



EQUALITIES, DIVERSITY AND INCLUSION POLICY

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1. Policy Statement

Cruse Scotland is committed to providing an environment in which equality of opportunity is promoted, diversity is valued, inclusion is supported, and everyone is treated fairly, with dignity and respect.

Cruse Scotland is committed to preventing unlawful discrimination on the grounds of the protected characteristics set out in the Equality Act 2010:

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

Cruse Scotland actively opposes all forms of unlawful discrimination, harassment, sexual harassment and victimisation.

This commitment applies to our practices and, where relevant to the nature of their role, to volunteers, employees, trustees, consultants, applicants, contractors and sub-contractors and other people acting on behalf of Cruse Scotland.

Cruse Scotland is also committed to providing services that are accessible, inclusive and free from unlawful discrimination. We will seek to identify and remove unnecessary barriers to accessing our services and will make reasonable adjustments where required.

Everyone who works for or represents Cruse Scotland has the right to be treated with dignity and respect. Similarly, clients have the right to receive our services fairly and without unlawful discrimination.

2. Objectives of this Policy

The objectives of this policy are to:

- prevent, reduce and eliminate unlawful discrimination in accordance with the Equality Act 2010;
- promote equality, diversity and inclusion throughout Cruse Scotland;
- ensure that recruitment, selection, promotion, training, development, assessment, pay, benefits, terms and conditions of employment, redundancy and dismissal are managed fairly and without unlawful discrimination;
- ensure that reasonable adjustments are considered and implemented where appropriate;

- ensure that our services are accessible and provided fairly;
- provide clear processes for raising and responding to concerns about discrimination, harassment, sexual harassment or victimisation;
- ensure that staff, volunteers, and trustees understand their responsibilities;
- monitor equality-related information where appropriate and lawful; and
- take appropriate action where monitoring identifies inequality, disadvantage or barriers.

3. Scope

This policy applies to all Cruse Scotland volunteers, employees and trustees, and where relevant to the nature of their role, to:

- consultants;
- contractors and sub-contractors;
- people undertaking work placements; and
- anyone acting on behalf of Cruse Scotland.

The principles of this policy also apply to our clients and other people who interact with Cruse Scotland.

Everyone covered by this policy is expected to behave in a way that supports equality, diversity, inclusion, dignity and respect.

4. Legal and Regulatory Framework

Cruse Scotland will comply with applicable equality and employment legislation and relevant regulatory requirements.

The principal legislation includes the Equality Act 2010, which protects people from unlawful discrimination, harassment and victimisation and places specific duties on employers and organisations providing services.

Other relevant legislation and guidance may include:

- Equality Act 2010;
- Data Protection Act 2018;
- UK General Data Protection Regulation (UK GDPR);
- relevant employment legislation;
- relevant guidance and Codes of Practice issued by the Equality and Human Rights Commission (EHRC);
- relevant guidance issued by Acas; and
- relevant guidance and requirements issued by the Office of the Scottish Charity Regulator (OSCR).

This policy will be reviewed when there are significant changes to relevant legislation or guidance.

5. Protected Characteristics

The Equality Act 2010 protects people from discrimination because of the following protected characteristics:

Age

Protection applies to people of all ages, subject to limited exceptions permitted by law.

Disability

A person is protected if they meet the legal definition of disability under the Equality Act 2010. Cruse Scotland will consider reasonable adjustments and other appropriate measures to remove or reduce disadvantage.

Gender reassignment

The Equality Act protects people who are proposing to undergo, are undergoing or have undergone a process, or part of a process, for the purpose of reassigning their sex.

Marriage and civil partnership

The Equality Act protects employees and workers from unlawful discrimination because they are married or in a civil partnership.

Pregnancy and maternity

The Equality Act provides specific protection against discrimination related to pregnancy and maternity.

Race

Race includes colour, nationality and ethnic or national origins.

Religion or belief

Protection applies to religion, religious or philosophical belief, and lack of religion or belief, subject to the requirements of the Equality Act.

Sex

Protection applies to both women and men.

Sexual orientation

Protection applies to heterosexual, gay, lesbian and bisexual people, as well as other circumstances covered by the Equality Act.

The application of equality law can differ depending on whether the issue concerns employment, volunteering or the provision of services. Cruse Scotland will comply with the requirements applicable to the particular circumstances.

