

# Improving equality, diversity and inclusion in the workplace



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Promoting, managing and regularly encouraging equality and diversity in your workforce is key to a thriving and successful business. Whether you employ hundreds of people or you're responsible for a smaller team, making sure all your employees are treated fairly is still vitally important.

We understand that this responsibility can be tough, especially when you're spinning other HR & Employment Law plates. To help you get to grips with some of the initial Equality & Diversity considerations you need to make as an employer, our experts have created this guide which takes a look at what Equality & Diversity means in a business context, tips to start pro-actively managing equality and diversity in your business as well as some of the business benefits of creating a diverse workforce.

## What do we mean by equality, diversity and inclusion?

Equality and diversity are slightly different from one another, but both are equally important.

When we talk about equality, we talk about treating individuals fairly regardless of (for example) their age or sex. Most employers are probably somewhat familiar with equality as it relates to discrimination and their duty under the Equality Act 2010 (more on that later!)

Diversity and inclusion are more about the range of different people in your workplace and how you make them feel valued. It's about having a team made up of people from different backgrounds, abilities, ethnicities, ages, genders etc, recognising and respecting those differences and accommodating them so everyone is able to do their job effectively.

When it comes to scouting for the best talent and building effective teams, having a diverse range of people can bring new ideas and different perspectives to the workplace, shedding light on different ways of doing things. By doing this, you'll build a more successful workforce and allow your business to thrive.

## What are my legal responsibilities?

The Equality Act 2010 places a duty on employers to make sure that they treat all of their employees (and prospective employees) fairly, and not to discriminate against them on the grounds of nine protected characteristics, which are:

<b>Age</b>	<b>Gender reassignment</b>
<b>Sex</b>	<b>Pregnancy and maternity</b>
<b>Race</b>	<b>Disability</b>
<b>Religion</b>	<b>Marriage/ Civil partnership</b>
<b>Sexual orientation</b>	

It's also up to employers to make sure that their employees don't discriminate against their colleagues on these grounds too. All your employees will be members of at least a few of these protected characteristics so it's important to recognise these to avoid any instances of discrimination, either direct or indirect.





## Why is equality, diversity and inclusion so important - especially right now?

Good equality, diversity, and inclusion in a business can lead to better business performance, increased employee engagement, and better recruitment and retention. And it's not only important because of the business benefits it brings, either - it also forms part of your legal obligations as an employer.

Right now, you can be held responsible for the discriminatory acts of your employees, unless you can show that you've taken all reasonable steps to prevent them from happening - like providing appropriate, up-to-date, and effective training to employees on what is acceptable behaviour, as well as training for managers on how to tackle incidents when they spring up.

It's only set to become more important, too. Last summer, the government confirmed that they will be reforming the Equality Act to introduce a duty on employers to take positive action to prevent sexual harassment occurring in the workplace. If you don't, action could be taken against you - even there hasn't been an incident.

This year, the government ratified the International Labour Organization's Violence and Harassment Convention.

And the Equality and Human Rights Commission will also soon be publishing a new statutory Code of Practice on sexual harassment and harassment in the workplace.

All of the above shows the focus there will be on employers to show what steps they've taken to prevent harassment taking place in the workplace - and good equality, diversity and inclusion policies, practices and training are a key way of doing this.





## Direct and Indirect discrimination

When it comes to complying with your responsibilities under the Equality Act 2010, you need to be aware of the different types of discrimination- the main two being direct and indirect.

### Direct discrimination

Direct discrimination is treating an individual unfairly because of their protected characteristics – such as age, sex or race.

An example of direct discrimination could be not promoting an individual because they are transgender and the role goes to a less qualified, cisgender candidate.

As an employer, you also shouldn't ask any questions about a candidate's protected characteristics in an interview – e.g. asking someone's age, asking a candidate if they are, or plan to get, pregnant. You should only ask health questions at the recruitment stage where you can show that they relate to the person's ability to undertake an intrinsic part of the role, and this can be difficult to prove.

You also need to think about what reasonable adjustments you could make so that a candidate or an employee can perform the role.

### Indirect discrimination

Indirect discrimination comes in the form of any company rules, policies, and procedures that apply to all employees, but might unintentionally put a particular group of people at a disadvantage based on a protected characteristic.

An example of this could be asking all your employees to work on a Sunday, which could indirectly discriminate against members of a certain religion who cannot work on this day because of their beliefs.

