

Equality, Diversity and Inclusion Policy

People Policy



Highlands and Islands Enterprise
Iomairt na Gàidhealtachd 's nan Eilean

POLICY SUMMARY

Highlands and Islands Enterprise (HIE) is proud to be an inclusive employer and prides itself on employing the right people in the right roles. HIE recognises that each employee is unique, with their own background, personal characteristics, experience, skills and motivations. Employees are valued for the different perspectives, skills and experience they bring to HIE because embracing our differences makes us a great organisation.

Promoting an inclusive workplace at HIE creates a happier, more productive working environment for everyone, regardless of role or seniority.

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1. Policy Statement

Highlands and Islands Enterprise (HIE) is committed to creating and maintaining an inclusive workplace for everyone working for/with us. Equality, diversity and inclusion (ED&I) applies to everyone, therefore, anyone working for or on behalf of HIE is expected to understand and adhere to the principles of this policy.

To support our inclusive culture, the Equality, Diversity and Inclusion policy;

- outlines our commitment throughout the employment lifecycle to equality, diversity and inclusion
- outlines HIE's expectations of our people in support of this commitment
- sets out the key steps taken to make our culture as inclusive as possible
- signposts employees to the appropriate policy and process to raise concerns or complaints made in respect of equality, diversity and inclusion

The guidance contained in this policy is non-contractual and does not form part of any employee's terms and conditions of employment.

2. Scope

This policy applies to anyone working for, or on behalf of, HIE. The policy also relates to job applicants and is relevant to all stages of the employment relationship.

This policy complements a number of HIE's other policies and procedures and should be considered at all times through the employment lifecycle.

3. Principles

HIE believes that through the promotion of equality, diversity and inclusion, the organisation will;

- Assist in maintaining an inclusive culture where employees feel happy and motivated at their work
- Be more reflective of the clients we work with and the communities we support, encouraging them to uphold the values of equality, diversity and inclusion
- Collaborate as a workforce more effectively, drawing on experiences and knowledge from a diverse range of people
- Become an employer of choice, able to attract and retain the best people in the right roles

By adopting the principles of equality, diversity and inclusion, ultimately HIE will maximise its productivity and success.

4. HIE Commitments

HIE is fully committed to eliminating discrimination and values the differences that a diverse workforce brings to the organisation. HIE believes that a culture of equality, diversity and inclusion not only benefits the organisation but supports wellbeing and enables our people to work better because they can be themselves and feel that they belong.

Equality is about treating people fairly, according to their individual needs, regardless of the differences between us. Equality is enshrined in HIE's obligation to comply with anti-discrimination legislation which protects everyone from being discriminated against on grounds which are unfair.

Diversity is about understanding, respecting and valuing differences and the unique contribution which each of us brings to HIE. An employer which values diversity makes the best of people's talents whatever their background, experience, style, perception or values and beliefs.

Inclusion is about recognising equality and diversity and then affording everyone the opportunity to contribute to organisational success in their own, unique way so that everyone feels empowered and enabled to achieve their full potential. An inclusive workplace is one in which everyone feels that they belong through feeling safe in being themselves, that their contribution matters, that policies and practices are fair and that a diverse range of people are supported to work together effectively.

HIE's commitment to equality, diversity and inclusion includes:

- Promotion of equality and diversity in recruitment, whether external or internal
- Promotion of equality and diversity in learning and development opportunities
- Promotion of equality and diversity in career progression opportunities
- Elimination of discrimination of any kind
- Provision of an in-house mediation service when needed
- Provision of external counselling services, occupational health and an employee assistance programme, when needed
- Promotion of an inclusive workplace at all times
- Regular revision of this and all associated policies to ensure current and accurate

HIE is committed to maintaining a culture which recognises and rewards individual achievement and merit regardless of any protected characteristic: **age, disability, gender reassignment, marriage, civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation**; as well as working pattern and contract status.

HIE believes that the promotion of equality and diversity is key to good management, to developing an inclusive workplace culture and in maximising employee productivity. HIE therefore expects all employees to be treated with respect at all times and not just in relation to the characteristics protected by equality legislation (see above list).

5. HIE Expectations

Everyone working for, or on behalf of, HIE has a responsibility to promote and advance this policy. Our inclusive workplace culture is made in the day-to-day interactions between us, so creating the right environment is everyone's shared responsibility. Individuals are expected to treat colleagues and third parties fairly and with dignity, trust and respect. Sometimes, this means allowing for different views and making space for others to contribute.

By embedding such values and constructively challenging inappropriate comments or ways of working, everyone can help HIE achieve and maintain a truly inclusive culture.

HIE will provide training and guidance for all staff, particularly those with management responsibility, to encourage commitment to and awareness of equality, diversity and inclusion issues and responsibilities. Employees must familiarise themselves with their obligations under this policy and, in the event of uncertainty, discuss this with their line manager or the HR team.

Line managers have a particular responsibility to ensure that their staff are aware of and act in accordance with this policy at all times.

