

Equality and Diversity Policy 2022 - 2027



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Policy revision

Revision	Date Reviewed	Next Review	Prepared	Approved
Rev00	08/18	05/20	RJ	Advisory Board
Rev01	05/20	05/22	RJ	
Rev02				

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1. Context for the Policy

- 1.1 Active Cumbria is one of 43 active partnerships across England and is hosted within Cumbria County Council's People Service. We are committed to eliminating discrimination and encouraging diversity and inclusion within our workforce, in the partnerships we support and in the services we deliver. We oppose all forms of unlawful and unfair discrimination including direct and indirect discrimination, harassment, bullying and victimisation.
- 1.2 Our 5 Year Plan 2021-26 demonstrates our commitment to equality and diversity by ensuring fairness, accuracy and impartiality and aims to break down the barriers to make physical activity and sport accessible to all, reducing inequalities in participation and ensuring that everyone in Cumbria is enjoying an active lifestyle, irrespective of their age, socio-economic status, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 1.3 This policy has been developed to support the work and direction of the whole organisation, and covers the core team members, and the leadership of the organisation, namely the Active Cumbria Advisory Board.
- 1.4 This policy links with the Advisory Board's Diversity & Inclusion Action Plan, which sets out the key actions and milestones to be achieved to 2026 to ensure the leadership of Active Cumbria continues to become more diverse, representing the make-up of Cumbria as a whole.
- 1.5 The core team members are employees of the host authority Cumbria County Council (herein after referred to as the 'host authority') and are subject to the host authority employment terms and conditions and will utilise their policies and procedures in carrying out their duties.
- 1.6 This Advisory Board have endorsed this policy as the desired standard of best practice for the organisation, and for activity undertaken across the County on the organisation's behalf.
- 1.7 This policy has been developed with the direct input of the core team and Advisory Board with support from the host authority and independent equality organisations.

2. Policy Objectives

- 2.1 Active Cumbria recognises its legal obligations and will abide by the requirements of the Equality Act 2010.
- 2.2 We are fully committed to the principles of equality of opportunity and is responsible for ensuring that no job applicants, employees, volunteers, or participants are unlawfully discriminated against because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation (together the 'Protected Characteristics').

- 2.3 In addition, we recognise that we live in a diverse society and will endeavour to ensure that all individuals and stakeholders are given the same opportunities regardless of their protected characteristics.
- 2.4 We will encourage partners and stakeholders to adopt and demonstrate their commitment to the principles and practice of equality as set out in this Policy.

3. Purpose of the Policy

- 3.1 This policy is intended to ensure that Active Cumbria is compliant with the general equality duty, resulting in better informed decision-making and policy development, and better policy outcomes, essentially leading to services that are more appropriate to our users, and services that are more effective and cost-effective.
- 3.2 We aim to ensure that equality and diversity runs through everything that we do as a public service provider and employer in line with [Equality for All - Cumbria County Council's Single Equality Policy](#).

4. Legislative Context

- 4.1 The Equality Act 2010 replaced existing anti-discriminatory laws with a single act. The act includes the concept of a protected characteristic which is a characteristic of a person that protects them from discrimination, unfair treatment, harassment, or victimisation. The areas listed below in (a) – (i) are ‘the Protected Characteristics’, groups that are made up of people with the same protected characteristic are often referred to as ‘Protected Groups’.
 - (a) Age
 - (b) Disability
 - (c) Gender reassignment
 - (d) Marriage or civil partnership
 - (e) Pregnancy or maternity
 - (f) Race
 - (g) Religion or belief
 - (h) Sex; or
 - (i) Sexual orientation
- 4.2 Active Cumbria regards discrimination, harassment, bullying or victimisation, as described in section 5, as serious misconduct. All complaints will be taken seriously and appropriate measures including disciplinary action may be brought against any individual or stakeholder who unlawfully discriminates against, harasses bullies or victimises any other person in line with [Cumbria County Councils Disciplinary and Grievance Procedures](#).
- 4.3 We acknowledge that some children and adults, including those with protected characteristics can be particularly vulnerable to abuse and neglect. We accept our duty to comply with relevant safeguarding legislation and take responsibility, reasonable and appropriate steps to ensure their safety and welfare and as outlined in our [Safeguarding Policies](#).