6. Type of Discrimination and Prohibited Conduct

Direct discrimination

Direct discrimination occurs when a person is treated less favourably than another person because of a protected characteristic.

Direct discrimination does not require an intention to discriminate.

Indirect discrimination

Indirect discrimination can occur where Cruse Scotland applies a provision, criterion or practice (PCP) to everyone, but the PCP puts, or would put, people who share a protected characteristic at a particular disadvantage compared with people who do not share that characteristic, and the individual is put at that disadvantage.

Indirect discrimination may be lawful where Cruse Scotland can demonstrate that the PCP is a proportionate means of achieving a legitimate aim.

Cruse Scotland will consider the equality implications of policies, practices and requirements and will seek to remove or reduce unnecessary disadvantage.

Discrimination arising from disability

It may be unlawful to treat a disabled person unfavourably because of something arising from, or in consequence of, their disability, unless the treatment can be objectively justified in accordance with the Equality Act.

This can include, for example, unfavourable treatment because of disability-related absence, behaviour or another consequence of a disability.

Failure to make reasonable adjustments

Cruse Scotland will consider and, where legally required, make reasonable adjustments for disabled employees, applicants and clients.

The purpose of reasonable adjustments is to prevent disabled people from being placed at a substantial disadvantage compared with people who are not disabled.

Harassment

Harassment is unwanted conduct related to a protected characteristic which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Conduct can constitute harassment even where the person responsible did not intend to cause offence.

Cruse Scotland will not tolerate harassment by staff, volunteers, trustees, clients, consultants, contractors and sub-contractors, or other third parties.

Sexual harassment

Sexual harassment is unwanted conduct of a sexual nature which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Sexual harassment can include, for example:

- unwanted sexual comments or jokes;
- unwanted touching or physical contact;
- sexualised comments about someone's appearance;
- displaying or sharing sexual material;
- intrusive questions about someone's sex life or relationships;
- making unwanted sexual advances; or
- other unwanted conduct of a sexual nature.

Cruse Scotland will take appropriate steps to prevent sexual harassment and will respond promptly to concerns or complaints.

Cruse Scotland will also consider risks of harassment arising from third parties, including clients, contractors or members of the public.

Victimisation

Victimisation occurs when a person is subjected to a detriment because they have carried out a protected act under the Equality Act 2010.

Protected acts can include making or supporting an allegation of discrimination, bringing proceedings under the Equality Act, giving evidence or information in connection with proceedings, or otherwise doing something in connection with the Equality Act.

Cruse Scotland will not tolerate victimisation of anyone who raises a genuine equality concern or supports another person who raises a concern.

7. Positive Action

Cruse Scotland may use lawful positive action where the conditions set out in the Equality Act 2010 are met.

Positive action may include measures intended to:

- address disadvantage experienced by people who share a protected characteristic;
- meet different or particular needs; or
- enable or encourage participation where people sharing a protected characteristic are disproportionately under-represented.

Positive action must not be confused with unlawful positive discrimination.

Where recruitment or promotion decisions involve candidates of equal merit, Cruse Scotland may use the specific positive-action provisions permitted by the Equality Act, where the relevant legal conditions are met.

Any positive action will be considered carefully and will be lawful, proportionate and evidence-based.

8. Reasonable Adjustments

Cruse Scotland recognises its legal duties to make reasonable adjustments for disabled people.

Depending on the circumstances, reasonable adjustments may include:

- making adjustments to premises or the working environment;
- providing or modifying equipment;
- adapting working arrangements or hours;
- reallocating particular duties;
- providing additional training, supervision or mentoring;
- providing information in an accessible format;
- modifying instructions, procedures or training materials;
- allowing time away from work for treatment or rehabilitation where appropriate;
- considering alternative methods of communication;
- making adjustments to recruitment or assessment processes;
- considering alternative roles where appropriate; and
- making reasonable adjustments to the way services are provided.

The reasonableness of an adjustment will depend on the circumstances, including its effectiveness, practicality, cost and available resources, and other relevant factors.

Cruse Scotland will discuss potential adjustments with the person concerned wherever practicable and will seek appropriate professional advice where necessary.

If a member of staff believes that a reasonable adjustment would assist them, they should discuss this with their line manager.

9. Equality and Accessibility in Service Delivery

Cruse Scotland is committed to providing services fairly and inclusively.