Any comments, actions or materials that may be considered offensive are unwelcome and there is no place for them in the workplace. All individuals should be aware that they can be held personally liable for discrimination and harassment rather than the organisation.

Any complaints or breach of this policy will be progressed through the HIE Grievance policy or Bullying and Harassment policy, if appropriate. Both policies advise readers on how informal action may assist situations.

6. Discrimination

HIE is committed to promoting a working environment based on dignity, trust and respect, and one that is free from discrimination, harassment, bullying or victimisation. Discrimination, harassment, bullying or victimisation of any kind will not be tolerated, and any allegations will be fully investigated under the Anti-Bullying and Harassment policy.

HIE wants to maintain an inclusive culture that goes beyond the statutory requirements of the Equality Act 2010, which was implemented to simplify discrimination legislation and create a more consistent and effective framework. The protected characteristics under the Equality Act 2010 are:

- Age
- Disability
- Gender reassignment
- Marriage or civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

A definition of each protected characteristic can be found in Appendix 1.

6.1 Forms of Discrimination

Discrimination can be intentional or unintentional and may occur directly, indirectly, by association or by perception.

Direct Discrimination is treating someone less favourably because of a protected characteristic compared with someone who does not have that characteristic (for example choosing not to recruit someone because they are disabled and you think they "wouldn't fit in" to the team).

Indirect Discrimination occurs when a policy, procedure or way of working that applies to everyone, puts people with a particular protected characteristic at a disadvantage, compared with people who do not have that characteristic, unless there is a good reason to justify it.

Associative Discrimination is treating someone less favourably because they are associated with someone who has a protected characteristic.

Perceptive Discrimination occurs when someone is treated less favourably because you perceive them to have a protected characteristic, even if they do not.

Discrimination arising from disability occurs when someone is treated unfavourably because of something connected with that person's disability and where such treatment is not justified.

6.1.1 Failing to make reasonable adjustments

Employers are legally obliged to make reasonable adjustments to ensure that aspects of employment, or the employer's premises, do not put a disabled person at a substantial disadvantage. Failing to comply with this duty is unlawful.

Examples of reasonable adjustments might include:

- allocating some of the disabled person's duties to a colleague;
- changing their working hours or place of work;
- adjusting procedures for assessing job candidates; and
- modifying disciplinary and grievance procedures.

6.2 Bullying, Harassment and Victimisation

HIE takes allegations of bullying, harassment and victimisation seriously and will investigate all allegations in line with the Bullying and Harassment policy. Staff should refer to the policy direct for further information. Note that the existing Bullying and Harassment policy is currently under review and will be updated to the Dignity at Work policy in due course.

7. Equality of Opportunity

7.1 Recruitment

As an equal opportunities employer, HIE is committed to recruiting, promoting and developing its staff solely on the basis of their ability to contribute to HIE's objectives, without regard to their age, disability, gender reassignment, marriage, civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

As an [SCQF Inclusive Recruiter](#), our recruitment and selection activity is conducted in line with our commitment to equality, diversity and inclusion. HIE acknowledges that many different qualifications have the same worth, and as such has updated the internal recruitment process, namely the Job Description/Person Specific template, to reflect this. This is in line with the SCQF Inclusive Recruiter guidance, ensuring that SCQF Levels are included to offer clarity around skills and experience required for the role, rather than looking for a specific academic qualification.

7.2 Career Development

As an accredited Investor in People (IIP) organisation, HIE seeks to develop staff to their fullest potential and invest heavily in learning and development activity for staff at all levels and in all roles (more details below). HIE operates a structured performance management system which incorporates a personal development plan (renewed annually at the same time as yearly targets are set). Using a structured format ensures consistency of approach to reviewing performance and provides a robust mechanism for managers and staff to discuss past performance and future aspirations.

7.3 Disability Inclusion

HIE is a Disability Confident employer, currently at the Established (middle) level of the standard. As such we encourage applications from those with disabilities or health conditions and also ensures that existing staff are fully supported, making adjustments as necessary and appropriate to enable everyone to work to their fullest potential and further develop their career with the organisation.

7.4 Learning and Development

HIE supports the principle of lifelong learning and development and tailors support in a variety of ways, both formal and informal. For example, HIE offers assistance towards the costs of gaining qualifications relevant to specific roles, including SVQs, HNCs and various professional qualifications. Full details can be found in the Further and Higher Education Sponsorship policy.

Employees studying for an additional qualification may also be eligible for a certain amount of study and exam leave (see Further and Higher Education Sponsorship policy).

Occasionally, there may also be opportunities to arrange an external secondment to another organisation (Recruitment policy currently in development, which will provide full process details).

7.4.1 Mentoring

Learning and development is also undertaken in less formal ways, such as via work shadowing, on-the-job training and more formal mentoring arrangements.

Mentoring supports employees' learning and development. Employees should use the Halogen system to highlight their preferences regarding mentoring – being either mentor or mentee. Any employees involved in mentoring should refer to the Mentor Code of Ethics and the mentoring intranet page for further details.