5. Definitions of Discrimination

- 5.1 **Direct Discrimination** - It is unlawful for Active Cumbria and its host authority as an employer, potential employer and in relation to any of its functions and services to discriminate against any persons on the basis of a protected characteristic.
- 5.2 **Indirect Discrimination** - Not only it is unlawful for Active Cumbria and its host authority to directly discriminate against a person on any of the protected characteristics but must also not discriminate indirectly. An example of this would be imposing a condition which might make it hard for a person or group of people to meet. However, indirect discrimination does not arise where it can be shown that the condition is imposed is a proportionate means for achieving a legitimate aim, for example for some jobs high English proficiency might be essential to the proper performance of the role.
- 5.3 **Harassment** - engaging in unwanted conduct relating to a relevant protected characteristic or unwanted conduct of a sexual nature where the conduct has the purpose or effect of violating the recipient's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for the recipient, or any other individual affected by such conduct. We are committed to ensuring that its stakeholders conduct themselves free from harassment.
- 5.4 **Bullying** - the misuse of power or position to criticise persistently or to humiliate and undermine an individual's confidence.
- 5.5 **Victimisation** - subjecting someone to a detriment because he or she has in good faith taken action under the Equality Act 2010 (or equivalent legislation) by bringing proceedings, giving evidence or information in relation to proceedings, making an allegation that a person has contravened the Equality Act 2010 (or equivalent legislation) or doing any other thing for the purpose of or in connection with the Equality Act 2010 (or any equivalent legislation).

6. The Public Sector Equality Duty

- 6.1 Section 149 of the Equality Act 2010 places an additional set of requirements upon public bodies, known as the Public Sector Equality Duty which requires the partnership in carrying out its functions and services with due regard to the need to:
- Eliminate unlawful discrimination, harassment, and victimisation
 - Advance equality of opportunity between people who share a protected characteristic and those who do not
 - Foster good relations between people who share a protected characteristic and those who do not.
- 6.2 This means that Active Cumbria, as a public sector hosted organisation has a duty to go further than merely ensuring a person in a particular instance is not treated less favourably on the basis of their protected characteristic. The Public Sector Equality Duty requires us to consider the impact of our strategies, business plans, policies procedures and key decisions on equality and the removal of discrimination in these areas.

- 6.3 It also requires us to take steps to meet the needs of people from protected groups where these are different from the needs of other people and requires us to encourage people from protected groups to participate in public life or in other activities where their participation is disproportionately low. In some cases, we may need to treat some people less favourably than others to comply with the Public Sector Equality Duty.
- 6.4 We intend to bring people from different backgrounds together, thus fostering good relations between people who share a protected characteristic and those who don't.

7. Policy Implementation

This policy will be implemented immediately following endorsement by the Advisory Board.

7.1 Leadership and Decision Making

- 7.1.1 The Public Sector Equality Duty sets out a clear mandate for the role that leaders and decision makers have in addressing equality. The scope of the Equality Act applies to all Active Cumbria functions and services and will inform all policies and decisions that are taken on its behalf.
- 7.1.2 The Advisory Board has overall responsibility for ensuring that this policy is implemented, followed, and regularly reviewed. The policies and procedures of the host authority will be used should any breaches arise, with support provided through the line management arrangements within the host authority.
- 7.1.3 The core team, Advisory Board, host authority and equality partners will be consulted on this policy and any future amendments.
- 7.1.4 A member of the Advisory Board will be appointed as the 'Equality & Diversity Champion' who will ensure that equality and diversity is considered at Advisory Board level, and at meetings when appropriate and that the Advisory Board takes equality and diversity related issues into consideration when making decisions.
- 7.1.5 A member of the core team will be designated as the 'Lead Welfare Officer' by senior management and will have the overall day-to-day responsibility for the implementation and monitoring of this policy and for leading on any related actions resulting from it. If required, an internal and/or external welfare group will be created to provide additional support.
- 7.1.6 A member of the core team will be designated as the 'Deputy Welfare Officer' who will take over the Lead Welfare Officers role in their absence.
- 7.1.7 A specific Equality & Diversity operational group consisting of core team members, supported by the Advisory Board Equality & Diversity Champion will meet quarterly to review best practice and ensure that Active Cumbria is meeting its requirements around equality and diversity.