We will seek to ensure that people are not unlawfully discriminated against when accessing or receiving our services.

Where appropriate, Cruse Scotland will consider:

- accessibility of premises and facilities;
- accessible information and communications;

- reasonable adjustments for disabled service users;
- individual communication needs;
- cultural and religious considerations;
- barriers affecting access to services; and
- whether policies or service arrangements may disproportionately disadvantage particular groups.

Concerns about discrimination in service delivery will be taken seriously and dealt with under the appropriate complaints or safeguarding procedure, as applicable.

10. Responsibilities for Implementation

Trustees

The Board of Trustees has overall responsibility for ensuring that equality, diversity and inclusion are appropriately considered within the governance and operation of Cruse Scotland.

Senior Leadership Team

The Senior Leadership Team are responsible for ensuring effective implementation and operation of this policy and for ensuring that appropriate resources, procedures and training are available.

Managers

Managers are responsible for:

- ensuring that all staff they manage understand and comply with this policy;
- promoting equality, diversity and inclusion within their teams;
- ensuring that recruitment and employment decisions are fair and lawful;
- considering reasonable adjustments;
- responding appropriately to concerns;
- ensuring grievances and complaints are dealt with fairly and promptly;
- maintaining appropriate records; and
- seeking advice where necessary.

All staff, volunteers and representatives

Everyone volunteering for, working for, or representing Cruse Scotland must:

- comply with this policy;
- treat others with dignity and respect;
- not discriminate against or harass others;
- not victimise anyone who raises or supports an equality concern;
- not encourage, instruct or induce another person to discriminate;
- consider the impact of their behaviour on others;
- respect confidentiality where appropriate; and
- report concerns about discrimination, harassment, sexual harassment or victimisation through the appropriate process.

No person should be disadvantaged because of their association with someone who has a protected characteristic.

Individuals may have personal legal liability for unlawful discriminatory acts in some circumstances. Cruse Scotland may also be legally liable for discriminatory acts carried out by employees or agents, subject to the relevant legal provisions.

All Cruse Scotland policies and procedures will be reviewed as appropriate to identify and remove discriminatory or unnecessarily exclusionary provisions.

11. Rights of Disabled People

Cruse Scotland attaches particular importance to removing barriers experienced by disabled people.

Managers should:

- consider reasonable adjustments for disabled staff, volunteers and applicants;
- support staff or volunteers who become disabled or whose existing disability changes;
- consider adjustments to working arrangements, equipment, premises and duties;
- ensure disabled people have fair access to training and development;
- ensure recruitment and selection processes take account of reasonable adjustments;
- consider accessibility when developing services, information and communications; and seek specialist advice where appropriate.

Cruse Scotland will not make assumptions about a person's abilities based on disability and will consider individual circumstances wherever practicable.

12. Equality Training

Appropriate equality, diversity and inclusion training will be provided to staff.

Training will be included within induction arrangements and refreshed periodically according to organisational need.

Managers will receive appropriate training on:

- this policy;
- equality in recruitment and selection;
- reasonable adjustments;
- handling complaints and concerns;
- harassment and sexual harassment; and
- their responsibilities for promoting an inclusive working environment.

Those involved in recruitment and selection will receive appropriate training to support fair and lawful recruitment practices.

13. Equality Monitoring and Data Protection

Cruse Scotland may collect and analyse equality monitoring information to assess whether its employment practices and services are fair and inclusive.

Where appropriate, monitoring may include information relating to:

- age;
- disability;
- sex;
- race/ethnicity;
- religion or belief;
- sexual orientation;
- gender reassignment, where appropriate;
- pregnancy and maternity, where relevant to employment monitoring; and
- recruitment, promotion, training, progression and retention.

Equality monitoring data will only be collected and processed where there is a lawful basis for doing so.

Information that constitutes special category personal data will be handled in accordance with the UK GDPR, the Data Protection Act 2018 and Cruse Scotland's data protection and privacy policies.

Monitoring information will be treated confidentially, access will be appropriately restricted, and information will not be used unfairly in individual employment or service decisions.

Where practicable, equality monitoring information will be separated from information used for individual decision-making.

14. Equality Impact Assessment

Where appropriate, Cruse Scotland will undertake equality impact assessments or equality analysis when developing or reviewing policies, practices and services.

