment Act 1985 and EHRC (Equality and Human Rights Commission) Statutory Code of Practice on Equal Pay).

References

The following CILEX Group Corporate Policies fall within the reach of this Policy:

- Archive, Retention and Destruction Policy
- Bullying and Harassment Policy
- Contractor Management Policy
- Data Protection Policy
- Equality Impact Assessment (EIA) Policy
- Flexible Working Policy
- Grievance Policy
- Health & Safety Policy
- Maternity, Paternity, Adoption and Shared Parental Leave Policy
- Recruitment and Selection Policy
- Remote Working Policy
- Risk Management
- Use Your Own Device Procedure
- Safeguarding Policy
- Whistleblowing Policy