

## EQUALITY & DIVERSITY POLICY

### POLICY STATEMENT

University Hospitals Birmingham Charity (the 'Charity') aims to create an organisation that values diversity and promotes equal opportunities and inclusion regardless of age, disability, sex, sexual orientation, gender reassignment, race, religion or belief, marriage or civil partnership, pregnancy or maternity, or socio-economic background.

The purpose of the Policy is to promote equality and remove discrimination so that everyone can fulfil their full potential in an environment of fairness, dignity and respect where decisions are consistently based on merit. This reflects the provisions of the Equality Act 2010.

### SCOPE

This policy covers all staff working for the Charity including Trustees, employees, contractors and volunteers.

### POLICY FRAMEWORK

This section describes the broad framework for the Fair Employment Policy including an overview of the relevant legislation. It also describes the key principles in relation to equal opportunities within the Charity.

### PROTECTED CHARACTERISTICS

The Equality Act 2010 covers the following protected characteristics:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex
- Sexual Orientation

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## SOCIO-ECONOMIC BACKGROUND

The Charity additionally recognises socio-economic background as a focus area to help people and communities overcome inequalities and has a role to play to work towards achieving this aim.

Definitions in accordance with the Equality Act 2010

**Direct Discrimination** is where someone is treated less favourably because of a protected characteristic.

**Discrimination by Association** is the direct discrimination of someone because of their association with someone with a protected characteristic.

**Discrimination by Perception** is direct discrimination where an individual is discriminated against because someone perceives they have a protected characteristic. It applies regardless of whether the person has the protected characteristic or not.

**Harassment** is unwanted conduct 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.

**Indirect Discrimination** is where there is a rule, condition or policy applies to everyone but disadvantages a group with a particular characteristic and then a person within that group.

**Positive Action** is where an employer can take steps to encourage people from groups with different needs or with a past track record of disadvantage or low participation to apply for jobs and to progress within the organisation.

**Victimisation** is where someone is treated less favourably because they have either made or supported a complaint under the Equality Act 2010.

**Gender Pay Gap** – As the Charity employs less than 250 people, under the provisions of the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, the Charity is not legally required to publish an annual gender pay gap report including mean and median gender pay gaps, gender bonus pay gaps and a breakdown of the Charity's workforce by pay quartiles by gender.

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## RECRUITMENT

All recruitment, selection and appointments are made fairly on the basis of the best candidate for the job.

If a particular group is under represented in the local working population or at a particular level, positive action may be considered to encourage/promote applications from such groups but appointments will still be made on merit.

The Charity is committed to inclusive recruitment and selection, including making reasonable adjustments for staff with a disability as part of the process.

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## TRAINING AND DEVELOPMENT

Training materials must not stereotype, prejudice or discriminate in any way. All staff will have access to training and development opportunities based on the requirements of their role.

Reasonable adjustments to training will be made for staff with disabilities/conditions that affect their ability to learn e.g. training materials provided in vision friendly formats on request.

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## CULTURAL AND RELIGIOUS NEEDS

The Charity will endeavour to accommodate particular cultural or religious needs including, but not limited to, observing prayer time or wearing specific clothing. However, service needs, health and safety and infection control requirements will take priority.

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## DISABILITY

Where possible, the Charity will make reasonable adjustments in the workplace for staff with a disability, those whose disability worsens during their employment, or staff who become disabled during their employment with the Charity. Reasonable adjustments must be reviewed regularly.

The Charity will ensure that managers and staff are aware of organisations that can support staff to remain in employment

i.e. Access to Work and the Business Disability Forum.

Where it is not possible for a member of staff to remain in their current job as a result of their disability, the Charity will look for alternative jobs and/or retraining. Dismissal will only be considered as a last resort.

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## TRANSGENDER {TRANS) AND NON-BINARY STAFF

'Trans' is an umbrella term used to cover gender identity such as transgender, non-binary, bi-gendered, or non-gendered.

The Charity will not tolerate any unlawful discrimination against Trans staff.  
Staff must be treated as the gender they identify with.

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## DISCIPLINARY AND GRIEVANCE

Unlawful discriminatory behaviour of any kind will not be tolerated, and any breach of this policy will be dealt with under the Disciplinary Procedure.

Where a member of staff feels that they have been treated less favourably than someone else in the same circumstances, they should approach their line manager in the first instance. If the matter remains unresolved they may wish to seek advice and support from the Charity Chief Executive and/or Trustees and, where necessary, use the Grievance Procedure to seek redress. Any such complaint will be thoroughly investigated and dealt with fairly and consistently.

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## DUTIES

### Charity Chief Executive

The Charity Chief Executive will ensure that:

- Equality and inclusion are promoted throughout the Charity, and that relevant training is made available.

### Line Managers

Anyone who has responsibility for staff must ensure that:

- They apply all Charity policies fairly, consistently and without discrimination
- All complaints of discrimination are properly addressed and dealt with sensitively, confidentially, and in a timely manner
- They challenge any incidence of discrimination

### All Staff

All Staff must:

- Treat all colleagues with dignity and respect and ensure that they do not unlawfully discriminate
- Challenge and/or report any discrimination that they witness
- Co-operate with any measures introduced to ensure equality of opportunity.