7.2 Service Delivery

- 7.2.1 Active Cumbria will monitor the diversity profile of service users and user satisfaction by diversity profile to ensure that access to services is equal and that action can be taken to address inequalities of access.
- 7.2.2 Equality Impact Assessments (EIAs) are a tool to check whether we are meeting the Public Sector Equality Duty. They are like a risk assessment to ensure that strategies, policies and services meet the Equality Duty and that action can be taken to remove or reduce the barriers that might exclude protected groups from engaging in our services. EIAs will be carried out as required and monitored on an on-going basis. There are three triggers for carrying out EIAs:
- Service Planning or reviews of existing services.
 - Decisions for that may reduce staffing or services to the public.
 - Organisational restructures.
- 7.2.3 Work programmes for the core team members will include equality and diversity related tasks where appropriate.
- 7.2.4 We recognise that we have a duty to make reasonable adjustments for disabled persons. The partnership will consider all requests for adjustments and where possible in line with Cumbria County Councils Guidance on Disability and Reasonable Adjustments
- 7.2.5 Advocacy with funding commissioners of the benefits of additional funding into targeted sport and physical activity interventions to ensure the range of opportunities is appropriate for protected groups.

7.3 Information and Engagement

- 7.3.1 The partnership will ensure that there is a consistent, accurate and clear approach to the provision on accessible information for all stakeholders in line with Cumbria County Councils Accessible Information Policy and Guidance and Active Cumbria's Corporate Branding Guidelines.
- 7.3.2 Active Cumbria will ensure that stakeholders are aware of and can access interpretation and translation by making information and services available on request, with minimum delay in line with, Cumbria County Councils Guidance on using interpreters and translators
- 7.3.3 We will carry out an annual marketing and communications audit to ensure that we are pro-actively communicating with service users including those from protected groups.
- 7.3.4 We recognise the benefits of engaging with people from the full range of protected characteristics and aims to establish effective communication mechanisms to inform and engage protected groups in our services.

7.4 Workforce

- 7.4.1 Active Cumbria will publish an annual core team workforce diversity profile as part of the annual equality review to monitor the diversity of its workforce.
- 7.4.2 The host authority operates a positive action scheme where there is evidence of under-representation of a specific group within the workforce who share protected characteristics.
- 7.4.3 The host authority has an Equality Staff Engagement Programme which is about

making sure employees have the knowledge and support they need to deliver a service that respects equality. The programme consists of an e-learning platform and a range of courses which are mandatory for all staff.

- 7.4.4 We will promote continuing professional development for all employees to support equal opportunities within the organisation and, where appropriate, provide specialist facilities, equipment or training where required.

8. Policy Communication

- 8.1 A copy of this Policy will be publicly available on our website and copies in alternative formats will also be available upon request.
- 8.2 The core team and Advisory Board members will be made aware of the policy when they join; the policy will be highlighted in all staff and Board Member inductions.
- 8.3 Each time this policy is reviewed, the Advisory Board will be consulted. Following policy consultation, a notice of the changes being made will be publicly available.

9. Monitoring and Evaluation

- 9.1 Active Cumbria will review this policy every three years or when new legislation requires changes. We will seek advice each time this policy is reviewed to ensure it continues to reflect the current legal framework and good practice.
- 9.2 We will monitor the impact of this policy on an annual basis, statistical and, if appropriate qualitative information will be collected, with a report being produced, and presented to the Advisory Board. Once approved, the report will be published internally and externally, to show the impact of this policy.

10. Concerns or Complaints

- 10.1 To safeguard individual rights under this Equality Policy, any stakeholder who believes they have suffered inequitable treatment within the scope of this policy may raise the matter through the host authority's appropriate procedures which can be found Here.
- 10.2 Cumbria County Council's disciplinary procedure is intended to support managers and employees where misconduct issues arise.
- 10.3 Cumbria County Council's grievance procedure is intended to help resolve concerns, problems or complaints which employees wish to raise in a prompt and fair manner.
- 10.4 Cumbria County Council's whistleblowing policy is designed to enable employees of the County Council and employees of external organisations employed in service contracts, to notify Senior Officers of any reasonable suspicion of illegal or improper conduct.

10.5 For non-employees the complaints procedure can be found on www.cumbria.gov.uk or email complaints@cumbria.gov.uk

11. Key Contacts

The following people can advise on this policy:

Lead Welfare Officer: Cameron Wilson
Mob: **07423 797081**
Email: cameron.wilson@cumbria.gov.uk

Deputy Welfare Officer: Michelle Young
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Advisory Board Diversity Champion: Sam Joughin
Email: sam@togetherwe.co.uk



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