8. Employee Support Groups

The following table highlights the various employee support groups, both internal and external.

Internal		
Name	Details	Associated policy / further information
Carer Peer Support Group	For staff in a caring role of any sort, run by carers themselves with input from HR as appropriate	Carers policy Private Yammer Group HIE is a Carer Positive employer (currently at the Established level and working towards the top level of Exemplary)
Menopause Support Group	For any interested member of staff, either for themselves or in respect of a family member or friend	Menopause policy being drawn up Menopause Champion appointed Private Yammer Group
Neurodiversity Group	For any interested member of staff, either for themselves or in respect of a family member or friend	Private Yammer Group Champions appointed for peer support
Mental Health First Aiders (MHFAs)	HIE has a cohort of First Aiders to help support staff and be a listening ear when desired	Details of the current MHFAs are available on the Intranet – see here
Staff Forum	HIE's staff forum seeks "to work together to make HIE a better place to be" and comprises a diagonal slice of staff representing a balance of seniority, business units and protected characteristics.	The dedicated staff forum intranet page provides full details.
External		
Name	Details	Associated policy / further information
Employee Assistance Programme (EAP)	Counselling (up to 6 sessions are available) Advice also available on a wide range of issues (financial, legal, etc)	24 / 7 service available 365 days a year FreePhone number 0800 032 9849
Connecting Carers (covering the Highland Council area from Caithness & Sutherland in the north to Lochaber in the south)	Excellent support for staff who are carers, providing signposting to support services and allocating a case worker where appropriate	01463 723560 https://connectingcarers.org.uk
Other carer support within rest of HIE area and throughout Scotland as a whole	Carer centres Care Information Scotland (careinfoscotland.scot)	

9. Breach of Policy

Breaches of this policy will result in action under the disciplinary procedure. Serious breaches of HIE's commitment to equality, diversity and inclusion will be considered gross misconduct and will result in summary dismissal. Employees should refer to the current Disciplinary Policy on the policies page on the intranet for full details.

10. Records

In order to review the success of this policy, HIE will ask all job applicants to complete an equality monitoring form. All existing staff will from time to time be asked to complete information to help HIE understand the staff profile from an equality perspective and compare with the labour market. Understanding HIE's demographic profile assists us to identify existing or emerging equality issues or trends.

Where there is under-representation of particular groups, the underlying reasons will be investigated and, where appropriate, practical measures will be taken to address the issue identified.

There are no formal procedures outlined in this policy which would lead to a formal record being taken. However, there may be occasions where equality, diversity and/or inclusion issues are raised under another policy e.g. grievance policy or bullying and harassment policy. On such occasions, the protocol of the appropriate policy will be followed, and any records should be taken and retained in line with the appropriate policy and retention period.

Full details on retention periods can be found in the retention schedule.

11. Training

HIE will ensure that an on-going training plan is developed to ensure the identification of key management and staff groups to be trained.

HIE will also ensure that systems are in place to communicate the policy to new employees during their induction to HIE.

12. Related policies/guidelines

- Adoption leave policy
- Attendance Management policy
- Bullying and Harassment policy (will change to Dignity at Work once policy reviewed)
- Capability policy
- Disciplinary policy
- Grievance policy
- Flexible working policy
- Health and wellbeing policy
- Hybrid working guidance
- Maternity leave policy

- Paternity leave policy
- Recruitment policy
- Shared parental leave policy
- Special leave policy
- Volunteering policy
- Whistleblowing policy

13. Monitoring and review

This policy is subject to joint monitoring and shall be reviewed by HR every two years or sooner as required by business needs or legislative changes.

Policy Owner:	Human Resources	Last reviewed:	August 2023
Review in:	2 years		

Appendix 1: Protected Characteristics Defined

Age

A person will belong to a particular age (for example 28 years old) or a range of ages (for example 18 – 34 years old)

Disability

A physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities

Gender Reassignment

A person has this protected characteristic if they are proposing to undergo, are undergoing or has undergone a process (or part of a process) for the purpose of transitioning from one sex to another.

Race

Includes colour, nationality, ethnic or national origins. The fact that a racial group comprises two or more distinct racial groups does not prevent it from constituting a particular racial group.

Religion or Belief

Religion means any religion, including lack thereof. Belief means any religious or philosophical belief (including political belief) and also a lack of such belief.

Sex

The biological, reproductive classification of people as either 'male' or 'female'.

'Gender' refers to the social expectations, roles or stereotypes of each of the sexes. While the two are clearly linked, it is important to acknowledge the difference in order to protect from sex-based discrimination.

Sexual Orientation

An individual's sexual orientation towards persons of the opposite sex (heterosexual), of the same sex (homosexuality) or either sex (bisexual).

Marriage and civil partnership

A person is protected under this category where they are either married or in a civil partnership, as recognised by law.

Pregnancy and maternity

A person is protected under this category where they are pregnant, breastfeeding, has recently given birth or is currently on a period of maternity leave.