If it does place a protected group at a disadvantage, then you would need to be able to show that the rules/policy etc were a proportionate way of achieving a legitimate business need. Again, this can be difficult to prove.

Avoiding instances of discrimination is essential to make sure you're complying with your obligations under the law and creating a fair workplace. If you don't, you put your business at risk of discrimination claims.

However, there is more to the story when it comes to equality, diversity and inclusion – it's not just about avoiding discrimination. Promoting a fair, equal and diverse workplace can have innumerable business benefits.

We're going to take a look at some ways to promote equality and diversity in your workplace and just a few of the benefits of adopting an inclusive approach.



# Promoting equality and diversity in the workplace

When it comes to creating an equal, diverse and inclusive environment in your business, it's all about finding ways to embed this throughout your culture. Here are just a few of the ways you can do this.

## Consider a policy

While it's not a legal requirement for a business to have an equality and diversity policy, it can be a useful document that sets out your stance with your people from the outset.

**There are several advantages to having a formalised policy in place. It helps:**

- Demonstrate your commitment to equality and diversity and promote your stance
- Increase your team's awareness of the diversity of groups within the business, along with issues a group might face
- Set out the behaviour you expect from people when it comes to creating a fair workplace
- Outline a clear procedure to resolve any problems that arise

If you decide to create an equality and diversity policy, it's important to create this in collaboration with your people. The earlier you engage your teams in the creation and implementation of a policy, the more likely they are to feel that the policy is of benefit to them, and not just the business.

Once you've got an agreed policy, it's important that this is fully communicated with your employees, what's expected of them and that their cooperation is needed to make the policy a success.







## Employee surveys

It might sound simple, but if you want to find out how your people feel about the way your business handles equality and diversity, ask them! This is a big part of the collaboration and communication needed for making equality and diversity work in your business.

An anonymous employee survey is a great opportunity for your people to express how they think your business handles equality and diversity at the moment, what they would change and also, if they have any ideas to create a more inclusive environment. It's a great way to let their voices be heard, bring their ideas to the table and have them help shape your approach in the future.



## Education and training

To create a culture where equality and diversity is engaged with proactively, and discrimination and inequality are challenged, building training on equality and diversity is a good plan. Including your equality and diversity policy in new staff inductions or in employee handbooks is a good way to get people engaged with the topic right from the off.

Equality and diversity training for managers can help them become role models for equality, diversity and inclusion. Training your management team will help them be alert to any discriminatory behaviour and signs of bullying and harassment. But training can also help them have equality and diversity at the heart of their management style, championing inclusion and making sure everyone on their team has equal access to opportunity.



## Organisational culture and values

How do you exercise your values on equality and diversity on a daily basis? A handful of examples of how you can successfully do this include:

- Encouraging engagement with important events that not everyone will know about, such as: LGBT History Month
- Openly communicating with employees about your aspirations on equality and diversity for the business
- Celebrating your employees' achievements equally
- Asking for suggestions or feedback from all your staff and not just a small minority



# The benefits of an equal and diverse workforce

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## A wider range of skills to draw on

If you have a more diverse workforce, you broaden the range of skills within your business. People that come from different backgrounds, with a range of experience and perspectives, give your business the opportunity to benefit from different ways of thinking.

Tasks that require creative problem solving and innovation are well suited to teams with a variety of perspectives, as teams that are too similar tend to see things in just one way.



## Stronger connection with your customers

If you employ a diverse range of people, you'll be in a better position to connect with a diverse range of customers. A diverse workforce will help you to understand the needs and motivations of a greater range of your customers. This in turn will help you to shape your future product and service offerings to better represent what they want and engage with a larger percentage of your market.



## Competitive edge

A diverse workforce helps demonstrate that you're a forward-thinking and inclusive employer.

People will look to your business because you're promoting a positive message and because of this, you'll continue to grow and attract more business opportunities giving you the upper hand over the competition.



## More attractive to new recruits

As a business that demonstrates their commitment to equality and diversity, you'll build a reputation as an employer that treats their people well. When it comes to recruitment, this will help you appeal to a wider pool of talented individuals who know they'll be respected in the workplace. That gives you the opportunity to expand your business with the help of a diverse and talented workforce that you might not have originally attracted.



## Employee engagement

As a business that promotes equality and diversity, your employees will feel equally recognised, involved, and valued for their work. Because you're proving to your employees that you value them as individuals, they'll feel more engaged and motivated to produce their best work. Happy and valued employees want to stay in a business that appreciates them, so you'll maintain a highly skilled, happy, and hardworking workforce.