This will help identify whether a proposed change may adversely affect people who share a protected characteristic and whether reasonable steps can be taken to prevent or reduce any disadvantage.

Monitoring information will be used, where appropriate, to identify trends, barriers or inequalities and to inform action plans.

Where monitoring identifies significant inequality or under-representation, Cruse Scotland will consider appropriate corrective action, including lawful positive action where the relevant legal requirements are met.

15. Disciplinary, Grievance and Bullying and Harassment Procedures

Discrimination, harassment, sexual harassment and victimisation are not acceptable and may constitute misconduct or gross misconduct under the Cruse Scotland Disciplinary Procedure.

Where appropriate, concerns will be dealt with under the relevant:

- Grievance Procedure;
- Disciplinary Procedure;
- Bullying and Harassment Procedure;
- Complaints Procedure; or
- Safeguarding Procedure.

The appropriate procedure will depend on the circumstances of the concern.

16. Complaints Concerning Discrimination, Harassment or Victimisation

Volunteers, staff and clients have the right to raise concerns about discrimination, harassment, sexual harassment or victimisation without fear of retaliation. Depending on the circumstance and individual/s involved there are a range of policies which could be considered

- Adult Support and Protection Policy (all)
- Equality, Diversity and Inclusion Policy (all)
- Volunteer Policy (volunteers)
- Problem Solving and Complaints (volunteers)
- Bullying and Harassment Procedure (staff)
- Grievance & Disciplinary Procedure (staff)
- Complaints Procedure (members of the public)

All concerns will be taken seriously and will be dealt with fairly, sensitively and, where possible, promptly.

Cruse Scotland will take appropriate action where an investigation establishes that unlawful discrimination, harassment, sexual harassment or victimisation has occurred.

17. Confidentiality and Protection From Victimisation

Information relating to complaints and investigations will be handled sensitively and confidentially, subject to Cruse Scotland's legal and safeguarding obligations.

No person will be victimised or treated adversely because they have raised a genuine concern, made a complaint, provided information or supported another person in relation to an equality concern.

Malicious or knowingly false allegations may be dealt with under the appropriate disciplinary or other procedure. This provision will not prevent a person from raising a genuine concern that cannot subsequently be substantiated.

18. Review

The effectiveness of this policy and associated arrangements will be reviewed at least biennially and sooner where there are significant changes to legislation, regulatory requirements or organisational practice.

The review will be undertaken under the supervision of the Senior Leadership Team and reported through the appropriate governance arrangements.

The next scheduled review date is: 7 October 2027

19. Related Policies and External Guidance

This policy should be read alongside relevant Cruse Scotland policies and procedures, including:

- [Bullying and Harassment Policy/Procedure;](#)
- [Disciplinary Procedure;](#)
- [Grievance Procedure reasonable adjustments, positive action, service accessibility, equality monitoring, sexual harassment and governance responsibilities;](#)
- [Recruitment and Selection Policy;](#)
- [Adult Safeguarding Policy;](#)
- [Complaints Policy;](#)
- [Data Protection and Privacy Policy;](#)
- [Flexible Working Policy;](#) and
- [any relevant health, wellbeing and reasonable-adjustment procedures.](#)

Relevant external legislation and guidance includes:

- [Equality Act 2010;](#)
- [Equality and Human Rights Commission \(EHRC\) Codes of Practice and guidance;](#)
- [ACAS guidance on discrimination, equality and sexual harassment;](#)
- [UK GDPR and Data Protection Act 2018;](#) and
- [Office of the Scottish Charity Regulator \(OSCR\) guidance relevant to charity governance and equal](#)

Appendix: Guidance Factsheet for Staff and Volunteers

Our commitment

At Cruse Scotland, everyone should be treated fairly, with dignity and respect. We do not tolerate unlawful discrimination, harassment, sexual harassment or victimisation.

This applies to how we treat clients, volunteers, colleagues, trustees, consultants, contractors and anyone else we come into contact with through our work.

What does discrimination mean?

Discrimination can take different forms, including:

- **Direct discrimination:** treating someone less favourably because of a protected characteristic.
- **Indirect discrimination:** applying a rule or practice that disadvantages people who share a protected characteristic, unless it can be objectively justified.
- **Discrimination arising from disability:** treating someone unfavourably because of something connected with their disability, unless legally justified.
- **Failure to make reasonable adjustments:** failing to take reasonable steps to remove or reduce a substantial disadvantage experienced by a disabled person.
- **Harassment:** unwanted conduct related to a protected characteristic that violates someone's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment.
- **Sexual harassment:** unwanted conduct of a sexual nature that has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.
- **Victimisation:** treating someone adversely because they have raised or supported an equality concern or carried out another protected act.

The protected characteristics

The Equality Act 2010 protects people from discrimination relating to:

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

What should I do if I experience discrimination or harassment?

If you feel safe and comfortable doing so, you can tell the person that their behaviour is unwelcome and ask them to stop.

You do not have to confront the person yourself.

1. Volunteers can speak to their Area or Helpline manager; or can contact the Volunteer Development and Training Manager
2. Staff can speak to their line manager or the Head of Client Services where appropriate
3. Depending on the circumstance we would follow the process set out in our related policies
4. If you are unsure what to do, ask for advice.

You should raise concerns as soon as reasonably possible, but you will not be penalised for needing time to decide how to raise a concern.

What if I witness something?

If you see or hear something that concerns you:

- do not ignore it;
- consider whether anyone is at immediate risk;
- report the concern through the appropriate route;
- support the person affected where appropriate; and
- avoid spreading information or discussing the matter unnecessarily with others.

If you are unsure whether something amounts to discrimination or harassment, **you can still ask for advice.**

You do not need to make a judgement yourself.

Reasonable adjustments

If you are disabled or have a condition or circumstance that creates a substantial disadvantage, Cruse Scotland will consider reasonable adjustments. Adjustments might include changes to:

- volunteering or working hours or arrangements;
- equipment;
- premises;
- communication methods;
- recruitment or assessment processes;
- duties or responsibilities; or
- the way a service is provided.

If you think an adjustment could help, speak to your manager. You do not need to find the solution yourself. The aim is to discuss what would help and consider reasonable options.

If a client behaves inappropriately

Cruse Scotland recognises that staff and volunteers may sometimes experience inappropriate behaviour from clients or other third parties.

You should not feel that you have to tolerate discriminatory, threatening, abusive, sexually inappropriate or harassing behaviour because you are providing a service.

Report concerns to your manager or through the appropriate Cruse Scotland procedure. Where there is an immediate risk to safety, follow the relevant emergency, safeguarding or incident-reporting arrangements.

Confidentiality

Please treat equality-related concerns sensitively. Do not share information about a complaint or incident with colleagues who do not need to know.

Cruse Scotland will handle concerns as confidentially as possible, while recognising that information may need to be shared where there is a legal, safeguarding or other legitimate reason to do so.

Remember you can:

- ask questions;
- ask for advice;
- report a concern;
- request a reasonable adjustment;
- support a colleague or volunteer;
- challenge inappropriate behaviour where it is safe to do so; and
- raise a concern without fear of victimisation.

You do not need to:

- prove that discrimination has happened before reporting a concern;
- confront someone yourself;
- know the legal definition of discrimination; or
- deal with a concern alone.

Who can I contact?

First point of contact: *Volunteers:* your area or helpline manager

Staff: your line manager

Head of Client Services & Safeguarding Lead: Email doreen.miller@crusescotland.org.uk
Tel 0736 893 6506

Volunteer Development & Training Manager: Email wendy.diack@crusescotland.org.uk
Tel 0736 922 0875

Relevant Cruse Scotland policies:

- Equality, Diversity and Inclusion Policy (all)
- [Adult Safeguarding Policy \(all\)](#)
- [Volunteer Policy \(volunteers\)](#)
- [Problem Solving and Complaints \(volunteers\)](#)
- [Bullying and Harassment Procedure \(staff\)](#)
- [Grievance & Disciplinary Procedure \(staff\)](#)
- [Complaints Procedure \(members of the public\)](#)

If you are unsure what to do, ask.

Cruse Scotland would rather you raise a concern or ask for advice than feel you have to deal with something on your own.

Changes sheet

Date	Change Details	Author/Owner
10.05.2023	Previous version	Practice Governance and Training Sub-Committee
07.10.2026	Comprehensive review and update of equality, diversity and inclusion provisions, including updated Equality Act terminology, discrimination definitions, reasonable adjustments, positive action, service accessibility, equality monitoring, sexual harassment and governance responsibilities.	Practice Governance and Training Sub-Committee